THE HISTORY OF THE FOREST OF DEAN

AS A TIMBER-PRODUCING FOREST

by

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## CONTENTS

<table>
<thead>
<tr>
<th>Acknowledgements</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summary</td>
<td>(ix)</td>
</tr>
<tr>
<td>Principal abbreviations used in footnotes</td>
<td>(xi)</td>
</tr>
<tr>
<td>Select Glossary</td>
<td>(xiii)</td>
</tr>
<tr>
<td>Introduction</td>
<td>1</td>
</tr>
</tbody>
</table>

### Chapter:

<table>
<thead>
<tr>
<th>I Dean and its Administration to A.D.1300</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primaeval Woodland</td>
<td>3</td>
</tr>
<tr>
<td>Roman Occupation</td>
<td>5</td>
</tr>
<tr>
<td>Saxon Occupation</td>
<td>7</td>
</tr>
<tr>
<td>The Normans</td>
<td>10</td>
</tr>
<tr>
<td>Eleventh and Twelfth Century Administration</td>
<td>15</td>
</tr>
<tr>
<td>Thirteenth Century Administration</td>
<td>18</td>
</tr>
<tr>
<td>The Forest Eyres of 1258, 1270, and 1282, and the Regard of 1282</td>
<td>23</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>II The Crown's use of its woodlands during the Thirteenth Century</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales of trees and underwood</td>
<td>26</td>
</tr>
<tr>
<td>Trees and timber used for the king's works</td>
<td>27</td>
</tr>
<tr>
<td>Gifts of trees and woodland produce</td>
<td>35</td>
</tr>
<tr>
<td>The king's policy towards the Forest and its cover</td>
<td>38</td>
</tr>
<tr>
<td>Woods granted by the king</td>
<td>42</td>
</tr>
<tr>
<td>The Chase, the Park, and the Warren</td>
<td>51</td>
</tr>
<tr>
<td>Common, Pannage, and Estovers</td>
<td>52</td>
</tr>
<tr>
<td>Assarts and Purprestures</td>
<td>55</td>
</tr>
<tr>
<td>Vert Offences</td>
<td>59</td>
</tr>
<tr>
<td>Charcoal-burning</td>
<td>59</td>
</tr>
<tr>
<td>Furnaces and Forges</td>
<td>62</td>
</tr>
<tr>
<td>Quarrels for crossbows</td>
<td>65</td>
</tr>
<tr>
<td>Other utilization of woodland produce</td>
<td>66</td>
</tr>
<tr>
<td>Chiminage</td>
<td>67</td>
</tr>
<tr>
<td>Military services of woodland workers</td>
<td>68</td>
</tr>
<tr>
<td>Summary to the end of the thirteenth century</td>
<td>69</td>
</tr>
</tbody>
</table>
Chapter III 1300 to 1557:

- Officials of the Forest
- Courts in the Forest
- Woods granted by the king
- Assarts, and Grants of land
- Gifts, Sales, and Utilization of trees and underwood
- The Crown's policy towards the Forest and its cover (I)
- Administration: 1400 - 1557
- The Crown's policy towards the Forest and its cover (II)

Chapter IV Elizabeth I (1558 to 1603):

- Timber-trees
- Taverner's Survey in 1565
- Forest Courts and Offences
- Sales of trees
- Ship-timber
- The Iron-Industry
- Forest Law at the end of Elizabeth's reign

Chapter V 1604 to 1631:

- Administration under James I
- Coppices
- The King's Ironworks
- Common, Fannage, and Estovers
- Exploitation of the Woods
- Ship-timber
- Assarts, Wastes, Purpustures, and Encroachments
- Administration under Charles I
- The Ironworks: A New Lease
- Conflicting interests and subsequent riots

Chapter VI 1632 to 1648:

- Revival of the forest law (I)
- Broughton's Survey in 1633
- Revival of the forest law (II)
- The Eyre of 1634
- The Survey of 1634
- The attachment court
- The Ironworks in 1635
- The Survey of 1638
- Ship-timber
- Plans for "Settling the Forest"
- Wintour's Grant in 1640
- New Surveys and Proposals
- Administration: 1632-42
- The Civil War (1643-45)
<table>
<thead>
<tr>
<th>Chapter</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>VII</td>
<td></td>
</tr>
<tr>
<td>The Commonwealth (1649 to 1660):</td>
<td>196</td>
</tr>
<tr>
<td>Preservators and the Ironworks</td>
<td>196</td>
</tr>
<tr>
<td>Wade's Administration (I)</td>
<td>199</td>
</tr>
<tr>
<td>Aldridge and Naval Timber</td>
<td>201</td>
</tr>
<tr>
<td>Purzer and Ship-Building</td>
<td>203</td>
</tr>
<tr>
<td>Wade's Administration (II)</td>
<td>206</td>
</tr>
<tr>
<td>Mitigation of forest law</td>
<td>210</td>
</tr>
<tr>
<td>VIII</td>
<td></td>
</tr>
<tr>
<td>1660 to 1699:</td>
<td>214</td>
</tr>
<tr>
<td>The Restoration</td>
<td>214</td>
</tr>
<tr>
<td>The Commission of 1662</td>
<td>219</td>
</tr>
<tr>
<td>A Second Grant to Wintour (1662)</td>
<td>219</td>
</tr>
<tr>
<td>Naval Matters (I)</td>
<td>221</td>
</tr>
<tr>
<td>Devastation of trees</td>
<td>223</td>
</tr>
<tr>
<td>A Third Grant to Wintour (1667)</td>
<td>225</td>
</tr>
<tr>
<td>Naval Matters (II)</td>
<td>227</td>
</tr>
<tr>
<td>Proposals for &quot;Settling the Forest&quot;</td>
<td>230</td>
</tr>
<tr>
<td>The Dean Forest (Reafforestation) Act, 1668</td>
<td>234</td>
</tr>
<tr>
<td>Naval timber and Pepys' &quot;Survey&quot; in 1671</td>
<td>239</td>
</tr>
<tr>
<td>The end of the King's Ironworks</td>
<td>242</td>
</tr>
<tr>
<td>Keepers' Walks and Lodges</td>
<td>246</td>
</tr>
<tr>
<td>The Commission of 1660</td>
<td>249</td>
</tr>
<tr>
<td>The Commission of 1663</td>
<td>252</td>
</tr>
<tr>
<td>The Commission of 1692</td>
<td>259</td>
</tr>
<tr>
<td>IX</td>
<td></td>
</tr>
<tr>
<td>1700 to 1799:</td>
<td>267</td>
</tr>
<tr>
<td>Cordwood for the Iron Industry</td>
<td>267</td>
</tr>
<tr>
<td>Abuses</td>
<td>268</td>
</tr>
<tr>
<td>Sales of timber</td>
<td>283</td>
</tr>
<tr>
<td>The Commissioners of 1788</td>
<td>285</td>
</tr>
<tr>
<td>X</td>
<td></td>
</tr>
<tr>
<td>1800 to 1964:</td>
<td>289</td>
</tr>
<tr>
<td>Nelson's report of 1803; Naval timber</td>
<td>289</td>
</tr>
<tr>
<td>The Dean Forest (Timber) Act, 1808</td>
<td>289</td>
</tr>
<tr>
<td>Drivers' Planting Contract and Billington's and Machen's Accounts</td>
<td>292</td>
</tr>
<tr>
<td>Timber for the Navy and other purposes: 1809-17</td>
<td>297</td>
</tr>
<tr>
<td>Machen's Management: 1819-48</td>
<td>297</td>
</tr>
<tr>
<td>Timber for the Navy and other purposes: 1818-47</td>
<td>302</td>
</tr>
<tr>
<td>The Select Committee of 1849</td>
<td>303</td>
</tr>
<tr>
<td>Machen v. Kennedy and Brown</td>
<td>306</td>
</tr>
<tr>
<td>1855 to 1896</td>
<td>310</td>
</tr>
<tr>
<td>Hill's Report of 1897</td>
<td>314</td>
</tr>
<tr>
<td>1898 - 1913</td>
<td>317</td>
</tr>
<tr>
<td>The 1914-18 War</td>
<td>323</td>
</tr>
<tr>
<td>The Forestry Commission: 1919 to 1938</td>
<td>325</td>
</tr>
<tr>
<td>The 1939-45 War</td>
<td>327</td>
</tr>
<tr>
<td>The Forestry Commission: 1946 to 1964</td>
<td>329</td>
</tr>
<tr>
<td>Some comments and conclusions</td>
<td>332</td>
</tr>
<tr>
<td>The Forest today</td>
<td>334</td>
</tr>
</tbody>
</table>
Appendix

I (A) Demesne woods in 1282 (including clearings or riddings)
   (B) Chases, Rights of Warren, Parks, and Groves in 1282
II Waste in Demesne Woods: 1271 to 1282
III (A) Woods granted by the king as at 1282
      (B) Waste in woods granted by the king: 1271 to 1282
IV Gifts of Trees and Woodland Produce in the Thirteenth Century
V Quarrels for Crossbows in the Thirteenth Century
VI Taverner's Survey in 1565
VII Broughton's Survey in 1633
VIII The Survey of 1634
IX The Survey of 1638
X The Dean Forest (Reafforestation) Act, 1668
XI Pepys' "Survey" in 1671
XII The Report of 1692
XIII (A) Enclosures made prior to 1787
      (B) The Survey of 1787
XIV Nelson's Report of 1803
XV The Dean Forest (Timber) Act, 1808
XVI Prices, Costs, and Valuations

Select Bibliography At the end of the Appendices

Graph
I Indicating the extent of
   (A) "The forest"
   (B) The woodland cover
   } In end
   } folder
Photographs

<table>
<thead>
<tr>
<th>Photographs</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>The oldest tree: The Crad Oak, pre-1668, in Sallow Valley.</td>
</tr>
<tr>
<td>II</td>
<td>A &quot;Charles II Oak&quot;, post-1668, in Churchill, showing stem-rot.</td>
</tr>
<tr>
<td>III</td>
<td>&quot;The Three Brothers&quot;, post-1668, in Russells.</td>
</tr>
<tr>
<td>IV</td>
<td>Weymouth pine, in Sallow Valley, the first conifers planted in Dean, c.1781.</td>
</tr>
<tr>
<td>V</td>
<td>Typical short-boled oak of the 1808-18 era.</td>
</tr>
<tr>
<td>VI</td>
<td>Douglas fir in Park Hill, planted 1895.</td>
</tr>
<tr>
<td>VII</td>
<td>Stripping oak bark.</td>
</tr>
<tr>
<td>VIII</td>
<td>Natural regeneration of mining soil-heaps.</td>
</tr>
<tr>
<td>IX</td>
<td>Amenity: The Soudley ponds surrounded by hardwoods and conifers.</td>
</tr>
<tr>
<td>X</td>
<td>Multiple use: The Camping Ground at Christchurch.</td>
</tr>
<tr>
<td>XI</td>
<td>Experimental enclosure for both sheep-grazing and timber-production.</td>
</tr>
</tbody>
</table>

Maps of Dean

<table>
<thead>
<tr>
<th>Maps of Dean</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Today</td>
</tr>
<tr>
<td>II</td>
<td>At Domesday</td>
</tr>
<tr>
<td>III</td>
<td>In 1282</td>
</tr>
<tr>
<td>IV</td>
<td>In the 16th Century</td>
</tr>
<tr>
<td>V</td>
<td>In the 16th Century</td>
</tr>
<tr>
<td>VI</td>
<td>In 1788</td>
</tr>
<tr>
<td>VII</td>
<td>Today</td>
</tr>
</tbody>
</table>

Insert to end folder
ACKNOWLEDGEMENTS

I wish to record my thanks for the encouragement, assistance, and guidance received from my supervisor Professor H.P.R. Finberg. The staff at the places to which my research has led, particularly at the Public Record Office, British Museum, and Gloucestershire Record Office, have shown me every courtesy and consideration.
SUMMARY

Archaeological research has abundantly shown that the primitive lands of a wide area, of which the Forest of Dean is a survival, were densely wooded. The abundance of wood was eroded through centuries by assarting, industrial activity, neglect, and wanton spoliation.

The vicissitudes of Dean from early times to Domesday, through the era of wooden ships, to modern commercial forestry, have not hitherto been fully described. The thesis is believed to be the first based on research into the records and development of a timber-producing forest. It treats of Dean (a) in its progress from natural woodland, and later hunting preserve, to an example of silviculture including use for recreation, education, and scientific purposes, and (b) as producing timber for multifarious uses. The course of the Crown's use of the Forest is made clear. Particular attention is given to:-

1. Species of trees, from early times to the present day, and the uses of the cover.
2. Extent of (a) the Forest under forest law and (b) the extent (the lesser) of its woodland cover. Effects of afforesting and deforesting.
3. Forest law as operative in Dean. Its (a) administration; (b) decline in severity; (c) beneficial aspects; and (d) lapse into desuetude.
4. Customs common to forests: pannage, commoning, and estovers.
5. Factors in reduction of the cover: assarting, gift, sale, lease, and theft.
7. Inadequacy of replenishment when timber was needed for ship-building.

8. Timber and wood for (a) the king's works, (b) gifts, (c) mining of iron-ore and coal, (d) charcoal-burning for smelting and forging, (e) fuel, building, and other local requirements, (f) quarrels for cross-bows, (g) ship-building, and (h) modern wood-processes.

9. Oak bark for tanning.


11. Attainment of scientific silviculture in the nineteenth and twentieth centuries.

12. The multiple use of the Forest: commercial timber-production, education, scientific, and recreation.

The thesis concludes with an explanation of Dean's present condition, and its function as an important national Forest.
PRINCIPAL ABBREVIATIONS USED IN FOOTNOTES
(The source is the P.R.O., where not stated otherwise)


B.M. British Museum.

B. & G.A.S. Bristol & Gloucestershire Archaeological Society,
Transactions of


C. Chancery Papers: in particular:
C.47 Chancery Miscellanea
C.53 Charter Rolls
C.64 Close Rolls
C.60 Fine Rolls
C.62 Liberale Rolls
C.66 Patent Rolls
C.77 Welsh Rolls
C.99 Chancery, Forest Proceedings
C.132-142 Inquisitions Post Mortem
C.143 ad quod damnum
C.145 Inquisitions Miscellaneous
C.147 " "

Cal. Calendar.

C.N.F.C. Cotswold Naturalist Field Club.


E. Exchequer Papers: in particular:
E.32 Treasury of Receipt, Forest Proceedings
E.101 E.K.R. Accounts Various
E.112 " Bills and Answers
E.123 " Decrees and Orders
E.134 " Depositions by Commissions
E.146 " Forest Proceedings
E.159 " Memoranda Rolls
E.178 " Special Commissions of Enquiry
E.315 Exchequer Misc. Books (Augmentation Office)
E.368 L.T.R. Memoranda Roll
E.372 " Pipe Rolls
E.401 " Enrolments and Registers of Receipts
E.407 Exchequer of Receipt, Miscellaneous

E.K.R. Exchequer, King's Remembrancer.


G.R.O. Gloucestershire Record Office.

H.C.J. House of Commons Journals.
Inq. & q.d. Inquisitions ad quod damnum
I.P.M. Inquisitions Post Mortem
Lansd. Mss. Lansdowne Manuscripts.
L. & P. Hen. VIII Letters & Papers, Forest & Domestic, of the reign of Henry VIII (S.P. 1).
L.R.4 Accounts (Woods); 1663 to 1831.
L.R.6 ) (Series I
L.R.7 ) Accounts of the Receiver ( " II
L.R.12 ) General of the Land Revenues ( " III
L.R.O. Land Revenue Records Office.
L.T.R. Lord Treasurer’s Remembrancer.
P.C.2 Registers of the Privy Council.
P.R.O. Public Record Office.
S.C.6 Ministers’ and Receivers’ Accounts.
S.F. State Papers Domestic:
  S.P. 1 General Series, Hen. VIII
    " 10 Edward VI
    " 11 Mary
    " 12,13 Elizabeth I
    " 14 James I
    " 15 Edward VI to James I addenda
    " 16,17 Charles I
    " 18 Interregnum
    " 29,30 Charles II
    " 31 James II
    " 32,33 William and Mary
    " 34 Anne
Trans. Transactions.
Tsy. Bks. & Papers " " and Papers.
Tsy. Papers " Papers.
V.C.H. Victoria County History.
In particular

The forest - The king's forest throughout his realm.

The Forest - The Forest of Dean.

The castle - The castle of St. Briavels, the administrative centre from c.1131 to c.1800.

In general

Acre, Woodland - Larger than a statute acre. Discussion of woodland acreages is made difficult by the use of customary forest poles and acreages (E. G. R. Taylor: "The Surveyor", Econ. Hist. Rev. XVIII, 1948, pp. 121-33). The statute acre was generally reckoned at 16½ feet to the pole. Woodland measure was not only different from statute measure, but varied from forest to forest. Assarts within the forests were surveyed at the statute measure. Failure to state the measure employed complicates any attempt at a statistical approach to the subject.

Afforest - To apply forest law to a territory. Not to be confused with its use from the eighteenth century, to establish a woodland on an area from which forest vegetation has always or long been absent.

After-pannage - Money paid for pannage (q.v.) after the ordinary pannage season, usually after Martinmas.

Agist - To permit animals in woodlands, usually by payment. Hence agistment, and agister.

Assart - To uproot trees and underwood and bring the land under cultivation.
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assize of the forest</td>
<td>The established custom of the forest.</td>
</tr>
<tr>
<td>Bark</td>
<td>That of oak was used for tanning. Flitterm bark, off thinnings, is much richer in tannin. Oak will only strip easily during a few weeks in April, May, or early June.</td>
</tr>
<tr>
<td>Bole</td>
<td>Trunk of a tree.</td>
</tr>
<tr>
<td>Bote</td>
<td>See Estovers.</td>
</tr>
<tr>
<td>Brazes</td>
<td>Small charcoal, used for refining bar iron.</td>
</tr>
<tr>
<td>Broad-leaved tree</td>
<td>Produces &quot;hardwood&quot; timber, e.g. oak, beech, ash, as opposed to a conifer or &quot;softwood&quot;.</td>
</tr>
<tr>
<td>Browse wood</td>
<td>The thin branches of trees which were fed to deer and cattle during the winter.</td>
</tr>
<tr>
<td>Browsing</td>
<td>Feeding by deer and cattle on twigs and shoots.</td>
</tr>
<tr>
<td>Butt</td>
<td>(a) The base of a tree; (b) the lower end of a log.</td>
</tr>
<tr>
<td>Cardboard</td>
<td>Cleft timber, boards, pales, and the like.</td>
</tr>
<tr>
<td>Chiminage, Cheminage</td>
<td>A charge on anything hauled through a forest.</td>
</tr>
<tr>
<td>Cinders</td>
<td>Partly-smelted iron-ore, used for re-smelting.</td>
</tr>
<tr>
<td>Clapboard</td>
<td>Timber for cooperage, chiefly oak.</td>
</tr>
<tr>
<td>Collet</td>
<td>An underwood cut on rotation.</td>
</tr>
<tr>
<td>Collier</td>
<td>Charcoal-burner. From 18th Century a miner of mineral coal.</td>
</tr>
<tr>
<td>Common, Rights of</td>
<td>Rights of an individual or a community to exercise Herbage and Pannage (q.v.).</td>
</tr>
<tr>
<td>Complement</td>
<td>Cords assigned under a contract.</td>
</tr>
<tr>
<td>Conifer</td>
<td>A cone-bearing tree, e.g. larch, spruce, pine, producing &quot;softwood&quot; timber.</td>
</tr>
</tbody>
</table>
Cooper's timber
- Chiefly oak, see Clapboard.

Coppice
- A crop of shoots (q.v.) arising from stools (q.v.).

Coppice shoot
- A shoot arising from a bud at the base (stool, q.v.) of a tree cut near the ground.

Coppice-with-standards
- Crop comprising coppice under standards.

Cord
- A stack of wood usually containing about 128 stacked cubic feet and measuring 8'4" long x 4'3" wide x 4'3" high, sometimes referred to as a "long" cord. The amount of wood was about 75 to 100 cubic feet. A "short" cord was half a cord.

Cordwood
- Wood cut in lengths of 4'3", sometimes 2'2", measured in cords, and commonly used for domestic fuel and for charcoal to smelt iron-ore.

Cover
- The woodland crop.

Covert
- Shelter, especially thicket hiding game; the habitat of beasts of the forest.

Defence month
- From the fifteenth day before Midsummer to fifteen days after Midsummer, when the deer were supposed to be fawning.

Deforest
- To declare an area relieved of forest law. Not to be confused with its use from the nineteenth century, to remove the tree crop from land without the intention of reforesting.

Delivery
- Release, e.g., estovers (q.v.) freed at the court of attachment, or cordwood under a contract released by forest officials to ironmasters.

Dotard
- A decayed tree unsuitable for timber.

Enrichment
- To plant young trees among a woodland crop.

Estovers
- Firewood, timber, and other necessaries taken as a privilege. They included housebote, firebote, and haybote.

Eyre
- (a) Judge's tour; (b) session of itinerant Judge's Court.
Flittern bark - See Bark.

Fellet - A felling, usually a clear-felling; the modern term is vallet.

Forest - Land used by the king for his hunting and subject to his will by special laws.

Herbage - (a) That which beasts feed on; (b) Payment for putting beasts to graze.

High Forest - Crops other than underwood and coppice.

Increment - The increase in girth, height, and volume of a tree or crop.

Kibble - "Timber cut into pieces of suitable length for making casks or wheel-spokes etc. and of convenient weight for being carried away" (3rd Rept. of 1788, p. 586).

Lawn - See Pasture land. "Forbidden lawns" are mentioned in c.1279-82 (E.32/32).

Load - (of shipping-timber) 50 cubic feet.

Lop and top - The branches and top cut from a tree felled or fallen, more rarely standing.

Mast - Acorns and beech-mast, of value for feeding swine. See Pannage.

Measure - (a) Girth, full measure of a tree; (b) square, the squared-out measure of a tree.

Mine - Iron-ore.

Miner - A digger of iron-ore. Later used of mineral coal worker.

Multiple use of woodlands - The simultaneous use of woodlands for two or more purposes, often in some measure conflicting, e.g. the production of timber with grazing or recreation.

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1. R.G. Albion says a load was "the size of an average oak, weighing slightly more than a ton and making nearly a ton of average shipping" (The Mariner's Mirror, 38, 1, Feb.1952, p.14). In fact oaks vary so much in size and quality that they may contain one to ten loads.
'Natural regeneration - Renewal of a forest crop by self-sown seed, coppice, or root suckers.

Offal - Lop, top, and branches; also the waste from squared or sawn timber.

Overwood - The upper storey of a two-storeyed high forest.

Pannage - (a) Feeding of swine in oak and beech woods; (b) money paid for freedom so to feed. And see After-Pannage.

Pasture land (lande) - Open land, lawn (q.v.), green, or common, in the Forest, where commonable animals could graze on payment by their owners.

Perambulation - Delimitation of a forest by metes and bounds. Done by walking, but sometimes by consultation, perusal of documents, and enquiry.

Plantation - A forest crop raised by sowing or planting.

Purlieu - Deforested land on the fringe of forest.

Purpresture - Trespass by building on or otherwise illegally disturbing forest land.

Future of foresters - Food for them and their horses.

Regeneration - See Natural regeneration.

Regrowth - See Natural regeneration.

Ridding (reode, rode, reude, ruding, reuding, etc.) - A space rid of a woodland crop. See also Trench (infra).

Sawpit - A pit used in converting timber by hand-sawing along the grain into planks or beams. The saw was operated by two men, one standing above the timber and the other in the pit below. Many were in use in Dean by 1612.

Shredding - Debranching of standing trees. Much in evidence in the 16th Century.

Silviculture - The art and science of cultivating forest crops.
<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spring</td>
<td>The young growth from germination, and sometimes that from stools (q.v.).</td>
</tr>
<tr>
<td>Standard</td>
<td>Tree reserved in coppice to remain standing to reach its full size and maturity. Often called Standel, Store, Teller.</td>
</tr>
<tr>
<td>Standel</td>
<td>See Standard.</td>
</tr>
<tr>
<td>Stem-rot</td>
<td>A rot, Stereum. Oak in Dean is particularly prone to it.</td>
</tr>
<tr>
<td>Stoggal</td>
<td>A tree &quot;cut short or broken down by the wind&quot;; not a timber-tree (q.v.).</td>
</tr>
<tr>
<td>Stool</td>
<td>A tree-stump capable of putting forth shoots.</td>
</tr>
<tr>
<td>Store, Storer</td>
<td>See Standard.</td>
</tr>
<tr>
<td>Tanner</td>
<td>A worker in hides for leather, using oak bark for its tannic acid.</td>
</tr>
<tr>
<td>Teller</td>
<td>See Standard.</td>
</tr>
<tr>
<td>Thinning</td>
<td>Felling made in an immature crop for the purpose of improving the growth and form of the trees that remain.</td>
</tr>
<tr>
<td>Timber-tree</td>
<td>A sound tree suitable for construction work; by statute at least &quot;one foot square at the stub&quot;.</td>
</tr>
<tr>
<td>Treenail, Trennel</td>
<td>Wooden &quot;nails&quot; or pegs used in ship-building. Green oak would corrode iron bolts.</td>
</tr>
<tr>
<td>Trench (trenchea)</td>
<td>Long, narrow clearing (or ridding, q.v.) made for safety, travel and revenue from the crop.</td>
</tr>
<tr>
<td>Trencher-maker</td>
<td>Maker of carving-boards, wooden bowls, plates, and the like.</td>
</tr>
<tr>
<td>Undergrowth</td>
<td>The lowest stratum of woody vegetation on the forest floor.</td>
</tr>
<tr>
<td>Understorey</td>
<td>The lower storey of a forest crop, more usually the young trees which will replace the over-crop or standards (q.v.).</td>
</tr>
<tr>
<td>Underwood</td>
<td>See Understorey. Usually not coppice, but often referred to as such.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>---------------------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Venison (venatio)</td>
<td>(a) Hunting; (b) flesh of beast hunted</td>
</tr>
<tr>
<td>Vert</td>
<td>Green vegetation growing in a wood or forest and capable of serving as covert or food for the beasts of the forest.</td>
</tr>
<tr>
<td>Wood</td>
<td>General term for produce of trees below timber quality.</td>
</tr>
<tr>
<td>Woodland acre</td>
<td>See Acre.</td>
</tr>
<tr>
<td>Woodland, Multiple use of</td>
<td>See Multiple use.</td>
</tr>
<tr>
<td>Working Plan</td>
<td>A written scheme of management aiming at continuity of policy and action and controlling the treatment of a forest.</td>
</tr>
</tbody>
</table>
1.

INTRODUCTION

In remote ages much of the land-area now the British Isles was densely wooded. The scattered communities who cleared woodland for cultivation and grazing had abundant wood for building, fencing, and fuel. By felling trees they encouraged animals to graze, and this in turn did much to prevent regrowth and natural regeneration.

One of the extensive woodlands surviving from prehistoric times lay in Gloucestershire between Severn and Wye; for nearly a millennium it has been known as the Forest of Dean. It is economically and socially of particular interest on account of two closely related features: its woodland, and its mineral wealth. The Forest's iron-ore and coal have been at various times of great importance in relation to the woodland.

In Dean early immigrants, particularly the Romans and Saxons, much reduced the extent of the cover and impoverished what survived of it. From post-Domesday times well on into the thirteenth century, the 100,000-acre "forest", not all of which was woodland, extended over most of the land between the Severn and Wye south of a line running north-westwards from near Gloucester to Newent and thence to Ross-on-Wye. By 1282 not more than one-third was wooded; the remainder was arable, pasture, scrub, and waste. In the fourteenth century the Crown by perambulations much reduced the area of "forest", retaining under forest law most of the woodland.

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i. \text{ See Map III.}\]

Subsequent centuries saw the Crown's cover further reduced by assarts, grants, and sales. Today, including outlying re-acquired woods, Dean comprises 27,271 acres, of which some 23,000 are woodland. The phases of decline and revival and of commercialisation are detailed in the following chapters.

The Forest has always been a district where minerals have been worked. Many of its inhabitants have been fellers, charcoal-burners, and smelters and forgers of iron, having ancient customs and usages, particularly free mining and commoning. Dean, at first mainly reserved for hunting (venatic), from about the mid-seventeenth century was increasingly used for timber-production. Much of its history is that of conflict between these two uses for hunting and forest products, and then again between these and mining, smelting, and commoning.
PRIMAEOVAL WOODLAND

Apart from the "Coal Forests" of millions of years ago, the woodland cover of the land between the Severn and Wye may date from the end of the last glacial period of Pleistocene times. It is uncertain to what extent vegetation survived the rigours of the Ice Ages, and what species were able to maintain themselves in sheltered areas south of the glaciers which roughly reached to the later Gloucestershire northern boundary. Possibly a flora similar to that of Greenland existed, in which case dwarf birch, perhaps with dwarf willow, may have been the only woodland species in the region in Pleistocene times.

By about 8000 B.C. the Late-Glacial period gave way to the Pre-Boreal. New species, including shrubs and trees, began to reach Britain from the Continent. These included birch, hazel, and Scots pine. The Boreal period ushered in a mean summer temperature higher than today's. This brought in trees of the "Atlantic mixed oak forest", particularly oak, elm, alder, and lime; ash and yew became established from c.5500 B.C. The result was deciduous forest. The Sub-Boreal, c.3000 B.C., a drier interlude, was followed c.500 B.C. by a wetter, cooler climate during which beech may have become established.

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ii. Personal communication from Dr. G.W. Dimbleby.
Similar conditions have lasted till today.¹

Before Roman times, the greater part of the 100,000 acres in the angle formed by the confluence of the Severn and Wye as far north as Ross-on-Wye, Newent, and Gloucester, were wooded except in places too marshy, e.g. at Wigpool and Walmore. The chief broad-leaved trees are believed to have been sessile oak, ii beech, ash, wych elm, alder, birch, cherry, lime, field maple, crab-apple, sallow, whitebeam, rowan, hazel, holly, and hawthorn. There is no evidence of any other conifer than yew. Our knowledge of tree and shrub species in the remoter ages is as yet far from complete.

Knowledge of Dean comes from discoveries within the area. A composite burial mound on Tidenham Chase, excavated during 1951-52, iii showed slight but undoubted traces of Mesolithic, Neolithic, and early

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ii. It has been asserted that the original oak in Dean was sessile, the pedunculate oak being planted in later centuries (The Flora of Gloucestershire, pp. lxix, lxx). Dr. E.W. Jones considered that before 1820 90-100% of the oak in Dean was sessile and that the planting which took place about this time was almost exclusively pedunculate (Ibid., lxx).

Bronze Age occupation. Charcoal found included that from oak, and probably ash, birch, a *rosaceous* plant, and from *viburnum*, possibly Guelder rose or Wayfaring tree. A fruit of gean (*Prunus avium*) was also found.

Rather more than sixty years ago a submerged woodland was exposed at a place half a mile below the Garden Cliff at Westbury-on-Severn.\(^1\) It included oak, alder, birch, bird cherry, blackthorn, dogwood, elder, and willow. Among the prehistoric remains found in 1929\(^ii\) in "Merlin's Cave" near Symonds Yat, was charcoal from alder, ash, birch, buckthorn, hawthorn, hazel, lime, oak, poplar, willow, and *Sorbus* spp., possibly rowan. Evidence of beech has not been found.

By 1237\(^iii\) maple, thorn, and hazel were abundant in Dean, but the chief species then were oak, beech, and Sweet chestnut,\(^iv\) which probably appeared in Roman times and was well established in the thirteenth century in and around the Vale of Castiard near Flaxley.

**Roman Occupation**

Probably only in the south, and on or near the alluvial banks of the Severn, did the cover suffer much through pre-Roman occupation. Further inland there were a few smaller clearings where the inhabitants needed outlook posts, primitive thoroughfares, or found

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iii. C.66, 21 Hen. III, m.11.

iron-ore near the surface, or good land easy to cultivate. At the
coming of the Romans, most of what came to be known as the Forest of
Dean had some 80,000 acres of woodland cover. In places the trees were
dense, in others thinly stocked, and interspersed with scrub and
thicket. There was an increasing population. Roman establishments
were sited on the Severn near Lydney, Woolaston, Aylburton, and
Sedbury Cliff, encampments on Welshbury Hill, and a farm homestead
at Huntsham.

The chief clearances began from the Roman "lines of
communication" between their "control points". Some of the entries
were continuance of those of an existing population. First, from the
roads running from Glevum to (a) Ariconium (near Bolitree, east of
Ross-on-Wye), and (b) Monmouth (Blestium). Second, by way of the
Severn crossings (a) from Oldbury to Stroat, (b) from Berkeley to
Lydney, and (c) from Arlingham to Newnham. Third, from Monmouth down
the Wye to Redbrook.

Roads were made through the woodland. The chief one, later
called the "Dean Road", ran almost due south from Ariconium through
fertile valleys to near Lydney, where it joined the road to Stroat,
Tidenham, and Chepstow (Striguiil). Several of the "hollow ways" and
other ancient tracks were improved and used, as that from Newnham to

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i. R.E.M. and T.V. Wheeler, Report on Excavations in Lydney Park,
ii. C. Scott-Garrett and F.H. Harris, "Chesters Roman Villa, Woolaston",
    Arch. Cambrensis, 1938, pp.93-125.
iii. At Park Farm.
vi. Ibid., personal communication.
vii. A.W. Trotter and A. Hicks, The Old Dean Road, 1936, See Map III.
The entries were made chiefly to reach the surface deposits of iron-ore. Working of ore and the making of charcoal were encouraged; some mining of outcrop coal, and quarrying of stone also took place. Clearing for cultivation was complementary to these operations. Land in the vicinity was required for habitation, cultivation, and grazing. The nearby shallow soil was neither productive nor easy to cultivate; thus incursions had to be made into more fertile parts of the neighbourhood. Much wood and timber was taken for dwellings, buildings, fencing, domestic fuel, and smelting.

Some details of the entries can be given. Ore was needed at the Roman centres on the Cotswolds on the east. The deposits around Collafield (north of Littledean Hill) were reached by the Arlingham-Newnham ferry, and thence up by Stears.

Ore was required at Monmouth on the west. Deposits to the east of Clearwell and Newland, and around Dream, were reached from Redbrook by way of a fertile and well watered valley. In the north the demand came from Ariconium. The deposits at Collafield, Wigpool, and Buckshaft were made accessible by a new road through the valley of "Dene".

**Saxon Occupation**

The Anglo-Saxons and their associates speeded up the process

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of clearance. Professor Finberg has painted the broad scene of clearance in Gloucestershire; it is now possible to provide some of the details for Dean. Many villas were carved or enlarged out of the woodland cover: Tidenham, Bishop's tun, Middletun, Lanceut, Wyesham, Staunton, Clearwell, Huntsham, Aston Ingham, Highnam, Churcham, Tibberton, and Taynton; also, inland from the west bank of the Severn: Woolaston, Alvington, Aylburton, Lydney, Purton, Newnham, and Elton.

There are lynchets, believed to be Saxon, at Madgetts and near Lydney and Bigsweir. Besides those settlements with -ton and -ham there were in the north-east many -leys, among them Flaxley, Rodley, Huntley, and Upper and Lower Ley. There were also several burys, including Sedbury (Cingestune), and Westbury, and the fertile valley called "Dene". Many of the settlements were connected by the deteriorated Roman roads. Some impact was made on the western fringe of the woodland when Offa constructed the southern section of his dyke running from Tumps Hill, near Lydbrook (in the north of the Forest), via Symonds Yat Rock down much of the east bank of the Wye to below Chepstow and thence to Sedbury Cliff on the Severn.

In the east of the Forest areas colonized in Roman times were enlarged particularly in the region of the ore deposits and wherever

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ii. Sir Cyril Fox, Offa's Dyke (O.U.P., 1955), VII.
good land could be won. From the Wye, four routes of entry were followed: Brockweir to Hewelsfield; Bignswear to Mork and St Briavels; Redbrook to Newland and Clearwell; and Monmouth to Staunton, meeting an entry from the east. The attractions of the Redbrook-Newland-Clearwell valleys lay in the ore deposits at their heads, and the good alluvial land and productive Old Red Sandstone (Devonian Series). Water too was abundant; Thurstan's Brook still runs through Coleford to Newland where it joins a stream from Clearwell and flows to Redbrook.

The Saxon charters afford information as to occupation of Tidenham and district. From there and Woolaston clearances were made northwards to the iron-ore deposits near Bream, where the soil was insufficiently workable to permit much settlement. On the north-west, the alluvial flats of Hadnock and Huntsham were reached from Monmouth. From Ross-on-Wye clearance proceeded (a) south-westwards to Walford (a crossing of the Wye), (b) southwards to Coughton and Howle, (c) south-eastwards to Hope Mansel and Pontshill, and (d) eastwards to Weston-under-Penyard, Ryeford, Bromsash, Eccleswell, the Lea, and Aston Ingham. The last entry met colonization from Gloucester, whence the process was carried on (a) north-westwards to Taynton, Tibberton,
and Newent, (b) westwards to Highnam, Churcham, Huntley, and Longhope, and (c) south-westwards to Minsterworth, Ley, Blaisdon, and Flaxley; entry beyond Minsterworth and Dinny was deterred by the extensive Walmore swamp.

The Normans

The existence and extent of "forest" in England before 1066 is an obscure matter, but it is certain that in the Norman period forest law was firmly established here. How much definition of forest law was inherent in the Saxon system is unknown. The Norman kings had a passionate love of the chase. Under William "there was a rapid and violent extension of forest land."\(^i\) Up to the thirteenth century, afforested land comprised much of the realm.\(^ii\) From Domesday we can conjecture that about one-third of the 100,000 acres in the lower angle of the Severn and Wye was designated forest;\(^iii\) the one-third was chiefly woodland.

For an elucidation of the intricacies of forest law and its administration historians have had recourse chiefly to the Dialogus of Richard fitzNeal,\(^iv\) the Assize of Woodstock, 1184,\(^v\) the Charter of the Forest, 1217,\(^vi\) and the sixteenth-century treatise, not fully to

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\(^iii\) Map II.
\(^iv\) Dialogus de Scaccario, ed. Hughes, Crump and Johnson, 1902.
\(^v\) Printed in Stubbs, Select Charters, 9th Ed., p.186.
\(^vi\) Ibid., p.344 ff.
be relied upon, of John Manwood. Modern scholarship has thrown more light upon many aspects of the subject. The social and economic effects of the forest system were far-reaching. The legal and political effects were also extensive. The woodlands and their environs held game which even during famine it was unlawful to touch. The Norman kings usually inflicted heavy penalties for offences concerning venison. Often a prisoner long awaited trial and after judgment endured protracted imprisonment.

Miss Neilson has posed two questions: First, "whether all this reserving of land for forest was entirely the result of royal love of sport". So far as Dean is concerned the answer is no. Second


"whether there was also, in the time of the Conquest anyway, a secondary motive for the formation of blocks of territory for defence in exposed places". The questioner added: "It may be that in the days after the Conquest there was a policy of building castles near forest regions where defence could be concentrated". The building of St Briavels castle c.1131 overlooking the Wye and the Welsh border may add weight to the suggestion.

In Domesday no account was given of the central woodlands; they were without a known name but associated with the lands called "Dene", and later became known as the Forest of Dean. Domesday implies that the land designated forest included at least the present woodland. Outside the forest lay much woodland around Tidenham, Lydney, Longhope, Huntley, Churcham, Tibberton, Taynton, and Kilcot; as examples, Tidenham had 1,210 acres, Lydney 1,512, Huntley 2,420, and Tibberton 3,630. In the case of the last two it is evident that some of the attributed woodland, though attached to their manors, was in land-units outside them.

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ii. Domesday, f.176b.
MAP II: "THE FOREST" AND ITS ADJACENT HUNDREDS
AT DOMESDAY.

NOTE: (i) Much woodland also lay around Tidenham, Lydney, Longhope, Huntley, Churcham, Tibberton, Tewton, and Kilcot.
(ii) In the North "The Forest" extended into Herefordshire, particularly towards Ross.
It is doubtful whether there was any delimitation of the forest. In the north-west it extended into Herefordshire; it certainly included the wood of Rosse, later called the "bishop of Hereford's wood of Ros," and some woodland pertaining to the manor of Cleeve one mile south-west of Ross-on-Wye. Wyegate (Wigheiste), between St Briavels and Newland, was "by command of the king in his forest"; the same applied to Hewelsfield (Hivoldestone). The Domesday entry relating to Churcham (Hamme) and Morton (Mortune) says of the forest that "the Church had its hunting there in three hayes, T.R.E. and T.R.W." One virgate of Little Taynton (Tatinton) lay "in the forest".

Mines, and furnaces and forges (bloomaries) fuelled by charcoal, needed trees and underwood. Commoning and pannage and browsing of deer retarded the growth of seedlings and coppice shoots. Timber may have been drawn to the rivers and transported to distant parts. This is suggested by the Domesday entry dealing with "the lands beyond the Wye" and mentioning ships "going to the wood" and paying toll at the new castle of Chepstow.

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i. Domesday, f.182. ii. E.32/28,m.8. iii. Domesday, f.179b.
iv. Ibid., f.166b. v. Ibid., f.167.
v. Now cultivated, in the eastern part of modern Minsterworth.
vi. Domesday, f.165b. Between 1078 and 1082, Churcham (Ham) had been granted to St Peter's, Gloucester "with the whole wood lying next to Morton within the bounds of the Forest of Dens" (Hist. et Cart. Mon. S. Pet. Gloc., II, p.186).

vii. Domesday, f.167b.
ix. See Domesday, f.162; the iron supplied to Gloucester to make nails for the king's ships probably came from the Forest.
x. Ibid., f.162.
No known road intersected the central woodlands, but swine were driven into it from many directions. Two reasons may be suggested for its almost intact state. First, no iron-ore deposits lay within it; they were on its fringe - on the north-east, south, east, and west. Second, marshy ground at Rusidge on the east was a deterrent to what later was a route from there via Kensley and Chapman's bridge (over the Newerne stream at Cannop) to Coleford on the west; and similar ground at Parkend on the south and Mirey Stock on the north deterred use of the route along the fertile and well watered valleys of the Lyd and the Newerne streams. The intact central block was a reason for the later social division of East and West Dean; certainly in later centuries the Lyd-Newerne valleys were the division for mining purposes of "above and below the wood".

From Norman times, clearing followed by sowing became known as assarting. It was chiefly clearing for increased use of land by the population; an account of it is given in Chapter II.

Eleventh and Twelfth Century Administration

Such administration of woodland as existed at Domesday was under William fitzNorman. The entry in Domesday relating to the lands of "Dene" says: "The same William holds in Dene 2 hides and 2 virgates and a half. Three thegns, Godric, Elric, and Ermi, held them T.R.E."

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1. Though there are some indications, as yet not confirmed, of lengths of Roman roads within them. A place in mind is just east of Speech House Road, Station.
2. Hart, The Free Miners, op. cit., pp. 51, 52. Arbitration was sometimes necessary (Star Chamber Proceedings, Hen. VIII, bdle, 17, m. 24).
3. Domesday, f. 176b.
King Edward granted these lands quit of geld for keeping the forest. At some time before 1130, when Hugh son of William fitzNorman accounted for £10 representing the "profits" of the Forest of "Dene" and of £3 of the Hayes of Hereford, the financial responsibility for the whole Forest passed into the hands of the fitzNorman family. In the later years of Stephen, William of Dene who had succeeded to some at least of William fitzNorman's lands, was confirmed in his ministerium or service in the Forest of Dean and paid £13 annually. How far the duties of the holder of the "Dene" lands extended beyond this "farming", with its concomitant custody, is uncertain. There is no proof that he was responsible, as were the later wardens, for the execution of royal orders relating to the Forest. A charter of Henry I, confirming to the abbey of St Peter's, Gloucester, a tenth of the venison taken in the forests of the abbey's "province", was addressed to "all foresters, hunters and bowmen in that part of Severn and Dean. Also charters of Henry I and of Stephen, granting to the same church warren in the lands beyond the Severn, some of which lay within the Forest of Dean, was addressed to the sheriff and barons of Gloucestershire. There is no record of the fitzNormans' being assisted by foresters-of-fee if such existed at that time, as was claimed in the next century.

No one official appears as wholly responsible for the Forest:

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v. E.32/32, m.2; Glos. I.P.M., iv, p.107.
the lord of Dene's resources could not have sufficed for its safe keeping. His obligations were a ferm fixed by the Crown between 1066 and 1130, and the collection of dues. The charters suggest that there may by 1130 have been officials with local duties and answerable to the sheriff. No sure trace of officialdom is yet discernible.

The completion c.1131 of St Briavels castle in the southwest of Dean provided a centre of administration. During Stephen's wars supervision passed to Miles, sheriff of Gloucestershire and custodian of Gloucester castle. In 1139 Miles sided with Matilda, and in a charter assigned to 1139-41, she granted him the castle of St Briavels and the Forest of Dean in fee. In 1141 he received the earldom of Hereford. From his death in 1143 his son, Roger of Hereford, held the castle and Forest until 1155; he confirmed William of Dene in his "ministry" of the Forest as in earl Miles's time. William's service ended that year, for Henry II reserved to himself the castle and Forest when confirming in 1155 the various possessions inherited by

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ii. Transcript in B.M. Lansd. Ms. 229, f.123.

iii. The charter of Roger of Hereford to William of Dene must have been granted between the death of Miles in 1143 and Henry II's resumption of the Forest at the beginning of his reign in 1155. It was produced in an inquisition in Edward II's reign (Glos. I.P.M., v., p.171) and granted to William of Dene in fee all his tenements as he held them of earl Miles, father of the grantor, viz. his ministerium of the Forest of Dean, with all things pertaining to the same, rendering in return 20s. and specified military service.
Roger of Hereford. The "ministry" of the Dene family re-appears in 1282 as only one of the bailiwicks.

The Forest, after its alienation about 1139, remained vested from 1155 in the Crown, and the financial responsibility for it passed with the custody of the whole to an official appointed by the king. For one year it seems to have been in the charge of the sheriff; £10 "of the Forest of Dean" appears among the sheriff's accounts. The next year Nigel fitzArthur accounted for the £10. During the remainder of the century the custody was successively in the hands of Roger of Powis, William de Neville, John de Albemarle, Robert de Albemarle, Lawrence Mallore, Richard Bule, and William Marshall.

Thirteenth Century Administration

By 1228 the area declared forest had been increased to some 100,000 acres. An account of subsequent afforestation and deforestation has been dealt with elsewhere. For the present study changes of the boundaries throughout the centuries have a secondary interest; we are here principally concerned with the extent of the woodland. Thus the Forest at Domesday, as in Map II, defined more

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i. Eyton, Itin. of Henry II, p.9; Rep. on Dig. of a Peer, v, app.v; Flaxley Cartulary, ed. A.W. Crawley-Boevey, 1887, p.8.
ii. E.146/1/25; E.32/31.
iii. E.164, Red Book of the Exchequer, f. 188b.
vi. C.64/38, m. 10d.
certainly by the bailiwicks of 1282 in Map III, and as gradually
reduced by assarting, sale, grant, and encroachment to that shown in
Maps I and VII, is the extent of the area with which we are chiefly
concerned.

Dean with its good facilities for hunting, and its
plentiful store of wild beasts, besides iron-ore, coal, stone, trees,
and underwood, was, like the remainder of the king’s forest, a prized
possession. The infrequent royal visits to it were not solely, and
were sometimes not at all, for hunting; yet it was necessary to guard
the king’s prerogative and to execute his forest law. It is not until
the reign of Henry III that the outlines of an administrative system
can be clearly discerned. Dean was by then in the charge of distinct
classes of officials as set out diagramatically on the following page.
The kin of South of Trent itinerant justices for justice specked jurisdiction and punishments, the Sheriff of the County of the Forest of Den; forest of the foot or riding.

A diagrammatical presentation of forest administration in Denne

The Sheriffs elected under the auspices of:

Regarders appointed by:

Justice of the forest, special requisitions and parish payments

The King
Besides a chief justice south of Trent and another north of it, other justices who were itinerant were expected every three years to hold the chief forest court, the eyre. At the head of the local hierarchy was the ferm-paying warden of Dean who was also constable of St Briavels castle. Among the issues he received were wind-thrown wood, lop and top of oaks granted by the king or felled to his use, wind-thrown trees, pannage, and nuts. He or his deputy helped to deal with evildoers, inquisitions, and agistments, and took possession of woods when grantees had wasted them. Sales of trees and underwood, and the enclosing of felled areas were entrusted to him, alone or with other officials. He, with the verderers, had the chief charge of the beasts of the forest, ensured that underwood and browse, more rarely trees, were felled for their sustenance in times of snow, and supervised their catching and the salting and despatching of venison ordered for or by the king. He had charge of great quantities of quarrels for cross-bows manufactured at St Briavels, and also the execution of the king's orders for timber and shingles and his gifts of woodland produce.

The authority of the constable-warden was rivalled by that of the foresters-of-fee, nine or ten in number, each in charge of a bailiwick. The office was hereditary, but was held subject to the

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i. Sweet chestnuts were in great demand. The tithe of them was granted to the monks of Flaxley by Henry II and confirmed by Richard (E.32/30, m.36d.,37d; Flaxley Cartulary, pp.16,18.

ii. Map III.
king's assent. In return for the service of helping to care for vert and venison, they were allowed throughout their bailiwick to take and make their profit from wind-thrown wood and small branches, and, with their servants and "tenants", to have common, pannage, and estovers. Another hereditary official was the sergeant-of-fee; there were usually eight to twelve at any one time. They helped to keep the vert and venison over the whole Forest, and in return likewise received common, pannage, and estovers, with a trunk at Christmas.

Standing somewhat apart, though subservient to the constable-warden, were the four verderers, chosen, as they still are, under the superintendence of the county sheriff. About every forty days they held the court of attachment, where they regulated the taking of estovers, inflicted fines up to 4d. for injuries to the vert, and committed or enrolled the names with their pledges of those accused of more serious trespass against both vert and venison, for presentation to the eyre. Comprising men of local and county standing, trying to keep a fair balance between the interests of the Crown and the inhabitants, and receiving little reward beyond local prestige, they fulfilled an exacting office. Their preparation of evidence for the eyre was shared by twelve regarders chosen by the sheriff. The regarders' inspection once every three years was the regard.

For special inquisitions within the Forest, jurors, usually

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i. C.E. Hart, The Verderers and Speech-Court of the Forest of Dean, 1950.
twelve or twenty-four, were sworn in. Below the higher officials were sergeants, foot foresters, riding foresters, grooms, and boys. The foresters, who took their oath before the verderers, were supplied with green Irish cloth for their summer tunics. One other important grade of official was the woodward. He was usually appointed by the grantee of a wood, but sometimes for the king's demesne woods; each woodward was sworn before the itinerant justices to guard royal rights. Two other officials require mention. First, agisters, whose duty was to collect the dues for animals turned out to feed in the Forest, often on the king's nine extensive pasture lands, and dues for swine enjoying pannage. Second, the king's gavellers, concerned with the supervision of the privileges of miners of iron-ore and coal.

How much of this forest organization existed before the thirteenth century is uncertain. Two of the foresters-of-fee claimed that their predecessors had enjoyed the rights belonging to their bailiwicks from the "first year of the conquest."

The Forest Eyres of 1258, 1270, and 1282, and the Regard of 1282

Of the many eyres for the pleas of the forest held by itinerant justices in the twelfth and thirteenth centuries the records of only three survive relating to Dean, those of 1258, 1270, and

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No other eyres were held between 1258 and 1282, and records of only one held later, that of 1634, are extant. All the eyres were held at Gloucester before four justices.

The rolls of the eyres comprise particulars of: (1) persons in default, with their fines; (2) woodwards of granted woods, and who presented the woodwards; (3) essoins; (4) attorneys; (5) pleas of venison, with malefactors' fines; (6) pleas of vert, with like fines; (7) purprestures and assarts, with rents; (8) waste of granted woods, with offenders' fines; (9) persons holding forges, with their fines or rents. Other information in the rolls relate to people who own boats, places where public ways have been obstructed, and waste by constable-wardens and foresters-of-fee.

The Regard of 1282 records the boundaries of each of the ten bailiwicks: Abenhall (including its two detached portions, Walmore Common and the Chestnuts Wood), Blakeney, Blaise, the Barse, Staunton, Bicknor, Ruardean, the Lea, Great Dean and Little Dean. The first attempt to map the bailiwicks was made by Dr. G.B. Grundy in the early 1930's. He used for his study a printed copy of the boundaries transcribed by Sir John Maclean in 1889 which was unfortunately not

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complete and included some doubtful readings. Nevertheless, Grundy's findings can be endorsed in all but one major feature, and some minor details. Map III provides an indication of the boundaries; the tracing of them poses many questions, the chief of which are: why did four start from "Wulking's oak" (Wulmineok), reaching it in some cases by only a narrow tongue of land? What was the significance of this oak? Such questions must remain unanswered for the present. Many of the open tenanted lands of the Forest region were not included in the bailiwicks. No part of Staunton is within the bailiwick of Staunton, and not as much as one-tenth of Ruardean is in the bailiwick of that name. The bailiwick of Great Dean consisted of a narrow belt of woodland winding between the bailiwicks of Abenhall and Ruardean.

i. The major point on which Grundy was led astray was the site of "Wulking's oak", which has been found to be at Broadwell Lane End. Also Grundy could not locate "Kaderick's oak" (Kaderickesok), the site of which is almost certainly in the vicinity of the veteran "Crad Oak" still standing, a few hundred yards south of Sallow Vallet Lodge. On a map of 1608 (F.17/1,M.R.879), showing the western half of the Forest, "Carons oak" is marked in the same vicinity. Thus over a period of some 500 years, three oaks have carried on one name under various spellings. Whether these oaks had a nominal connection with the still existing "Cradockstone" at Sling, is a matter for conjecture.

ii. The oak stood beside a track or roadway from Newnham-on-Severn and Little Dean on the east, which traversed the pasture lands of Kensley and Cannop. On the brow of the high land at Broadwell Lane End, where the oak stood, tracks met from St Briavels via the "Cradockstone" to the south, from Newland, Staunton, and Monmouth on the west, and from Bicknor on the north.
When considering the use of the woodland some knowledge of the terms used at the time is necessary. Lignum was used for trees, usually oaks, sometimes beeches, of good timber quality. Oaks and beeches below the quality of sound timber-trees were described as robora; in 1332 they are referred to as "not bearing fruit or leaves". In the authorization of gifts by the king, trees were usually described as quercus or robora; quercus was generally followed by ad meremium, and robora by ad focum; thus robora were fit for fuel rather than timber. For 1275–80 sales are recorded of both robora quercus and roborum fagorum; roborum castaneousarum was also used. Thus robora was not applied to trees of a particular species, but to those of a particular growth or condition. Fusta was applied to trees generally, while blettrones was used for trees, usually oaks, and sometimes beeches, not fully grown, i.e. saplings, but larger than rods or poles.

Wind-thrown wood, but not wind-thrown trees, was described as cableicum or cablicium. In c.1244–5 it was sold for the king; in c.1279–82 it was claimed by some of the foresters-of-fee. For the lop and top of a tree blettrones was used. Usually the word was applied
to that part of a tree which was not fit for timber; sometimes the
smaller branches or lopplings were called *escaeta*. When the king gave a
tree, the gift, without a direction to the contrary, was understood to
refer only to the timber; the rest was, as a general rule, a perquisite
of the warden or the forester—of—fee. Turner¹ suggests that when the
words *cum escaetis* were added the smaller branches on the trunk were to
go with the branches from the top, the word *coprones* being applied to
the top and *escaeta* to the lop.²

Sales of Trees and Underwood

The issues of the Forest in the twelfth and thirteenth
centuries were, or should have been, paid in the Exchequer; at times
they were, except for the chief sales of trees and underwood, the
granted due of the constable—warden. The issues are estimated in a
document of c.1247–55; iii so far as they relate to woodland produce
they are compared below with the extant accounts for those years iv in
which the issues were paid direct in the Exchequer:

<table>
<thead>
<tr>
<th>Estimate</th>
<th>Wind—thrown wood</th>
<th>Nuts, particularly chestnuts</th>
</tr>
</thead>
<tbody>
<tr>
<td>c.1247–55</td>
<td>£10</td>
<td>£13s.4d.</td>
</tr>
<tr>
<td>Jan.—Nov. 1255</td>
<td>£21 (including herbage)</td>
<td>7s.8d.</td>
</tr>
<tr>
<td>1275–76</td>
<td>£6.1s.10d.</td>
<td></td>
</tr>
<tr>
<td>1276–77</td>
<td>£4.17s.6d.</td>
<td>Included</td>
</tr>
<tr>
<td>1277–78</td>
<td>£8.10s.</td>
<td>with</td>
</tr>
<tr>
<td>1279–80</td>
<td>£5.</td>
<td>herbage</td>
</tr>
</tbody>
</table>

iii. E.146/1/26.
Additional to these small amounts were the proceeds of trees and underwood used in furnaces and forges of the king or of others. The others had free wood but paid an acknowledgment for permission to use their equipment; they either made their own charcoal or paid the charges or wages of charcoal-burners. Even the king's own "great forge", whose annual value was estimated at £50, was declared by jurors to consume trees worth much more than the forge yielded in rent. The smaller forges and furnaces could be maintained with less charcoal.

Sums received from sales of trees and underwood occasionally appear in the Pipe Roll, but rarely are the purchasers or their trades named. Other sums that occur in the records of Dean are chiefly derived from directions for sales, paid on account out of proceeds, or owed by those responsible for the transactions. Some appear occasionally in constables' accounts:

1275-76: "£102 of inferior trees and underwood sold by the king's letters patent".
1276-77: "£515 4s. 11d. of old inferior oaks and underwood sold".
1277-78: "£195 of trees and underwood sold".
1279-80: £131 0s. 11d. "of wood sold under the king's patent writ"; also "£7 7s. of timber and underwood sold to make charcoal".

Smaller sums were received from sales of wind-thrown wood and trees.

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i. C.145/144/7.
ii. Ibid.
The felling of trenches or riddings appear to have been the only authorized clear-felling of trees or underwood, or both. In 1248 the constable was ordered to cut and clear the trenches in the Forest. In 1255 Peter de Herford and Nicholas de Rummese, on the advice of Richard earl of Cornwall, were ordered to cause a trench to be made "alongside the road from Newnham to Monmouth for the use and safety of adjoining parts, 12 perches in width, 6 perches on each side of the road, and to sell the oaks and other timber therefrom, as well that bearing leaves as that which is dry".

For 1256 there is a record of "Ratification of the sale of wood which Robert Walerand and James Freysil, constables, by order of the king have provided to be made in the Forest of Dean":

"In the bailiwick of Bicknor, to the value of 200 marks, so that a clearing be made between Alsledebach and Symonds Yat (Symundsaye); another from the weir of the bishop of Hereford to Sobeneth; and a third from Martineshend to the assart of William of Wyham; and in the same bailiwick shall be sold old oaks and underwood of Holebrok."

"In the bailiwick of Staunton, to the value of 140 marks and 10s. at le Quad and elsewhere therein; in the bailiwick of Ruardean 160 marks and 10s. of underwood and old oaks between the Mill of Lydbrook (Lodbroc) and Knarsty, and elsewhere; in the bailiwick of Dene, 140 marks of old oaks and underwood; in the bailiwick of Abenhall, 140 marks and 10s. of the like.

"In the bailiwick of Blakeney, 120 marks and 10s. of old oaks, oak brushwood, and beeches, from the Boundary Brook (le Merebroc) to Herlonghesford; in the bailiwick of the Lea, 60 marks of old oaks and brushwood; in the bailiwick of Blaise, 20 marks of underwood and beeches.

iii. Ibid., p.524.
With mandate to the foresters—of-fee, regarders, verderers and agisters and other ministers of the Forest, to permit the sale and to be counselling and aiding to William of Dene, Philip Baderun, and William of Weston, the king's vendors, appointed by the said Robert and James. Afterwards the king appointed the said William, Philip, and William to sell in the same Forest by counsel of the said foresters etc., to the sum of 100 marks beyond the said 1,000 marks."

The three vendors were later granted £5 each out of the proceeds of the sales made. It appears that some clearings were meant to be permanent for ease and safety of journeys, while others were chiefly to provide income for the king and intended to become naturally rehabilitated by coppice growth or germination.

In 1255 sales of wood were made by Richard of Badgeworth and Walter of Huntley, "vendors of wood", amounting to over £97; in the same year they handed in another £43 from sales. On 7 August of the same year James Freysil, constable, was ordered to pay out 200 marks from the issue of the sale of a clearing, and in the following year, with the assistance of the abbot of Flaxley, to sell wood to the value of 1,000 marks, to be paid into the Wardrobe. This was apparently the fifth sale in two years. In 1256 and 1257 William of Dene and William of Weston, "vendors of wood by provision of Henry de Bathonia",

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iii. Ibid., p.232.
iv. Ibid., p.236.
v. C.54, 40 Hen. III, m.9d.
vi. Ibid., 39 Hen. III, m. 9 and 3.
vii. C.66, 40 Hen. III, M.15, 20 Feb. 1256: Mandate to the constable of St Briavels and foresters, verderers etc., to be intendant upon Henry de Bathonia and Henry de Mara whom the king is sending to those parts to attend to the sale of part of the woods there. See also Cal.C.66, 1247-58, pp. 468,488.
accounted for £103, £30, and £5,16s. Likewise William of Dene and Philip Baderun paid in from sales they were appointed to make, £133.6s.8d., 70 marks, 129 marks, 80 marks, £73.13s.4d., £53.6s.8d., £66, and £220. About the same time, James Freysil had been directed to send the king 3,000 marks "out of the issues of the sale of the king's woods". In the regard of 1282 the list of clearings or riddings to that year was brought up to date; the total, 1,893\(\frac{1}{2}\) acres, made a great impact on the cover.

Constables, long after their term of office, were taken to task for wood—sales and wastes made during their constableship. John Giffard, constable in 1263-65, was in 1275 acquitted of £1,218 for vert destroyed and of £100 he received for wind-throws. Thomas de Clare, constable for some years from 1265, was in 1284 acquitted of a sum for sale of wood. Ralph de Sandwich, constable, accounted in 1276 for £102 from "old trees and underwood sold in the Forest" less £2 for "fees of vendors of wood and their clerks." The following year he was ordered to sell wood to the value of 1,000 marks at least. In 1280 he was to sell "great wood and underwood" to the sum of £300 by view of the foresters and verderers, the issues to be applied to works

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i. Cal. C. 62, IV, pp. 312, 314 and 325.
ii. Ibid., pp. 325, 344, 347, 349, 365, 380, 387.
v. E. 32/29.
vi. E. 32/29. Some of the amounts are mentioned, including 10 marks for underwood sold in Werfrith.
ix. Ibid., 8 Edw. I, m. 16.
in the castles of Devizes and Odiham. In 1283 the constable was to
sell underwood up to £25 for the king's use.

In 1282 the regarders had counted the stumps still in the
ground; they amounted to 7,497 oaks, 34 chestnuts, and 4,885 beeches.
They also took note of the number of oaks (229) and beeches (3) felled
to sustain wild beasts in the winter snows, and the number (2,996) of
signs of charcoal pits or hearths. A summary of their findings will be
found in Appendix II. The regard quotes the jurors as saying: "In all
the aforesaid bailiwicks there were more stumps than could be counted,
and they could not possibly be counted because they have been destroyed
by the old charcoal pits which the constables of St Briavels have set
upon the stumps; and all the foresters-of-fee have likewise held in
their bailiwicks old pits; that is to say, wherever the king has an old
pit each forester-of-fee has a pit in his bailiwick, except in
Bleyth bailiwick."

Full records of most of the sales are not extant. The
details of some, and of some gifts, are available for 1275-80; they
relate to the bailiwick of Bicknor. The vendors were Henry of Dene,
William of Stears, Walter de Snappe, deputy constable, and Adam Papam.
In Coverham, near the King's Perch, they sold 246 oaks and 254 beeches.
Underwood was sold for £15.17s.6d. from clearings made at Mailscot,
and for £4.7s. at Lydbrook. The same document records details of trees

i. C.60, 11 Edw. I, m.13.
ii. E.32/31.
iii. E.32/332.
taken by the king's relatives, friends, and officials. The king's justice, Roger de Clifford, took inferior sapling beeches and oaks for fuel, beams, ploughs, and troughs (algea) for his residence at Wyesham near Monmouth. Edmund, the king's brother, took inferior oaks for fuel while hunting in the Forest; so did Gilbert de Clare, Roger de Mortimer, and William de Valence.

Altogether, reference has been found to something over £3,000 expected or received for the sale of trees and underwood in the twelfth and thirteenth centuries. This can be but a fraction of the amount raised. Not only are several sums referred to as part only of the amount due; other sums unspecified are said to have been paid into the Exchequer, but scarcely any trace remains of such profits before the middle of the thirteenth century. Nearly the whole of the sums belongs to the years 1255-1301.

It is not possible to say how much of the amount of sales reached the king. Occasionally large sums appear in the Pipe Rolls; of these no details seem ever to have been presented. Nor were the sellers' proceedings always above suspicion. News of their doing reached the king in 1260 and led to inquiry in person by the justice of the forest south of Trent into the alleged frauds. The accounts relating to some £1,800 only are on the Pipe Rolls. About two-fifths

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i. Bazeley, op. cit., p.86. She kindly gave the present writer her transcripts from an extensive study of the Pipe Rolls.
ii. E.32/30, m. 28d.
iii. E.g. E.372, 55 Hen. III and E.32/29, m.2.
iv. C.60, 44 Hen. III, m.3. v. Bazeley, op. cit., p.239.
of this sum seems to have been paid into the Exchequer.\textsuperscript{i} From the
remaining three-fifths the small sum of £8.14s.10d. was deducted for
expenses.\textsuperscript{ii} The rest was spent in the king's service, partly in Dean,
chiefly elsewhere in the kingdom.

In 1276 Ralph of Sandwich, constable-warden, charged in his
account for 1275–6 a sum (illeg.) for "making one seal for selling
wood".\textsuperscript{iii} The device, probably an engraved hammer, may have been of
the kind fraudulently used by the reeve of St Briavels who was fined
in 1282.\textsuperscript{iv}

Some information on prices of timber and underwood is
available. Oaks and beeches, rarely chestnuts, some of timber-quality,
others of inferior quality suitable as fuel, old and wind-thrown trees
of most kinds, but rarely saplings or immature trees, seem to have
furnished the produce for sale. Thousands of acres of underwood and
coppice were cut chiefly to make thoroughfares, but the price realized
for an acre is not known. In 1275–7, 935 inferior oaks fetched on
average 1s.8d.\textsuperscript{v} In 1282\textsuperscript{vi} the forester-of-fee of Abenhall was charged
various prices for trees misappropriated. These, reflecting sale-

\textsuperscript{i} £224.5s.4d. was apparently paid into Prince Edward's wardrobe
    between 1266 and 1270. Cf E.32/29, m.1d, and E.372, 17 Edw. I.
\textsuperscript{ii} E.372, 4, 33, Edw. I. \textsuperscript{iii} S.C.6/850/18.
\textsuperscript{iv} E.32/30, m.4. \textsuperscript{v} E.32/31.
\textsuperscript{vi} E.32/30, m.22.
values at the time, were: oaks, 1s.6d., 2s., 2s.6d., 3s., 3s.6d., 4s., and 5s.; beeches 2s.; and chestnuts 2s. and 3s. From the Pipe Roll of 8 Edward I, oaks seem occasionally to have fetched 6s.8d. The oaks taken for the king's forge were said to be worth 9s. to 13s.4d. each.\(^{i}\) A beech in the Pipe Roll of 1279–80 was valued at 8s.; one in the regard of 1282 at 6d. It is uncertain whether the sum demanded from a malefactor for a tree was its value, or whether it included an element of fine.

Trees and timber used for the king's works

Besides timber for repairing St Briavels castle,\(^{ii}\) the king found it expedient to use Dean timber for some distant works. Of these the following appear in the Calendars of Close Rolls of the thirteenth century:

**Gloucester castle:**
- posts, planks, beams and other timber for reconstruction of a bridge (1222);
- wood (1225); wood for a bridge (1226);
- timber (1226); 24 oaks for the king's chapel (1241); timber for the queen's chambers (1243); 80 oaks (1252); 10 oaks (1252); 60,000 shingles (1252);
- 17 oaks (1256); 30 oaks (1263); 5 oaks for a bridge (1289); 40 oaks (1292);
- 20 oaks (1293).

**Monmouth castle:**
- wood for a bridge (1223); 30 oaks per Edward Kingston (1265); 30 oaks per Edmund the king's brother (1281).

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\(^{i}\) E.146/1/26.

\(^{ii}\) See e.g. E.32/29, m. 6d.; 1289–90, trees for repairing the bridge (E.101/481/19).
Bristol castle: 30,000 shingles for the king's hall (1240)\(^1\); 23,000 shingles and 200 boards for the king's hall (1241);\(^{ii}\) flooring joists (1245); joists for the gate of the tower (1246); 25 oaks (1251); 80 oaks for the castle chambers and house (1278); 50 oaks (1284).

For 3 catapults: Timber per Edward the king's son (1257).

For the king's weirs in the Severn: Rods or poles per the sheriff of Gloucestershire (1251, 1253, 1254, and 1256).

For the Tower of London: 40 rafters (1223).

For the galleys of Edward the king's son at Bristol: 40 oaks (1255); beeches for oars (1256).

For the king's galleys at Bristol: Timber (1241).

Perhaps the cost of felling and trimming, sometimes of axing square, and particularly of transport, prevented a more extensive use of timber from Dean. The Pipe Rolls show that the average cost of conveying an oak to Gloucester was 5s.4d. to 9s.6d., and to Bristol 11s.4d. to 13s.2d.\(^{iii}\) If timber cost from twice to four times its sale-value to carry those short distances, the king may well have hesitated to use trees from Dean for his works farther afield. Between 1240 and 1254 nearly £170 was expended on fourteen orders for timber and shingles for the castles of Gloucester and Bristol. The cutting and carriage of 135 oaks in 1251-2 cost £59.15s.11d.,\(^{iv}\) about 9s.

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\(^{i}\) Cal.C.62, I, p.464.  

\(^{ii}\) Ibid., II, p.18.  

\(^{iii}\) E.372, 29,33, 36 Hen. III.  

\(^{iv}\) Bazeley, op.cit., p.242.
each, probably double or treble their standing-value. The manufacture and carriage of 60,000 shingles for the works at Gloucester castle in the same year cost £23.17s.7d. Except between 1240 and 1254 expenses for the carriage of timber rarely appear on the constable’s accounts. Of fourteen entries in the Pipe Rolls of 1240-54 only one or two correspond to the above; it would seem, therefore, that orders for timber often escaped enrolment. The constable, as well as almost always arranging for the felling, had sometimes to arrange for the carriage of timber. Sometimes he was instructed by the king to deliver only to the Severn; the sheriff of Gloucestershire had to attend to further transport.

The difficulties of transport were immense. Extraction of trees after felling and rounding-out, even when axed square, was not easy. Occasionally the logs were man-handled or rolled, but more often oxen or horses, sometimes with wagons, were used to reach a main track or road however muddy or otherwise inadequate. Seven oxen and two farm horses transported five sapling oaks in 1282, and six oxen and a wagon transported an oak in the same year. Once the banks of the Severn or Wye were reached and the task of loading into boats was accomplished, transport by water was possible. But the boats operating from small ports or pills or creeks on the two rivers, whence was carried wood either legally or clandestinely to Bristol and

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ii. E.32/31.
iii. E.32/30, m.2.
elsewhere, could carry only light loads. Difficulties were overcome by one means or another, as witness the many instances of Dean's timber, wood, and underwood serving useful purposes in many parts of the county and far beyond.¹

In 1282 the daily wage of workers in woodlands was 3d. This rate was paid to several hundred woodcutters and charcoal-burners from Dean sent to clear passes for the armies in Wales.² The same wage was paid to three carpenters who in 1289–90 felled, worked, and transported trees for repairing the bridge of St Briavels castle.³ Felling axes cost 8d. each.⁴

Gifts of trees and woodland produce

Many gifts of trees and other woodland produce, set out in Appendix IV, were made in the thirteenth century. Among them were wood and timber for castles, religious houses, habitations, and weirs. Transport was usually arranged by the constable or the sheriff of Gloucestershire; for the gift of oaks to the Friars Preachers of Hereford the sheriff of that county arranged delivery. The gifts enabled many of Dean's trees to be put to useful purposes.

The king's policy towards the Forest and its cover

The king's policy throughout his forest was twofold. First, to preserve his prerogative; he withstood nobles, claimants of

¹ See Appendix IV.
² C.54, 8 Edw. II, m.19, 24 Jan. 1315.
³ E.101/481/9.
⁴ C.54, 8 Edw. II, m.19, 24 Jan. 1315.
franchises, and local commoners; he also resisted deforestation of areas pleasant for hunting, productive of venison, and financially profitable. Second, to remedy oppression by his administrators, particularly of those officials who opposed the inhabitants' privileges. His policy as to afforestation and deforestation in Dean followed the general pattern. A perambulation of 1228, confirmed in 1282, delineated the area under forest law as approximately that between Severn and Wye up to Ross, Newent, and Gloucester. It was not till 1298 that a third perambulation temporarily deforested the vills, hamlets, and woods of Berrington (Biriton), Eccleswell, half of the Lea, Weston, Coughton, Penyard, Walford, Howle, Hewelsfield, Harthill, Alvington, Aylburton, half of Lydney, Nass, Furton, Blakeney, Etloe, Bledisloe, Awre, Ruddle, Newnham, Stears, Elton, Clive, Adsett, Rodley, Chaxhill, Minsterworth, half of Blaisdon, Birdwood, Highnam, Over, Bulley, Tibberton, Rudford, Taynton, and parts of Newent and Huntley. By the end of the thirteenth century forest law still applied to a large area not all wooded.

As to the king's concern for Dean's cover, it has been seen that he encouraged extensive sales of it to be made particularly where they would bring about ease and safety of travel and also produce revenue. He ensured that trees were available for his works, and granted other trees for specific purposes. The inhabitants were

\[\textbf{i. C.54/38}, \text{m.10d.} \\]
\[\textbf{ii. E.32/31.} \\]
\[\textbf{iii. Map III.} \\]
\[\textbf{iv. E.32/255, m.5.}\]
allowed estovers. The well-being of his beasts was important; he wished to keep the covert and secure venison. Gifts of venison and supplies requisitioned were many and varied. An indication of the king's concern appears in his grants; it is not always easy to say whether his concern was greater for his beasts than for his trees. As early as 1222 even wind-thrown trees and branches were strictly dealt with; the foresters-of-fee and verderers were informed of the king's mandate to John of Monmouth, constable, whom they and other wise men of the bailiwicks were to help to view and value wind-thrown trees and branches, and remove none until the king instructed.

On 8 February 1237, Henry III ordered the constable "to take care that in the season when underwood should be cut, it should be so cut to grow again (revenire) and that no damage should befall the coppice (coepecia)". The constable was further commanded "that in a convenient place within the Forest he should cause to be raised eight moveable forges to use underwood by view of the foresters in each bailiwick and by view of Nigel Hathewy and Roger Wither or others in their place." The underwood was to be of "thorns, maple, hazel, and other species;" no oak, chestnut, or ash was to be cut down, "and the places so assigned shall be well and sufficiently enclosed

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i. See e.g Cal.C.62,V,p.3: order in 1260 for 80 swine and 30 hinds; Ibid.,VI,p.4: order in 1287 for 60 does, 16 hinds, and 60 wild boars to be taken in Dean by the king's hunters.
iv. Probably the "dormant" period, October to March.
so that no wild beasts shall enter to browse there." It is clear that the king realized the harm his beasts could do to new growth.

In 1228 the 10 oaks for building the tower at Chepstow were to be taken by William, earl Marshal, "from places where their removal is least noticeable and least injurious." The 10 oaks which Richard de Clifford was to have in 1243 were to be taken "where most convenient and least hurtful". Similar instances are: the 60,000 shingles for Gloucester in 1252 to be made from timber "where least hurtful"; the 1,400 quarters of lime in the same year, "using old trunks and other wood where they can be taken with least damage to the Forest"; and the 10 oaks in Birdwood and the 10 in Hope Mansel Wood, the abbot of Gloucester being permitted to take them "where this can be done to the least damage of the Forest." On 1 March 1255 the king gave a mandate to Henry de Bathonia and Geoffrey de Langele to go in person through Dean to view its state and the way it was kept; "and as the king has heard that the forges are harmful to the Forest, because the destruction of the Forest exceeds the issue of the forges", they were to enquire into this "and the other things touching the Forest which the king enjoined upon the said Geoffrey lately by word of mouth before the council." They were to "certify the king in writing at his parliament three weeks after Easter." The visit was duly made.

The foregoing information explains at least part of the

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vii. Ibid., p. 435.
king's concern for the Forest's wellbeing. Without respect for the king's wishes, some of the constable-wardens and foresters-of-fee were careless of the cover, permitting trees to be felled and underwood to be destroyed, and failing to ensure replenishment.

Woods granted by the king

At Domesday there were two woods granted by the king within his Forest, that of Ros held by the bishop of Hereford, and that of Ham, next to Morton, held by St Peter's, Gloucester. Many other woods within the widest bounds of Dean were granted during the twelfth and thirteenth centuries.  

It was to religious houses in or near the Forest that grants were most varied and numerous. The privileges enjoyed by Flaxley Abbey included grants of Henry II of certain lands "quit of all regards and other secular exactions", and all easements in the Forest, to wit: common of pasture for their young cattle and hogs and all other beasts; wood and timber for repairs and other necessaries without waste, and an iron forge as free as the king's. For the sustenance of its forge the abbey had license to take two oaks a week. In 1223 the abbey was granted wind-thrown trees sufficient to repair its houses "by view and testimony of the foresters-of-fee and verderers". This was followed in 1227 by a grant of woods round the

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i. See list in Appendix III(A). See also Map III.  
ii. See Flaxley Cartulary, op. cit.  
iii. Ibid., 15, 176; Cf. E.32/30, m.30d.  
iv. E.146/1/25.  
abbey for fuel, in place of an unrestricted right to take firewood
at will. i In the same year the abbey was granted the valley of
Castiard and other lands. ii The damage to the Forest by the abbey's
taking fuel for its forge, led to a grant in 1258, in lieu of two oaks
each week, of the extensive Abbot's Wood, taken out of the bailiwick
held by the family of Bleyth. iii The grant was made "quit of waste,
regard and view of the foresters-of-fee, with the attachments of the
said wood, saving to the king venison, eyries and minerals". iv Other
grants are recorded: land, v timber for the works of the abbey, vi and
a tenth of the chestnuts. vii

Tintern Abbey, on the west of the Wye, had less extensive
privileges in Dean, but these included: in 1234 the right to have
forty mares and their foals in the Forest; viii in 1266 the gift of
the manor and wood of Hewelsfield; ix by 1268 the right to take iron-
ore for their forge without payment; x by 1270 the grant of Hart Hill
Wood, xi and, by 1282, Woolaston Wood. xii In 1307 the monks were
regranted a forge at St Briavels with land at Madgetts and elsewhere,
including the fee of Tidenham and Woolaston. xiii

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i. E.32/30, m.31d; C.54, 10 Hen.II, m.11; Flaxley Cartulary, p.108.
iv. E.32/30, m.31; Flaxley Cartulary, p.109; Cal.C.53, II, p.11.
v. C.54, 14 Hen.III, m.6, 10, 15. vi. Ibid., 13 Hen.III, m.8.
vii. Ibid., 6 Hen.III, m.13. viii. C.66, 18 Hen.II, m.3.
xi. E.32/31.
xii. Cal.C.53, III, pp.96, 100.
The rights enjoyed by the abbey of St Peter's, Gloucester, were more comprehensive. Foremost were the woods of Birdwood and Hope Mansel, besides the smaller wood of Sudrugg in the manor of Ruddle. Other grants include a tenth of all venison taken in the Forest, and free warren in all their lands beyond the Severn.

The Forest was a deanery of Hereford diocese, and to the bishop was given license to assart lands upon the Wye within certain defined limits. He held his wood of Ross as in Domesday, and by 1228 his chase "from ancient times in Laxpeniard," and in 1260 he obtained deforestation of his wood of Penyard, presumably Penyard Park, not the chase of the same name. The Cathedral Church of Hereford seems to have been privileged by few gifts of timber for its works, but it had some rights, recognized in 1148-54 by Roger, earl of Hereford, in Whitehay, or Widehay (Wydyhay) in Dean.

The prior of Newent held his wood of Newent and the contiguous Yartleton wood. The prior of Llanthony, Gloucester, held Alvington Wood in 1258 and 1282, and also by that time held his wood of Aylburton. This last wood was probably that of

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i. E.32/29, m.5. 
iii. E.32/28,m.1,2d. The wood of Sudrugg was granted "quit of forest surveillance", yet it appears later under "waste" (Ibid.). 
vi. Reg.T.de Cantilupe,i,p.96. vii. E.32/28,m.8. viii. C.54/38,m.10d. 
ix. E.32/30,m.12d. x. C.54/38,m.10d. 
Ebbiston, held by Vivian de Roshale by 1253; the vill of Aylburton was amerced 2 marks for it in the first year of John. The church of St Mary of Grace Dieu was in 1227 given the hermitage of St Briavels with land called La Pater Noster, and lands adjacent. Many remoter churches were recipients either of timber for building or wood for fuel. The friars, Franciscan, Dominican, and Carmelite, at Gloucester and Bristol were most favoured. Less frequently, grants were made to the abbeys of Tewkesbury and Winchcombe and to the priory of Great Malvern. Timber for their new churches was given to the bishop of Worcester, the abbot of Pershore, the dean and chapter of Salisbury, and to Richard earl of Cornwall for building Hayles abbey.

Besides the woods under grant, Tidenham Chase, covering most of the land within the confluence of the Severn and Wye as far north as the Cone brook, had come into the hands of the earl Marshall before 1228 and yet was technically within the Forest. The earls of Warwick held the wood of Lydney from some time before 1247.

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iii. The mother house in Monmouthshire of the small priory, St Margarets, at Briavelstowe.
v. C.54/38, m.10d; E.146/1/25. Within the chase were the woods held by the abbot of Tintern and the prior of Llanthony.
smaller woods were held by the de Colville family, William of
Aston, Thomas of Blaisdon, and Thomas and Walter of Huntley.

In 1270 Edward, the king's son, held Hope Wood; by 1282 the
holder was Richard Talebot. In the latter year Edmund, the
king's brother, held the woods towards Monmouth of Hinderleys and
Wyesham Eaves comprising, with Hadnock, the Chase of Monmouth.

Further afield, but still within the Forest, were the woods of
Kilcot and Taynton. In 1258 they were held by John de Mucegros; by
1270 the last was held by Bogo de Knoville. By 1282 Lady Joan
de Knoville held Penyard Chase.

In the above mentioned extensive woods the holders enjoyed
by the king's grant the ordinary rights of property except that they
could do nothing by which the woods would cease to afford shelter
and sustenance for the beasts of the forest. Thus the holders could
not "assert, encroach by purpresture, or enjoy waste" without the
king's licence. They had the right to take fuel, probably restricted
to dead and dry wood, and other estovers; the exact nature of the
rights is uncertain, but any abuse of them was recorded by the
regarders as "waste". To protect the king's interests, as well as

i. E.32/28, m.8; E.372, 16 Hen. III. Vivian de Roshale and Fulco
de Lucy held part or all of Aylburton Wood in 1258 and 1270
respectively (E.32/28,29).
ii. E.32/28,m.8. iii. Ibid. iv. E.32/31.
the holder's, the grantees were obliged to have royal approval of their woodwards. Forest law applied to these woods; offences within them were dealt with in the same way as those within the king's demesne. Only the bishop of Hereford, in respect of his wood of Ross, claimed by unknown warrant pleas of vert in 1282.¹

The eyre-rolls usually state that a wood where waste has been committed was taken into the king's hands, but do not always specify the sum for its ransom. Only in three cases is the fine recorded. In 1258 William de Colville and William of Aston each paid 10s. to receive back his wood; ii another of the de Colvilles paid one mark for restitution.³ When the wood had been restored the grantee still had to pay a fine, usually half a mark, at each eyre till the damage had been repaired by time, presumably until the wood had become re-established by coppice growth or natural regeneration, both necessitating the exclusion of wild beasts and other animals. There are some twenty-five entries relating to "old waste" in the extant eyre-rolls.

In 1247 the bishop of Hereford had his wood of Ross restored to him; it was taken from him for waste committed.⁴ The abbot of Gloucester paid 40s. in 1282 in order that his woods of Birdwood and Hope Mansel, which had recovered from their waste, might not again be presented as "old waste".⁵ The prior of Llanthony paid two marks at

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¹ E.32/31. ii. E.32/28, m.8. iii. E.372, 16 Hen.III.
⁴ Cal.C.54, 1242-47, p.509.
⁵ E.32/30, m.18.
the same eyre as a final ransom for his woods of Alvington and Aylburton. There are two cases of confiscation in the eyre of 1258 because the holder had failed to present his woodward for approval by the justices. The abbot of Tintern had his wood of Hart Hill taken into the king's hands in 1270 on account of the misdoing of his woodward; it seems to have been unransomed in 1282; the abbot was ordered to redeem his wood by payment of half a mark.

The restriction on felling trees or underwood without royal permission may be instance by the licence given to the earl of Warwick to fell, in his wood of Lydney, 10 oaks in 1247, 60 oaks in 1253, and 50 oaks in 1254; to the abbot of St Peter's, Gloucester, to take from Birdwood 4 oaks in 1252, and 40 oaks in 1256. Likewise Vivian de Roshale was permitted in 1253 to fell 20 oaks in his wood of Aylburton. Additional proof that the king reserved to himself sound trees is that he could grant trees out of private woods. For example, out of Lydney Wood he granted 14 oaks in 1249 for the Friars Preachers of Bristol; 5 oaks in 1250 for the custodian of Berkeley Hospital; and, in 1256, 70 oaks for Henry de Wengh and 6 oaks for the Friars Preachers of Gloucester. Late in the thirteenth century the king, after due inquiry, was prepared to relax his restrictions; the following are instances:

In 1281 a writ was directed to the warden, Ralph de Sandwich, commanding him to go in person to Hope Mansel Wood of St Peter's, Gloucester, to see whether it would be to the damage of the king or the Forest, or of the men of that locality, if the abbot was allowed to fell parts of it. The warden went to the wood and learnt from the foresters and verderers and other lawful men, and by his own view, that it would not be to anyone's harm if the king should permit the abbot to fell a quarter of the wood in each of the next four years and to take his profit thereof. The wood was old, dense underwood and less fit for the wild beasts to feed in than the wood which would grow anew. Also wolves frequented the wood and thus harmed the king's beasts. It was agreed that the abbot should have his profit to the value of £5 in each quarter of his wood, on conditions that he enclosed each quarter with a low hedge for three years, enabling the king's beasts to go in and out, but that if the cattle of those parts should enter the wood through default of enclosure the cattle should not be impounded.

In the same year, the warden, with the assistance of the verderers, sergeants-of-fee, and others, made an inquisition relating to Kilcot wood held by Bogo de Knovile. They concluded that if in the wood, containing 21½ acres "whereof 20 perches are outside the cover", de Knovile could sell and take his profit, it would be some damage to

i. Glos. I.P.M., iv, p. 119.
ii. Ibid., p. 120.
the king and the Forest, but how much they were uncertain. Furthermore if de Knovile was allowed to sell the wood, the king would lose "the attachments of the verderers who were wont and ought to plead before the justices in the pleas of the forest, and to be amerced there." The king would also lose there the repair of his beasts which "came and went". His right of attachment of pigs enjoying pannage is also mentioned. A subsequent inquisition in 1283\(^i\) considered what would be the result if de Knovile was allowed to fell large oaks, and it was found it would damage the king 10s. "by reason of the attachment of the sergeants and other ministers of the forest and of the repair of the king\'s beasts", although it was added that there was "no repair of beasts except rarely passing through and returning." It would, in addition, damage three people, who had pannage there, to the extent of 5s. each. The only known action on the reports of the inquisitions was a licence granted to de Knovile in 1284\(^ii\) to fell all the oaks "provided the underwood remain equally thick for the harbouring of deer."

The king in the same year\(^iii\) appears to be even more lenient to the earl of Warwick in granting permission to fell and make his profit of oaks and beeches in his wood of Lydney, "at his pleasure provided he do not fell or carry away any of the underwood". The following year\(^iv\), the licence was confirmed, and the earl was also allowed to have the underwood upon which the trees fall.

\(^i\) Glos. I.P.M., iv, p.124.  
\(^ii\) Cal.C.66,1281-92, p.123.  
\(^iii\) Cal.C.54,1279-88, p.325.  
\(^iv\) Ibid.
In addition to the woods held by grant, many privileges of chase and warren, and of making parks to hold deer, were claimed and exercised within the bounds of the Forest. The earl Marshal of Striguil had enjoyed such rights in Tidenham Chase at least from the beginning of Henry III's reign. The wood of Hadnock (Hodenach) had been granted by king John to John of Monmouth for a park. In 1282 lord Edmund, the king's brother, and Sir Roger de Clifford each claimed that he and all the lords of Monmouth had at all times been accustomed to take venison and wood at their will in their respective woods of Hinderleys and Wyesham as well as in Hadnock. As early as 1228 the bishop of Hereford had his chase in Penyard Park (Laxpeniard), shared in 1282 by Richard Talbot. The Lady Joan de Knovile took venison in her wood of Penyard and claimed warren besides, but the regarders of 1282 knew not by what warrant. By 1282 "the ancient park" of Ley was enclosed and held jointly by three knights. In 1285 Bogo de Knovile obtained a charter granting free warren over his lands at Little Teynton and Kilcot. St Peter's, Gloucester, too, had free warren in all its lands beyond the Severn. Special licence

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i. See list in Appendix I(B).
ii. E.146/1/25. Called warren of Tudeham in 1228 (C.54/38,m.10d.). "from ancient times, and there he can take whatever venison he finds".
iii. C.54/38,m.10d: "King John gave permission to John of Monmouth to enclose a certain wood of his called Hodenach to make a park, which is not yet enclosed, which wood is in the same forest (of Dene)".
to hunt the fox, cat, and hare in the forest was occasionally granted by the king; more rarely, leave to hunt the deer.¹

**Common, Pannage, and Estovers**

The inhabitants of the Forest enjoyed extensive privileges of estovers, pasture, and pannage. John of Monmouth was directed by Henry III in 1223 to cause the men dwelling in the Forest to have "reasonable estovers of pasture, as of wood, as in the time of king John before the war between him and his barons".² Some foresters—of-fee c.1279–82 claimed these privileges by right for themselves and their men.³ The "rights" restored to the men of Rodley in 1256 included estovers of dead and dry wood, their pigs quit of pannage, and their cattle quit of herbage.⁴ In the next century the lord of the same manor claimed that his ancestors had always enjoyed estovers for their weirs;⁵ the frequent grants of wood, usually rods and poles, for the purpose imply it was a matter of grace rather than of right.⁶

In 1282 the men of St. Briavels exercised the "right" of taking trees in Hudnalls (Hodenales) Wood, east of St Briavels, which was royal demesne.⁷ Their action was obviously considered doubtful by the regards of 1282.⁸ The claim of the rector of Awre to take wood

¹ See e.g. E.32/332.
² C.54, 7 Hen. III, m.16.
³ E.32/32.
⁴ C.54, 40 Hen. III, m.3. These "rights" had been taken off them by Robert Passelowe, c.1244 (See C.66, 5 Edw. IV, Pt. I, m.16).
⁵ C.54, 33 Hen. III, m.16; 45, m.13; 46, m.10; 26 Edw. I, m.11.
⁶ E.32/31. This right is still exercised.
⁷ C.54, 7 Hen. III, m.16.
⁸ Ibid.
from the Forest was wholly rejected by the justices in that year. i
Yet William de Grandison was certainly granted estovers in the Forest
to repair his granges in his manors of Ruddle and Minsterworth. ii

By 1282 iii the king had within the wooded parts of his Forest
extensive pasture-lands (landea) at Cannop (Konop), Kensley (Kenesleye),
Moseley (Moseleve), Saintlow (Seintleve), Whitemead (Wythmed),
Whitelea (Wyteleve), Oldfold (Oldefold), Crumpmeadow (Crumpemade), and
Walmore (Walemore). iv How and when these lands, some of the most
productive in Dean, had been cleared is not known. That at Whitemead
had been enclosed with a hedge by Walter de Snappe, deputy constable,
by unknown warrant. Horses and cattle could feed on the pastures,
probably on payment to the king, if the king's wild beasts were not
thereby disturbed. v Whether sheep and goats, uncommonable animals,
which were to do much harm to the cover in later centuries, were
allowed on terms is not known. In 1283 vi the king ordered the constable
"to cause the pasture lands of Dean to be enclosed as seems more
expedient for the greater convenience of the king and the less damage
to the countryside." Whether some of these pasture lands fed domestic
animals owned by the king is unknown; in 1277–8 the constable rendered
account "of £22.5s. for 5 stallions and 245 sheep sold", but these
seem likely to have been reared in the park of St Briavels.

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iv. Map III.
v. See "forbidden lawns" in E.32/32.
vi. C.54, 11 Edw. I, m.6.
Jurors of c.1244-48,1 when asked to report "concerning the foresters-of-fee who take fine for various animals to be agisted in the Forest in pasture, etc.," said that the lords of Ruardean, Dene, Abenhall, and Bicknor "agist various animals in the pasture of the Forest and take pay, but it is not known how much, and they make sheepfolds for their beasts, whereby the pasture is burdened." The exactions by officials in respect of Walmore Common were noted by the regarders in 1282.ii

Rights of pasture, whatever they properly included, were frequently abused. In 1244-iii the pasture had been burdened by the cattle of the villas of Ruardean, Bicknor, and Dene, and Hugh de Kynardesley, a deputy constable, had erected a sheepfold in Newland to the injury of the Forest. In 1282 the regarders noted under the heading "Over-burdening pasture" that the abbot of Flaxley was turning eleven plough teams into the Forest every summer, and that the same abbot, the prior of Llanthony near Gloucester, and the abbot of Grace Dieu had each a stud of horses in the Forest.iv As to pannage, the charge for which was collected for the king by his agister, some foresters-of-fee claimed to be quit; others claimed, in addition, after-pannage.

In 1223 the foresters-of-fee were allowed to have wind-throws and branches,v and in 1248 they were to have "moneys from wind-throws

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1. E.146/1/25.  
ii. E.32/31.  
iii. E.146/1/25.  
during the time of Richard de Clifford", constable; yet in the same year it was ordered that "wind-throws belong to the constable of St Briavels."\(^{ii}\)

The king's conceding of the foregoing privileges is evidence that the administration of the forest law was not wholly in favour of the Crown. The king appreciated that those of his subjects within his Forest, and those whose nearby crops were harmed by marauding deer, required timber and wood for fencing and fuel, and for the building and maintenance of habitations for themselves and their livestock; likewise pasture for their horses and cattle, and pannage for their swine. Nor need those privileges have harmed the cover; in fact swine disturbing the soil may have promoted new growth. But domestic animals would stray from unfenced permitted pastures; and green straight saplings were more useful than dead or crooked ones, or underwood. Because sound medium-sized timber-trees were more desirable than massive dead and dying ones, the temptation to take immature trees was ever present. There were, by the very nature of things, always thousands of trees in Dean reaching the state of advanced decay and much underwood getting beyond its prime; their removal would do much more good than harm. But very little silvicultural sense had as yet developed in those who administered or relied upon the cover.

Assarts and Purprestures

Assarts and purprestures more than anything else reduced the

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\(^{i}\) Cal.C.54, 1247-51, p.61. \(^{ii}\) Ibid.
extent of the cover. Sometimes these entries were made with the king's licence, but more often illegally. Usually they were due to increased use of land by the local population. The assarting was suffered by the king on payment of an annual fine, virtually a rent for raising a crop.

The first mention of assarts occurs in 1199. Six shillings for 18 acres was the total annual payment to the king by three natives of St Briavels and two of Rodley. Robert Albemarle of Ruardean was fined 8 marks "for the assarts which he suffered to be made on the Wye in his bailiwick", and the reeve of Ross 10 marks "for great assarts which he made in the Forest". Thereafter, sums appear from time to time as payment for new assarts. Much assarting took place in the fertile land in the valley leading from the Wye at Redbrook to Clearwell and Newland. The Close Rolls record assarts of 12 acres near Redbrook (1216), 12 acres at Clearwell (Welinton) in 1219, 28 acres at various places (1224), while in the last year the king gave 36 acres near Sitegrave to four miners, presumably for services rendered. In 1225 an inquiry was ordered concerning 30 acres of assarts, and in the same year Ralph of Welinton was granted 120 acres "from Staunton to the right as the road runs above the Wye towards Monmouth." In 1227,
Hugh de Kynardesley was granted 72 acres in Welinton, at 3d. an acre, and, in 1232, Gilbert Bassett, constable, was allowed towards his ferm "nova terra de Welinton". In 1238, the king granted Peter de Burdegala, clerk, of Welinton, a tenth of all issues from assarts in the Forest, and the bishop of Hereford received licence from Henry II to assart lands upon the Wye within defined limits.

A document of c.1231 illuminates the subject of assarts at the time:

"The tenants in the Forest of Dean of the demesne of the lord king: Some have ingress by the lord king. Some by Hugh de Nevill, constable, by a fine made with him and paid at the Exchequer, and they render ferm yearly at the Exchequer. Some have ingress by the constable of St Briavels.

The men of the Forest of Dean who had ingress by John of Monmouth, constable, and Roger de Clifford, constable, offer to the king 30 marks to have the king's Letters Patent, which they already had Close, directed to Roger de Clifford, so that they may hold their assarts in the same manner in which they now hold. Those who have ingress by Hugh de Nevill offer 10 marks that they may hold in the same manner. Those who are in the Forest of Dean without regard, say that if any wood be inclosed within their demesne, they may assart it by liberty of the king's Forest Charter.

Roger of Aston and his men, who hold within regard 15½ acres, and without regard 17 acres, offer 20s, so that the same Roger may destroy the hedge by which his wood is inclosed.

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i. Sold by him in 1277 to the bishop of St David's, "as in Newland" (Cal.C.53, II, p.204).
v. E.146/1/27.
vi. Not subject to scrutiny by regarders.
Those who are within regard say that in the divers eyres of the justices they were amerced for assarts and purpresse made without the king's licence. And they paid their amercements and also the charge for sowing corn.

James of Boxe, Henry of Blakeney, and William le Legistre, who hold 7 acres and three parts of an acre without regard, offer half a mark that they may hold the same lands in the same manner in which they now hold. William Forester and thirteen others in the principal roll, offer two marks that they may hold their houses, which they have raised to the hurt of the forest, in the same manner as they now hold. John Ingham and five others offer half a mark for the same. Hugh de Kinnardele offers half a mark for the same. William de Albamare, lord of Roger de Haliwell, offers, for the same Roger, half a mark for the same. Hamo de Byzar and five others offer half a mark for 13 acres of land within regard, that they may hold in the same manner in which they now hold.

Many assarts are listed in a document of c.1244-48. At the eyre of 1258 some 100 people paid rent for assarts and purpresse, new and old, totalling some 100 acres; at that of 1270 some 110 people likewise paid for a similar acreage. In the eyre of 1282 the recorded assarts total some 500 acres; the largest were those of the abbot of Tintern, namely 200 acres at Woolaston and 46 acres at Tidenham, and 37 acres held by Henry of Dene. The abbot paid £112.10s; as the assarts lay in the fee of the earl Marshal it is clear that the king retained powers over the land. In 1283 John de Landon, parson of Newland, was given a tenth of the issue of Whitemead (Whityemede) and of "all the king's new closes and assarts made within the Forest of Dean." The amount of rents paid annually into the Exchequer by the sheriff of Gloucestershire was £36.19s.1d.
Vert Offences

Fines for injuries to the Forest, under the head of vert, whether within or without the royal demesne, were numerous, but the amounts were small, being on average under 2s. Some are believed to have represented only acknowledgements for having taken necessities. Many minor offences, unrecorded, had been dealt with by the verderers. An offence by night usually bore a double fine. Two offenders, who apparently made their living by carrying off timber and brushwood to sell in Bristol, were fined half a mark and 1s. respectively in the eyre of 1282. The owners of boats used for carrying wood away from the Forest were fined more severely; the sums given range from 7s.8d. to £1.8s.8d. Adam, the reeve of St Briavels, incurred a fine of 4 marks in 1282; when carrying the seal as one of the vendors of wood he had induced John the clerk, of Dean, to create a diversion by sounding his horn, while Adam fraudulently sealed a certain oak.

Charcoal-burning

The production of charcoal for the smelting of iron-ore and the forging of iron probably impoverished the cover more than all other operations together. Much fern was required to light the stacks of wood and much turf to cover them. Charcoal-burning was a rational use; natural replenishment of the cover would have followed if animals had been fenced out. The trade maintained many people. Although their

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i. E.32/30, m.4.
ii. Ibid., m.19.
iii. Ibid., m.4.
presence was tolerated by those who administered the Forest, it is
evident that their occupations disregarded much forest law. Under
certain conditions, such as payment for each hearth, and perhaps
provision of free charcoal for the king's own great forge, the burners
were a necessary and welcome class of operative. At times, they were
allowed to ply their trade on a weekly payment for each "charcoal-pit". At
least on one occasion they were not welcome: the lady of Blakeney
paid 2 marks that the king's charcoal-burners might be removed from her
bailiwick. Grantees of woods found the trade lucrative, although
presumably unlicenced. Henry of Dene cut his grove in Little Dean
for this purpose c.1282; the abbot of Flaxley a hedge for the same
purpose; the abbot of Gloucester made charcoal in his woods of Hope
Mansel and Sudrugg; lord Edmund, the king's brother, likewise in his
chase of Monmouth, and in Hadnock; the bishop of Hereford in his wood
of Ross; lady Joan de Knovile in her wood of Penyard; Richard Talebot
in his woods of Longhope and Haygrove; Simon de Ribbesford, rector of
Huntley, had done the same in a grove called Parson's Moor.

The great destruction committed by charcoal-burners is
recorded in the eyre-roll of 1270; they "bought wood and timber of the
foresters and made charcoal both of that which they thus bought and
the other large part of the wood and timber which they took furtively

i. E.32/332.
ii. E.372, Cal.Pipe Roll, 1 John, p.32.
iii. E.32/31.
iv. Ibid.
v. E.32/29, m.2.
throughout various places." They were amerced, and "it is ordered
that no one henceforth may hold any charcoal-pit in the Forest." The
small effect produced by this order is evidenced by 2,690 hearths
found by the regarders of 1282. i The same regarders drew attention to
the stools obliterated by the hearths; this had the ill effect of
preventing re-coppicing. For the year 1279-80, Ralph de Sandwich,
justice of the forest south of Trent, also constable from 1276-1281,
accounted for £7.7s. "for old branches and underwood sold divers times
to make charcoal, which is called in these parts old charcoal-pits". ii

The value of the wood used for making charcoal to maintain a
forge for a whole year seems to have been anything from £12 to £70
according to estimates of that time. iii Occasionally fuel was brought
in from outside the Forest. iv At times it was obtained at the king's
expense; v at others charcoal-burning was carefully assessed "by the
pit" or "by the week". In 1278 vi charges levied for charcoal-making
(vendicio fossarum) ranged from 3s. to 7s. a week and in 1279 vii from
4s. to 10s. a week. In addition the owners of forges paid a rent,
usually 7s. a year for each forge, viii as well as an occasional fine
when some encroachment was discovered. ix At the eyre of 1282, Richard
de la Marsh, attached for making charcoal in the king's wood of Haywood

i. E.32/30, m.17.
ii. S.C.6/850/19; see also C.145/144/7(1341), and Glos.I.P.M., v, pp.287-9
v. E.32/29, m.2; E.32/30, m.18d. vi. E.32/332. vii. E.32/334.
ix. E.32/31. ix. E.32/29, m.2; E.32/30, m.18d.
(Eyifood) for two days without warrant, was fined 2s. in addition to 2s.5d., the value of the charcoal. The same year, the reeve of St Briavels was fined 10s. for having worked two charcoal-pits for a week in the defence month.

**Furnaces and Forges**

Furnaces and forges were usually itinerant, moving from place to place to reduce the cost of hauling wood or charcoal, and set up near the iron-ore deposits. Though the king's forges were at work in the Forest at least as early as the beginning of Henry II's reign, there is no record of the receipts from them before the reign of Henry III. In the first half of the thirteenth century the Crown wavered between willingness to avail itself of this source of income, supplementing the nation's supply of iron, and unwillingness to sacrifice the large quantities of wood consumed. Other considerations were the wish not to disturb the king's beasts, and to permit the inhabitants to eke out a livelihood.

In 1228 the constable-warden was ordered not to permit the king's three forges to move about any longer in the Forest; nine years later he was ordered to set up eight forges. These ceased to work in 1240, but four others were set up in their place in 1255. On 1 March 1255 the king ordered an enquiry "as he has heard that

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i. E.32/30, m.4. ii. Ibid.
iii. Cf. Flaxley Cart., p.17 - "As free to work as any of my forges in desmesne."
iv. C.54, 13 Hen.III,m.18. vi. Ibid., 21 Hen.III,m.18.
v. E.372, 24 Hen.III. vii. Ibid., 40 Hen.III.
viii. Cal.C.66, 21 Hen.III,m.11.
the forges are harmful to the Forest because the destruction of it
exceeds the issue of the forges." And then all allusion to them
ces; either they went to eke out the warden's ferm or they altogether
ceased to work.

Distinct from the smaller forges was the "forge belonging to
the castle" or the "great forge of the king". This was separately
accounted for in 1246-7 and 1255 and was expressly excluded from the
"issues of the Forest" granted to Robert Walerand in the latter year.¹
The subsequent fate of it is unrecorded; its existence was noted each
year at the Exchequer till 1281, but its profits, if any, were never
forthcoming. It too may have passed after this date into the warden's
hands.

Receipts from the forges found on the Pipe Rolls of 1237-47
and in 1255 are £389.12.0.¹² Jurors in estimating the maximum value
of the great forge at £50 per annum declared that the timber used to
feed it was worth considerably more than the forge brought in.³³ John
de Malemort who, with one or more of his family, spent a great part of
his life at St Briavels making quarrels for crossbows, had a forge in
the Forest c.1244-48. iv The full toll of timber taken by these and
other private forges is beyond estimate, but the concern of the king
becomes clear in 1237. v Then John of Monmouth, constable-warden, with

¹ C.66, 21 Hen. III, m.11.
iii. E.146/1/25.
iv. E.146/1/25.
v. C.66, 21 Hen. III, m.11.
the foresters—of—fee and verderers, were to meet in the Forest and, after making due oath to the king, "diligently view and enquire in what places therein his forges can with least damage to the Forest be set up to use maple, thorn, hazel, and dead wood, and to certify him thereof." Oaks, beeches, and chestnuts, were not to be used. It was a good use of abundant underwood.

Forges in private hands had been in use as early as Henry II's reign. Sometimes the right to hold a forge had been specifically conferred by the king; such a grant was that to the abbot of Flaxley at the beginning of Henry II's reign. Occasionally the grant was supplemented by the gift of wood for the maintenance of the forge; the abbot of Flaxley was entitled to two oaks a week in the middle of the thirteenth century; in 1258 the abbey received instead the wood now called Abbotswood.

Besides those who held forges by royal grant, there were many owners whose claims were doubtful. New forges were set up and wood taken for them without the king's permission or in actual defiance of his orders. In 1217 the damage done by these illegalities resulted in an order that all forges in private hands should be removed, with six exceptions. Three years later the claimants were directed to appear before Hubert de Burgh to prove their claims; possession was restored

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ii. E.32/30, m.30d.  iii. E.146/1/25.  iv. E.32/30, m.31.
v. C.54, 1 Hen. III, m.1.
The prohibition was soon either removed or ignored; before the middle of the century there were between twenty-five and thirty forges, ii a number which had increased to at least forty-three in 1270 iii and sixty in 1282 iv. A year or two later, the number fell to forty-five. v It is evident from the eyre-rolls of 1270 vi and 1282 vii that the holders had appropriated large quantities of wood for maintaining their forges. In that of 1270 it is recorded: "There are many itinerant forges, and those who held and hold them have done many evil things both concerning the tall wood as also the underwood, and also by debranching, so that by reason of these forges a great despoiling has been done in the Forest."

The annual value of a forge appears to have been estimated at anything from ten marks to £50, that of the king's "great forge". The former sum was that granted to Mabel de Cantilupe in lieu of her forge in 1249. viii The forge claimed by Sir Henry de Cadurcis was said to be worth 48 marks a year; ix in 1276 he was granted 500 marks in quit claim. x

Quarrels for Crossbows

There are many instances of the use of bows and arrows for killing deer in Dean xi but none of their making. There is, however,
much evidence of production of immense quantities of quarrels for crossbows. From about 1223 to 1293 at least half a million were made at St Briavels. The total output may have been double this amount; in some years 25,000 were made annually. It shows that St Briavels was one of the great arsenals of the thirteenth century. The manufacture, chiefly by the Malmours, was a rational use of sound timber and of much wood for charcoal to make iron. Timber was also used for the necessary containers, — barrels and chests. As little has been written on the making of quarrels, and nothing recorded of this important industry in Dean, a full account will be found in Appendix V.

Other utilization of woodland produce

Although fuel for the iron industry was one of the primary uses of the trees, followed perhaps by those given away or used for the king's works, great quantities were used for other purposes. Foremost was the supply of timber for shoring-up the sides of the iron-ore mines, and, to a much lesser extent, for working mineral coal. Considerable mining rights were enjoyed by the inhabitants, for which sometimes the king, sometimes the foresters—of—fee, took dues in cash or kind. In 1282 the foresters took "the lop and top of trees delivered to the miners for their works and made their profit therefrom".

The provision of shingles for roofing of castles and churches took a share of the oaks, and within the Forest there must have been

men skilled in the art of cleaving them; the shingles were to be "well cut and shaved". The burning of lime necessitated wood as fuel, witness the orders to the constable in 1252 to produce 1,400 quarters for the castles of St Briavels and Gloucester.

No explicit reference to the local building of ships from Dean's timber has been found in this early time, but many of the small boats which plied along the Severn and Wye were probably built on their banks. Timber was sent to Bristol for the king's galleys.

Oak—bark for tanning leather was supplied from Dean; a record of 1276 states that at Stears, Reginald de Wodeham "forestalled the market at Newnham for leather, and held the tannery there."

Chiminage

Practically anything hauled through the Forest was liable to chiminage. It was the king's due, and although jurors of c.1244—48 said "they did not know any forester taking or charging for chiminage", they reported that "all foresters—of—fee charge those who frequent their bailiwicks for carrying anything whether wood (busca) or otherwise." A note of the issues of St Briavels and the Forest c.1247—55 gives £1 as the value per annum "of chiminage through the Forest towards Gloucester". On occasions it was a perquisite of the constable,

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as is clear from the appointment to that office of Robert Walerand in 1255. In 1275–6 the constable accounted for £3 for it; in 1276–7, £3.6s.8d.; and in 1277–8, £26.3s.4d. The king, if he desired, ordered that his gifts of timber and wood should be "free of chiminage". He made such orders in 1250 for 6 oaks from Lydney Wood for the custodian of Berkeley hospital; and again in 1256 for 40 oaks for the abbot of Gloucester from Birdwood and 70 oaks for Henry de Wengh from Lydney Wood. Two forestarii chiminariorum are mentioned in the eyre-roll of 1282. It was their duty to watch for, and assess, levy, and collect chiminage.

Military services of woodland workers

Miners of Dean were esteemed for their military services and constantly called upon by the king; so too were the woodland workers. On 1 June 1282 the warden was ordered to select 100 woodcutters and charcoal-burners "of the best, most powerful, agile, and most used of these trades, and to send them to Brecknock and to cause them to have their wages." On 15 July of the same year the warden was ordered to arrange, by the choice of William de Percy, for the provision of 100 of the most powerful woodcutters "to clear the passes in Wales."

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i. C.66, 40, Hen.III, m.21.
vii. C.77, 10 Edw.I, m.8d.
viii. Ibid., m.8d.
ix. In the wooded mountains: see J.E.Morris, The Welsh Wars of Edward I, p.211.
Each was to have "a good, great, and strong axe or hatchet to fell large and small trees." They were to be sent to Chester and their pay was to be 3d. a day. A similar order was given 11 December the same year.¹ Proof that the warden, Grimald Pauncefot, had complied with at least some of the orders, are the allowances made in 1315² to his brother and heir, Emeric.

Summary to the end of the Thirteenth Century

By the close of the thirteenth century Dean's cover, part in demesne and part under grant, was reduced to some 30,000 acres,³ chiefly by assarting and by felling to ease travel. Seven processes impoverished much of what remained: clear-felling without enclosing, indiscriminate cutting, browsing, commoning, wind-throw, natural decay, and occasional fires. Granted woods were over-cut.

Charcoal for the iron industry, timber for mines, trees for the king's works,⁴ gifts, and estovers, were rational uses of the cover. Sales of trees and underwood brought revenue. Some timber went for boats, weirs, shingles, quarrels, troughs, ploughs, and other uses. Demand from afar encouraged theft by officials and inhabitants; dealers plying boats on the rivers supplied Bristol and Gloucester.

The woodland cover was mostly broad-leaved; oak was followed

¹ C.77: 11 Edw. I, m.4d.  ᵃⁱ  C.54, 8 Edw. I, m.19.  ᵃⁱⁱ  Map III.
by beech, ash, lime, and Sweet chestnut. Yew, then the only conifer, throve on the limestone. The underwood was chiefly hazel, maple, alder, thorn, holly, and birch. The cover was dense in some areas, sparse in others. Given transport, trees were in plentiful supply; increment made good much of the extraction. A few cut-over areas were enclosed, so that protection was given to shoots from stools, suckers, and layers, and germinating seeds.

The incidence of forest law and its administration obscured to persons other than the inhabitants the beneficial elements of the system. The severity of restrictions and penalties was rarely as grievous and one-sided as has sometimes been asserted. The king knew that his subjects needed estovers, herbage, and pannage, and was lenient so long as his beasts were conserved in their covert, more for his prestige, his gifts, and his larder than for the little hunting he enjoyed. Common rights were generously interpreted by both the Crown and the inhabitants. Thus the system was not wholly to the king's benefit. Although it restricted and punished it did recognize the inhabitants' needs and allowed the kind of husbandry suited to rough woodland and waste.

The Crown was well satisfied with Dean. The king had his hunting and abundant venison, and timber. His relatives, favourites, and servants benefited from gifts. His subjects enjoyed many

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privileges. Men brought up as woodcutters, charcoal-burners, miners, and workers in iron were at his call; many were skilled in using bows and arrows, crossbows and quarrels, and in mining, tunnelling, and clearing trees and undergrowth from roadways and upland passes. His manufactory and arsenal of quarrels for his armies and castles were at St Briavels. Revenue came from sales, assarts, fines, herbage, pannage, and mining dues. Depredations in Dean were compensated by issues in cash and kind.
CHAPTER III

1300 to 1557

Officials of the Forest

The fourteenth century was one of change in administration. The justice of the forest and those on eyre appeared only occasionally. The constable-warden farmed the issues of St Briavels and some of those of the Forest. He incarcerated, or let out on bail, offenders. He joined other officials to complete sales of underwood. His deputy presided over attachment courts, partly usurping the verderers' duties.

The Crown began to dispense with foresters-of-fee and sergeants-of-fee. The hereditary officials had but a traditional tenure of their bailiwicks, and did little to conserve trees and beasts. In 1348 enquiry was ordered whether tenures granted for services had been alienated without licence so that the services were withdrawn to the damage of the Forest. Verderers continued their important work. The records of their meetings in 1335-41, some at least at Kensley House, show that they were cognizant of the removal of estovers; they viewed and sometimes put a price on trees sold.

Regarders were still appointed as special purposes required. No record of their making a regard is found. Woodwards, normally appointed by grantees of woods, in Dean now had duty in the king's

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i. E.101/140/18. ii. E.32/33. iii. Cal.C.66,1348-1350,p.239.
iv. E.32/33.
v. Kemleie, Keneslie, Kennysley; the house is believed to have been on the site of the present Speech House, which was its successor as venue of the court of attachment.
vi. E.32/255; Glos. I.P.M., v, pp.95,267,274; E.32/258.
demesne woods. They were employed in the bailiwicks and served the administration more than has been realized heretofore.

Who, then, had the care of the cover? First, the constable, verderers, and woodwards. Second, various minor officials, riding-foresters, and foresters-on-foot. We cannot from the scanty records be certain what their duties were nor know who remunerated them; analogous cases suggest they were satisfied by perquisites. No reference has been found to the future of foresters. Not till 1350 do we learn of a more explicit appointment; then the constable-warden was ordered to arrange for the payment of four foresters "whom the king has newly ordered to be found for keeping the vert and venison, to stay in Dean at the king's wages." Two years later one of them was pardoned for selling underwood to the damage of the king, 6s.8d.; beyond this, nothing is recorded of these newly appointed foresters. In 1389 John Howchyns received for life the grant of the office of forester "without wages from the king". The office was by then a sinecure with perquisites. So too was the new office of ranger to which in 1390 Henry Putte, one of the king's miners, was appointed "with the profits and emoluments thereof but without fee or wage from the king;" he was given power to "arrest trespassers against the vert and the venison according to the custom of the forest."

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i. Ker, 32/33. ii. See, e.g. Turner, op. cit., pp. xxiv, xxv.
vi. Ibid., 1388-92, p.128.
Few of the appointments strengthened the administration or promoted care of Dean's cover. No bailiwicks existed distinctly as they did in the thirteenth century. Chancery clerks in drawing up Letters Patent hardly knew what the offices were that they had to describe; sergeants-of-fee were loosely described as foresters-of-fee, and woodlandships were confused with bailiwicks. Many of the offices were granted to members of the king's retinue, yeomen of the Crown, clergymen, grooms, pages, servants, and ushers, some of whom never had, or would, set eyes on the Forest; all that seemed to matter was that in some way money or perquisites attached to an office. The grants saved the Exchequer many pensions. The appointments were some curb on any inhabitant of Dean who contemplated exceeding the customary privileges.

Courts in the Forest.

In the Ordinance of the Forest 27 May 1306 Edward I said that the misdeeds of foresters throughout the kingdom had not ceased, implying all classes of forest officials. He added that "by the reports of our subjects and the frequent complaints of those oppressed, whereby our mind is sensibly moved and troubled, we have learned that the people of the realm are miserably oppressed by the officers of our forest". He declared that correct legal procedure was not observed, accusations were presented not by the "good men" of the country but by one or two foresters or verderers, and the innocent were condemned.

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i. Statutes of the Realm, i, p.149.
He commanded that the regular procedure should be followed; the jurors should not consist of officials, and oppressive and corrupt foresters should be punished.\textsuperscript{i}

Of the references to courts in Dean in the first third of the fourteenth century, one is an order in 1318\textsuperscript{ii} to the justices south of Trent to deliver two inhabitants, in prison at St Briavels for trespass in the Forest, in bail to twelve mainpernors, "to have the offenders before the justices at their next coming". In the 1330s two sorts of courts were held. The first was an inquisition at Great Dean 10 March 1333\textsuperscript{iii} before John de Loudham, deputy of Sir Robert de Ufford, justice of the forest. Its business was to consider the state of the Forest and transgressions within it. Those assisting were the warden of Dean, Robert de Sapy, his deputy, John of Rustele, twelve sergeants-of-fee, four verderers, thirteen regarders, and as jurors twelve "free and legal men" dwelling in the Forest.

The vert offences included the felling and taking by three of an oak, price 10s, from le Wymbolt.\textsuperscript{iv} Ten men were accustomed uprooters of oaks and beeches; they also felled by night and by day and on feast days. Four others were accustomed to fell hazel, maple, and other trees and carry them to boats on the Severn for sale. Another felled by night a cartload of sapling oaks value 10d. in the

\textsuperscript{i} Statutes of the Realm, i. p.147 sqq.  
\textsuperscript{ii} C. 54, 11 Edw. II, m.12.  
\textsuperscript{iii} E. 32/259.  
\textsuperscript{iv} Probably now represented by Winnol's Hill, north-east of Coleford.
bailiwick of the Lea, and carried them in a cart drawn by six oxen; a fine of 40s. was imposed. Four others were accustomed charcoal-burners of the king's wood and conveyors (traventator) of wood felled by them. Other cases related to the taking of venison in the bailiwicks of Abenhall, Bicknor, Staunton, Dene at Redesolege and in La Lyndene Wood, and Blakeney at Gurneys Oak (Gurneyesok) and at Moseley "castle". One of the accused was the woodward of the bailiwick of Dene. No indication is given as to who attached or presented the offenders; no foresters or woodwards took part. The jurors set their seal to the record but no subsequent action is apparent. It is uncertain whether the justices came to Dean; some offenders in St Briavels castle in 1333, 1334 and 1336 may have been indicted at the trial.

The second type of court appears to have been effective and business-like. It was not a normal attachment court inasmuch as it was presided over by the deputy constable; although the verderers were in evidence they appear in a somewhat subsidiary but still important

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i. This case is quoted by Turner, op.cit., p.136, where he wrongly states that the inquisition took place at Hereford.
ii. In 1333 the constable was to bail John Mayel, imprisoned for a venison offence, until the coming of the justices (Cal.C.54, 1333-37,p.42). In 1334 the justice of the forest was to do likewise for John de Honsom, parson of Abenhall church, another offender against the venison (Ibid.,p.240). In 1336 the justice was to do likewise for Thomas Bleyth "if he find twelve mainpemors" (Ibid.,p.551).
capacity. A series of fifty-four such courts, one every sixth Thursday, extended over the period 1335-41. The courts were concerned with vert, not venison, offences, and the attachments had in most instances been made by woodwards. At the court was recorded the removal of all trees whether by writ, gift, sale, custom, or delivery to the miners. The names and offences of malefactors sent to St Briavels castle were enrolled for the next coming of the justices.

Most of the attachments are simply records of oaks, rarely beeches, delivered pro orbolo. Orbolo later referred to the release of trees for timbering the iron-ore mines. Other entries relate to trees taken by writ of the king, the justice, or the constable; there was no charge for such trees, but they were noted by the verderers in the same way as attachments and the trees were often taken by their view. Many trees, usually oaks, were for use at St Briavels castle. Six oaks were for Gloucester castle; others, occasionally beeches, are noted as for the use of: John de Heydon and Richard Billing, verderers; Walter of Wormbridge; Thomas of Tetbury; John of Bicknor, a forester-of-fee; John of Rusteley, a deputy constable; John Cromhall; John of Stratford; the abbot of Flaxley; the king for his mill; Henry duke of Lancaster for his weir at Rodley; Thomas of Bradeston; William Bras; the church of Great Dean; Gilbert Jolif; Ralph Beynon; William of Cheltenham; Richard Talbot; William Michel; the lord of Whitemead; and William of Eynsford.

i. E.32/33. ii. E.122/300/5 (1650).
The court also recorded oaks sold to individuals; the trees were usually viewed by the verderers. In most instances the trees were priced by the deputy constable, and occasionally by the verderers and by John Paty an official of unknown status. The oaks were priced at 1s., 1s.6d., 1s.8d., 2s., 3s., 3s.4d., 4s., or 5s. Several Quercus de Jmbe, on one occasion interlined as himbe and on another as vocata Imbe, were priced at 1s.6d., 2s.6d., or 3s. each. The presence of a swarm of bees in such oaks may be indicated; honey was a valued issue of a forest. Other oaks, interlined pro Durnallet, were sold after viewing at 1s.4d., 1s.6d., 2s., 2s.4d., or 3s.4d. each. An oak called Benhøek was "viewed, appraised, and sold" by the deputy constable; the price is not given.

There are many cases concerning persons attached for specified vert offences. The culprits had been taken to St Briavels castle; this always means imprisonment continued till the accused could get pledges to produce them at the next eyre. When the offenders were not taken to the castle their attachers, usually the woodwards but on two occasions a riding forester and on two occasions a sergeant-of-fee, were to answer. The offences include: taking oaks, on one occasion sapling oaks; debranching oaks or beeches; cropping of oaks; taking a stump of oak; destroying underwood; burning an oak; destroying eight small beeches. One charcoal-burner was attached.

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i. Often this was recorded as pro vili exbrancatura, probably the removal of dead branches of standing trees.
ii. As to stub, see Turner, op.cit., p.149.
Walter the woodward with another had been attached by the woodward of Abenhall for making charcoal for which they had burned an acre of cover; but it was found that the underwood had been sold to them for two marks by the constable. Three servants of the abbot of Flaxley were attached while destroying young beeches, and another for debranching a young beech which contained six loads of wood. Three owners of boats for taking away wood were attached by the woodward of Blakeney; two were fined 5s. each and the other half a mark, but they retained their boats on finding two pledges each. Beyond the name of the bailiwick the place of the misdemeanours is given in only three instances, in the Wet Wood (le Wetewode) and the Winholt (le Winholt), bailiwick of Staunton, and in Haywood (Heywode), bailiwick of Abenhall. No roll is extant to show if action was taken on the matters recorded for the justices' attention.

Inquisitions on specific liberties were made within the Forest. Examples are those held in 1307 into the tenure of the bailiwick previously held by the Bleyth family; in 1337 concerning assarts; and in 1338 as to the rights of the abbot of St Peter's,
Gloucester, in his wood of Hope Mansel.

Only one instance has been found during the fourteenth century of action under common law, a commission of oyer and terminer issued in 1356 touching persons "who entered the Forest of Dean, hunted, felled trees to the value of £20, took deer, allowed their beasts to tread down and consume crops, burnt underwood and other covert, and prevented the levying of rents". How extensive were these disorders is not known.

Woods granted by the king

Little is learned of the outlying woods which the king had granted within Dean in the two previous centuries. Gradually these woods disappear from the records; in some instances we can follow this process. In 1380 Bogo de Knovile got leave to fell 30 acres of underwood in his wood of Kilcot, near Newent but "within the Forest of Dean", and in 1311 to fell all the oaks within it. Similar permission was granted to the abbot of Gloucester in 1324 to have timber and firewood from his woods of Birdwood and Hope Mansel. All three woods for a time remained within the wider bounds of the Forest; so too did those of Newent and Yartleton under grant to the prior of Newent. These woods, probably ruined to production by felling, lack of enclosure, and inability to retain the king's beasts, ended their

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ii. Ibid., 1307-13, p.77; 1308, m.6, 24 May; 1 Edw.II, 66/1.
iii. Ibid., p.380 iv. G.54, 17 Edw.II, m.21,22.
connection with the Forest after the deforestation in the first third of the century of all but the bailiwicks and a few areas adjacent to them. There are two exceptions to this. First, it is stated of Penyard Park, east of Ross-on-Wye, in an inquisition of 1333, that Sir John Inge "holds it and has enclosed it"; it lay "half a league from the covert of the Forest". The king ordered his justice to replevy the park "lying adjacent to the Forest of Dean"; the justice had caused it to be taken into the king's hands "for defect of enclosure, until the coming of justices for the pleas of the forest, provided the park is sufficiently enclosed in the meantime". At the same inquisition it was reported that the abbot of Flaxley "fells his woods without view and delivery of the foresters and makes charcoal in the same to the hurt of the king's wild beasts and to the detriment of the Forest".

Second, as late as 1338, Edward III intervened touching the wood of Hope Mansel:

"Notification to all whom it may concern, that on petition of the abbot of St Peter's, Gloucester, before the king and council in parliament, complaining that he was being prevented from making his profit of the wood of Hope Mansel as he and his predecessors time out of mind, as well before the late perambulation of the king's Forest of Dean as since, had used to do, the king lately commanded Bartholomew de Burghersh, keeper of the forest south of Trent, to see that the abbot had his rights in this behalf, and by inquisition taken by John of Macclesfield, deputy of the said Bartholomew, it has been found that the abbot and his predecessors have used to make their profit of the said wood without disturbance by the wardens or ministers of the Forest of Dean or the constables of St Briavels castle until Robert de Sapy, late warden of the Forest and constable of the castle, unjustly prevented him from so doing."

i. E.32/258. ii. C.54, 7 Edw.III,m.12d. iii. C.66, 13 Edw.III, m.28.
The notification ends with a statement of the metes and bounds between the abbot's wood and "the wood of the Forest of Dean".

In 1354 Edward informed the bishop of Hereford that he expected to visit Dean and requested him to hunt only in Bishopswood. He instructed Richard Talbot of Goodrich castle to supply the names of those who hunt in "the wilderness" between that wood and the Forest.

The last note of the century relating to private woods is that in 1369 of Thomas de Beauchamp, earl of Warwick, in the manor of Lydney where "200 acres of underwood were worth nothing a year for want of buyers".

Assarts, and Grants of Land

Thousands of acres of old assarts were still held in the Forest and assarting was proceeding. In 1305 the bishop of Llandaff's church of Newland was regranted a tenth of the new ones. This met with much opposition from the dean and chapter of Hereford and their churches in the district. The Forest was at this time a rural deanery in the Hereford diocese. Grants or confirmations of land or licences to enclose existing assarts were many. In 1306 there was a grant by Walter of Gloucester and William Hardene, "assignees for renting the lord's waste land in the king's forests south of Trent", to Richard Joce of 10 acres in Dean "between Wynnebruges-assch and Orwey by view..."
and testimony of the verderers and foresters—of-fee. In 1310¹ the
priory of Llanthony, Gloucester, received confirmation of arrentation
of land in the Forest made to it by Edward I. In 1317[ii] Robert of
Baryngton, sergeant—of—fee, received licence to hold 40 acres of assart
paying 2d. an acre annually, "measured by the perch of the Forest", and
bounded "in length by the wood of Mailscot (Mayllescoyt) from Hunstetry
to Wippington's brook (Wybaldtonesbrok) and Brodeleyewe, and in breadth
from the grove of Henry the Carter to Godfrey's oak (Godefraysok) and
Cross riding (Croysrede)". In the same year[iii] Ralph Hathewy held
60½ acres of new assarts "at the Hoarstone". John of Wyesham, late
constable—warden, was granted the king's fishpond at Noxon (Noxton) and
allowed to assart 200 acres, "by the perch of 20 feet" of waste
adjoining, rendering 50s.6d. annually;[iv] he was allowed to assart another
80 acres nearby in 1321.[v]

In 1319[vi] William of Dene held 90 acres of new assarts at Little
Dean. John of Cromhall was licenced in 1333[vii] to assart and enclose
land in Lawyldarne. Five years later John Joce, deputy constable, was
allowed to assart and rent out 116 acres of waste at St Briavels,
Newland, Drakehord, Overevese and Holiwalle,[viii] and the abbey and

¹ C.143/lxxii/8, 4 Edw. II.
[vii] Glos. L.P.M., v, pp.267,268; a relative, William Joce, had in
1323 been granted land in Muchelecleve and Drakenhord.
The convent of Grace Dieu were granted 36 acres at Wyegate and Longeford, "contiguous to Stowe". The 116 acres were "two leagues from the Forest cover and wild beasts seldom repair there, and are worth 2d. per acre annually"; the 36 acres were "three leagues from the Forest cover" and likewise "wild beasts do not resort there". In 1347 Ralph of Abenhall held 60 acres of new assarts at Abenhall.

Only two cases of assarting, one of $\frac{1}{2}$ acre, another of 1$\frac{1}{2}$ acres, were reported at the inquisition in 1333. In 1353 the monks of Flaxley were granted £36.19s.1d. yearly from "the issues of the king's lands newly assarted in the Forest"; they continued to receive the rents until the dissolution of the abbey, and the grant of its income to William Kingston.

**Gifts, Sales, and Utilization of Trees and Underwood**

As in the case of venison, records of gifts of trees are few. Beyond the many trees mentioned in the courts of 1335-41, and 4 oaks given to Thomas of Portington in 1304, the usual sources are silent. Some trees were used for the king's works: 100 oaks for Caldecote castle in 1388, 100 for Bristol castle in 1304 and 1309, 120 for Gloucester castle in 1304, 6 for the same in 1323, and 20 for

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ii. E.32/258.  
iv. Finch Hatton MSS, 3793.  
v. E.32/33.  
vii. Ibid., 1385-9, p.511.  
viii. 70 (Ibid., 1302-07, p.151) and 30 (Ibid., 1307-13, p.177).  
ix. 120 (Ibid., 1302-07, p.128).  
x. For repairing houses in the castle, and the weirs in the Severn (Ibid., 1318-23, p.628).
use at St Briavels castle in 1331. Six oaks were used for weirs and houses in Gloucester in 1323, and 22 cart-loads of timber were hauled from Wynholt Wood in 1372 for use at St Briavels castle. Rods were allowed to St Peter's, Gloucester, for repair of weirs at Minsterworth and Dunny; likewise to Henry, earl of Lancaster, for weirs at Rodley, where also his tenants were allowed estovers. In 1327 Queen Isabella, who at the time had a grant of the issues of the Forest, was permitted to take timber for the repair of her houses, and to give oaks to whom she pleased; such takings and gifts were not to be adjudged waste.

In 1383 Richard II granted for life to his confessor, the bishop of Llandaff, that his rectory or parsonage of Newland might have housebote and haybote in the Forest. Oaks, occasionally beeches, were released without charge, for timbering mines.

Wood-sales in the first quarter of the fourteenth century were chiefly of underwood, rarely of timber-trees. In 1301 Nicholas Fermbaud and Richard de Heydon were ordered to sell trees, wood, and underwood, "both green and dry", to the value of £200. In 1308 the

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i. For repair of the castle and houses (Cal.C.64, 1330-33, p.229).
ii. Ibid., 1318-23, p.628.
iii. E.101/481/20.
iv. Cal.C.54, 1345-6, p.2.
v. Ibid., 1336, p.577.
vii. Ibid., 1381-85, p.321.
viii. E.32/33.
xi. Cal.C.60, II, p.37. In 1313 the late constable, John de Handle, on account of good service, was pardoned for trespasses and for sale of wood and underwood in the trenches of the Forest lately made by him by the king’s command (Cal.C.66, 1330, p.570).
constable—warden was told by the king "to cause the trenches in the
Forest to be freed from underwood which has grown therein to the
deterioration of the king's deer". Profuse growth had arisen from the
stools of these cut-over areas.

Of the few detailed records of the sales effected in Dean
during the century, three provide perhaps the earliest accounts of such
transactions in England. The first, of 1325, records an account
between William Leulyn of Little Dean and John de la Lane of Great Dean
"concerning sale of underwood and making charcoal by the assignment of
Hugh le Despenser, earl of Winchester and justice of the forest this
side of Trent, in the time of the present king's father, in a place
called the Chestnut Wood in the bailiwick of Abenhall, on the one part,
and John de Myners, warden, Sir Reginald of Abenhall, forester—of—fee,
John de la Boxe and William de Holt, verderers, supervisors of works
and sale on the other part." Details include the following:

"On 3 February 1326:

1½ acres of underwood to Walter Michel for 6s.9d.
4 acres to John of Stears and William le Frontar for 18s.1d.
¾ acres to John le Hierde for 1s.1½d.
1½ acres to Walter le Fox for 6s.9d.
3 acres to William Brekdanse and Walter le Wep for 13s.6d.
6½ acres to John le Schaward, Hugh Poter, John de Cremhale,
and Solymon de Dene for 29s.3d.

Total: 10½ acres sold for 75s.4½d.

On Monday before the Feast of St Valentine, 1326:

Total: 32½ acres sold for 100s.1½d.

In the week of the Feast of St Peter in Cathedra, 1326:
Total: 11½ acres sold for 51s.9d.

In the week of the Feast of St. Mathias the Apostle, 1326:
Total: 9½ acres sold for 42s.9d.

In the week before the Feast of St Gregory, 1326:
Total: 12½ acres and ½ acre sold for 38s.6d."

Each acre is described as "containing 40 perches in length and 4 perches in width". The total acreage was 82½ acres, measured "by the perch of the Forest". The price was usually 4s.6d. an acre; in the last sale it was 3s. The record continues:

"Sale of charcoal made from the refuse of the underwood from the same place in the week of the Feast of St Gregory:
6 dozens at 9s. and 3 seams at 9d. = 56s.3d.

Sale of the same in the week preceding the Annunciation of the Blessed Virgin Mary: 53s.3d.
Total from sale of underwood: £15. 8s. 6d.
Total from sale of charcoal: £5. 9s. 6d. £20. 18s. 6d.

Spent in enclosing the said place of the Chestnut Wood with a ditch and hedge so that domestic animals cannot enter, by view of the said surveyors:
470 perches @ 2½d. £4.15s. 7½d. (sic)

Spent in wages of the two sellers, each receiving 16d. a week:
£1.16s. 6d. £6.12s. 1½d.

Balance of which the same delivered into the king's Treasury £13 by tally."
The foregoing sales, and others, were later queried by the Crown. On 8 November 1333\(^i\) William de Rostele, clerk, and John of Cheltenham were appointed to hold an inquisition as to underwood sold by Leulyn and Lane "and how much money from such sale and other profits then and there they have raised from wood, underwood, charcoal or other profits whatsoever under the title of gift, sale or in any other way they have caused to be carried away or delivered to any persons, and how, and likewise how much they have applied in the making of a ditch and mound about the aforesaid place and a certain hedge set above the mound, as well as making the aforesaid charcoal and for other outlays necessary in this behalf." The sheriff had been ordered to cause "wise and legal men of the neighbourhood of the Forest" to attend before the investigators. In consequence an inquisition was made at Great Dean 8 December 1333 by the two commissioners assisted by twelve jurors who said that the two vendors sold in the Chestnut Wood in 1326 underwood and wood for charcoal to the amount of £146 12s. 60 had been spent in making charcoal and £6 12s. 1½d. in making a ditch, mound, and hedge. As the name of the Wood implies, the underwood in question was Sweet chestnut, capable of renewal by coppicing; it was a prudent policy to enclose the area after felling to prevent wild and domestic animals damaging new growth. Thus we find a system of enclosing by digging a ditch and planting a hedge on the mound thereby made, using hawthorn as was the custom till the nineteenth century.

The second sale-document, of 1326–27,\(^ii\) is an account

\(^i\) E.146/1/28. \(^ii\) E.101/140/19.
rendered by Walter de Magynton, attorney to John de Myners, formerly constable-warden of the Forest:

"Burnt underwood sold by order of lord Hugh le Despenser, then justice of the king's forest south of Trent, in the 20th year of Edward II:

In the bailiwick of Staunton:
5s.1½d. from one plot (places) to Robert Pye, 4s.5d. for a plot to John Scheye, and 22½d. for a plot to John Crisp. Total 11s.5d.

In the bailiwick of Bicknor:
5s.6½d. from one plot to John atte Walle by pledge of Walter Bernard and Robert Clerkesson, and 6s.3½d. for a plot to Alexander atte Grene and John de Ydeforde, one pledging the other. Total 11s.4½d.

And be it remembered that the aforesaid was sold for the sole reason that, by an unfortunate fire from a certain charcoal pit setting light to the bracken, the said wood was thus accidentally burnt. And so that it might grow again the order was made for cutting and selling on the instruction of the aforesaid Hugh le Despenser the justice and his deputy, namely Sir William de Cleydon."

The third extant document of sale, of 1333, concerns Albert le Gaynere and William Bras "lately assigned to effect sale and felling of underwood by commission of lord Robert de Clifford, justice of the forest this side of Trent, by view and testimony of John de Rusteley, deputy of the warden Robert de Sapy." Below is the vendor's account for the six weeks from 21 March to 3 May 1333, from which day they "ceased to sell and fell following a letter of John de Rusteley by reason of a certain order of the said justice directed to Robert de Sapy to desist from all selling and felling of wood in the Forest":

i. E.101/140/20.
"The same vendors account for 40s.6d. from three dozens and
4½ seams of charcoal produced from 9 acres of underwood felled
in the Forest of Dean, to wit in Moorwood (Norwode) in the
bailiwick of Ruardean 8 acres, and in Hangerbury (Hangerby) in
the bailiwick of Bicknor 1 acre.

The same give account for wages of William Lodebrok, Roger Kat,
Roger Casteleyn, Philip Kryckefeld, Thomas atte Grene, Adam
Russel, Walter Mosket, Walter Monnyng, William Gerland and Adam
Packere who felled the said underwood and made charcoal from it,
20s.3d., that is for each acre so felled and made into charcoal
2s.3d."

Thus during the period 1325—33 the usual charge for underwood
was 4s.6d. an acre; the payment for cutting and converting to charcoal
was 2s.3d. an acre. The wage of a man at the time was about 3d. per
day; to convert an acre of underwood into charcoal took nine man-days
or about one and a half weeks. In 1335 Gaynere and Bras were in
trouble before the barons of the Exchequer. Gaynere was committed to
Fleet prison for failing to account for sales of 30 acres of underwood
that had been assigned to make at le Vym in the bailiwick of Blakeney,
and 9 acres elsewhere in the bailiwick of Ruardean and Bicknor.

Besides these three illuminating documents of sale there are
subsequent records which are relevant. In 1350 the constable-
warden was allowed to fell underwood "by parcels, from seven years to
seven years", and make charcoal towards payment of his ferm and of the
wages of the king's four newly-appointed foresters. Further use of
underwood appears to have been sanctioned in 1367 in which year John

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i. E.368/107, m.26,165. ii. E.101/481/20.
Shortegrove and John Griffiths were appointed to take in the counties of Gloucester and Hereford charcoal workers to be placed in Dean at the king's expense. The underwood was probably converted on behalf of the king because of a lack of demand for wood; at Lydney in 1369 200 acres of underwood were unsalable.\(^i\)

In 1372\(^ii\) the king assigned John JoCe and Robert Cole to sell 60 acres of underwood and to deliver the proceeds to Walter of Aust for the making of a new bridge for St Briavels castle and for repairing its small tower. Three years later,\(^iii\) Roger Pylond, janitor of the castle, accounted for £20 received from the vendors, also "for the conduct to the castle of 22 waggon-loads of timber from Wynholt, 10s.8d., and for the wages of three carpenters for 26 days for carpentering the same timber, one taking 5d. and the others 4d. a day, total 28s.2d."

During the fourteenth century the making of quarrels lapsed in Dean. Perhaps they were required to be made near where they were needed. The only relevant record is for the year 1337\(^iv\) when it is stated the king 15 February 1335 gave a writ to Robert de Sapy, the warden, informing him that he was sending Richard Garne, the king's fletcher, and ten working fletchers to stay within Dean until they had made a great number of "bolts" \(\text{(pilum)}\). Garne was to have 6d. a day and the others 3d. The warden paid Garne £3.4s.6d. and the others

\(^i\) Glos. I.P.M.,vi, p.53. \(^ii\) Cal.C.66, 1372, p.232. \(^iii\) E.101/481/26. \(^iv\) Cal.C.54, 1337, p.11.
£16.2s.6d. for the period 21 February to 29 June, 1335, as well as £3.3s.8d. for a newly constructed waggon to deliver the "bolts" to Berwick-on-Tweed. On 15 July 1334 Adam Garne, fletcher, was appointed porter of St Briavels castle.

There are no records of boat-building on the rivers during the fourteenth century. A few small boats may have been built but no timber for boat-building elsewhere is known to have been carried from the Forest.

The iron industry and its associated charcoal-burning were probably as active as they were in the thirteenth century. But we do not see the full picture. In 1317 Ralph of Abenhall and other foresters-of-fee with twelve jurors assigned one forge consuming 10s. worth of charcoal a week to each of 9 persons at St Briavels, 3 at Staunton, 12 at Ruardean, 13 at Great Dean, 8 at Little Dean, and 4 at Erleyford, a total of 49 forges. Other documents of 1325, 1326, 1326-27, and 1333 show that charcoal-burning was a regular occupation; some of it was illegal. In 1341 the value to the warden of the ore together with the forges was £34 a year; this represented dues paid by the miners and the forge-holders. Early in Edward III's reign the dues collected for the use of some large forges and of some smaller ones were £26.19s.3d. All these forges had been

thrown down and annihilated to avoid destruction of the Forest". It is not possible to calculate how many trees used are indicated by the above figures, nor the effect on the cover of mining and charcoal-burning. Chiefly underwood was used; timber-trees were rarely taken, except their branches. It was a rational use of otherwise unsaleable produce. Even if the trees, wood, and underwood removed were double or treble what has been noted the reduction of the cover would not have been seriously detrimental to the Forest, extending at the time to perhaps 20,000 acres and with many trees scattered over the waste lands of the demesne. But two points remain obscure. First, how much underwood and how many trees were stolen or taken as estovers without being recorded? Certainly many timber-trees were necessary for the building and repairing of dwellings and other buildings, as well as much underwood for domestic fuel and fencing. Second, how much damage was done to the cover by commoning, pannage, and fire?

The Crown's policy towards the Forest and its cover (I)

As the area under forest law contained many vills, townships, and hamlets, some well removed from the woodland cover and the haunts of the king's beasts, it is understandable that pressure was brought upon the king by the barons and populace to reduce the limits of the declared forest. In 1300 Edward I strove to retain the widest limits. The sheriff of Gloucestershire was ordered "to cause proclamation to be made that all those who have lands within the bounds of the king's

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i. E.32/33. ii. E.32/255, m.2.
forest and who wish in any way to challenge its current perambulation, shall show any proofs and challenges that they may have.

Perambulations of the widest limits were quoted on behalf of the king; these were challenged by other perambulations reducing the limits considerably.

In 1301 the narrower limits were reluctantly and temporarily conceded by Edward I; these included only the king's demesne woods and lands, together with vills, townships, and hamlets within or adjacent to them. In effect, forest law was restricted to not much more than the area covered by the bailiwick. The various perambulations continued to be the subject of much argument; no conclusive action was taken to implement the Crown's concession. On 31 March 1305 proclamation was made:

"Whereas certain men are put out of the forest by the perambulation and by the king's grants have requested at this parliament that they shall be quit of the future and of the things that the foresters demand of them as they were wont to be before; the king answers after granting the perambulation that it well pleased him that it should be as he had granted it, notwithstanding that the business had been sued and demanded in an evil manner, but at least he intends and wills that all his demesne woods and all his demesne lands, in whatever part they may be, that have been anciently of the Crown, or that have reverted to the Crown by way of escheat or in any other way, shall have the estate of a free chase..."
and of free warren, and shall be held and guarded in such manner for his use for all manner of beasts and for all manner of sport that shall please him.

And in regard to those whose lands and tenements are disafforested by the said perambulation and who demand to have common within the bounds of the forests, the king's intention and will is that, since they claim to be quit by the perambulation of the future of foresters and in order that the king's beasts may not have their haunt or repair on the lands disafforested, as they had it when the lands were within the forest, these men ought not to have common or other easement within the bounds of the woods or of the lands that remain in the forest.

But if any of those people who are disafforested by the perambulation would rather be within the forest, as they were before, than outside as they are now, the king is well pleased that they shall be thus received, to the end that they may remain in their ancient estate and have common and other easements within the forest as they had before.

Wherefore the king wills and commands that his justices of the forest on both sides of Trent shall thus keep and guard and cause to be kept and guarded firmly the aforesaid points in their bailiwicks in the form aforesaid."

On 27 May of the following year, 1306, the perambulation delineating the narrower limits was annulled by Edward I under a dispensation from the Pope, and the wider bounds were restored. The king thereby tightened his hand on Dean as on other forests.

Edward II refused to give effect to any forest ordinances. After his dethronement Isabella and Mortimer declared in 1327 that the Forest Charter was to be kept in all points and that the conciliatory perambulations of Dean, as of other forests, conceded and then withdrawn by Edward I, were to hold good. Three years later, 12 July 1330,
Edward III warned the justice of the forest south of Trent not to allow regarders and verderers to charge with offences against the vert and venison dwellers in districts deforested, some of which were now referred to as purlieus: the conciliatory perambulations were to be strictly observed. Almost the end of the long struggle for deforestation was reached during the beginning of the reign of Edward III. There was at last for Dean a defined area within which the forest law was to be administered. \(^1\)

The Crown's policy followed throughout most of the fourteenth century, that of farming out to the constable-warden many of the issues of the castle and Forest while retaining the woodlands, was partly to conserve the cover. There were plenty of trees, wood, and underwood and adequate increment upon them to satisfy all legitimate demands. Even so, some restraint by the Crown is noticeable. When granting to the abbot of Tintern in 1326\(^{ii}\) a half share of the weir of Bigsweir (Briteskeswere), Edward II insisted that "he is not by reason of the grant to claim timber for its repair from the Forest of Dean"; the abbot must pay for what he requires. When permitting his uncle Thomas, duke of Gloucester, to abstract from the Forest 100 oaks for the repair of Caldecote castle in 1388\(^{iii}\), Richard II commanded that it should be done by view of the verderers.

\(^{i}\) Hart, *The Extent and Boundaries* , p. 56.  
\(^{ii}\) Cal.C, 66, 1324-27, p. 322.  
Though evidence of care is shown by these records, much of the forest law fell into desuetude during the century. Little effective work was done by the justices. Only the efforts of the verderers and woodwards made for the preservation of the cover and regulated the customary rights of inhabitants to woodland produce and to enjoyment of some of the Forest's resources. If game was abundant the pleasures and perquisites of hunting are rarely mentioned. As it was difficult to pay the ferm out of the issues of the castle and Forest, grantees may have resorted to illegal taking of trees, wood, and underwood. If this was the case and the lower officials found their wages hard to come by, they may have felt justified in following their superiors. Some semblance of forest administration, however low it had fallen, survived. This was so even after Richard II granted in 1385 to Thomas, earl of Essex and Buckinghamshire, without charge, most of the issues of the castle and Forest. The grant was confirmed in 1390 in part satisfaction of £1,000 to maintain his ducal rank. But in 1397 Richard II resumed the properties and 28 September granted them, at a ferm of £80, to Thomas, duke of Gloucester. The grant was short-lived. On 4 November 1399 Henry IV committed the castle and Forest during his pleasure to Hugh Waterton, chivaler, as from the previous Michaelmas, at a ferm of

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ii. Ibid., 1388-92, p.360.
iii. Ibid., 1396-99, p.224.
iv. Ibid., p.224.
v. An account for 1398-99 is extant but almost illegible (S.P.6/1122/13).
240 marks, or higher, if their issues should be found to be worth more. Waterton was to receive "all profits, commodities, and other appurtenances" but to pay the fees and wages of "all stewards, bailiffs, reeves, parkers, and other appropriate officials". He was to have due allowance for all "grants and annuities paid out of the issues", and for expenses in repairing the castle, "by his testimony or that of Henry Moton, present constable, or the constable for the time being." Waterton held only until 16 December 1399 when Henry IV granted Dean and its castle to John of Izcaneter the king's son, later duke of Bedford. Although grantees took the rents, profits, and issues, the cover remained in the king's hands. In effect, the Crown usually received a ferm, retained the venison, and benefited by any sales of trees, wood, and underwood. No loss of royal prerogative resulted from such grants.

As to the cover, it has been seen that sales of underwoods were carefully provided for and were strictly enquired into. Yet the only known silviculture was the enclosing of part of the Chestnut Wood to protect stools and seedlings. There may have been other instances of enclosing. In any event, despite little systematic replenishment the increment of the woods was immense. No shortage of trees or underwood was imminent.

Administration: 1400 - 1557

During the tenure of the duke of Bedford, which lasted for

thirty-six years until his death in 1435, forest law was still to some extent in being. How effectively it was administered may in part be ascertained from his financial accounts for the years 1434-35 and 1435-36. More important, the accounts throw light on some of the uses of the cover, our main concern. How far the constable, always appointed by the king, was subservient to the duke is not clear; certainly he collected on the duke's behalf payments for charcoal-burning. The duties of the constable were not explicitly combined with those of the warden in earlier centuries. A few issues were still retained by the king. The duke's rents were collected by the reeve of Newland, the dues relating to mill-stones and weirs by the hayward of St Briavels, and payments to work forges by the beadle, an official new to Dean. New, too, is the office of receiver of the Forest; he collected the remainder of the issues, co-ordinated the accounts, and apportioned the issues between the king and the duke. Other officials mentioned are the clerk of the manor court of St Briavels, the janitor of the castle, and an auditor who visited the castle on a few days each year. The duke's dues can be summarized as:

1. Rents of assize of properties in the manors of St Briavels, Newland, and Newnham; and in the villages of Coleford, Stowe, Great Dean, Lydbrook, and Upper Ley; rents of old assarts at Wodenswalle and at Greneswalle; toll of the fair of St Briavels; and wardships.

2. Dues from miners of iron-ore and coal; cinders sold for re-smelting; fines for unlawful transport of minerals;

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payments for permission to work forges; dues relating to charcoal-burning; rent of stone quarries at Hanewye in the bailiwick of Ruardean; and dues of mill-stones.

3. Agistment of animals, pannage, and payment for herbage by vills and hamlets.

4. Sales of dead or wind-thrown wood.

5. Arrears of fines imposed by the justice in eyre.

The above issues of the Forest amounted in 1434-34 to £147.6s.7d. Out of them, the duke met the fees and wages of the constable, £10, the receiver, £6.13s.4d., and of minor officials £6.11s.6d.; he also met the cost of a new bridge for the castle, £6.16s.1ld. Animals were agisted in the outlying pasture land of Walmore as well as in the Forest; many vills and hamlets paid dues for herbage; pannage was permitted, but the dues were farmed at a fixed sum to John Cromhall. Fines were levied for pigs found during the defence month. Mining of iron-ore and coal continued under the "keepers of the gawle (gale) above and below the wood". I No record is available of timber released to miners, but by ancient custom they undoubtedly had it.

Forges were permitted on an annual payment of 7s. a forge. There were 33 working in 1436: ii 12 at Great Dean, 2 at Little Dean, 2 at Ruardean, 10 for a full year and one for half a year at Newland, one for half a year at Lydney, and 3 elsewhere. Charcoal-burners plied their trade for 20s. every forty days; their charges to holders

i. Hart, The Free Miners, Ch. III.
of forges is not known. They paid the duke £68.17s.10d. in 1418-19, £30 in 1432, and nine paid £18.6s.8d. in 1435-36; they had earlier paid "greater sums", not specified. Some charcoal was used for domestic heating; in 1435-36 10s. was due from two men for charcoal for "Speeches Day" at Kensley; it was obviously used to heat the court-room. Sales of dead wood in 1418-19 amounted to £1.6s.8d.; in 1434-35 to 7s. In 1434-35, 13 loads of rods for weirs were sold for 6s.6d; in 1435-36 a like sale realized 6s.8d. Waste bark was sold in 1430-31 for 10s. It is incredible that these were the only sales effected. In 1434-35 28 cart-loads of timber were hauled out of the Forest to St Briavels castle for a bridge; at 16d, the load the transport was £1.17s.4d. One carpenter did the axing-out for £4.4s.8d.

There are references in the duke's accounts to two courts in the Forest. First a court held at Kensley about every forty days during 1435-36. This was the verderers' court of attachment, by then known as the court on "Speeches Day", and later as the speech court, a name appearing only in Dean. One business of the court was to levy dues on charcoal-burners to permit them to make charcoal. The second court, is, by inference, that of the justices in eyre. No certain record has been found of an eyre in Dean after that of 1282, but the following evidence suggested a court in 1407-08 and in 1432-3. In 1434-5 the

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receiver accounted for £7 15s 4d. from John Woodward, "collector of fines for indictments made before the justice of the forest in 1407-08 of arrears not paid, whereof the estreats were delivered to Hugh Cromhall to be raised". The same receiver "rendered nothing of fines of divers transgressions made before the justice in the sessions held in the Forest in 1432-3". In 1436 £12 1s. was received of "perquisites of pleas of the forest".

The youthful Henry VI, through his Council, would have received all the issues of the Forest after the duke's death had the king not made 21 January 1436 effective from the previous Michaelmas, a grant in the same terms to Richard, earl of Warwick. In 1437 the king assigned, with the agreement of the earl, a dowry of a third part of the issues to the duke's widow, Jacquetta, who had by then married Sir Richard Woodville. Two years later two parts of the issues were farmed to Ralph Botiller, lord of Sudeley, with Sir John Beauchamp. Subsequent lessees were George, duke of Clarence, William lord Herbert, Thomas and Christopher Beynac, the Kyngestons, the Guises, and William Herbert, first earl of Pembroke with Richard Brome.
By the middle of the sixteenth century Dean was subject to a fourfold influence. First, the castle and Forest with its woodlands were Crown property. Second, the whole was administered by Pembroke and Breame under a lease of the constableship and wardenship at a ferm of £53.8s.8d. Third, William Guise farmed some of the issues of the castle and Forest for £100.12s.8d. Fourth, customs and privileges of commoners and miners were factors of increasing importance. The grantees exercised some restraint on the inhabitants, but the cover received little care.

**The Crown's policy towards the Forest and its cover (II)**

In the fifteenth century the policy of the Lancastrian kings, and the anarchy which almost threw the law of the forest into desuetude, well-nigh wrecked the forest system. In Dean the system was seriously discredited as early as the last quarter of the fourteenth century. Control by the constable became less effective as forest law became effete. Evidence has been given of some courts of the justices during the duke of Bedford's tenure. Thereafter the records are silent; no reference to any eyre survives. The castle and Forest to 1557 were for almost 175 years at times granted free, and at times farmed below the annual issues. The grants and leases do not mention the cover, reduced by the middle of the sixteenth century to between 15,000 and 20,000 acres. Not a single instance of royal sport or of a grant of venison is recorded from the accession of Henry IV to the end of the reign of Philip and

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i. Petit-Dutaillis, op. cit., p. 244.
Mary. There are but a few recorded grants of timber. Grantees and officials probably took trees, made sales and gifts, and permitted assarting, caring little about what happened to the cover. So far as is known little thought was given to replenishment. Without enclosure the "spring" suffered by browsing and commoning. Hundreds of large trees each year reached advanced decay. Yet increment made good much loss.

By four actions the Crown evinced some power over the cover. First, in 1407 Henry IV instructed Thomas, lord Berkeley, "to cut down and provide sufficient timber for making machines, bastilles, and other engines for the conquest of the castle of Lampeter", taking the trees from near Bristol or, if necessary, "from his son John's Forest of Dean". Second, in 1465 Edward IV ordered the constable to permit the men of Rodley "to have in Dean their estovers of dead and dry wood, their pigs quit of pannage, and their beasts quit of herbage". Third, in 1486 Henry VII granted to his chaplain, the prior of Llanthony, and his convent licence "to cut daily as many trees as six horses can draw for fuel at their manors of Alvington, Aylburton, and elsewhere". Fourth, between 1405 and 1433 the king on eight occasions ordered the sheriff to have verderers elected. In 1461 he issued a like order.

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i. Under date 1533, documents in Thomas Cromwell's custody included "An inquisition of wastes done by divers persons in the king's Forest of Dean". The inquisition has not been found. (S.P.1, Addenda to vols. 1-10, p.134).


vi. C.54, 1 Edw. IV, w.6.
to arrange for the election of as many verderers "as there ought and used to be in Dean, as no verderer is as yet elected therein by his command". No action is recorded following a petition to the king by Nicholas Thorne of Bristol in 1532 who, after relating the troubles of his shipping business, requested favours including "200 oaks from the Forest of Dean towards building a ship".

Though many of the woods and parks granted by the Crown in the twelfth and thirteenth centuries were now outside the recognized metes and bounds of Dean, the king still made the appointments to them. In 1405 Henry IV granted to William Wexham for life the custody of Tidenham park with the Forest of Chepstow. In 1538 Henry VIII appointed George Beynham as keeper of the earl of Warwick's woods at Lydney, vice John Conne who had held since 20 November 1503.

The importance of the office of justice of the forest had diminished and no longer struck terror into the hearts of those preying on Dean's cover, fast becoming almost free to all. Trees retained their density only in inaccessible places. Between these and the "improved grounds" were, as in earlier times, the thinly stocked woodlands with scrub, brushwood, and thicket, where the trees were being thinned out by the action of man and beast. Nevertheless Dean's value was

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i. S.P.1, Addenda to vols. 1-10, pp.282-3.
ii. Cal.C.66, 1405-08, p.20.
increasing; timber was indispensable to the nation: for food, warmth, clothing, arms, vehicles, bridges, and ships. No considerable call on Dean had yet been made for ship-timber, but in 1535 there is a brief reference to timber there fit for such use. There were enough trees for all requirements if transport difficulties could be overcome. If trees were to be conserved and others grown to produce timber for specific purposes, a policy of enclosure was required; this was slow in maturing. The only moves towards such a policy by the middle of the sixteenth century were the few enclosed cut-over areas of natural growth; it is not known whether the reserving of twelve standards on each acre under the Statute of Woods of 1543 had any influence on practice in the Forest. The woodland system known as "coppice-with-standards" was established almost by accident, but it became the norm of practice. The standards provided timber and bark. The coppice, chiefly hazel, served a variety of purposes, among them fences, hurdles, and in "wattle and daub".

There is no evidence that Henry VIII's new arrangement in 1512 for wood-sales through the office of the surveyors general and the later court of surveyors general extended to Dean or influenced its administration. The suppression of Tintern and Flaxley abbeys from 1535 did not involve the slaughter of trees on their lands. Trees from elsewhere saturated the market for timber and spared trees in remote Dean.

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i. Cal.S.P.1/ 9, p.1025.
ii. 35 Hen. VIII, c.17.
Moreover, there is no indication that the office of surveyor general of woods, in existence soon after 1544, had as yet any concern with Dean. Persons holding the Forest under grant ensured that there was little intrusion.

Of the few sales traced, and there may have been others to sustain the iron industry, one was made in 1537-8 under a warrant from "the chief justice of the justices itinerant south of Trent". Richard Brayn, Hugh Huntley, John Bridgman, and Richard Kettesford, "the sellers of the underwood of the lord king", sold the coppice of Serridge Hill for £10 and that of Millrough (Lille Rooff) near Lydney for £8 to Anthony Bucke, Henry Percy, Hugh Grove, and Henry Hoare, "to be had, cut down and carried" by the purchasers within two years. Excepted from the sale "for the lord king and his heirs" were all great timber-trees and sufficient young oaks called "Stadelles" or "Storers" growing on each acre of coppice. The purchasers were required "well and sufficiently to inclose the coppices with hedges for the safe keeping of the vert according to the custom of the Forest". The vendors received £2 for their "diligent work about the survey and selling as well as for their customs and expenses sustained touching the bargain", and for the journey to London for declaration of the sale. Beyond the foregoing information the only record is a brief note recording the sale in about 1555 of 83 acres of underwood of beech and holly in Kidnalls Coppice.

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i. E.161/148/23.  
iii. On the east of the Whitecroft to Lydney road.
In 1519–20 there was a dispute between inhabitants of the east of Dean and of the west of Dean. From the large number of "Smyth holders" who signed acceptance of an arbitration award it seems that the dispute arose from the iron industry. No technical information relating to the industry can be derived from Dean documents, but an account in 1531 of a forge worked for Henry VIII at Llantrisant, Glamorgan, by men from Dean perhaps represented the local practice. Five men "kept the fire to melt the ore, having 12d. a day each after the manner of the Forest of Dean"; four others "worked at the bellows", receiving 7½d. a day; one "hewed timber to stay the mine", at 6d. a day. Three charcoal-burners were likewise paid 6d. a day. Production was small: it took nine men working 12 to 14 hours to make 2 cwt. of iron a day. How much wood as charcoal a forge then used in a day is not known; it probably took 8 tons of wood to make a ton of charcoal.

Consideration has been given to what might be termed "the Crown's policy of conservation of trees, wood, and underwood". But the conclusion is that it is doubtful whether any conservation in the modern sense had as yet been effected. Forest law was not meant to conserve trees. It was the maintenance of deer and their habitat, the covert, which incidentally conserved timber and underwood. Yet without the restrictions of forest law more trees might have been taken by the inhabitants and grantees than actually happened, or at

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i. Star Chamber Proceedings, Hen.VIII, bdle. 17, m.24.
iii. In 1626 it was estimated that 4½ short cords produced a load of charcoal (E.178/5304).
least trees taken of better quality than their use warranted. Without the oversight by the verderers and their court the taking of estovers might have been done wastefully. Forest law so far as it applied to trees and underwood was sometimes a means of collecting money for woodland produce taken, a crude form of "C.O.D." Fines were not excessive compared with market prices.

The awakening interest in arboriculture, as shown for instance, in 1553 by John Fitzherbert's Booke of Husbandrie, did not disturb the sleep of Dean. Officials with small or token wages and taking what perquisites they could were partly to blame. Although many trees were "preserved", often beyond their prime, no provision beyond some enclosing was made for replenishment; trees were too plentiful to warrant much concern. Increment in Dean probably more than replaced timber removed. Furthermore, from acorns falling there early in the sixteenth century were to grow oaks indispensable to England's sea power.
CHAPTER IV

ELIZABETH I (1558 to 1603)

At Elizabeth's accession Sir William Herbert, first earl of Pembroke, held the constableship and wardenship and had as his deputy Sir William Wintour. William Guise, under a lease of the issues of the lordship, manor, and castle of St Briavels, was taking from the Forest all he could and more than he should. The officials of the old tradition remained.

Timber—trees

By an Act of 1559 Elizabeth prohibited the felling of timber—trees of oak, beech, and ash to make charcoal for the iron—industry, if the trees were within fourteen miles of the sea or any navigable river. Transport presented problems; it was reasonable to conserve the more accessible supplies. Oak was preferred by all the users, but builders and engineers could often use Sweet chestnut, ash, beech, and elm. Shipwrights required the best oak, preferably of large size and odd shapes for stern—posts of large ships, wing—transom "knees", "knee—pieces", and "compass—timber". The soundness of a tree beyond its prime was a gamble. Not all the content of even the largest and soundest could be used for ship—timber.

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i. Variously spelt in documents of the period as Wyntour, Wintour, Wynter, and Winter.

ii. 1 Eliz. I, c.15.
Coppice and underwood were of any species below medium to full timber-size; these were the best material for charcoal and where accessible to ironworks were needed in uninterrupted supply; ironmasters with works near the woodlands were able to pay higher prices than their competitors. As yet there was little demand in or near Dean; transport of fuel was costly and hazardous. The iron-industry competed chiefly for coppice, branches, and lop and top. Regular consumers of wood for both domestic heating and smelting relied on the leasing or purchasing of coppices. These were a cash-crop of wood 15 to 30 years old, enclosed against animals; four to eight rotations of crops could be raised instead of about twelve timber-trees which might decay before felling was permitted by the Crown. The ironmasters disliked leaving standards limiting the useful wood in a coppice; they were tempted to cut down the twelve reserved on each acre under the Statute of Woods and to leave twelve younger ones in their stead. The Act of 1559 arrested this practice by defining timber as at least "one foot square at the stubbe" and by prohibiting its charcoaling; it ensured that coppice near the sea and waterways should contain timber-trees. The provision for twelve standards on each acre, though giving room for oaks to develop big boles and crowns with larged curved branches, was a low stocking; thirty or more could be grown, but at this figure the amount and quality of the more saleable under-storey would be reduced. Wood for fuel was in more demand than timber.
The second relevant Act under Elizabeth was passed in her twenty-third year, and the third in her twenty-seventh. These two Acts, like her first, circumscribed the operations of the iron-industry but had more than this in view. The Acts did not operate beyond south-east England and the neighbourhood of navigable waters, neither did they ostensibly restrict or regulate other uses of trees. They had little effect on Dean. Only local ore-smiths were in need of supplies of fuel; blast furnaces had not yet arrived.

A factor telling against the intention that large trees should grow within coppices was the effort of owners and lessees to convert woodlands to more profitable pasture and arable. But Dean's hilly terrain discouraged much ploughing which elsewhere greatly diminished the woodlands of England.

**Taverner's Survey in 1565**

The ancient but now disintegrated forest organization was based upon the preservation of deer. The Crown now took little interest in hunting, and beasts of the forest were disappearing. Elizabeth retained her forests for prestige and the royal prerogative; their financial value was small. To obtain more revenue from them she prudently side-tracked the old administration by officials charged with conserving the forests to produce coppice and timber-trees. Roger Taverner, her surveyor general of woods, an important figure in Tudor forest-history,

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i. 23 Eliz. I, c.5.
ii. 27 Eliz. I, c.19.
decided on two courses: fines for ill-usage, to bring in more revenue than came from selling produce; and also a survey of Crown woods to ascertain their condition. In 1565 he drew up a Book of Survey, wherein he gave the acreage and briefly described all the woodlands in his charge. Twenty English counties contained a total of 53,000 acres of Crown woods; almost one-fifth of them, 9,980, were in Dean. These acreages were a minimum; woodland acres were larger than the statute acres. In 1611 the cover extended over 16,000 acres. The survey excluded pasture-lands, lawns, plains, and waste ground. Taverner made no estimate of the number of trees or their volume and value, usually contenting himself with such descriptions as "set with underwood straddled with oaks, shed well nigh unto the top."

The survey of Dean begins with a list of the officials. There were a constable's bowbearer and the constable's nine rangers, a master or chief forester and his bowbearer, nine foresters-of-fee, seven woodwards, a riding forester, two rangers, a bailiff-at-large, and a beadle. No verderers or regarders are mentioned; probably attachments were made by bowbearers and rangers. The offices of forester-of-fee and woodland were by this time sinecures; their holders, being concerned with ancient perquisites, exercised little restraint on the inhabitants. The survey goes on to describe the cover of Dean; this is given in Appendix VI. Of the 9,980 woodland acres some 1,200

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iii. E.178/3837, m.3.
in the woodwardship of Abenhall were "waste", probably unprofitable scrub. The Chestnut Wood near Flaxley was 253 acres of three-year coppice, chestnut, oak, and hazel, probably three to ten feet high, interspersed with standards of chestnut and oak, a system of silviculture called "coppice-with-standards". The 83 acres in Kidnall Collet towards Lydney contained ten-year underwood of beech and holly, probably eight to ten feet high, with older oak debranched ten years before; ten acres were waste. The 330 acres of collets in the south-east of the Forest were of underwood of oak, beech, holly, hazel, and willow, of unknown age, with oak standards earlier debranched. On the remaining 8,114 acres were oak and beech "of great age", mostly debranched, some "well nigh unto the top". Thus the greater part of Dean's cover was "high forest", like many of its mature hardwood areas today. Where areas had an understorey of young trees, "the spring", the system was "two-storey high forest".

If the timber-trees of oak, beech, and chestnut stood twelve on an acre over 8,770 acres the total would be about 100,000. Many were beyond their prime; only parts of them were sound. Shredding was sometimes done when the underwood was cut. Its effect on a tree would much depend on the care used in "pruning". As girth is proportionate to crown, excessive shredding reduced annual increment. But shredding had some benefits: it conserved timber-trees; a tree had

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i. In 1611 the acreage is given as 520 acres (B.M. Lansd.Mss., 166, ff. 340,348).
less adverse effect on the coppice under or near it; and when felled
a tree did less damage to underwood. Shredding was condoned; a
warrant issued by Taverner 3 November 1572 reads:

"The underwood together with the lopping and shredding of all those
trees which heretofore have been used to be lopped and shred,
growing in Maylescott bottom and Buckholemore coppice in the Forest of Dean,
are meet to be sold this year to the ore-smiths in the same Forest. No timber-trees nor
saplings of oak likely to prove to be timber, to be fallen by
colour hereof. And the spring reserved."

Forest Courts and Offences

Many of Taverner's plans were at first thwarted by the
ill-defined rights of the Guise family, farmers of the issues of St
Briavels and of some issues of the Forest from 1 September 1546 to
about 1590. Successive members of the family much spoiled the
Queen's woods. They illegally shredded oaks and beeches, felled trees
and underwood, and made grants of assarts. They usurped
inhabitants' herbage, pannage, and estovers. In 1575 they were
brought to account by Taverner: William Guise paid a fine of £1,350
"for cutting and carrying away divers woods and underwood in 1564-5."
The Guise family were not the only despoilers of Dean's
cover. Successful prosecutions were made, chiefly "fines and

i. E.101/141/3.
ii. E.112/15, Glouc. 58.
v. E.407/168.
recoveries made in the Exchequer by the remembrancer of the Queen
upon information by the attorney-general by the relation and
exhibition of Roger Taverner". Fines ranged from 10s. for minor
"spoils of wood" to the £1,350 just mentioned. Many minor fines were
imposed by the court of attachment; detailed records are extant.
Fifteen courts were held at Kensley, once every six weeks, from
17 October 1566 to 19 August 1568. They were presided over by the
deputy constable. The names of persons attaching are given but not
their office. Between 30 September 1568 and 3 August 1570 fourteen
courts were held, one every six weeks at Kensley; again the deputy
constable presided. Many of those persons attaching did the same in
the 1566–8 sessions; Thomas Wever, beadle, was among them. In
1569–70 Taverner certified to "the barons of the Court of the Queen
in the county of Gloucester" offences in Dean from 17 October 1566
to 24 November 1569.

In 1584 is a reference to 100 marks and 30 tons of
timber allocated for repairs to St Briavels and the "swanimote court
house". The house was either "Kensley House", where now stands the
Speech House, or the house at Cannop referred to in 1604. The
attachment courts were continued 1 October, 12 November, 24 December

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i. E.407/168, claims for their share of fines imposed, submitted
   by Roger and John Taverner.
v. L.R.12/1126, Series III.
vi. E.137/13/4, m.l.
The sessions were held before the deputy constable and three verderers. Between ten and fifteen attachments were dealt with at each court. Acknowledgements of 6d. were paid for using a bill and 1s. for using an axe, when taking estovers. This and the charges made "for advising" show that the attachment court continued not only to fine offenders but also to regularize estovers. Inhabitants with such privileges, and others enjoying herbage and pannage, jealously guarded them.

Sales of trees

There are few records of sales during the reign. In 1587–8 three men should each have paid £7 yearly for licence to "cut down and cole branches in part of the Forest," but were in arrears in 1606. Other sales of branches, coppice, and underwood must have been made for the ore-smiths to ply their trade. Timber was released to miners. The majority of the timber-trees, many approaching or past their prime, remained intact during the reign. The proportion almost useless through decay is unknown, but in many places sufficient young trees were developing in the understorey to take the place of aged ones.

Ship—timber

There is no evidence that Elizabeth used timber from Dean for ships. Most of the naval timber in the sixteenth century came

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i. E.146/1/32.  
ii. E.146/1/31.  
iii. E.146/1/30.  
iv L.R.7/55, Glouc. 4 Jas. I.
from Sussex, Surrey, Kent, and the upper Thames Valley, within convenient reach of the dockyards. Elizabeth had about 30 ships, 4 of 600 tons and over, the remainder between 200 tons and 500 tons; she probably had less than 15,000 tons of naval shipping. It is doubtful whether the navy used much more than 3,000 loads a year, allowing for construction at 1,000 tons annually, some repair, and a ratio of two loads for each ton of warship. Mercantile building may have used 15,000 loads a year; merchantmen used less and smaller timber than men-of-war, so that for supplies they often competed with the builder rather than with the navy. Albion very roughly equates an average oak to a load of timber; a load was 50 cubic feet and many prime oaks yielded double or treble this volume even after waste in conversion. About 30,000 timber-oaks could have satisfied Elizabeth's navy for at least 15 years. Given transport, there was no shortage of timber-trees; if there had been they would have been felled and used before becoming dotards. Many trees were conserved till almost useless. The so-called timber and fuel "crises" and "famines" could not have applied to Dean. It is not known how true is the legend that the Spanish Armada carried orders for the destruction of Dean, as a fatal blow to the navy. John Evelyn wrote in 1663:

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"I have heard that in the great Expedition of 1588, it was expressly enjoyned the Spanish Commanders of that signal Armada, that if when landed they should not be able to subdue our Nation, they should yet be sure not to leave a tree standing in the Forest of Dean".

Another version of the legend reads: "The Spaniard sent an Ambassador purposely to get this wood destroyed". Whatever the truth, Dean at this time possessed tens of thousands of timber—oaks and beeches; these and younger stores stood the nation in good stead till the Restoration.

The Iron-Industry

There is little on record about the iron—industry in the Forest during the reign. Leland had noticed in 1540 that "the ground is fruitful of iron mines, and divers forges be there to make iron". In 1566 William Humfrey upon information from German miners addressed Sir William Cecil "about the plenty of good iron". Only one of the voracious blast—furnaces, at Lydbrook, had reached Dean; elsewhere the old process of smelting and refining continued. Despite the scanty evidence it is certain that the iron—industry made the chief demand on Dean's coppices, underwood, and branches of standard trees.

Forest Law at the end of Elizabeth's reign

Petit-Dutaillis said that "according to English legal

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i. S. Hartlib, His Legacie, 2nd Edn. 1652, p.88.
authorities, it was during the second half of the sixteenth century that the decline of the forest system became most rapid. Evidence from Dean shows that the rapid decline was much earlier. Under Elizabeth some of the officials of the old tradition remained. The hereditary offices though of little use or importance were eagerly held for perquisites and privileges. The deputy constable and verderers regularly held the attachment court; the revenue from it was small. Some attempts were made to control assarts. The chief failing of the Crown was to permit the Guise family to exploit the Forest. Under ill-defined grants it was hard to prevent or punish the despoiling of the woods. However, the grants brought to the Crown some revenue from a Forest whose produce attracted few purchasers.

The inhabitants continued to see good in the forest law although there is no evidence of a swanimote court to regulate the privileges of common and pannage, to prevent excesses, and to exclude outsiders. The commoners had still to rely on the ability of the hereditary officials and leading freeholders to fight their cause in the Exchequer court. The chief complaints were always two: against those unscrupulously farming the issues; and against "foreigners" bringing animals into the Forest. A successful lawsuit ensued

i. E.178/880, 22 Eliz. (1579-80): a long Writ with Inquisition attached, showing those holding assarts and to whom they pay (usually to William Guise).
against such outsiders in 1592. A witness for the complainants had met at Cannop six armed men from Minsterworth, "some with long billes, others with long staves and spades, beating and shaking down the mast to their pigs and swine". Another witness had seen men from Minsterworth, Tibberton, Longhope, and Bulley "cutting and taking wood and boughs for making hogge cotes and pig cotes for their swine within the Forest".

The enforcement of the laws relating to deer was by now relatively mild, according to Manwood. Hunting for Elizabeth's courtiers and favourites could be provided in the forests near London, chiefly Windsor and Waltham. The justice of the forest, whose office had declined almost to a sinecure, took little heed of what went on. The constable-warden showed little care beyond some work of his deputy to safeguard the Queen's interests; indeed, late in Elizabeth's reign constable and deputy were at variance. Nevertheless by the end of the reign Dean's cover was less despoiled than that of most of her forests and woods, though thousands of Dean's trees had been left standing beyond their prime. Stag-headed dotards were useless for constructive work. Causes of a steady deterioration of the cover almost unnoticed were wind-throw, stealing, and "rolling-hedges".

The woodlands were declining to their present extent. On the west,

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the cover had rolled eastwards from Coleford, Newland, and Clearwell to east of the high ground of the present Five Acres, Broadwell, and Coalway. On the west the same had happened at Cinderford, where the cover had receded westwards beyond the low ground between Ruspidge and Nailbridge.

It was not till about the middle of the reign that anxiety was expressed about the accessibility of both fuel and timber-trees. Harrison's article in Holinshed referred to "the great sales yearly made of wood, whereby an infinite quantity had been destroyed within these few years." Fears were uttered that London might be driven to sea-coal for fuel. Complaints about scarcity and excessive cost of fuel and timber became rife. National anxiety found expression in an Act of 1570 strengthening the timber-conservation provisions of those of 1543. Hammersley has strongly challenged and made a useful correction of the so-called fuel and timber "crises" or "famines". Many of the laments regarding shortages were due to the failure of accessible supplies rather than to widespread denudation of forests. Certainly in Dean there were plenty of timber-trees and much coppice, but the cost and difficulties of transport were prohibitive. Hardly any timber-trees, and little coppice and underwood,

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i. See map of 1608 (F.17/1, M.R.879), of the western half of the Forest; it measures about 12 ft. x 7 ft. The scale is 5 chains to an inch. See p.147 n.vi for further comments on this map.


iii. 13 Eliz. I, c.25; 43 Eliz. I, c.7.

had been sold during the sixteenth century.

The leaping demand for accessible sound timber was having
its effect. Anxiety was arising about reservation of trees for naval
timber within reach of transport. The struggle with Spain focused
more attention on the need for supplies of ship-timber. Whatever the
position in other parts, at the end of Elizabeth's reign Dean was still
a large Forest and a valuable storehouse of timber. Increment had
made good much loss. By enclosing, some "spring" had been conserved.
Elizabeth and her advisers cannot be blamed for allowing to decay
timber-trees and wood for which there had been little demand.
CHAPTER V

1604 to 1631

Administration under James I

Sir Edward Wintour was the first constable-warden under James I. Like Herbert, second earl of Pembroke, who preceded him, and William Herbert, third earl, who succeeded him in 1608, Wintour had little concern with the administration of the woodlands. Those who looked to Dean's trees were the surveyor general, John Taverner, and from 1608 Thomas Morgan and Robert Treswell senior. Wintour with the verderers supervised from 29 September 1604 to 29 September 1609 the sessions of the attachment court, by now called the speech court. Fifteen sessions were held, one every six weeks in 1604-06 at Cannop, a mile west of the usual venue, Kensley House. The fines and acknowledgments amounted to £37.8s.4d. At nine courts held at Kensley from 29 September 1606 to 29 September 1608 the levies were in all £43.9s.4d., and at a series of courts in 1609-10 £27.15s.4d. No appointments of officials other than verderers and rangers have been found. Hereditary woodwards held token office in the nine woodwardships; their deputies assisted the verderers in attaching and presenting offenders. iv

Coppices

One market for coppices and underwood was Wintour's

i. E.137/13/4, m.1.  ii. Ibid., m.2.  iii. Ibid., m.3.  iv. E.178/3837, m.66.
Ironworks at Lydney.¹ Ironworks alongside the Wye at Tintern, Redbrook, Whitebrook, Lydbrook, Bishopwood, and Goodrich had not as yet depended fully on Dean for cordwood, though charcoal from it probably helped to sustain some of them. Comparatively small quantities of wood were required by local ore-smiths and miners; the former relied partly on branches of standards, the latter looked for sound, straight coppice. The tens of thousands of large timber-trees were unsaleable; many were decaying. A few hundred oaks a year satisfied the trencher-makers, cardboard-makers, and cooperers; the bark was sufficient for the local tanners.

In February 1610 ii Wintour petitioned the Exchequer for a lease of coppices in the south-east of the Forest comprising Great Bradley, Little Bradley, Stonegrove, Pigslade, Buckholte Moore, and the Copse. Treswell and Morgan with John Norden reported 13 March iii that the coppices were "all lying together and containing, by the measure of 16½ feet to the pole, 520 acres, in which grounds we think (the woods being much differing in quality, by an equal proportion) there may be raised 30 cords an acre, or 15,600 cords in all, reserving sufficient staddels to the state". The surveyors commented: "Upon conference with divers in the country we find that such a quantity of wood is not suddenly to be sold in any other way than to

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¹ Cal.S.P. 14/9, p.160.  
iii Ibid., ff.340,348.
the ironworks, which causes either the cheapness or dearness of the
same, the country not valuing the woods upon the stem above 14d. a
cord, although to the ironworks it may be valued at 2s.6d. a cord".
The estimated cost of fencing, some four miles, was about 200 marks; a
rent of £20 per annum should be asked.

Wintour asserted no revenue had been derived from coppices
in the last 27 years and no more than £7 yearly at any time. He
offered £800 and would cut and carry away one coppice after another
over five years. The Exchequer was considering "Reasons to move his
Majesty to make use and profit of the woods in Dean", some 15,000 acres,
"part timber, part other". The woods were "so wasted and so ill
conditioned for hunting as that their preserving will neither yield
pleasure to the hunter nor profit to the owner, and the wood thereupon
so subject to waste will daily grow worse and worse". In March 1610
the 520 acres of coppice were leased for 21 years to Wintour for £800;
this was about 30s. an acre or 1s. a cord. It is not known why so
low a price was acceptable to the Crown, who had to bear the cost of
enclosing for regrowth. Timber—trees were not included, but Wintour
was soon accused of removing some of them. On 16 May 1611 at his
solicitation the coppices were leased to Sir Henry Herbert, the future

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i. B.M.Lansd.Mss.166, f.346.
ii. Ibid., ff.342,554v, 348.
iii. Ibid., ff.342,554v, 348.
iv. On 20 June 1611 Treswell was given a warrant for £100 to be
spent in enclosing the coppices (Cal.S.P.14/64/p.49).
vi. Cal.S.P.14/63/p.32.
earl of Worcester, Henry Poole, and George Huntley.

The King's Ironworks

Almost suddenly demands for wood for charcoal came from the Society of the Mineral and Battery Works' ironworks at Whitebrook, and from the earl of Shrewsbury and his lessees who had ironworks at Lydbrook, Goodrich, and Bishopswood. The ironmasters knew that much profit could be made if blast-furnaces and forges were built in Dean and a monopoly of wood obtained. It would be a rational use for much otherwise unsaleable coppice and underwood. The question was in what way and through what nominees the monopoly could be obtained. Wintour with Pembroke who was a governor of the Society were parties in the negotiations.

James I wanted the revenue to increase without despoiling his woods or depriving his subjects of rights and privileges. To ascertain what could and could not be done, he in 1611 appointed a commission comprising Sir Edward Wintour, Sir Walter Montague, Sir George Huntley, George Thorpe, William Wintour, deputy to the earl of Pembroke, and Treswell. In their Articles of Instruction the king's concern for his subjects is evident. There was no intention to disturb the dwellings of obedient and dutiful inhabitants, but to comfort and relieve them. Although the king wished neither to destroy the Forest nor to deprive the inhabitants or borderers of just claims, he did wish to know of abuses, the stock of deer, the number of dwellings, and the

i. E.178/3837, m.1.
content and quality of the woods. Furthermore, he wanted to know how much wood could be cut yearly, and the number and whereabouts of ironworks that could be sustained without spoiling the Forest, and whether the woods would replenish themselves.

The commissioners empanelled a jury and submitted interrogatories for the Crown’s information. They asked men with experience of woods and ironworks in Herefordshire to estimate how many cords on average an acre could be cut from Dean’s woods, what proportion of the Forest would supply 30,000 cords annually for ten years, and whether new "spring" would follow cutting. Woodcutters and iron-workers deposed that Dean contained about 16,000 acres of oak and beech; a great part were timber-trees, but many trees might prove otherwise. They had measured 2 acres in each of ten places, Great Stapledge, Howbeech Hill, Eyewood (2 acres of the best and 2 of the worst), Kensley’s Edge, Coleford Eaves, Whitmead Park, Coverham, Bicknor’s Eaves, and Burthill. The average an acre was 80 cords. Thus one-quarter of the 16,000 acres would supply 30,000 cords yearly for ten years, leaving 20,000 cords. These estimates, if they excluded timber-trees, are by modern standards very high.

The Collets had been estimated by Treswell to contain only about 30 cords an acre. Perhaps there was some attempt to support Pembroke and others anxiously awaiting permission to

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i. E.178/3837, m.2, 5 and 6.  ii. Ibid., m.3.
iii. At 75 cubic feet to the cord, the estimate per acre would be 6,000 cubic feet, two to three times higher than the stocking of such hardwood areas today.
use Dean's wood.

The commissioners reported from Lydney 29 September 1611¹ that they found the verdicts of the jury unacceptable, having reason to "suspect their weakness or their own partial ends". The jurors, "obstinate in those Articles which concerned most", were "adjourned to a new summons". Nevertheless sufficient had been learned to persuade the Crown to agree to the sale of much of its wood.

On 14 June 1611² Giles Bridges, William Hall, and Thomas Culpepper obtained a contract for 10 years for 22,000 cords a year at 3s. a cord, and 1,500 tons of timber at 8s. a ton. The purchasers were a "front" for Wintour and the earl of Shrewsbury. In some way Pembroke had the bargain cancelled and on 17 February 1612³ obtained a licence to take 12,000 cords a year at 4s. a cord for 21 years from Michaelmas 1612. The dimensions of the cords were 8½" in length, 4½" in height, and 4½" in width; each "stick or billet" was to be 4½" in length and not less than 2¾" "in compass". The wood was to be "so taken together as the grounds may be conveniently copsed".

Pembroke was to bear the cost of cutting and cording, and to pay £33.6s.8d. per annum "for the charge of encoppicing the grounds where the wood shall be felled, which encoppicing was thought fittest to be performed by his Majesty's officers". Permission was given him to

¹ E.178/3837, m.5,6.
³ E.112/83/411; C.54/2103; C.99/34.
enclose land on which to build ironworks, and to take free of charge
timber for their erection and repair, and for workmen's lodges and
cabins. The bargain included a monopoly of the ore and cinders.
Timber—trees of oak, "marked to stand", and all timber "as shall be
necessary and used for his Majesty's shipping", were not to be touched.

On 2 April 1612 i Treswell with George Castle and William
Calowe were appointed commissioners to assign the timber and cordwood.
They were given Articles of Instruction 17 November. ii The wood was
to be felled and "piled and corded according to the usual fashion of
the county", and each cord sealed with "two seal-axes, one to be the
mark of the Crown and the other the Crown letters J.R." After each
fall the commissioners were to "carefully and diligently fence and
enclose safely, endeavouring to preserve the spring from the biting and
hurt of all manner of cattle". They were not to suffer any cattle in
the enclosures for the space of nine years, "that there be no waste
therein but that the same may be safely preserved as well for the good
of the commonwealth as for his Majesty's profit in time to come".
Castle and Calowe thereafter supervised the felling, cording, and
delivery. Thomas Hackett, manager of the Society of Minéral and
Battery Works, and farmer under them, was put in charge of building and
supervising the ironworks. Four blast-furnaces and five forges were
erected at Lydbrook, Cannop, Parkend, and Soudley. Known as the "King's

i. E.134/2538. ii. E.178/3837, m.11.
ironworks", they were important in Dean until demolished in 1674.

For the first time the ironworks were sited more in relation to supplies of wood than to the deposits of ore.

The commissioners released 1,100 loads of timber for the erection of the works. There were many saw-pits within the Forest and the timber sawn in them was "a great quantity". Between 21 July and 3 November 1613 12,000 cords were delivered from Lydbrook, Cinderford, Newarne, The Bourt, Cannop, Park Corner, and Morewood. Of the cords 103 of high quality were converted into "pipe and barrell timber and for trenchers and divers other uses". Later the commissioners sold 400 cords from the lop and top of timber-trees felled for ship-building and enclosing; after paying the earl's corders 2s.4d. a cord this brought a profit to the king of £152.13s.4d. They also converted and sold £5 worth of "barrel staves, pannel, and such like" from the offal wood of the timber-trees. For enclosing two fellets 80 timber-trees yielding 150 loads were cleft into posts, stakes, and rails.

Under Pembroke's bargain no persons were to take or carry out of the Forest any wood, timber, iron-ore, or cinders, without his consent. This contravened the privileges and customs of the free-miners, who had previously worked "without interruption or denial".

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i. E.178/3837, m.9. ii. Ibid., m.23. iii. Ibid., m.10. iv. Ibid., m.9. v. Hart, The Free Miners, p.165.
The miners opposed the monopoly; they rioted and continued with their trade. On 14 August 1612¹ the earl of Northampton, keeper of the privy seal and first lord of the Treasury, wrote to the earl of Rochester, principal secretary of state, regarding "riots in Dean on the occasion of cutting down of wood for the earl of Pembroke, who is much disliked".

On one occasion the lessees' workmen tried to avoid trouble by cutting and cording wood while people were at church, but "some fifteen desperate knaves set the wood on fire....and dancing about cried God Save the King! They still walk about the woods with weapons and, as I hear, with shot; they call their neighbours cowards for not assisting them. The justices have given order for their apprehension, but the country favour them". The privy council called upon the sheriff, the justices of the peace, the lord lieutenant, and his deputies to aid in suppressing and apprehending the "seditious rogues". The letter continues: "Had the matter been put into the hands of the gentlemen who could have tempered the wild humours of those Robin Hoods, things had been carried in a better fashion. But the earl is extremely odious, and with attributes that concern himself will put other matters in distemper". A letter dated six days later says: "Glad the king approves the course to be taken about the riots".

As a result of an Information filed against the miners by the attorney general an Order 28 January 1613 was made by the

Exchequer court. The Order permitted miners to continue their trade, and Pembroke was to have an option on the ore and cinders. The miners would not compromise their rights by succumbing to the Order, and litigation was renewed during 1613-14. On behalf of the earl charges were again set out against the miners, incorporating the assertion that they and others "by pretence of title take liberty to themselves to fell, cut down, waste, and spoil his Majesty's woods". The miners countered all the charges and rightly claimed that "time out of mind they have used to have timber and wood within the Forest for working and preserving their mine pits, to be allotted unto them at the speech court or by the woodward, freely without paying anything for the same". The miners emerged from the suit with their customs unbroken; the first serious challenge had been made to their exclusive privileges of mining and of taking timber for it.

Before the iron-industry had grown up there were special problems in Dean. A report typical of most forests was made in 1610 of "such a multitude of poor creatures as it is lamentable to think so many inhabitants shall live upon so bare provisions as upon spoil of the forest woods". The situation was made worse during 1611-12 by people attracted from as far as Sussex to join others working as fellers, corders, charcoal-burners, miners and smelters of iron-ore, and forge workers. There was not always enough work to go round. The

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i. E.126/1, f.270, Hil, 10 James I.
iii. E.112/83/411.
workers needed timber for dwellings, mere cabins, and fuel. People having ancient messuages and tenements, and others chiefly sustained by commoning and cultivating, were more secure than those attracted by ironmasters anxious to obtain wealth by smelting.

Because of the uproar occasioned by the lessees' operations, and also because of the opposition by those claiming common, pannage, and estovers, the Privy Council 22 November 1613 issued a warrant to Pembroke and to George Marshall "his Majesty's servant". Upon information of "much abuse and disorder in the felling and cutting of wood and timber—trees" by virtue of the grant to the earl, and "as otherwise by the borderers and near dwellers to the Forest for their private benefit and advantage", the Council had sent Marshall to investigate, and from his report it had appeared:

"That the abuses and disorders are such that unless some course be taken to stay and hinder the proceedings therein, it will tend to the utter devastation and spoil of the Forest, to the great inconvenience of the public, in such store and provision of timber as is requisite and necessary for the use of his Majesty's navy".

Dean's potential in naval timber was recognized. The Council's warrant continues:

"These are, therefore, to will and require you to make your present repair unto the Forest, and to give order for the stay of any further cutting or felling of any kind of wood or trees whatsoever within the Forest until his Majesty's pleasure be further known; and likewise to forbid and inhibit, and in his Majesty's name to charge and command all timber-men from any further proceeding in felling, cutting down or clearing any kind of timber within the Forest, and that they so dispose of themselves as every man may return home to his own county.

i. P.C.2, 1613-14, p.279.
without any expectation of further employment in that place. And lastly to inform yourself by all good ways and means of the disorders and abuses that have of late been committed in felling of trees in the Forest."

Actions of the workmen employed by Pembroke and of Thomas Hackett together with Castle and Calowe were investigated. Marshall, William Wintour, and others took depositions at Coleford 25 January 1614. It was alleged that timber—oaks had been felled at Cannop and planks from them hauled by oxen and waggon to Newnham to make tanners' vats. Timber had been sold for houses, cardboard, trenchers, barrel-staves, pipe-staves, wainscot, table-boards, rafters, puncheons, panels, and hammer-helves. Trees harbouring the king's hawks had been felled. Cutters and sawyers had been brought from Sussex and set on work by Hackett, Castle, and Calowe. At least eleven saw-pits had been in use. Hundreds of tons of timber had been conveyed to Bristol and Gloucester. Much bark had been sold. Customary dimensions of cords had been exceeded and deceit used in sales and deliveries. A master collier said it "grieved him to see how the king was robbed in the cording and the country undone". The allegations were not fully proved. No evidence has been found that Hackett and the other supervisors were punished. Indeed, Castle and Calowe were later put into another position of trust.

Common, Pannage, and Estovers

In 1612–13 John Sallens of Blakeney applied to the

i. E.178/3837, m.12-18. ii. E.112/82/300.
Exchequer on behalf of himself and others within and without the
Forest for preservation of their now threatened rights of common,
pannage, and estovers, asserting that "the proportion of woods granted
to the earl, if cut down, would soon destroy the Forest". His
comprehensive claims show how widely the inhabitants had come to
interpret their privileges. The attachment or speech court was
becoming almost a manorial court\(^i\) for Dean. There is no evidence
that it stunted the Forest for animals, a matter left chiefly to the
bailiff-at-large, but it regulated estovers and fined transgressors.
Firebote of dead and dry wood was taken "without view of any officers
upon payment of attachment", but housebote had to be taken "by view
of the foresters and verderers".

The now desultory forest law had lost its terrors; its
object had changed. Designed to establish and strengthen the exercise
of the royal will it now safeguarded the interests of the inhabitants.
These persons and the Crown were precluded by what remained of forest
law from rational and profitable husbandry needing enclosure for
either the cultivation of crops or the replenishment of woods. Dean
escaped destruction since it was an instrument of the royal
prerogative, its terrain was difficult, it bore excellent timber for
the navy, and its coppices and underwood were in demand for fuel.
Those inhabiting the Forest and compelled to endure its law came to
regard the burden as beneficial: "it was the Crown which might

reasonably resist it as restrictive.¹

As purchases and sales required a warrant from the justice of the forest, or the Exchequer’s permission, inhabitants found it less troublesome to take what they needed and pay a fine at the local court; the deterrents of the forest eyre were past. Thefts were numerous but fines were still an insignificant part of forest revenues.

There was much litigation between inhabitants anxious to substantiate their claims and outsiders eager to intrude. Allegations of woodland and timber destroyed were sometimes attempts by commoners to protect their privileges. Thus attempts to regulate the cutting of coppices and dotards, and to protect growth by enclosure, evoked lawsuits and damage to enclosures. Grants in the Forest conflicted with freeholders’ and tenants’ rights and commoners’ privileges, and also with the concern of some wise people about timber for national defence. Commoners detested attempts to enclose, deforest, lease, or sell parts of Dean. Moves by the Crown and its lessees were regarded as attacks on a traditional economy guaranteed by the laws. Only ironmasters could pay well for wood, yet their intervention incensed many of the inhabitants who regarded the use of the woodlands as their right.

**Exploitation of the Woods**

The ironworks had been suspended in 1613, but in new

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¹ Hammersley, "The Revival of the Forest Laws...," p.87.
negotiations the Crown was impelled by the need for revenue from wood. By an agreement dated 31 May 1615 the king let the two forges and the two furnaces at Parkend and Soudley for 15 years to Sir Basil Brooke of Madeley, Salop, partner with Robert Chaldecott of London. The two furnaces and three forges at Lydbrook and Cannop the king let for 15 years to Richard Tomlins and George Moore, steward for the Shrewsbury family of Goodrich castle. The lessees were to purchase local ore at agreed prices. Each lease permitted 6,000 cords to be taken annually, paid for in iron, 320 tons a year; "no timber—trees of oak to be cut for cordwood, neither any trees of beech or oak before the officers have marked what trees shall stand, and no tree so marked is to be felled upon forfeiture of 10s. for every tree, or double the value, at his Majesty's pleasure". Delivery of the iron was to be at the rate of 40 tons a month, September to April. It was valued at £12.10s. a ton, the lessees thus paying the equivalent of 6s.8d. a cord.

Supervision of the contracts was by Castle and Calowe, who had detailed instructions. First, "all green and quick timber—trees of oak" were to be reserved for the king and marked with some known fashionable sign or mark" whereby the cutters would be warned "not to meddle at their peril". Second, at "haggs or falls" where there were no timber—oaks "but all dotard and hollow trees", they were to reserve

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i. C.66/2076; Lansd. Ms. 166, f.388. ii. Ibid. iii. E.178/3837, m.40, 41, 43, 44.
and mark on each acre six, or at least five, of the best oaks or other principal trees to "seed and replenish the ground." Third, they should attend each fall with the woodward and two or three inhabitants. Fourth, before or after felling the coppices should be "well and sufficiently enclosed with ditches and quickset, or with rails or other fence, as the nature of the place and grounds shall in the course of best husbandry require for the preserving of the spring." Fifth, cattle should be excluded, and those which intruded should be "driven and impounded". Sixth, no dwellings should be built in the enclosures, "nor any inmates or strange families" permitted to settle in any old house or building nearby, especially "workers of timber, coopers, makers of trenchers, saddletrees, scales, and cardboards or any other necessaries of that sort."

Doubt soon appeared whether Castle and Calowe were fulfilling their task. William Guise, John Powell, and Thomas Wade, appointed commissioners, held an inquisition at Mitcheldean 6 February 1616. It was alleged that insufficient oaks and other seed-trees were being reserved. Supervision of felling and cording was lax. Falls were made not in areas where there were "decayed and dottrell trees" but in the best woods, including those reserved for the king's "ayringe of great hawks", which will be "utterly destroyed and ruined". The prescribed dimensions of cords were exceeded. None of the fellts had been ditched, hedged, or railed; within them were 79 cottages and cabins, housing 346 men, women, and children, all using the king's

1 E.178/3837.
wood for fuel. Many of the cottagers kept "victualinge", and "bake
and brew" within the king's wood. Many "lewd and disordered persons"
were harboured to the great hurt and prejudice of the country; of
late years passers-by had been robbed and their lives put in danger.
The commissioners made a recommendation to reserve in the fellets all
young oaks, beeches, hollies, hawthorns, blackthorns, salleys
(willows), and the like, to "defend the spring."

A new commission, Sir William Cook and four other persons,
investigated further. At Mitcheldean 25 March 1617 they had before
them Castle and Calowe, a young shipwright, Peter Marshall, and other
inhabitants. It was again alleged that Castle and Calowe had been
negligent if not fraudulent in supervising and measuring, no enclosures
had been made, and few timber-trees reserved. The two supervisors
were "of small reputation among their neighbours and unfit to be
employed in a business of great truth". They had made sure that the
ironmasters regularly received their cordwood. Beyond this nothing was
in their favour. Besides being remiss they had at the Haytes near
the Speech House felled 160 oaks, some containing 8, 6, and 4 tons of
timber, in order to sell the bark. Elsewhere 300 oaks had been
felled for the same purpose. Trees were first tested whether the
bark would strip easily; in this way many were mutilated and left
standing. Pursuing this course would destroy all the principal oaks
within the fellets. If felling for the ironworks continued, the woods

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i. E.178/3837, m.45-52.
in a few years would be "defaced and decayed in such sort that his Majesty's game of hawks and deer will be destroyed and from henceforth little benefit accrue to the Crown." The Forest contained oaks and beeches in about equal quantity. The oaks were for the most part sound and good timber; some were decaying but part of them was timber, and there were few dotard trees. Most of the beeches were sound.

So far nothing had been proved against the ironmasters; they were not drawn into the troubles till later. Brooke and Chaldecott received 22,013 cords, and Moore and Tomlins 19,417. Castle and Calowe were not removed till 12 August 1617. On that date they accounted for moneys for bark, usually sold at 5s. a load to tanners at Newland, Lydbrook, Ruardean, Purton, and Gloucester, and for wood sold to trencher-makers and cardboard-makers. They also accounted for logwood and some rough cordwood sold at 2s. a cord.

The cost of cording was 1s.8d. a cord. Among the expenses they claimed were £20 paid to Marshall the shipwright for squaring 300 tons at 1s.4d. a ton and £9.18s.6d. paid to two men for sawing planks. The supervisors had enclosed the Bourts, having paid a man for 30 weeks at 3s. to guard it, and another man for 50 days at 1s. to repair its rails. They each claimed their salary, £26.13s.4d., for one and a half years.

Accusations against the ironmasters arose early in 1618.

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i. E.178/3837, m.59. ii. Ibid., m.62. iii. Ibid., m.61,63.
They came chiefly from a deputy constable, Sir William Throckmorton (Throgmorton) of Clearwell. He opposed outside interference and championed the rights of himself and others. To his accusations against the ironmasters of illegal felling they 23 February^{i} opposed complaints of his misdemeanours. Felling was suspended by the express wish of the king on 29 March^{ii}. On 17 July^{iii} a commission to Sir Thomas Brudenell and others instructed them "to survey and examine into the wastes made in Dean by Sir Basil Brooke and others". They were to proceed on interrogatories prepared by Throckmorton. To charges of misappropriating timber-trees, dotard trees, young oaks, and beeches, the four ironmasters produced an account^{iv} asserting that the inhabitants were the culprits. The assertions were based on the number of trees purported to have been felled by the inhabitants in 1615, 1616, 1617, and 1618, - 5,456 timber-trees, 10,300 young oaks and beeches, and "firewood trees". The account was in two parts, the first respecting "Sir Basil Brooke's side" of the Forest, i.e. towards the ironworks at Parkend and Soudley, and the second "On Lydbrook side", i.e. towards the works of Tomlins and Moore at Lydbrook and Cannop. The ironmasters' assertions were disbelieved. Much other misappropriation was alleged against them. They were relieved of their leases and heavily fined.^{v} The ironworks reverted to the king.

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^{i} B.M.Lansd.Mss.166,f.363. ^{ii} Glos.Public Library, L.F.6,3. ^{iii} Cal.S.P.14/98/p.555. ^{iv} B.M.Lansd.Mss.166,f.382. ^{v} On 14 June 1628 the four sub-lessees received "a discharge of two several debts of £17,078.13s.4d. and £16,597.3s.4d. improperly charged against them by the auditor of co. Gloucester in relation to ironworks in the Forest of Dean". (S.P.16/107/p.161).
Not till 6 April 1621 did he relet them, for seven years, to Richard Challoner and Philip Harris, "tenants" of lord Robartes, a Cornish tin-merchant and money-lender. Two "overseers of the ironworks", Sir William Rolles and Robert Treswell junior, were appointed by the Crown. For a few years the ironworks flourished.

A survey in 1622-23 of Whitemead Park showed 2,918 oaks and beeches, "all generally shrowded, headed, and lopped". There were only 480 fit to be reserved and allowed to stand; most of the remainder were "utterly decayed and dotard and very ill-grown and knotty trees, none fit for better use than firewood," containing about 4,000 cords worth 4s. each.

Within four years history was repeated: Challoner and Harris were involved in litigation on account of misappropriation. In 1625, together with the overseers they were in an action with the attorney general, Sir Thomas Coventry. The suit illumines many of the practices within Dean. Sir George Huntley and other commissioners had been appointed in 1621 to assign timber—oaks for repairing the ironworks, "also such parcels of the wood, either in the main Forest or in its fellets as fittest for same, out of which the first year's provision of 6,000 cords of wood for the works might be supplied."

The long depositions made to interrogatories on behalf of both the ironmasters and the overseers confirmed that they had not

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ii. C. 99/XXIV,
acted improperly. One witness asserted that fewer trees could have been left so that the "young spring" would have proved better. The fellers and woods named in the depositions were Cannop, Myry Stocke, Buckold, Snead, Moseleyes Greene, Lydbrook, Lumberth Marshe, and Hangerbury.

On behalf of the Crown confirmation was given of the accusations against the complainants. John Berrowe, a verderer, deposed that on his journeys between Newland and the speech court-house he saw many oaks felled out of the fellers "which were goodly trees and great store of timber in them". According to another witness "tops and offal had been corded and sold to the ironmasters at ten groats a cord". Another deposition was that "17½ cords had been sent by the overseers into the ironworks from Hangerbury, but booked as 10 cords, the 7½ cords being in lieu of a dinner given to the parties present." There had been some discrepancies over the measurement of cords; much good timber had been put into cordwood, "some 2, 3, or 4 foot square". Four thousand timber-oaks had been misappropriated; some had been hauled out of the Forest by plough-teams. One of the overseers had sold "brousewood, morewood, i and logwood to John Pullen of Burdean and likewise to some other collier or colliers, which they had converted to charcoal and sold to the farmers." Beyond these depositions there was little evidence against

\* In 1812 "moorwood" is said to be stumps of oaks and beeches left in the ground (1st Rept., 1812, p.138).
the lessees and overseers, but a note made 10 October 1625 is of a
"Minute of Petition of Christopher Bainbridge that judgment might be
entered upon a verdict by him against Challoner and Harris for cutting
down 1,200 timber-trees." Yet the farmers of the ironworks continued
to hold their lease. The overseers were not dismissed, but Treswell
disappeared from the post a few years later.

The above suit shows that overseers, commissioners, clerks
to farmers, and local inhabitants could not agree on the quality of
standing trees, nor on the effect of settling and drying on the content
and quality of cordwood. The overlapping responsibilities of the old
régime of officials and those of the newer administration, and the
activities of Throckmorton and other inhabitants, confused the issue
and led from bickering to open hostilities. The contention was
intensified by the intervention of the constable and his deputy, both
of whom had direct interests in the Forest.

Since about 1610 Dean had acquired new importance: of all
forests it alone produced an increasing revenue for the Crown. Much
of its preserved cover was due to regulations to conserve the deer.
Despite James I's interest in hunting, the hawks and deer were
disappearing. Officials were unable to prevent abuse and ensure
replenishment. Coppices and fellets were rarely enclosed; the seed-
trees were not always good parents. Enclosures were rarely long intact.

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i. Cal.S.P.16/7/p.122.
Only when too late was action taken, usually by some local person quarrelsome and ambitious like Throckmorton, to report damage and abuses and to ask for the punishment of those responsible. Even then no adequate steps were taken to prevent a recurrence. James obtained some little redress towards the end of his reign; a warrant was issued 17 March 1625\textsuperscript{i} to Sir George Marshall for £100, being fines imposed on Thomas James and Charles Bridgman for "spoil of woods" in Dean.\textsuperscript{ii}

\textbf{Ship-timber}

By 1613 Dean was acknowledged a storehouse of naval timber.\textsuperscript{iii} Early in 1616 Marshall a shipwright was sent to the Forest by Treswell to survey and "work" timber-trees for shipping.\textsuperscript{iv} Marshall said in March 1617 that 60 oaks he felled at Whitemead Park had mostly been carried away to Purton to make a storehouse for the king's iron. He also felled at Lydbrook 80 oaks yielding 300 tons; the timber was still lying there "part squared and part sawed". About 40 tons were lying at Cannop, and about 50 at Whitemead. In the Forest were "more store of good and fitting timber for shipping, rather better than in any other of the king's forests or woods which he had seen or wrought at." In March 1617\textsuperscript{v} Castle and Calowe certified that 300 trees had been felled by William Cooper, one of his Majesty's shipwrights. It is uncertain how much of the ship-timber reached the dockyards. The

\begin{itemize}
\item[i.] Cal.S.P.14/180/p.501.
\item[ii.] E.124/36, f.87.
\item[iii.] P.C.2, 1613-14, p.279; C.99/34.
\item[iv.] E.178/3837, m.50.
\item[v.] Ibid., m.9.
\end{itemize}
requirements for it during James's reign was small.\textsuperscript{i}

\textbf{Assarts, Wastes, Purprestures, and Encroachments}

To his revenue from Dean's woods James I added fines and rents for "improvement" of ancient assarts.\textsuperscript{ii} Between 1617 and 1620 he compounded with "sundry persons for divers lands which had been taken by assart or purpresture out of the Forest", reserving the ore and coal.\textsuperscript{iii} In 1619 Joseph Bainham paid £903 for his assarts in and around Newland and Staunton.\textsuperscript{iv} In May 1621\textsuperscript{v} was prepared "The Booke and Plot of the Forest of Dean, in three parts", being a "survey of assarts, wastes, purprestures, and encroachments". The "Booke" has not been found, but the "Plot" may be the map already referred to.\textsuperscript{vi} Following a survey at the king's expense, a schedule was prepared in 1623\textsuperscript{vii} of "assart lands, wastes, and purprestures, with the number of acres in them compounded for, the fines paid for, and the yearly rents reserved for the same"; the fines amounted to £5,492 for 10,758 acres, and the rents to £30.15s.10d. At Michaelmas Sir William Throckmorton and others were £25.12s.4d. in arrears, and Richard Catchmaye and William Kyngston £143 in arrears.

\textbf{Administration under Charles I}

\textbf{On the accession of Charles I William earl of Pembroke}

\textsuperscript{i} Hammersley ("The Crown Woods..., "p.152) gives an estimate of 3,000 loads (say, 3,750 tons) of timber a year for the navy, and 15,000 loads (say, 20,000 tons) a year for mercantile building.

\textsuperscript{ii} In 1606 commissioners were appointed to compound for assarts, and Otho Nicholson was given the commission's authority to compound with petitioners.

\textsuperscript{iii} 3rd Rept. of 1788, p.12. See also Finch Hatton Mss. 3793.

\textsuperscript{iv} C.66/2173. \textsuperscript{v} 3rd Rept. of 1788, App.12.

\textsuperscript{vi} F.17/1, M.R.879. This map is probably that referred to in 1611 by Richard Tyler (E.178/3837): "commissioners had lately measured the wood". The map shows little of the woodlands but gives the manorial lands on the west in great detail.

\textsuperscript{vii} Finch Hatton Mss. 1740A.
was still constable and holding his grant of some of the issues of
the Forest; he was virtually in control of it all except woodlands.
Charles on 23 March 1625\textsuperscript{i} granted to Sir William Villiers and his heirs
"in fee farm, at a rent of £20 yearly" Mailscot, a large wooded
territory in the north-west of the Forest, with "coal and other mines
thereof, and liberty to make charcoal for making iron, notwithstanding
the statutes made to forbid the same." In the same year\textsuperscript{ii} the
coppices of Snead and Kidnalls were leased to Tristram Flower, and
Sir Richard Catchmay was permitted for £800 to fell and make into
charcoal 4,000 cords in Whitewead Park.\textsuperscript{iii} These and like grants
continued unpopular. In 1626\textsuperscript{iv} some inhabitants petitioned the king,
setting forth great abuses practised in Dean "which had recently led
to a sudden commotion of the meaner sort." They prayed for a
commission to examine the offenders; they had petitioned to the same
effect the previous Michaelmas, "and this is the fourth time since". It
was alleged that men were enclosing "merely for the lucre of the
wood". A commission was appointed 28 November 1625\textsuperscript{v} to view the
ironworks and to ascertain their effect on the Forest. Challoner and
Harris were working a double forge and a furnace at Parkend, a
furnace and forge at Lydbrook, a furnace at Cannop, and a forge at
Lydbrook rented from George Vaughan. The ironmasters had 250 loads of
charcoal in stock and much cordwood; many trees lay about the Forest.

\textsuperscript{i} Cal.S.P.16/7/p.538; C.99/XXVIII.
\textsuperscript{ii} E.367/1547/52; C.99/XXVI.
\textsuperscript{iii} C.99/XXIV.
\textsuperscript{iv} Cal.S.P.16/44/p.524.
\textsuperscript{v} E.178/5304.
Some of the cords were above measure. On 18 January 1626¹ the commissioners at an inquisition at Coleford ascertained that the lessees had consumed 45,000 cords, based upon 4½ cords to a load of charcoal. To continue the ironworks 12,000 cords would be required annually. The Crown decided to allow the lease of the ironworks, due to end in 1628, to run its course, but on 8 November² a warrant was issued to the constable and all other officials "to take special care for preventing the destruction of the king's woods."

At Lydney the young and ambitious Sir John Wintour now held the family estates. He was sustaining his ironworks under a contract of 15 March 1627,³ paying £1,266.13s.4d. for 4,000 cords; some came from the bailiwicks of Abenhall and Bleyth and some from Whorethorns and Whitechurch Hill in the bailiwick of Blakeney⁴. Anthony Keame and Richard Walker had 16 March 1627⁵ been granted "all timber, except ship—timber, to be cut in Dean, fit for the making of clapboard, at certain prices." This transaction is referred to the following 25 August:— "Mr. Keame, a cooper, having contracted to purchase £1,500 worth of wood yearly from Dean needs ships to transport his timber."⁶ Keame and Walker had contracted with the Council "for making of all manner of cooper's timber in Dean under certain covenants and conditions for the king's benefit."⁷ Justices of the

peace had to ensure that up to twenty workmen chosen by the contractors should, if necessary, be pressed into service. On 29 August 1627 the Council ordered the navy commissioners "to send one ship of 200 tons and two of 120 tons to fetch the wood and pipe-staves provided by Keame, who was to pay the hire and charges." Some of the timber had been felled in Whorethorns and Whitechurch Hill.

The Ironworks: A New Lease

In 1627 a struggle ensued for the new lease of the king's ironworks and the concessions as to wood supplies which went with it. Success could be won or lost by intrigue at court. Sir Sackville Crowe, late treasurer of the navy, was a forceful applicant. So too were Sir John Kyrle, ironmaster in Herefordshire, and Sir Basil Brooke with George Mynne. Brooke, now a member of the Court of the Society of the Mineral and Battery Works, and Mynne a London merchant and deputy governor of the Society, had taken into partnership Thomas Hackett and had acquired his lease of the Society's wireworks at Tintern and Whitebrook. One of the governors, the earl of Pembroke, now both lord steward and constable of Dean, was foremost in the negotiations. He offered payment of two years' supply of cordwood in advance, more than £8,600. His bid was accepted; on 4 December 1627 he obtained the concession for 21 years. Under the lease the earl was

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vi. C. 66/2416; C. 99/22.
granted 10,000 cords yearly "to be employed in making of iron or otherwise, paying 6s.8d. a cord for complement wood and 3s.4d. for logwood, wind-throws, and offall wood." He immediately sublet the lease to Brooke, Mynne, and Hackett, on the condition that they paid him 1s. profit on each cord. The wood was to be taken by view of commissioners and with the cognizance of the two overseers, Rowles and Treswell.

Complementary to his grant Pembroke had the following powers:

"In or upon any place within the Forest to dig and make coalfits or coalphaces fit for converting and making the same wood into charcoal, and to dig, pare, take, and employ earth, dust, turf, chips of wood and timber and convert, meet and convenient for the making of cordwood into charcoal. To make and erect convenient lodges or cabins for such colliers as shall be employed about the making into charcoal. To have the tops, lops, and other parts of trees cut down for his Majesty's shipping or for impaling the coppices; and to cleave at the half length all such wood which will not so well cleave at the whole length and so to make it more serviceable to be made into cords. All such wood so cut, being in length of billet 2'2", and will not cleave otherwise, to be accounted and delivered for half a cord only. To have all log wood and offal wood, windfallen wood, morions, and broochers at 3s.4d. a cord."

The ironmasters built two double forges, one at Whitecroft and another at Bradley near Soudley. The amount of wood used by Dean's ironworks was immense; further quantities may have supplied neighbouring ironworks. The Forest had not before undergone such extensive cutting.

By 1628 the effect of Pembroke's lease on the woods and

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ii. C.99/21,22.  
iv. C.99/39, m.1.
privileges of the inhabitants was causing concern to Crown and public.

The hereditary woodwards were instructed to give an account of the
trees in their woodwardships, which had replaced the earlier bailiwicks.

The woodwards were now locally important freeholders, unrelated to the
quondam paid woodwards. Their returns in August and September showed:

In Bleyth: 3,500 young beeches "sealed with the king's axe"  
140 "hollowed and scrubbed beeches."  
300 young oaks.  
Rowles had felled 140 beeches "as, it is said, to
make a place to catch woodcocks."

In Abenhall: 40,400 timber-trees of oak and beech.
In Blakeney: 90,000 beech and 10,000 oaks, mostly fit for
shipping.

In Michel Dean: 19,800 timber-trees, mostly fit for shipping.
In Bicknor: 500 timber-trees, "some of the best, some
of worst," marked with the king's axe.  
800 of the same, not marked.  
Rowles had felled 40 trees for impaling some fellers.

In Mailscot: 160 timber-trees.

According to George Danvers, clerk to Lady Villiers,  
17,500 cords had been cut; some roots had also been
dug and corded.

In Ruardean: 6,000 timber-trees of oak and beech, mostly
fit for shipping.
Challoner and Harris had felled 2,000 timber-trees of
which 161 oaks were lying on the ground.

In Staunton: No return.

The inhabitants pressed their objections to Pembroke's
lease by exhibiting a Bill in the Exchequer court, once again to
safeguard their privileges of common, pannage, and estovers. They
were successful in obtaining a Decree supporting their position,

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i. E.178/5304, m. l-4.
ii. E.25/4/269 et seq. 11 Feb. 1628. The suit is more fully reported
iii. E.125/4/269.
with the following chief reservation:

"The king having granted 10,000 cords of wood to be taken yearly within the Forest, and to the end that his Majesty's woodfalls may yield him better profit than formerly they have done, and that the same profit may always be maintained and continued and the commoners may not be excluded of their just common, his Majesty has directed and the commoners have agreed that all the coppice woods shall be well and sufficiently enclosed and so kept and continued for 12 years after enclosing and encoppicing, but that at every felling afterwards the same woods so felled shall be newly encoppriced and so kept for 9 years so that the coppice receive not hurt by cattle or otherwise, and the same to be so made, enclosed and continued for ever at every felling after."

The decree appeared to satisfy all parties; a new period of content was expected. But claims on the cover continued. In August 1628, William Murray, a groom of the bedchamber, was granted "timber in Morewood, Littledean Wood, and Bleys Bailey, certified to be worth above £800." In December, Pembroke's annual supply was increased by 2,500 cords, and 2 April 1629 by another 2,400 cords to be delivered within two years. In 1629, Thomas Preston was granted the lease of the coppices of Pigslade, Great and Little Bradleys, Buckholes Moor, and Stonygrove. Meanwhile Wintour's works at Lydney were flourishing; on 18 July 1629, Pembroke, at a profit of 1s. a cord, transferred to him 2,500 cords yearly of his own entitlement. The earl 9 September was made chief justice of the forests south of Trent. His death 10 April 1630 ended his long but not always well-executed
wardenship of the Forest. His title and most of his estate passed to his brother Philip Herbert, earl of Montgomery, who in June 1631 succeeded him as constable of Dean. The new earl, whose deputy constables were Sir John Bridgman and James Kyrle of Walford, honoured the sub-lease of the ironworks to Brooke and Mynne. But Sir Baynham Throckmorton, now enjoying his family's estates in and around Clearwell, agitated to supplant the concessionaires.

The Crown had repeatedly broken its long-term contracts in order to relet its ironworks and wood-supplies at a higher profit. Though the leases spoke of a rent and included privileges passing to the farmers, payments were calculated in strict proportion to the number of complement and other cords delivered. In the seventeen years before 1628 the Dean ironworks were let four times; only one lease of seven years ran its full course. The Crown thought itself entitled to re-let because it chose to regard as negligent or fraudulent the practices arising from the ill-defined leases and the inadequate supervision of them.

Conflicting Interests and Subsequent Riots

On 7 June 1630 John Duncombe, the king's servant, was granted "the bark of trees fit to be barked in Dean, and to be cut down by virtue of grants to the late earl of Pembroke for 21 years, rendering to his Majesty £16 yearly." The following year, 15 February

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John Powell, father-in-law to Sir John Coke, and his daughter Eleanor James, relict of Edward James, of Preston, Herefordshire, pointed out to Lord treasurer Weston that "trees have been and are felled in Dean whose roots remain in the ground to the hurt and hindrance of the soil". They prayed for a lease of such roots for 21 years, paying 1s. 6d. a cord. The petition was referred to Sir Thomas Fanshawe, remembrancer of the Exchequer, who replied that the petition was reasonable, subject to certain conditions. The attorney general concurred, but directed attention to a petition of William Langley a grantee of all roots and stumps of trees in any of the king's forests but whose right was not legally operative in Dean. He recommended that the offer of Powell and his daughter should be accepted "as being the best for the Crown", and 19 March he received instructions from the Lord treasurer to prepare the grant. On 14 May the Council informed "the officers for delivery of cordwood in Dean" that "Mrs. James is to be allowed to cut her roots first in those remotest parts of the Forest which lie most subject to the spoil of the country, and the rest to be sold for the best price, and the proceeds brought to account before the auditors of that county." The following year, 1632, William Langley asked that his grant of stumps be extended to include Dean. It is hard to

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i. C.47/XXIX, XXX.  ii. Cal.S.P.16/191/p.43.  iii. Ibid.,/229/p.476.  iv. The sale of roots needs some explanation. Such sales were referred to in later years as "of rootwood". In 1633 (Cal. S.P.16/245/p.19) it was reported that fellers cut trees "2,3,4, and 5 feet above the roots". In 1646 (S.101/141/6) trees were cut "almost a yard above the ground". When "rootwood" was sold the purchaser took the remaining stub and as much of the root as possible.
believe that the grants were meant to diminish the number of stools in
the coppices; they probably related to stumps of trees felled in the
open Forest.

The need to conserve trees suitable for ship-building
was increasing. In 1631\textsuperscript{i} the Privy Council issued an injunction
against felling any timber-trees within three miles of the Wye or ten
miles of the Severn, "it being the usual care of the State, and of
this Board in particular, to respect the preservation of timber for
the upholding of navigation." The following year\textsuperscript{ii} "necessary
remembrances" were sent to the Forest's officials concerning the
preservation of trees suitable for building and repairing ships. In
referring to the shortage of such trees in Dean they asserted that
suitable timber was now only available in Shotover and Stow-wood, both
in Oxfordshire.\textsuperscript{iii} The assertion so far as Dean and particularly the
Lea Bailey were concerned was incorrect. Given transport there were
good reserves. In 1633\textsuperscript{iv} Dean had "ship-timber sufficient to furnish
this Kingdom with shipping".

The administration of Dean, and the large and often long-
term contracts for cordwood, had been more confused by the Crown's

\begin{itemize}
  \item \textsuperscript{i} P.C.2/41/p.207.
  \item \textsuperscript{ii} Cal.S.P.16/229/p.491.
  \item \textsuperscript{iii} Although Hammersley ("The Crown Woods...", 152) estimated only
    13,000 tons were needed in the reign of Charles I, it was claimed in 1618 (Adm.Library
    Mss.141) that the extensive
    building of ships absorbed most of the readily accessible
    supply, and that during the subsequent campaigns against
    France the shortage was at times acute.
  \item \textsuperscript{iv} Cal.S.P.16/245/p.191.
\end{itemize}
granting a variety of minor concessions as well as of offices not more than sinecures. The duties of the verderers were partly supplanted by overseers. Woodwardships or bailiwicks were held by persons of little concern with the cover beyond the privileges enjoyed by themselves and others. Conflicting grants had been made of parcels of wood and land, of roots of trees, of bark for tanning, and of clapboard for cooperage. Little timber had gone for the building or repair of ships. The large oaks were kept for the demands of the navy. It was often impossible to find whether they were sound till they were felled; if unsound, should they be cleft by the ironmasters, or allocated at the speech court as estovers to those entitled to such? Miners of iron-ore and coal continued to get their mining-timber. The taking by inhabitants of fuel and other botes was regulated by the speech court.

The Crown realized that enclosure was the key to full use of Dean; only by this means could coppice and seedlings flourish. Between 5,000 and 6,000 acres of Dean were enclosed at any one time to safeguard the supply of fuel for the ironworks. On those acres, in varying numbers, were standards, the naval timber of the future; many of the largest were deteriorating. Beyond that acreage were more than 3,000 acres of enclosures of lands sold or granted to courtiers. Among the lands were those in and around Cannop sold to John Gibbons,
secretary to Lord treasurer Weston, and Mailscot, held by the Villiers family who employed the notorious Giles Mompesson as their agent.

About half of the cover had thus been enclosed either by impaling or by mound, ditch, and hedge. Although enclosure by the Crown met with some opposition, usually clandestine, enclosures by individuals attracted organized resistance. At Mailscot, where the Villiers had, according to commissioners in June 1629, left only 100 trees standing "in a bottom there", over 500 of the commoners followed the lead of the anti-enclosure rebellion of 1628, whose ring-leader was John Williams, alias Skimmington. Almost 100 perches of "ditching newly made were thrown down". On 14 July 1631 the king instructed the justice of assize to proceed against the rioters. Only after great difficulty was the ring-leader apprehended and not till 1632 were the disturbances ended.

So far Charles I had derived much revenue from Dean's woodlands. He had made some improvements in administration but many of his appointments were sinecures, to reward a minor favourite or servant, to save the payment of a pension, or the like. More energetic measures towards conservation and replenishment were needed.

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i. E.178/1518.
159

CHAPTER VI

1632 to 1648

Revival of the Forest Law (I)

The recriminations between the Crown, lessees, officials, and inhabitants during the first three decades of the seventeenth century were like those in other forests. The turmoil was intensified by apathy and abuse. Confusion abounded. Mutual accusations flourished. Only a new order could re-establish royal prerogative and popular privilege. An attempt was made in 1632 to reach this end by a re-enactment of forest law with its eyres. The agents used by the Crown were the attorney general, Sir William Noy, and the chief justice, Henry, earl of Holland. Noy and Holland held their first eyre at Windsor and Bagshot in September 1632; this was mild in judgment but was a prelude to wider exertions in Dean to which riots had drawn attention. Preparations for the eyre in Dean were carefully laid. The first move was the appointment in December 1632 of Sir John Bridgman, chief justice of Chester and vice-president of the council of Wales, as deputy constable of Dean. His protégé John Broughton became the first deputy surveyor of Dean in April 1633. He was deputy to Sir Charles Harbord, the surveyor general of woods. Broughton's activities were a preparation for the eyre of the following

ii. C.99/25.
iii. This is still the chief silvicultural office in Dean.
year, when his sponsor Bridgman was one of the judges.

**Broughton's Survey in 1633**

Broughton related 15 April 1633\(^i\) that he "came to Gloucester Friday, which was the wettest day he ever travelled....The spoils in Dean are so great that the writer will undergo excessive toil to reform abuses." One of his first tasks was a survey of the number and value of the trees. It was completed 23 August.\(^ii\) The Lea Bailey was "without exception at this day for the quantity the best wood in England." It had 23,347 large trees on its 1,000 acres, about 23 to the acre. The timber "was excellent, and by nature framed for ship-timber, viz. for crucks, knees, bends, planks, etc." There were 166,848 trees in Dean; if they were scattered over 15,000 acres the stocking was in the region of 11 an acre.

Broughton valued the trees on average at £1, if used for smelting, and the cordwood at 5s. a cord. He urged the Crown to use the trees for its ironworks, and not to sell to ironmasters. At least one-third of the trees were fit for naval use. An "old experienced ship-timber man", George Dunning, had assured him that in the Forest was "sufficient ship-timber to furnish this Kingdom with shipping".

**Revival of the Forest Law (II)**

By November 1633 intimation of impending moves in Dean

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\(^i\) S.P.16/236/p.20.
\(^ii\) *Ibid.*, /245/p.191 (22 pp). See Appendix VII.
had reached Sir Sackville Crowe who since 1627 had tried to obtain the ironworks. He now pressed a scheme for his being allowed to found guns in the Forest, either as manager on behalf of the Crown or as its tenant, and offered to make iron ordnance at £9 a ton, "to resign his fee of 20s. a ton on all ordnance made under £11 a ton, and to pay 6s.8d. a cord." He renewed his offer 3 April 1634 but was unsuccessful. The government through Lord treasurer Portland at last made known its intention to hold an eyre in Dean. An order 28 February to the Crown's sub-lessees Brooke, Mynne, and Wintour, prohibited them from felling timber before the eyre arranged for August. The ironmasters were not to dispose of any tree until the same should have been viewed by the purveyor of the navy. Announcement of the pending eyre did not stop two courtiers, Charles, viscount Andover, and James Levington, "of the king's bedchamber", submitting a tender for 8,000 acres of open land in Dean, should it be deforested. They offered 4s. an acre for 8,000 acres, "which is a rate far beyond the proffer of any other person for forest lands." Should a better offer be received they ask for preference. Later in the year they drew attention to their original offer: "But then it was not thought a fit course, the commissioners being in treaty with some persons for particular parcels of the same". The king having since "declared to

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incline that way", the petitioners prayed "that on the general deforestation they may proceed as offerers for the parcels of land given in to the commissioners".

An equally shrewd profferer, Wintour, offered "to perpetuate to his Majesty and his successors £4,000 yearly in consideration of certain grants to be made to him of trees and iron-works there after the determination of the grant thereof to the earl of Pembroke." He had "already lent the king £4,000 in part of £8,000 for two years' rent agreed to be advanced." Portland was to draw up a contract, "yet with this proviso that if upon a survey or other information at a justice seat we find that greater yearly revenue will be raised from the woods aforesaid," the better offer was to be preferred and Wintour to be repaid his advance. If no other offer had been received by 13 September 1634 the grant to Wintour was to stand.

In April 1634 the king informed Bridgman that he had ordered the earl of Holland to hold a "court of justice in eyre" within Dean "for redressing the great abuses which through the discontinuance of the forest laws are there grown so high". Bridgman was to assist sheriffs in choosing regarders and to instruct them in their duties. Hammersley has discussed how far part of the policy

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i. Cal.S.P.16/266/p.576.
ii. Ibid.
iii. Ibid./266/p.576.
pursued was an intrigue by Noy against Portland. At least part of Noy's policy against offenders was to base proceedings on a series of Exchequer enquiries into conditions in Dean which had already served in some inconclusive prosecutions of concessionaires, officials, and inhabitants, past and present. But a fatal illness removed Noy from the preparations. His place was taken in April 1634 by Sir John Finch, who took steps to dispute and then to widen the current perambulation of Dean which had stood since the reign of Edward III. He collected documents purporting to invalidate the then reduced bounds, and copies of those perambulations of Edward I within whose bounds were seventeen villis with their woods and plains long treated as deforested. He visited Gloucester and obtained much evidence useful to his purpose from Thockmorton and from woodwards and other officials.

The Eire of 1634

The justice seat opened at Mitcheldean 10 July 1634 and was adjourned to Gloucester castle. The judges were the earl of Holland, baron Thomas Trevor, Bridgman, and justice William Jones.

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i. E.178/3837 and 5304.

Finch, as Crown counsel, had the ancient and wider bounds of the Forest recited, and supported them with the fact that some supposedly deforested villages had continued to claim common within Dean. The jury of local men, under pressure, found for the Crown, but Finch agreed not to proceed against anyone outside the metes and bounds in use for the last three centuries.

Note was taken of formal presentations of claims to privileges. These, totalling 120, ranged from rights of common, pannage, and estovers to offices within the Forest; extracts of all of them have been published. The claims were generally for "housebote and heybote for repair and rebuilding of messuages and buildings, by view and delivery of the foresters and verderers at the speech court, and firebote of dead and dry wood", and for "common in all open wastes and places of the Forest", making a small payment for the same, and pannage for which were paid a few pence called "swine-silver". Holders of woodwardships further claimed by ancient custom the lop and top of trees given by the king and all wind-thrown trees. The court did not pronounce judgment on the claims.

Offences were next dealt with. The basis was the presentations drawn up by a special swanimote court held in Dean 10 June 1634. Eight hundred cases were set forth. Many concerned more than one person; some referred to events forty years before. Cases

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ii. C.99, X
concerning cutting, taking, or selling wood totalled 420, of enclosure or other encroachments 260, of poaching 80, of unauthorized building of ironworks 10, of miscellaneous matters 30. About £130,000 in fines was endorsed against the 800 presentments. The four main offenders, Gibbons, Brooke, Mynne, and Wintour, were dealt with by way of special indictments and not upon presentment by the swanimote.

John Gibbons was fined £8,600, of which he paid £8,000, for enclosing more land than he had been granted in and around Cannop, and for felling trees there. The swanimote presentment against Gibbons was "for cutting 4,000 oaks and 200 beeches worth 20s. each between 31 March 1629 and 30 April 1634, for spoiling certain coppices to the damage of the king £1,200, and for enclosing with a wall 940 acres valued at £113.13s.4d. annually;" whereas the indictment by the jury was "of cutting divers goodly timber-trees marked by the king's officers for shipping, and other uses of his Majesty". King James "at his great charge had enclosed with a pale two parcels of land for coppices of which Gibbons obtained a lease for 21 years of 574 acres at a rent of £28.14s. yearly and a fine of £280". All timber-trees and wood were reserved to the king. Gibbons "joined the two enclosures and thereby

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ii. This land is probably the best and flattest in the Forest. It comprised "Cannop Fellet" and part of "Duckholt, Beachinhurst, and Moyrystock".
iii. Cal.S.P.16/271/f.143; B.M. Harl Mss. 738, f.300.
increased the whole to 1,000 or 1,100 acres". His sale of the lands to Sir Robert Bannister was allowed to stand.¹

Brooke and Mynne, sub-tenants of the earl of Pembroke, were charged with 178,200 cords of wood at 6s.8d. each, i.e. £59,400, taken in the last six years. ¹² Other accusations against them concerned irregularities of measurement in cords and the taking of timber-trees.¹³ The prosecution arrived at the number of cords by two calculations. First, the number which their ironworks, four furnaces making raw iron, and two single forges and three double forges making bar iron, working to full capacity, must have used over six years. Second, the number of acres cut, the average number of trees on an acre, and the volume of an average tree. Though the defendants asserted that they had not only paid for the 10,000 cords a year but for considerably more, they were fined £50,039.16s.8d.¹⁴

Wintour, advised by the recorder of Gloucester, withdrew his defence to a charge of taking 60,700 cords, and was fined £20,230.¹⁵ He with Brooke and Mynne by June 1636 had their huge fines reduced, Brooke and partner to £12,000 and Wintour £4,000.¹⁶ Fines on other

¹ E.112/181/131.
¹² E.M. Harl. Mss. 738, ff.303-5.
¹³ Ibid., ff.306-8.
¹⁴ Cal.S.P.16/293/p.262.
¹⁵ Ibid./289/p.100.
offenders, about £55,000, included £17,000 on other ironmasters and magnates. The rest ranged from a few shillings for vert offences to several pounds for illicit dwellings, and over £100 for timber, wood, or underwood. Many of the fines, on appeal, were much reduced. Hammersley\(^i\) has estimated that of the £130,000 of fines imposed\(^ii\) only about one-fifth was collected. On 11 January 1636,\(^iii\) William Cowse, a commissioner among others for sale of logwood and timber in Dean, was pardoned the residue of a debt of £1,079.7s.8d. due to the king from those sales, in consideration of his assistance in apprehending the ripter, Skimmington.

**The Survey of 1634**

During the eyre an order was made for a survey of the number and value of trees in Dean. The survey\(^iv\) is given in Appendix VIII. The 55,450 good timber—oaks were estimated to contain 163,764 tons, and the 22,175 good timber—beeches 49,305 tons. The 64,007 inferior oaks and beeches were estimated at 160,920 cords, and the lop and top of all the trees 78,940 cords. The value of the timber—oaks was 10s. a ton, of the timber—beeches 7s. a ton, and of the cordwood 6s.8d. a cord. The total value of the trees, £179,187, and their number, 141,632, can be compared with those in the survey

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\(^ii\) Cal.S.P.16/273/p.182 refers to £100,000.
\(^iii\) Cal.S.P.16/311/p.155; Bodl. Bankes Miss., 9/33.
\(^iv\) E.146/3/28. A copy of this survey is misplaced in S.P.12/132/ p.633, where it is also wrongly headed as "Note of the timber and of the timber trees felled in Dean Forest".
in the previous year, namely, £177,681.6s.8d. and 166,848 trees. The emphasis is again on trees for ship-building. Of Dean's trees almost half were fit only for cordwood; such was the loss by misappropriating, and by preserving trees beyond their prime. The timber–oaks averaged about 3 tons and the beeches about 2½ tons. As to the size of tree, it can be assumed that 25 cubic feet equalled a ton; thus the oaks averaged about 75 cubic feet, worth 30s., and the beeches about 60 cubic feet, worth about 16s. With the lop and top, estimated at one cord or 6s.8d., the full value of an oak was about 36s.8d. and of a beech about 22s.8d. Many of the largest oaks would contain upwards of 200 cubic feet. The dotard trees were estimated to be worth about 16s.8d. each; they were costly to convert into cordwood, requiring much splitting or cleaving.

In the year following the eyre, 1635¹, the justices sent instructions to be carefully observed by the "lieutenants and deputy constables". They were to ensure that perquisites of trees and deer were to be taken only by those who could prove their right; only dead and dry wood was to be taken for fuel; taking of housebote was to be regulated; alehouses, being the cause of much disorder in the Forest, were to be suppressed; cabins, except those required for the ironworks, were to be demolished; and stealing, shredding, lopping, and browsing were to be prohibited. Furthermore, they were to remove from the Forest trencher-makers, cardboard-makers, shovel-makers, saddletree–

¹. C.99/31, m.2.
makers, and other timber-men. Sheep and goats were not to be permitted; they were despoilers of trees, and were not commonable animals.

The Attachment Court

The speech court was still the means by which those proving their rights could obtain estovers. It is not possible to tell how often its sessions were held. Courts under the guise of swanimotes had been held in 1634 to prepare lists of offenders and their offences. There was no distinction between the attachment court and the swanimote; in Dean they appear to have merged. In 1639 the records of a speech court held at Littledean 5 October 1637 were signed by two calling themselves "clerks of the court of swanimote in the Forest of Dean". The presentments placed before the court referred to "cropping sealed oaks" at Parkend and Cannop, and converting them to cordwood; and felling "sealed" and other trees at Parkend, near Merebrook, and at Brokers Hill.

The Ironworks in 1635

The prosecution of Brooke, Mynne, and Wintour had dealt with their offences, but their leases had not been settled. Mynne had sold his share to Wintour shortly after the eyre. The chief justice of the forest had suspended supplies of wood to the ironworks, but Brooke and Wintour retained the Letters Patent of their grant which included a virtual monopoly of wood to make iron. On

24—28 September 1635 an inventory of the ironworks was made by Harbord, Kyrle, and Bridgman. Subsequently the Crown invited tenders for a new concession in Dean; the invitation went to the old lessees as well as other ironmasters and interested people. Like other favours the concession could be won or lost at Warr. Brooke offered the king financial inducements and said he would be ruined if his offer was not accepted. Crowe countered with 10s. a cord for 12,000 cords and pledged himself to undersell foreign competitors of iron ordnance and bring in large profits for the king. Throckmorton offered 7s. 2d. a cord. The king's ministers considered all proposals as well as an opposing resolution by the Treasury to reserve Dean for perpetual revenue by enclosing, to conserve its timber-trees for the navy, to prohibit the felling of its oak, and to demolish all the ironworks within the precincts of the Forest. Secretary Coke made a note "to speak to the king about the Forest"; by 15 September Crowe complained to the earl of Holland that "the summer has been spent in needless dispute". The successful applicants were Throckmorton and Crowe, with their partners John

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i. H.M.C. 55/14; earl of Guildford Mss.187; Bodler Bankes Mss.5/50.
iv. Ibid. /282/p.487; 288/p.83.
v. Ibid. /289/p.83.
vi. Bodler Bankes Mss.55/50.
viii. Ibid. /297/p.381.
ix. Bodler Bankes Mss. 40/2.
Taylor and John Gunning, merchants of Bristol. On 12 July 1636 they obtained a lease for 21 years, paying £6,600 for the first 13 years and £6,000 afterwards. The £6,600 was arrived at from a calculation of 12,000 cords annually at 11s. a cord. The lessees were also to have "roots and spray, viz. boughs". Brooke was bitter about not gaining the lease; he was on 14 July pardoned for past offences.

The eyre resulted in the Crown's receiving from fines between £26,000 and £30,000. Now there was to be an increase in annual revenue of about £2,500 from a new concession of the ironworks and supplies of wood for them. Deliveries of cordwood to the four lessees 5 and 6 October 1636 were carefully recorded and signed by Kyrle, Michael Meredith, one of the two deputy surveyors, one verderer, two regarders, one deputy woodward, and two joint-woodwards; they were countersigned by two of the lessees, Throckmorton and Taylor, and by the former's bowbearer, Richard Powell. Similar deliveries were recorded for subsequent months. So too were those for 1637-8 from Brockers Hill, Ivymore-head, and elsewhere.

A sign of the policy since the eyre was the willingness of the Crown to sell some concessions in Dean. The newly extended

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i. C.66/2740. The actual lease is in H.M.C. 55/p.14; earl of Guildford Mss.187. The warrant is in Bodl.Bankes Mss.59/7.
iii. B.M. Mss.726. e.l. (2).
v. E.101/141/4, m.l.
vi. E.101/141/4, m.2-34.
vii. Ibid./5,m.l-3.
viii. Rymer, Poedera, ix, l, pp.20-1.
bounds covered the estates of some men of substance. Many were anxious to be "out of the Forest". Wintour in 1637 compounded to deforest his lands in and around Lydney for £1,000.\(^i\) Lesser men paid a total of almost £600.\(^{ii}\)

Concurrently with the eyre and its after-proceedings the deputy surveyor, Broughton, tried to keep a tally on the trees, wood, and underwood. Since his survey in 1633 and the eyre of 1634 he had "numbered the trees twice, including cords cut and corded, and timber and logs uncut on the ground". To add to his troubles, "on 11 October 1634 at about 7 a.m. a vehement wind within two hours blew down at least 1,000 trees".\(^{iii}\) He and other officials were trying "to preserve them from being cut out by the rude country people who claim these windfall trees as their dues". On 16 October\(^iv\) he asked secretary Coke what was to be done with the wind-throws; if cut into cordwood he could sell for 6s.8d. a cord. On 23 September\(^v\) Harbord himself had been on a survey of Dean, "which has been as unlucky to itself as to its merchants". His work was hindered because his deputy, Broughton, who then held a forge, was accused of misappropriating timber.\(^vi\) By 2 March 1637\(^vii\) Broughton was adjudged "an honest man"; for his forge

\(^{i}\) E.401/1924, 29 July 1637, 5 Dec. 1637, 22 Feb. 1638; 1925, 12 June 1638.
\(^{ii}\) E.401/1925, 1 May 1638, 28 Nov. 1638; /1924, 24 Jan. 1637.
\(^{iii}\) Cal. S. P. 16/275/p.237.
\(^{iv}\) Ibid.
\(^{v}\) Ibid. /307/p.23.
\(^{vi}\) Ibid. /349/p.482; /361/p.205.
he had an "improved bloomary wherein was made in 2½ hours a bar of iron of 55 lbs. weight from one sack of charcoal and a quantity of cinders and small ore". He formed a company and wished to take over the lease of the ironworks. On 14 April he wrote to Secretary Coke:

"The farmers in Dean Forest by this new grant have 13,500 cords granted yearly to them at 10s. a cord, annual rent £6,750. My undertakers will pay £9,450 and will be tied to have at most 20 cabins in the whole Forest whereas the present farmers have lately had 159 cabins and cottages there, whereby besides contentment to the commonwealth by strangers being excluded there will be saved about £2,000 of wood and timber which is yearly spent by them. If your Honour can procure this petition to be granted, the present farmers will in a snuff make a show to yield up their patent, and then his Majesty may take them at their words and thereby obtain his right".

Nothing came of Broughton’s petition. From being the first deputy surveyor of Dean he had aspired to become an ironmaster. His mixing of commerce with duty may have been one of the reasons why from 1636 to 1639 his office had been shared by Meredith. Although after this Broughton is occasionally heard of, nothing significant appears to have been done by him in the Forest.

On 26 September 1637 depositions were taken at Mitcheldean. Whether they were made before commissioners is uncertain; only Articles of Inquiry have been found. Truck was inquired into. A corder and woodcutter complained that workmen employed by the ironmasters were forced to take a great part of their wages in provisions "at extraordinary rates from the farmers’ agents which is

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ii. Ibid.  
iii. E.101/141/5.  
iv. E.178/5304.
great oppression to the workmen...paying 18d. for as much as they could buy in the market for 12d. They were forced to buy "victuals as cheese, butter and the like whereby they lose 4d. in every ls." If they refused such conditions they were dismissed.

The Survey of 1638

On 28 November 1637 a commission was issued to Sir William Master and six other persons to make a survey of the trees and lands of Dean. Their report is given in Appendix IX. Excluding the Lea Bailey the Forest contained 70,971 oaks, of which 24,549 were timber-trees, 20,823 beeches, and 13,763 stoggals. The estimated tonnage of timber was 61,928, of which 14,350 loads were fit for ship-building. The number of cords was estimated as 150,808. The timber was valued at 10s. a ton, the ship-timber at 15s. a ton and the cordwood at 6s.8d. a cord. The total value was £120,261.2s.2d. The trees were "generally decaying". The commissioners estimated the annual value of the land at 1s. to 6s.8d. an acre. They could not state the acreage but made reference to "the Map of the Survey of the Forest". The Hudnalls Wood was "rough wooded ground wherein his Majesty's tenants in and about St Briavels claim common of herbage and wood; it is worth by the acre 3s.4d., but the wood being taken off, 12d. per annum".

This survey cannot be fully compared with those of 1633

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i. E.178/7369.  ii. Ibid.; see also Cal.S.P.16/491/p.352.  iii. Hudnalls Wood is still subject to these rights.
and 1634 because it excluded the Lea Bailey which, according to earlier surveys, contained about 23,100 oaks and beeches of which "not above a fourth-part" were beeches and was estimated to be able to yield 6,000 loads of ship-timber. The 23,100 trees, added to 105,557 in the remainder of the Forest, made a total of 128,657. This compares with 166,848 in 1633 and 141,632 in 1634. The number of timber-oaks was 24,549, which, with say 18,000 in the Lea Bailey, amounted to 32,549; in 1634 the number was 55,450. The value of Dean's trees, excluding the Lea Bailey, was now £120,261.2s.2d. If the 23,100 trees in the Lea Bailey were worth on average £1 the value of the whole crop was £143,000.

Ship-Timber

On 19 November 1633 Broughton reported that Thomas Dean and William Jones had built a ship of 70 tons of the king's timber without leave or order. This is the first authenticated record of a large ship built on Dean's riverside. John Purnell was building a ship in like manner; "for her keel he took a beech 80 feet long which was sealed with his Majesty's mark". The lords of the Admiralty ordered Broughton "to seize and stay all barks built or building in the Forest of his Majesty's timber", by Dean, Jones, Purnell, or anyone else. Bridgman with Kyrle, now sole deputy constable, were to "inflict exemplary punishment on delinquents". On 21 December

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officers of the navy urged a warrant to Stephen Danske and William Willoughby to survey Dean for naval timber. Action was obtained; on 1 March 1634 Harbord asked that "the surveyors lately employed in the survey of Dean may attend every month to view the timber within the usual fellers for complement or cordwood". On 4 March the lords of the Admiralty reported that timber had been taken out of Dean without warrant for building the "St John the Evangelist"; Sir Henry Marten "must collect the king's value and then allow to sail".

On 22 November Henry Hippop, merchant of Bristol, and Edward Lassells, shipwright, offered the lords of the Admiralty "to convey timber from Dean to Woolwich, Chatham, or Deptford, for a ship to be built, at 10s. a load, they cutting it down; provided they may have the lops, tops, and bark thereof, and his Majesty's price for the same to the waterside, and that they may have one of the king's ships for carriage, they paying victuals and wages, and having a patent for 14 years for the sole digging of yellow ochre in or about Little Dean". The king had personally agreed for timber to come from Dean, Sherwood, and Chopwell "to build a great ship of war". Hippon, Lassells, and Edward Everitt, another shipwright, repeated their offer 5 March 1635, but at 16s., "if the king will grant warrant for the inhabitants to carry to the waterside"; also "they will plant trees in the room of those they fell".

The officers of the navy had some misgivings regarding Dean. When 26 August 1638 they informed the lords of the Admiralty that they required 200,000 treemails and would need 1,000 trees from which to make them, they asserted that the best for the purpose were in Oxfordshire, and added that "if so many of the trees be felled in Dean it will destroy most of the young wood coming on, besides it will be very dear transporting by water, and not very safe as long as those Turkish pilferers use the coast." Nevertheless, much interest was displayed in Dean's oak. In July 1639 a naval officer and others drew up a schedule of trees reserved for shipping. With the crown and broad arrow they marked 9,599 oaks, estimated to contain 15,319 loads, as fit for felling; 985, estimated to contain 649 loads and 499½ cords, were marked "to be left growing".

**Plans for "Setting the Forest"**

On 18 January 1638 the king approved a warrant for delivery that year of 13,500 cords to the farmers of the ironworks, and for "setting out of a new fellet" before 10 February 1639 to contain the like quantity. Renewed attempts were made to persuade the king to sell substantial parts of the Forest. On 13 February 1638 Nicholas Crispe, "his Majesty's farmer and servant", petitioned the king that "having had occasion to travel through Dean he found many parts of it not at all wooded nor fit to be incopsed or converted..."
for the growth of wood, and lying altogether waste and unprofitable." He asserted that "800 or 1,000 acres might be fitly enclosed, which might bring your Majesty a fine and a constant rent without prejudice to the iron mills, or growth of timber, or game". An offer made a year before to the lord treasurer had been referred for consideration to the solicitor general and the surveyor general, who reported there were about 3,000 acres fit to be enclosed. He prayed for a grant to enclose and convert into pasture. On 27 June Thomas Viscount Somerset, as he understood the king intended to deforest Dean and to distribute the lands and wood to such persons as he should think fit, prayed that "on consideration of his long and faithful service to his Majesty and his father and mother he will bestow upon him 4,000 acres to be deforested, he paying for the same as the king shall appoint".

Concurrently, proposals for deforesting Dean were drawn up. It was said that the ironworks would exhaust the wood within twenty years "and the land will not then be worth more than £500 per annum". The king did not as yet reveal his intentions, but he agreed for £250 to deforest the lands of Richard Darling and others in the Forest, and to pardon them for offences committed against the forest laws. He approved supplies to Throckmorton and his partners, a warrant being issued to the constable to deliver 13,500 cords for the year ending Michaelmas 1639. Concern was being shown not only for the iron-

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i. Cal.S.P.16/393/p.531.  
ii. Ibid./403/p.276.  
iii. Ibid./389/p.400.  
iv. Ibid./414/p.557.
masters' actions and the effect of their lease on Dean's cover, but also about commoners' rights, and abuses in the Forest. In spite of the need to conserve timber-trees and to replenish Dean's woodlands, any attempt to carry out a policy of enclosure necessitated satisfying the commoners by agreeing on suitable areas as "nurseries of timber" and others for commoning. Commissioners to this end were appointed 28 November 1638.\textsuperscript{i} Accusations were made against the ironmasters, caught up in disputes about the number of cords delivered, the quality and size, and about timber-trees. On 18 June 1639\textsuperscript{ii} the lord treasurer wrote to Sir John Coke: "Proofs against the farmers of Dean Forest fall very many to be short, and those that remain not very considerable. It might best stand with his Majesty's honour to decline the suit". Proceedings against Throckmorton and his partners were not pursued; their lease of the ironworks continued.\textsuperscript{iii}

Much remained to be settled. New commissioners were appointed 16 May 1639\textsuperscript{iv} "touching an improvement or enclosure to be made for his Majesty out of the waste of the Forest". They called before them the "lords, freeholders, and commoners". An agreement, later to be disclaimed by many in Dean, was reached whereby 4,000 acres of the waste should be left open and commonable, one-fourth being subdivided and applied to the use of the several parishes. The

\begin{itemize}
  \item[i] Bodl.Bankes Mss.32; 65/32a,32b.
  \item[ii] H.M.C. Cowper Mss.II,p.233.
  \item[iii] On 1 April 1640 they were pardoned for all offences wherewith they had been charged (S.P.16/450/4; Bodl.Bankes Mss.56/8).
  \item[iv] E.178/5304; C.66/1639; Bodl.Bankes Mss. 65/50.
\end{itemize}
remaining 16,000 or 17,000 acres, much being "mountainous and hilly ground", was to be enclosed for the king's use. The Lea Bailey, "containing the most and best ship-timber there, within the woodland-ship of Caesar Roberts", was excepted. Later there was much doubt as to how many freeholders and other commoners had "consented" to the agreement.

Wintour's Grant in 1640

Efforts to "settle the Forest" were shattered by negotiations between the Crown and Wintour for the virtual sale to the latter of most of Dean. Wintour had since 1634 been trying to extricate himself from the fines and accusations which he had suffered at the justice seat. In 1635 he had petitioned the lord keeper, lord privy seal, and lord chief justice of the common pleas that, "by computation of the iron made at his several furnaces, it is unanswerably apparent that he could not have taken above 7,251 cords more than he had paid for, of which number he acknowledged to be indebted 5,790." He had been accused of appropriating all the trees growing in 1628 in certain parts of the Forest, estimated to comprise 59,000 cords, but he now endeavoured to show that this should be reduced to 23,680 cords "and is subject to still further deductions". The following year, 1636, he had petitioned the king, asserting "he has been ready upon all occasions to assist his Majesty's officers, neither regarding his life,

i. E.134, 16 Chas.I, Mich.,Glouc. 36 and 18 & 19 Chas.II, Hil.
Glouc. 10.
as was known to his Majesty at the riots of Skimmington, and at this
time is employed in a business well known to the earl of Holland and
the solicitor general to be for the king's special service, though not
very pleasing to his countrymen". Some of his neighbours, out of mere
malice, for not sparing them where the king's service was concerned,
had of late informed against him for being a Roman Catholic. He had
prayed for "a royal protection for himself and his wife that he may
be enabled to go on in the king's service, casting his poor estate at
his Majesty's feet, to which the king so lately extended his mercy,
when it was wholly at his disposal in the business of the justice
seat". Wintour had further pleaded that "in the association for the
herring fishing he was one of the first adventurers, and at his own
charge set out one buss, which was cast away"; also "the king himself
took notice at the Council table of the services he had done in
suppressing the riots, and being thereupon made deputy lieutenant he
had increased the trained band from 200 to 400". In 1637 he had
been elected a verderer in preference to Sir Robert Cooke of Highnam.

By 2 June 1639 Wintour, pardoned for his wrongs, and now
Henrietta Maria's private secretary, was bold enough to petition for a
grant of almost the whole of the Forest. On that day Broughton wrote
to Sir John Coke: "The country prayeth for my Lord of Berkshire and

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2. Ibid./339/p. 268.
3. Ibid./367/p. 412.
that he may have the Forest, if Sir John Wintour cannot perform his bargain*. Once more the cover of Dean was to suffer by intrigue at Court. Already it had been robbed of immense numbers of timber-trees. For at least the previous 12 years it had sustained about eleven blast-furnaces and eleven forges,¹ and privately owned works close to but outside the bounds of the Forest. A concentration of such large iron-works was probably unique in England. Now Dean was at ransom. On 19 March 1640 the earl of Holland constituted James Kyrle and William Guise his deputies "to continue and adjourn all pleas to such a day and place as they should determine, and to perform all duties this term".¹¹ Then the blow fell. The king and his advisers had for some months decided that the Forest must be "improved": the utmost revenue should be derived from it, its dwindling stock of naval timber should be reserved, and enclosures made to ensure replenishment. It was necessary to appease the inhabitants by confirming 4,000 acres to their use.

The king was advised that through Wintour he could at once obtain a highly attractive revenue and leave local difficulties to someone on the spot. The chance was grasped. On 21 March 1640¹¹¹ Wintour was granted "all his Majesty's lands, waste, soil, trees, and underwood in Dean comprising 17 to 18,000 acres". The consideration was £10,000 to be paid into the Exchequer before the grant passed the

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Great Seal, £16,000 per annum for six years to begin 1 April 1640,
and a fee-farm rent of £1,950.12s.8d payable to the Crown for ever.
It was virtually a sale for £106,000 plus the fee-farm rent, of 17 or
18,000 acres of the Forest, to include the ironworks, the ore, cinders,
and coal in that acreage and in the 4,000 acres allotted to the
commoners. The Lea Bailey, the Chestnut Wood leased to Richard Brayne,
and the woods of Snead and Kidnalls leased to Tristram Flower, were
excluded.\(^i\) So too were 15,000 tons of ship-timber; if the quantity
proved less, Wintour was to pay 9s. for each deficient ton.\(^ii\) Wintour
for six years had to permit Throckmorton and his partners to use two
furnaces and four forges, and to take 13,500 cords yearly.

Wintour entered into possession, felled great quantities of
trees and underwood, and soon enclosed about 4,000 acres for regrowth.
Richard Powell, his bowbearer, paid the men who erected the fences
and gates.\(^iii\) The local inhabitants were opposed to the grant and
threw open the enclosures.\(^iv\) Powell confirmed that the mounds, hedges,
walls, and fences had been thrown down, "mostly at night".\(^v\) In June
1640\(^vi\) the inhabitants petitioned that their rights and privileges
should be respected. Protracted litigation ensued between them, the
ironmasters, and the Crown. In 1641\(^vii\) witnesses for the Crown were

\(^i\) E.367/1547/52 (1625).
\(^ii\) E.M. Mss.726, e.l. (2), 4.
\(^iii\) E.134, 18 & 19 Chas. II, Hil.Glouc. 10.
\(^iv\) 3rd Rept. of 1788, p.13.
\(^v\) E.134, 18 & 19 Chas. II, Hil.Glouc. 10.
\(^vi\) H.M.C. IV, p. 70.
\(^vii\) E.134, 16 Chas. I, Mich.Glouc. 36.
asked by the attorney general, Sir John Bankes Kt:

"Do you know that since 1 James I the Forest was stored with great plenty of excellent timber for shipping, building, etc. as well as other woods and tender woods; also red and fallow deer? Have the defendants or their workmen yearly since then cut down and taken timber—trees or any wood or underwood to their own use; how much, what value, and how have they employed the same? Have any of the defendants, and which, and how often since then, hunted and killed or disturbed his Majesty's deer in the Forest; is not the game and deer there utterly destroyed?"

Powell deposed that during his sixteen years of office more trees and underwood were there than now. There had been about 3,000 fallow deer, but no red deer except some strayed from other parts; they were now almost destroyed. He had known the commoners take estovers and exercise commoning, but he could not confirm that they had cut holly, thorn, or other browse to feed their cattle. The 4,000 allotted to commoners and the poor were worth 3s.4d. an acre. John Broughton of Ruardean, presumably the person who had been a deputy surveyor, had known "great store of timber and fallow deer". Many of the "greatest and chiefest freeholders had offered his Majesty half a year's value of their land so that it might be freed from the forest laws, provided they were allotted a reasonable proportion of waste for their commoning." Much contradictory evidence was given as to how many inhabitants had consented to the plan for enclosure.

Interrogatories administered to witnesses on behalf of the defendants included:

"How large is the Forest of Dean? Have the freeholders, their ancestors and predecessors holding ancient messuages at
all times had firebote of dead and dry wood within all the
Forest without view of any officers upon payment of fees of
attachment; also housebote for repairing their houses by
view of the foresters and verderers?"

As to the extent of the Forest, one witness deposed that it
was 20,000 acres or thereabouts". Another deposed it was "30,000 acres
before Cannop and Mailscot containing 1,800 acres were enclosed"; he
had been told by Robert Treswell senior, late surveyor general of
woods, "that by his measure and survey 16,000 acres were wood and
about 8,000 plains and would have been more if measured properly". A
third deposed that Treswell "had told him 33,000 acres". A fourth
agreed it was 33,000 acres "but since, Cannop and Mailscot had been
deducted and 'improved'". A fifth asserted "32,000 acres plus several
parcels called the Meend, but now less Kidnalls, Snead, Cannop Fellet,
and Mailscot, 2 to 3,000 acres". Broughton said he had seen a map
taken about 20 years since when the Forest consisted of 16,000 acres
and 8 to 12,000 plains". Robert Treswell junior had told him divers
times that the number of acres would have extended to 30 or 32,000 acres
"because the survey was taken by a straight line"; since then about
2,000 acres had been "taken out". In effect, no one was sure of the
extent of Dean or of the acreage of the woodland within it.

Several of the witnesses deposed that the 4,000 acres
allotted to the commoners and the poor in 1639 "was the basest and
barrenest ground, apt to bear gorse, briars, and brambles, unapt to
bear grass, and had many stone quarries and dangerous pits therein".
Many of those consenting to the agreement would not own to it; they wished to exercise their customs over much more of Dean, considering 4,000 acres a "small proportion of a Forest which contained 30 to 33,000 acres of which 8 to 12,000 acres were plains".

As to estovers, one witness confirmed that the defendants had always had dead and dry wood for their dwellings without delivery of any officer upon payment of fees of attachment to the king's officers. If they did not pay their fees at the speech court such offenders were fined there, for a bill-hewing 6d. and for an axe-hewing 1s., "which sums were esxtreated to his Majesty's or the farmer's use". The owners and tenants of messuages had timber for repair "by the appointment and delivery of the foresters and verderers". All this was in addition to herbage and pannage. Another witness deposed that 4d. had to be paid to the speech court for a timber-tree. Inconclusive litigation continued throughout 1642. i

New Surveys and Proposals

Wintour fully enjoyed his grant for only about eighteen months. There was too much opposition for him to continue; the inhabitants were in an uproar. In May 1641 a commission met at the inn of Sturley Kedgwin in Coleford. ii A survey of trees, wood, and underwood was ordered; this, made in June, iii gave the following information:

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i. The position for 1640-3, particularly in relation to herbage and pannage, is discussed more fully in: Hart, The Commoners..., pp.46-53.

ii. Cal.S.P.18/101/p.37: Kedgwin claimed £96 for his services to the commission.

iii. E.178/5304, m.8.
26,484 beech and oak, "thriving and at their full growth but will not decay in many years, all fit for the use of the navy and other shipping." They had been marked with the letters C and C.

38,695 trees, some decayed, including dotards and stoggals, all "fit to be felled". They had been marked with the letters D and T.

Also underwood of holly, hawthorn, birch, hazel, and the like.

In July the king ordered the Treasury that on account of "the great many straits we are in for want of money, the first you can procure out of the Forest of Dean, concerning which we understand you are in treaty with Sir Baynham Throckmorton and others, be paid in for the satisfaction of the East India Company's debt." Wintour held diaciously to his grant until the Commons 21 March 1642 voted that "by reason of his recusancy and not performing conditions with the king he is not fit any longer to hold the bargain of the woods and soil, especially his grant being prejudicial to the Commonwealth". An account was to be taken of "what debts were owing between the king and Wintour that satisfaction may be made accordingly."

Commissioners, including James Kyre, deputy constable, were appointed to make recommendations. On 15 April 1642 at Mitcheldean they considered two offers from Throckmorton to farm the woods. First, to pay £6,000 in each of six years for the 38,695 trees shown in the survey of 1641 as fit for felling but excluding an estimated 13,823 tons of timber in them and other beeches to be reserved to the king.

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i. Cal.S.P.16/482/p.67.
ii. E.178/6680/Pt.I,m.8; Cal.S.P.16/487/p.233; /489/p.285.
iii. E.178/5304, m.8-11.
Second, to pay for 12,000 cords yearly for 6 to 8 years at current prices. A proviso to each of his offers was that he should without payment have the use of all the ironworks with cinders, ore, and timber for repairs. To his proposals Throckmorton added suggestions for enclosing and guarding coppices, conserving timber-trees for ship-building, and preventing waste and abuses. Neither of his proposals was accepted. The same commissioners had before them a survey by the woodwards and freeholders of the stubs, roots, and underwood. The estimate, only 6,529 cords, of which 4,350 were of underwood, implies that the cover was then high forest with little understorey. The commissioners, anxious to advise the king correctly as to Dean's future, instructed the woodwards and freeholders 26 April 1642 to ascertain who were entitled to common, where best to allow it, where to encoppice and with what type of fence, and in how many years enclosures would be past danger from cattle. No return has been found, A survey made that year showed that Dean's woodlands extended to 14,466 acres, excluding Whitewall Park, and contained 88,376 trees estimated to contain 88,034 loads of timber (54,000 being oak) and 105,490 cords.

The commissioners attended to instructions from the Treasury to dispose of the 7,798 loads left on the ground by Wintour, "which would perish and daily grow worse"; it was to be sold for ships, buildings, and other uses. The commissioners sold what they could and were then authorized to sell the remainder to John Brown, gun-
founder, "at such rates and prices as they think best for his Majesty's benefit, the same to be taken by Brown in part payment of moneys due to him from the king and assigned by tally upon the rent of £16,000 due from Wintour's grant." Thereupon Brown was allotted 5,604 tons at 10s. a ton, to be cut into cordwood, together with the logs, stubs, and roots where they lay"; "at reasonable rates". He was also assigned Cannop furnace and Lydbrook furnace and forge for two years and three months from 1 July 1642, with permission to take ore and cinders and "to cut and use fern, turf, or any other thing necessary for charcoalizing". Brown was to have timber to repair the ironworks with their houses and buildings. i Strangely, no evidence can be found that Brown, who had works at Brenchley, Kent, ever carried on iron-making in Dean.

Meanwhile, 29 April 1642, ii Throckmorton, Crowe, Taylor, and Gunning were promised an allocation of 13,500 cords of complement and offal, and of roots "with their spray that should yearly arise thereof", at 10s. a cord plus £100 per annum. iii No timber-trees marked by commissioners were to be taken. The allocation was to be made by the constable or his deputy, the surveyor general or his deputy, the verderers, foresters, and woodwards", "or by any four or more of them, whereof the constable or his deputy, the surveyor general or his deputy, or one of the verderers be two". Throckmorton continued with his sub-lease "until he was in arms for his Majesty". iv

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iii. They had held their grant by Letters Patent of 4 Feb. and 8 July 1636, and had already had 13,500 cords (ibid.).  
iv. B.M. Ms.726, e.1(2), 5.
Administration: 1632–42

Since the eyre of 1634, the administration had been much as before. It was in fact threefold, under the ill-defined surveillance of the earl of Pembroke, at least until the grant to Wintour. First, there were the remnants of the old régime, the verderers and regarders, trying, with assistance from the deputy constable, to punish offenders against the vert and venison, and to allocate estovers fairly at the attachment or speech court, still loosely called the swanimote. Second, there was an innovation, the deputy surveyor, acting under the surveyor general. Third, there were the few holders of hereditary offices: sinecure-woodwards and their deputies, one forester-of-fee, and a chief forester with his bowbearer; all were concerned more with perquisites than with the well-being of the Forest. In the administration, jumbled as it was, the chief concern was viewing and delivering in conjunction with the commissioners the huge amounts of cordwood taken by the ironmasters.

Parliament's repudiation of the forest eyres received the royal assent 7 August 1641. Bounds were henceforth to be restricted to those at the end of James I's reign. The forest laws restored in 1634 survived undiminished, at least in appearance, but no law could compensate for the absence of competent staff and effective policy, "least of all an archaic code designed to uphold chaos."
The Civil War (1643-45)

During the civil war Dean and its inhabitants suffered by the supporters of both parties. Some ironworks were destroyed; abuses and depredations continued. Administration was erratic. Wintour fought for the king's cause and his own. When his resistance ended about 1644 he lost most of his property; the ironworks were assigned by the Commons to his main opponent, major-general Edward Massey. Wintour's estate was later vested in trustees; he was imprisoned in the Tower, with a degree of freedom. Massey had as assignees John Gifford, Lt. Col. Kerle, and Capt. Braine.

On 3 January 1645 commissioners appointed by the Commons ordered Christopher Worgan, Thomas Barrow, Andrew Horne, and Arthur Rowles, to deliver to Massey or his assigns about 500 long cords already cut, ensuring that they did not exceed the accustomed "forest measure", as well as all logwood lying in the woodwardships of Blakeney and Staunton, felled since the contract made 17 October 1644 between the commissioners and Kerle and Braine. They were also to assign "such stub wood and roots left by the felling of any trees or stoggals since that time, as well as all stoggals or dead trees" in the lands of the two woodwardships, namely, in Middleridge, Awresgley, Parke Hill,
Shadowhill, Fetter Hill, Bromley, and Coleford's Eaves.

On 8 October 1645\(^1\) the commissioners instructed Worgan, Berrowe, and Horne, with William Withenbury, to deliver to Kerle and Braine 2,551\(^{1\frac{1}{2}}\) cords to make up 3,000 sold to them, as well as 2,000 cords of "stowles of root wood". By this time Worgan, Berrowe, and Horne had been appointed "preservators". They were joined by George Oldfield, appointed a "surveyor" in the Forest. These four, but not another preservator, Arthur Rowles, reported 8 March 1646\(^{1\text{ii}}\) that Braine had received 840\(^{2\frac{1}{2}}\) cords of complement and logwood, 215\(^{1\frac{1}{2}}\) long cords, and 525 long cords of rootwood. Of Massey's contract for 6,000 cords his agents had received 5,128\(^{1\frac{1}{2}}\) long cords of logwood and 1,071\(^{1\frac{1}{2}}\) cords of rootwood. They certified that 6,000 cords for seven or eight years could be got from dead and dying trees without prejudice to the Forest. They complained that Massey's agents had felled trees "almost a yard above the ground and then cut down the remaining stubs close to the ground so that they have little or none of the root". Also, "wood is sold as complement, logwood, and rootwood at several prices, complement is corded for logwood, and complement and logwood for rootwood"; they advised that future sales should be at one price. Massey's cutters had felled many good timber-trees not assigned by the 'trustees'. To prevent this the preservators recommended that the lessees hand moneys to them to pay the cutters. Massey's agents had felled twenty good timber-trees for repairing the forges and furnaces, and corded about

\(^1\) E.178/6080/Pt.I. \(^{1\text{ii}}\) E.101/141/6.
100 short cords not yet delivered. Braine's workmen had cut down as many timber-trees as yielded about 40 tons.

There was still great spoil in the Forest "in cutting down very many of the best oak and beech by the cabbiners and other poor and beggarly persons". The preservators were unable to suppress them: "they resist us and have often beaten and abused most of us; we have no power or commission to require the aid or assistance of any officers or soldiers whatsoever". If there was not some speedy pulling down of the cabins and punishing of the beggarly persons that are common spoilers of the timber there would every day be more and more spoils.

On 23 March 1646¹ the Committee of the Lords and Commons ordered the four preservators and the surveyor to assign to Massey up to 6,000 cords. These, of "a fitting proportion of logwood, stoggals, root, and underwood, not being timber of oak, ash, elm, or beech," were to be set out as most fit for the benefit of the Commonwealth. They were to advise the distance from the ironworks and the rates they recommended for long cords. Furthermore, they were to certify the number and value of timber-trees and tons of timber that the agents of Kerle, Braine, and Massey had taken for the ironworks. In future they were to take care for the preservation of all timber-trees, and none were to be felled but by special warrant of the Committee.

By 30 May 1647² the surveyor and preservators had set out for Massey "a fallet of 5,000 long cords of complement wood in Barnhill

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¹ E.178/6080/Pt.I. ² Ibid.
and Russell's (Rossell Edge), four miles from his nearest ironworks
and five miles from his furthest", and another 1,000 long cords of
complement in Phelps' Meadow (Phelches Meadowe), two miles distant,
besides some stubwood and rootwood. The Committee fixed the prices as
7s. a long cord for 5,000 cords of complement, 8s. for the 1,000 cords
nearest Massey's ironworks, and 3s.6d. a long cord. for "stowel wood
and rootwood".

Massey did not complete his payments. On 21 September 1647 the
Committee ordered the surveyor and the four preservators together
with Thomas Pury, receiver of Wiltshire and Gloucestershire, to demand
payment from Capt. Gifford and other of Massey's assignees. Massey was
relieved of his grant of the ironworks, but his assignees Gifford and
Kerle, both of whom paid their debts, were permitted to continue. In
the same month the Committee issued a warrant to bring before them
all persons whom Oldfield and Worgan had certified as destroying woods.

In spite of the troubled times attempts were made to keep
order. To supplement the work of the preservators, attachment courts
were held by the three verderers; the records of their six sessions
held in 1645–6 are extant.

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i. E.178/6080/Pt.I.
   Massey's estate was sequestered by Parliament 25 Dec. 1649
   (Ibid., p.2143); he later asserted that this was "for his
   loyalty" (S.P.29/9/p.171, July 1660).
iii. E.178/6080/Pt.I, m.10.
iv. E.146/1/34.
In June 1647, Massey had sold his interest in the ironworks to his partner Gifford for £2,000 under a lease for five years. £800 had been spent on repairs. In February 1648, Gifford was relieved by the Government of his lease. Parliament had at last decided to prevent waste and abuse, and 19 April enacted the Ordinance:

"The Lords and Commons in this present Parliament assembled, taking into consideration the great spoil, waste and destruction of timber made of late years throughout the whole Kingdom, and particularly in the Forest of Dean, are resolved to preserve the same by all good ways and means for time to come; and therefore do hereby restrain and prohibit the felling of any timber hereafter of oak, ash, elm or beech within the Forest upon any pretence whatsoever; and no person or persons whatsoever hereafter shall presume on any pretence whatsoever to lop or top any of the timber-trees within the Forest, or to do any waste or spoil in the same; and such timber as is already felled, and now there remaining upon the place, shall be disposed of and employed for the use of the navy, or as much thereof as the officers of the navy shall find fitting for that service; and the residue of the timber is to be disposed of by the Committee of the Revenue for the best advantage."

A halt had been made to the devastation of Dean. For 38 years from 1610 it had suffered intensive, yet sometimes rational, exploitation. The incessant assaults on the cover had much reduced the number and quality of its trees and the acreage of its coppices. Few forests had been attacked with equal intensity. Increment made good some of the loss and Dean's timber-potential remained immense.

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ii. Ibid.
Government by a Council of State was begun 14 February 1649, after the king's execution. On 17 March felling of timber and carrying it away were prohibited. The mayor and commonalty of Bristol said there was great waste of timber in the Forest and affirmed "it is the only place for ship-timber" and "no steps had been taken to maintain copses." The Council ordered George Bromish and others to preserve Dean, with necessary aid from the governor of Chepstow castle. The ordnance officers were informed 3 April that timber-trees should be conserved. The ironmasters were not to cut any without licence from the Council or the Revenue Committee. Where cut for ironworks, "the copses were to be preserved." The same officers were told that there were "near 100 guns at Pendennis castle, but the carriages of most were decayed"; elm was wanted from Dean, but it contained little or none, and in any case the Forest was to be preserved. On 6 June the Council instructed Worgan, Horne, Rowles, and Thomas Berrow, new verderers, to examine and report on offenders who had cut wood and timber. The sheriffs and the justices of peace of Gloucestershire and Monmouthshire were commanded to assist them. There is no evidence of action.
A report made 19 December 1649 by Col. J. Brownrick and Capt. George Bishop of spoils in the Forest alleged that upwards of 50,000 trees had been destroyed since 1641; some were "of the best of an ell ii and half square". The chief culprits were said to be Col. Kerle, Captains Pury, Gifford, Brain, and Phillips, and the preservators themselves; they had destroyed almost 16,000 timber-trees and 237 tons of timber, besides other trees. The report was placed before the House of Commons by a Mr. Martin. iii Notwithstanding "the prohibition" the Council 1 December 1649 iv instructed the preservators to sell 787 short cords. It was rumoured that Parliament intended selling Dean, "whereupon the timber-men and men of Herefordshire cut down 600 trees". v A request was made for ship-carpenters "to pick out for the navy", and an order followed 1 January 1650 vi to prevent timber-trees being felled and to suppress all ironworks by 10 February. The forces of Col. Harrison were available to assist the sheriff. vii Harrison and a Mr. Aldworth were asked to present names of persons fit to be new preservators; Col. John Berrow, Major John Wade, John Deane, and Henry Rudge were appointed and ordered to demolish the ironworks and to stay the felling and sale of timber unless directed. viii

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i. Cal.s.P.18/3/p.443.  ii. An ell was 45 inches.
orders were obeyed. The Council discussed a complaint from Thomas Pury, junior, and Grifantius Phillips; the petitioners were told "that if their ironworks are not within the perambulation of the Forest their remedy is by common law against those who demolished them; and if anything has been done to the prejudice of their good, contrary to the orders of the House, they ought to apply for redress". Later the Council ordered "that the restraint be taken off, as to what remains of the two-thirds of those 5,900 cords sold by the Revenue Committee to Col. Kerle and by him assigned to the petitioners, for which they had paid". A warrant was issued to the preservators to permit the petitioners to dispose of what yet remains there "of such two-parts". Lord Grey, Sir Peter Wentworth, Mr. Bond, and Col. Jones were added to the Committee "for considering the business of the ironworks". The matter rested during the remainder of 1650 and through 1651; the only recorded interest in the Forest of the Council of State is their order 26 October 1650 for the preservators to provide "80 tons of timber for platforms for Gloucester". The purpose of the "platforms" is unknown.

Abuses had continued in the Forest up to 1652; on 22 November the Council ordered the preservators to discover offenders. The Revenue Committee were told to conserve timber. Major-general Harrison was
to acquaint Parliament with the disorders "on arrival of surveyors sent
by the trustees for sale of delinquents' estates". On 8 July 1653 the
preservators were told to preserve timber-trees and call in
Harrison's two troops near the Forest to assist "in hindering the
inhabitants."

Wade's Administration (I)

On 27 August 1653 Major John Wade of Littledean was
appointed by the Council as chief administrator in Dean. His first
task was to resuscitate the ironworks, using only dotard trees and
saving any timber fit for the navy. The Forest was expressly excluded
22 November from the provisions of "An Act for the Deafforestation,
Sale, and Improvement of the Forests, etc." In December the
inhabitants petitioned against the sale of Whitemead Park, 159 acres.
It had never been enclosed "but only hedged and ditched by the fee
farmers as a pound for stray cattle...and the fee farmer never dared
to cut the timber therein". The same month the inhabitants
petitioned for their rights of common and estovers to be safeguarded:
"firebote already is, and for the future will totally be taken away, if
the ironworks go on, for as they have hitherto been, so undoubtedly
they will continue to be, the utter destruction of the timber; although
the worst trees only were intended to be fallen, the best trees will

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i. One of the surveys is extant, that of Whitemead Park, gross
   value £273.13s.: S.P.18/32/p.78.
often times be destroyed*. The petitioners prayed for the appointment of a constable and verderers for holding forest courts.

To manufacture iron shot and ordnance Wade was to erect a furnace and repair one lately belonging to Wintour; only dotard timber was to be used. He could draw upon a sum of £1,000. Work began 13 September 1653; eight days later Wade informed the Admiralty that the cost of a forge will be £100, not £200, "and the ordnance can be bored here". He had persuaded a Bristol person of the advantages of building a ship in the Forest; the waste wood could be used for charcoal, and the woodwork and ironwork would be cheaper and better. He drew £400 1 December and that informed the commissioners of his desire to erect a forge "to convert the raw iron thrown in the making of shot, or it will be wasted or sold at a loss". The furnace in course of erection "was sufficient as it will cast 15 tons of shot weekly, and consume all the wood that can be conveniently spared". The forge was built at Whitecroft. By 24 January 1654 Wade had "lit the furnaces" and needed money, being "much importuned by the poor people." Wade though occupied with iron-making was pressing the Admiralty on other matters. He wrote 15 September 1653: "A settlement of the Government of the Forest is of no small moment for its preservation, as hundreds live upon the spoil thereof". By March 1654 matters were no better: "The spoil carried on daily in the
Forest makes my blood boil". The Admiralty, though instructed by the Council 21 February to consider "fit powers and instructions for better preservation of Dean's timber", seem only to have assigned Commander Peter Pett to visit the Forest regarding the making of "second-rate ships". The Council told Wade to fence Whitemead Park and to carry out instructions sent by Oliver Cromwell "to enclose the common woods and to improve the Forest for the public service".

Aldridge and Naval Timber

Late in 1653 Augustus Aldridge was appointed to reside at Lydney to deal with naval timber. He with a Mr. Brickley were to "begin with caution and satisfy themselves as to Dean's timber's fitness and cheapness for the service". They estimated that the charge for converting and transporting timber to Chatham, Woolwich, and Deptford would be £3.5s. a load; it would be worth £4.10s. to £5.; a trial should be made "this spring with 400 or 500 loads". The Admiralty 13 March 1655 sent particulars of timber required for various ships, and Aldridge informed them 13 September of shipments in the "Fortune" from Lydney Pill to Chatham; he was making "16,000 or 20,000 treenails as ordered by Commander Willoughby". Three ships arrived at Chatham 8 October from Dean with timber and 40 tons of "shot". By

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18 October Aldridge had 13,000 treenails ready to be shipped. He would continue "providing good timber; the last shipload had arrived at Bristol".

Aldridge continued to make treenails "in spite of the heavy rains"; ii 25,000 at 40s. a thousand were ready by 20 November. iii He appealed for money; three horses had been spoiled, and "his employment affords little profit or pleasure". He desired an order to fell and prepare timber for Francis Baylie of Bristol who intended sending a vessel to load on the next tide. iv Captain John Taylor, master shipwright, of Bristol, told the navy commissioners that Aldridge could be relied upon and should be encouraged. He suggested an order to him to convert 1,000 loads; if he obtained from Kent the price would be not less than 2s. to 2s.6d. a foot. v Aldridge was still without money 5 December; vi his workmen "though very poor are not idle; one pair of eyes can see more at the fall of the leaf than when the trees are in flourishing condition". He begged the navy commissioners for money 20 January 1656, vii 28 February, viii 9 April, ix 15 April, x and 8 May xi. He hoped he has given satisfaction, "as he left a comfortable living to come into a forlorn wilderness". xii The rains had been a great drawback to his operations. On 5 June xiii Aldridge again pleaded

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x. Ibid. xi. Ibid./140/p.550. xii. Ibid.
xiii. Ibid./141/p.557.
for cash, being forced to furnish carriers with money to buy cattle at the fair for carriage. He would be ready to load any ship when it arrived. Wade on 16 April wrote: "The purveying of timber does not go well for want of money to pay the workmen". On 8 August Christopher Pett of Woolwich informed the navy commissioners that the treenails from Dean were unserviceable, being made from dotard timber; 2,000 had been broken in use.

Furzer and Ship-building

On 4 August 1656 the Admiralty decided to build a fifth-rate frigate on the Severn at Lydney Pill. Daniel Furzer, master shipwright, was appointed to supervise the work. His stay in Dean was to prove life-long. Wade was to supply money, timber, and ironwork. On 7 March 1657 Furzer informed Commander Francis Willoughby that he could not obtain masts for the ship; he had "some timber at the waterside, but the 1 and 2 inch plank was too green and not yet sawn". Masts, guns, and stores were promised by the next ship going to Dean. Captain Anthony Archer was appointed to command the frigate, but Furzer asked for more men "or it will not be launched for four months". By 25 May 1657 he was "hindered for carriage" but the frigate would be ready by mid-August. Aldridge sent timber to Francis Baylie in Bristol and needed money for "felling, squaring, and
Wade complained against Aldridge's "commission to fell and convert 400 tons of timber". He "hoped to see no more orders." Furzer was also felling timber for a frigate; "the clashing of one against the other was destructive both to the State and to the workmen". Both Furzer and Aldridge were honest as far as he knew, but he suggested that "one should be chosen to do both, and the other not to meddle." He could not say which of the two was the more fit to be retained; Aldridge "had carried himself like a honest man", while Furzer "also carried himself very honestly and carefully in husbanding all things, and was young and able of body, and an able artist." The commissioners were advised that in future instead of delivering to Lydney Pill, where trows had to be sent up by the ships which lie at Hunger Road near Avonmouth, delivery should be made to Shirehampton on the Avon and a rebate of freight obtained. Wade had a "20 ton trow" built by Furzer "out of waste".

Work on the frigate continued, but money was still needed. It was launched at Lydney 3 September 1657. Named the "Forester", it had apparently cost £1,530. It was a ship of 306 tons gross, with 22 guns, carrying about 100 men; little record of its service is available. During its building £1,900 worth of timber had been converted and sent into the naval yards. Wade informed the navy...
commissioners in January 1658\(^1\) that Furzer had done good work, but
needed money to pay his workmen "as he did not know where to show his
face."

Furzer continued ship-building; on 26 April\(^{ii}\) he asked for
money "or the work will stop"; what he was building is uncertain.
Not until 8 July\(^{iii}\) did the Admiralty order the building of "another
4th or 5th-rate frigate". Wade welcomed the project;\(^{iv}\) 1,500 tons of
timber in the Forest and in the yard by the waterside were "spoiling
through sun and wind". He pointed out that to make iron without
building ships, or vice versa, was a loss, "as what is to become of
the offal timber?" The selling of 100 or 200 tons "would surfeit
the whole country and yield but little money". He was dismayed that
"there is not one tree in a thousand in the Forest which is not
decaying". The dimensions of the new frigate were: length of keel
104 feet, breadth without the plank 32 feet 8 inches, depth in hold
14 feet 4 inches. By 7 March 1659\(^{v}\) its building was going well.
There was "a great company employed about her"; fourteen shipwrights
were at work. On 8 April\(^{vi}\) Wade gave the Admiralty an account of
1,458 tons of timber and plank and 123,709 treenails, part sent from
Lydney Pill to naval stores and part used in repairing and building
frigates from 27 September 1656 to 28 March 1659. There were 700 or
800 tons of timber still lying in the Forest awaiting carriage.\(^{vii}\)

\(^{i}\) Cal.S.P.18/175/p.516. \(^{ii}\) Ibid./p.547. \(^{iii}\) Ibid./182/p.91.
\(^{iv}\) Ibid. \(^{v}\) Ibid./202/pp.298/3 \(^{vi}\) Ibid./p.328.
\(^{vii}\) Ibid./210/p.552.
Besides continuing the building of the second frigate, to be named the "Princess", Furzer repaired the "Grantham", damaged by foul weather at Kingroad. In May 1659 he was having trouble with his workmen and carriers. Wade would do all he could "but his hands and heart are full enough with the continued and frequent riots and insolences of an unruly generation of men, some of whom vented forth insufferable and disdainful language, and in action have not spared the Lea Bayley, the Nursery of the Forest, but broken down the gates and turned in their cattle". The building of the second frigate was suspended in October for want of money. The following April Furzer in desperation journeyed to London; he could get only £20 from Wade. The "Princess" was launched 29 August 1660. Its complement was at least 120 in addition to the captain and pilot.

Wade's Administration (II)

Meanwhile, in 1655 113 of the inhabitants of Dean petitioned the Protector for the appointment of a constable "to allow their rights of estovers, pasture, and pannage, and to try matters of difference of whatever value". A commission was appointed 8 November to execute

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ii. Ibid./216/p.496.  
iii. Ibid./210/p.421.  
iv. Ibid./216/p.496.  
vii. Ibid./p.11.
the powers given to late commissioners 30 November 1654 about
incasing part of the Forest*.

The ironworks were shipping to naval stores pig iron, spikes,
hoops, bars, and bolts. i On 26 June 1656 ii the Council ordered an
audit of Wade's accounts and posed the questions what allowance should
be paid to him for his services, and "should he be continued?" His
accounts from 13 September 1653 to 2 August 1656 are extant. iii
Besides providing details of the payments and receipts of iron-making
they give other information. Wade had expended £214.4s.5d. in wages
"for ditching and carrying of stones to make walls for enclosing about
6,000 acres of coppices, and gates for the same". He had also paid
six keepers, three verderers, other officers "by Letters Patent",
twelve regarders, and a "clerk of the wood". His receipts included
£37.6s.5d. for timber for cardboard, £95 for small charcoal ("brazes")
and £7.10s. for 7½ loads of bark. He had done commendable work; more
was to follow.

On 11 November 1656 iv the Council confirmed Wade's
appointment at £200 per annum to take charge and oversight of the
woods, timber, and ironworks in Dean "for their best preservation and
improvement for the public service." His instructions were "to
preserve the timber from waste and embezzlement, and improve its
growth"; the ironworks were to use only wood unfit for the navy. The

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pay of "regarders and other officers in Dean" was approved by the Council 8 December 1657. Wade was allowed £500 "for his pains for three years". His accounts were again audited in November 1657. He supplied an account of "shot, hoops, bolts, spikes, etc.", sent for the navy in London and Bristol, and requested money: £300 was due to "all sorts of workmen". Since his last account about 850 tons of timber had been shipped, and by 28 March 1659 1,158 tons had been used on building and repairing ships.

The final set of Wade's audited accounts is that for the period 15 September 1657 to 28 July 1660. He had received £161 for timber sold in the Lea Bailey to makers of cardboard, saddletrees, and trenchers; also £28 for coopers' timber and £6.8s.5d. for 13,600 laths. He had delivered 1,300 laths to the ironworks and 2,500 to Furzer for his house in the yard. Sales of 22 loads of bark at 17s.6d. a load amounted to £19.1s.4d., of 411 loads and 8 sacks of small charcoal to £492.12s.6d., and of 200 kinder bin staves to 15s.

Wade had paid the keepers, the bowbearer, two rangers, three verderers (he was himself one of them), the beadle, and himself as administrator at £200 per annum. Other payments were £140 to Mr. James for 2½ years' rent of Whitemead Park, £40 (20 years' purchase at £2) to widow Cowles for the fee farm rent of the Snead and Kidnalls.

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coppices, and £1,500 to Lord Mainard for Cannop Felleth ("Kanopp Veallett"). Workers employed to make 21,700 laths in the Lea Bailey had been paid at 3s.4d. a thousand, and to make 1,340 kinder bin staves at 2s. a hundred. £3,067 had been paid to Furzer for ship-building. Cutting and cording 24,884 cords had cost £3,091, about 2s.6d. a cord, and charcoalizing and carrying £2,522.

Workmen had been employed in ditching, "quickling", and "pasading" the new enclosures. For the "New Coppice from Milkwall to Bream and thence to the Whitecroft forge, the Furnace, and Cannop Wall", 1,160 perches had been paid for at 10d. and 18 perches at 6d. At Cannop Coppice 56½ perches had cost 9d. a perch, and erecting a gate 1s.6d. For the enclosure of part of Whitemead Park "from the brook at Symons house to the style at the New Bay" 65½ perches of ditching and hedging had cost 7d. a perch. Stone-walling around Cannop Coppice had cost 1s. for each of 175 perches and 1s.6d. for each of 596 perches.

For the first time in Dean acorns and beech-mast were collected and sown. For collecting 16 bushels and 3 pecks of acorns "to sow the several enclosed coppices and waste grounds" Wade paid 1s. a bushel, total 16s.9d.; and for 207 bushels of beech-mast for the same purpose 2s. a bushel, total £20.14s. Again for the first time seedling oaks and beeches, gathered from the Lea Bailey, were planted. William Cross, the beadle, was paid 9d. a thousand for lifting 23,400 oak and beech seedlings and carrying them "to the rest
of the officers to plant the waste ground of the Forest and the New
Coppice." Presumably the sowing by dibbling or placing under a turf,
and the planting, were done by the keepers; no sum was claimed by Wade
for this work.

Wade's stock on 26 April 1660 included 240 loads of charcoal
at 2s. a load, 100 loads of small charcoal, £1 a load, 26,550 laths, 10s.
a thousand, 8,000 short cords, 5s. a cord, 3,400 "coopers' timber",
£3.15s. a thousand, and 2,000 kinder bin staves, not valued. His
accounts were certified as correct by William Throckmorton and Baynham
Throckmorton, junior.

Mitigation of Forest Law

While Wade had been supervising the Forest the government
in 1656 considered using a new Dean eyre to assist in the reformed
administration. On 9 June 1657 it passed an Act to mitigate forest
law in Dean, and to provide enclosures for the growth of timber. The
Act granted many powers to freeholders, tenants, and other inhabitants;
never before had they legally had such freedom in the management of their
properties and the exercise of their privileges. Yet, as Wade was to
discover, its provisions proved disastrous. The Lord Protector was
empowered to enclose and encoppice up to one-third of Dean at any one
time; enclosures were to be thrown open within twelve years. But the
Act did not bring full order into the Forest. Abuses continued; some

ii. "An Act for the mitigation of the rigour of the forest laws
within the Forest of Dean, and for the preservation of wood
and timber in the said Forest" (Firth and Rait, op.cit.,ii,
pp.1114-5).
of the enclosing was opposed. Wade begged the Admiralty 8 April 1659\textsuperscript{i} that a justice in eyre be appointed; opposition from inhabitants was too much for him. He again appealed for help: "But if it be the Parliament's pleasure, or any others, that the Forest shall be left at the pleasure of the people, let me know it, and I shall as willingly turn my back upon it as ever I came from school."

On 11 May 1659\textsuperscript{ii} the Commons heard that "upon the third day of this instant month, divers people in tumultuous way in Dean did break down the fences and cut and carry away the gates of certain coppices enclosed for the preservation of timber, turned in their cattle, and set divers places of the Forest on fire, to the great destruction of the young growing wood". The matter was ordered to be "referred to the sheriff and the justices of the peace for Gloucestershire to take special care to suppress and prevent all tumults and riotous meetings", and a committee of twenty-two members of the House was appointed "to take care of the preservation of the timber and woods of the Commonwealth". The outrages are referred to in a letter of 4 June\textsuperscript{iii} which states: "There were risen in Dean 800 men at the first meeting who declared for nothing but their forest privileges, which they say have been extremely violated". Another letter of 24 August the same year\textsuperscript{iv} mentions that "Col. Okey was sent down to suppress those that met". An Order in Parliament 9 July 1659\textsuperscript{v} instructed the Council "to keep the peace of the

\begin{itemize}
  \item \textsuperscript{i} S.P.18/202/p.388.
  \item \textsuperscript{ii} Glos. Noted and Queries, \textsuperscript{v}Pt.III, New Series.
  \item \textsuperscript{iii} H.M.C. Bath Miss.,\textsuperscript{v}p.132. \textsuperscript{iv} Ibid.,136.
  \item \textsuperscript{v} Cal.S.P.18/203/p.14.
\end{itemize}
Forest of Dean and preserve the woods there as they were enclosed 7 May last*. Wade found it impossible to obtain adequate help; by 13 April 1660* he could no longer stand the conditions. He wrote to the Admiralty asking that his account be taken and he discharged: "It eats my very heart and mind to see the barbarous dealings that are done in this forlorn, disowned, piece of ground, so much talked of, and so little cared for in reality". It would have been much better that the State gave £10,000 than "that the same law that preserved should have been forborne to be executed, which has been the cause of all the ruin that has followed."

Wade had done his best: he had superintended the ironworks and acted as both forest-manager and timber-merchant. He will be remembered as the person responsible in Dean for first sowing and planting. No longer was replenishment left wholly to nature. Under great difficulties Wade had accomplished much. Yet the inhabitants, finding their commons and pannaging reduced, threw down enclosures and set fire to them. Local history had repeated itself.

From 24 April 1660 Wade's work was taken over by commissioners appointed for Charles II. The new superintendent of the ironworks was William Carpenter. His accounts to 3 October 1660* show that he paid £15.10s. to 5 corders, £72.5s. to 5 charcoal-burners and £31.2s.6d. to 20 charcoal-carriers. He continued to pay the keepers but no evidence is found that he or they continued the silviculture began by Wade.

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Much of Wade's work was in vain. He would have been
disgusted with the assertion made in later years\(^i\) that Cromwell had
"reafforested the 18,000 acres, and so preserved the same by forest law,
with all the wood and trees". Such a statement disregarded the chaos in
Dean during some years of the Commonwealth. Perhaps it was true that
Cromwell "had expelled near 400 cabins of beggarly people, living upon
the waste and destruction of the wood and timber, and great numbers of
goats, sheep, and swine that destroyed the young wood and soil thereof";\(^ii\)
but there was much more that the Commonwealth could usefully have done.
In any event, after the Restoration "these people had begun to invade
the same as formerly".\(^iii\)

To the Commonwealth must go the credit of the first sowing
and planting in Dean. It had too, through Wade, made good use of much
iron, timber, and other woodland products. But beyond this there is
little evidence to confirm that Cromwell's administration had been
"active and vigilant for the prevention of the waste and abuses in the
Forest".\(^iv\) Its efforts were more commendable than the Tudor's, but if
Dean was to be "a nursery of timber" much greater efforts would be
necessary.

\(^i\) 3rd Rept. of 1788, p.14.
\(^ii\) Ibid.
\(^iii\) Ibid.
\(^iv\) Ibid., p.13.
CHAPTER VIII
1660 to 1699
The Restoration

Under Charles II Acts of the Commonwealth were declared void. Throckmorton and others were ordered to prevent waste in Dean; commissioners were to take care of the ironworks with their wood and charcoal, to complete the ship being built there, and to preserve the vert and venison.¹

Men high and low petitioned for leases, offices, and perquisites. The attorney general could not "advise the making of any grant or lease of Dean in case his Majesty shall think fit to keep it and make it a nursery for timber, wood, and iron, as I have long advised his late Majesty, and as I do now your Lordships."²

In June 1660³ Henry Somerset, later third marquis of Worcester and first duke of Beaufort, was appointed constable of St Briavels castle with a fee of £40 a year. The two chief competitors for privileges in Dean were Wintour and Throckmorton. Both had been loyal to the Crown during the civil war, though Wintour had suffered much more in consequence. Each pressed claims to earlier grants. On 5 January 1661⁴ Throckmorton claimed "wood and some of the ironworks contested between him and Wintour." To settle matters the Treasury

¹ H.M.C. VII, p.85, 18 May 1660.
² Cal.S.P. 29/5/p.72.
appointed George Charnock, sergeant-at-arms, and Joseph Garthwaite. A warrant was issued to the auditors of crown revenues "to take account of Sir John Wintour and of all things touching the grant and contract"; also of John Wade, John Roades, William Carpenter, and others "who have been employed in and about the ironworks, and of stocks of iron, wood, and charcoal, as in April 1660." Furthermore, they were to enquire what moneys were in hand, what wood had been used and iron made, what had been sold, what remained and in whose custody, and what charcoal had been used or wasted, and to what damage. Carpenter's audited accounts dated 30 May 1661 show that the stock "of iron, wood, charcoal, and other materials" delivered to him for the use of the ironworks, "with additional stock of wood cut", amounted to £4,839.7s.1d. The "clear proceed of management of the stock, his charges defalced and his debts paid", was £6,570.3s.8d. Thus "profits made by the management of the stock this year was £1,730.16s.7d." The surveyor general of crown lands was asked to certify the account and to inform the Treasury "of the state of the business of Dean."

In July 1661 a petition from Thomas James, a commissioner for the ironworks, was passed by the Treasury to the surveyor general; it showed that he was "encouraged by Sir Allen Broderick and Major Norwood to undertake the care of Dean, and spent a year and a quarter

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there endeavouring to promote his Majesty's affairs. He had been called upon for a debt of £300 due to the king "upon the late accounts taken by George Charnock"; Wade had an allowance of £200 per annum for his overseeing in that Forest, and therefore James prayed remission of the £300 for his services.

By 13 July\(^1\) Charnock on behalf of the Treasury had assigned to Throckmorton 805 cords "in part of his proportion of 3,375 cords together with 47 tons of sow iron rated at £6.5s. a ton and 20 tons of bar iron at £15.4s. a ton as the product of the residue of 3,375 cords."

However, some question having arisen between Charnock and Throckmorton touching the meaning of the warrant, "a stay was made of iron, wood, and charcoal in Wintour's hands, who is to receive from Throckmorton for 3,375 cords at the rate of 10s. a cord." The dispute had been heard by the lord treasurer, the chancellor of the Exchequer, and Sir Charles Harbord; the inventory "shall stand good and be allowed" to Throckmorton.

Meanwhile in March 1661\(^2\) a commission was issued to the marquis of Worcester and thirteen others to enquire into the state of the Forest, to improve it, and to build up stocks for the navy. They were specially to view "those parts in grant to Sir John Wintour, the late earl of Pembroke, Sir Robert Bannister, Lady Villiers, and others," and certify their state and give opinion "as to the advantage to the Crown by purchase of them." Furthermore, they were to view the timber,\(^{1,2}\)

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deer, and ironworks and to certify whether the ironworks were fit to be kept and, if so, how they might be best employed for his Majesty's benefit without prejudice to naval timber." In September the Treasury asked the principal officers and commissioners of the navy to appoint a person or ship-carpenter experienced in timber to take part in the commission, and particularly for viewing what timber might be fit for the navy." While the commission was at work the Treasury asked Harbord to authorize Charnock "to pay off the workmen in Dean" and to meet Major Wade's claim out of the stock in Wintour's hands. Four days later the Treasury ordered that Charnock, Garthwaite, and Richard Machyn should be added to the commission "to view the Forest and the ironworks etc. there"; they were given Articles of Instruction.

Harbord 28 December represented to the Government:

"His Majesty has been pleased to be present with my lord chancellor and lord treasurer at the hearing of this business of the Forest of Dean and has given order that a commission enquire into the state of the Forest; intending upon the Return of the commission to acquaint Parliament with the true state of the business, and to recommend it to their wisdom to provide that the Forest may be restored to his Majesty's demesne and reafforested and improved by inclosures for a future supply of wood, for a constant support of the ironworks there, producing the best iron in Europe for many years, and for the production of timber for the navy and other uses in time to come, which might be of great use for the defence of this nation, the old trees there standing being of above 300 years' growth, and yet

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i. Cal.Tsy.Eks.,I,p.289. ii. Ibid.,p.308. iii. Ibid.,p.309. iv. On 29 Sept.1662 Charnock was paid £40 "for late good services done in Dean". (Ibid.,p.432). v. 3rd Rept. of 1788, p.14. vi. Perhaps these ancient trees were those that Wintour had mentioned to Pepys as being left "at a great fall in Edward III's time, by the name of forbid-trees, which at this day are called 'vorbid-trees'" (Wheatley's Pepys, 1879, II, p.306).
as good timber as any in the world; and the ground so apt to
produce and so strong to nourish and preserve timber, especially
oaks, that within a hundred years there may be sufficient
provision there found to maintain the royal navy for ever."

The commission's investigations took place around the time
of a great storm which 18 February 1662\(^i\) caused havoc in Dean's woodlands;
"3,000 oaks and beech trees were blown down or broken".\(^ii\) Oak and beech
are stable trees; those in Dean must have been widely spaced and exposed
to suffer so extensively. Meanwhile an important Memorial\(^iii\) was
presented to the commissioners on behalf of the inhabitants. In it the
inhabitants, "apprehending the gracious inclination of his sacred
Majesty and his Parliament towards the preservation of wood and timber
in the Forest of Dean, and in the sense of public advantage to his
Majesty and the kingdom", offered to forgo their estovers for so long
as the ironworks were suspended, if their rights of common and pannage
were secured, the 18,000 acres reafforested, and the grant to Wintour
revoked. Since 1610 the ironworks had used immense quantities of wood.
Attempts at replenishment were infrequent and rarely effective. Well
might John Evelyn bemoan in 1663\(^iv\): "Nature has thought fit to produce
this wasting ore more plentiful in woodland than any other ground, and
to enrich our forests to their own destruction." About eight tons of
wood were needed to make a ton of charcoal; or about 2\(\frac{1}{2}\) to 3 long cords

\(^i\) Cal.S.P.29/52/p.296.
\(^ii\) A comparable storm had occurred 11 Oct.1634 (Ibid./262/p.237).
Pepys wrote 25 Feb.1662: "We have letters from the Forest of
Dean that above 1,000 oaks and as many beeches are blown down
in one Walk there" (Wheatley,op.cit.,II,p.195).
\(^iii\) The original cannot be traced, but the present writer has had
sight of a 19C. copy.
\(^iv\) Sylva Edn.1776, p.568.
or 4½ short cords, to make a load of charcoal.

The Commission of 1662

The Commission made their Return to the Exchequer 12 April 1662. The 18,000 acres of the Forest, excluding the Lea Bailey, contained 25,929 oaks and 4,304 beeches; 11,335 tons were fit for the navy. Wind-thrown trees numbered 276; the commissioners had marked sound trees with "a broad arrow and crown" and those decayed with "a single broad arrow". The lop and top of the sound trees, and of stoggals and other decayed trees would amount to 60,786½ long cords, and the underwood and coppices to 12,000 cords. Lydney was still the best place for a store yard and wharf for timber.

The commissioners set out 14,000 acres to be enclosed; the cost to enclose with a wall would be £1,088, or, with a ditch and hedge, £322. They also allotted 4,000 acres as "pasture and meadow" for the inhabitants. The underwood should be cut on a fourteen-year rotation, about 1,000 acres each year, yielding 6,000 long cords. The ironworks should be taken into the king's hands; calculations showed the handsome profit that could thereby be made. Only five cabins and cottages were now within the Forest. The king was advised to resume all grants, and to ensure that officials were paid salaries and not allowed perquisites.

A Second Grant to Wintour (1662)

The commissioners' recommendations were sound. A settlement

i. E. M. Earl., Miss. 6839, f. 332; Cal. S. P. 29 Addenda, 1662, p. 42.
with Wintour was now desirable. In the negotiations Samuel Pepys, secretary to the navy, took a hand. On 18 June 1662 he met Wintour and Commander Peter Pett and perused Wintour's "last contract with the king for the Forest of Dean whereof I took notes because of this new one that he is now making." On 20 June Pepys records:

"Up by 4 or 5 o'clock, and to the office, and there drew up an agreement between the king and Sir John Wintour about the Forest of Dean; and having done it, he came himself, whom I observed to be a man of fine parts; and we read it, and both liked it well. That done, I turned to the Forest of Dean, in Speede's Maps, and there he showed me how it lies; and the Lea-bayley with the great charge of carrying it to Lydney, and many other things worth knowings."

Pepys' part was perhaps no more than approving clauses relating to naval timber; his concern was with trees suitable for shipbuilding. The agreement was dated 30 July 1662. A new grant for eleven years of the king's two remaining furnaces, at Lydbrook and Parkend, were made to Winter's nominees, Francis Finch and Robert Clayton; included were necessary supplies of cordwood, ore, and cinders. Other contents of the grant are suggested from a proposal made by Throckmorton 7 July 1662 "to pay the £30,000 allowed to Sir John Wintour by his Majesty for surrender of his grant of the Forest of Dean, thereby to obtain some advantage to the king, and satisfaction to himself, for his interest in the woods." Wintour on receipt of £30,000 was to relinquish his previous grants, retaining his manor of

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Lydney and the nearby woods of Snead and Kidnalls together with a "behind the scene" interest in the ironworks through Finch and Clayton. Most serious was the licence to him to have the 30,133 timber—trees.¹ Wintour had given with one hand and taken with the other; in addition he received £30,000.

**Naval Matters (I)**

About this time John Evelyn was prompting a new silviculture. His Diary 5 November 1662 ii reads:

"The Council of the Royal Society met to amend the statutes, then dined together; afterwards meeting at Gresham College, where was a discourse suggested by me, concerning planting of his Majesty's Forest of Dean with oak, now so much exhausted of the choicest ship—timber in the world".

Evelyn may or may not have known that Furzer had collected 100 bushels of acorns in Dean by 20 October; "they begin to sprout and grow very much already." iii Furzer hoped to collect another 60 bushels. Besides continuing as a master—shipwright, he had taken over from Aldridge the purveying of timber for the navy. On 3 March 1662 iv he wrote from the Lea to inform the navy commissioners that he had "ridden round the Forest with the gentlemen of the county" and reviewed the devastation made by the storm of the previous month. He had dismissed the woodcutters for the present "lest they should injure the timber, and because the wood when cut may be easily stolen." He wished someone should be sent down for its preservation, and asked for orders for

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disposing of the waste timber and whether the yard at Lydney Pill
"which is a great expense" should be continued. On 7 March the king
asked the Duke of York to "dispatch some able and honest shipwrights
to view the timber lately blown down and to set aside such as can be
made useful for the Navy ensuring that none was abused or embezzled".
Subsequently, Sir W. Batten and Commander Pett informed the navy
commissioners that they had ordered the rounding-out of timber, "the
broad arrow and crown to be put on each butt and top to prevent abuses."ii
On 9 May Furzer sent Pett an account of 6,255 trees standing in the
Lea Bailey; he had begun cutting. He understood that Wintour was to
have all the cordwood "within the 18 acres, with that in the Lea
Bailey, and supposes he will take all but the ship-timbers." He
enquired who was to have the bark. By 8 September he had received
£100 but wanted more "to keep faith with the carriers and workmen".
Twice he had spoken to Wintour about abuses. By 11 December he had
shipped timber by the "Fortune" and the "Elias". He had been
"obstructed by backwardness of carriers, bad weather, and deepness of
road; if not some stricter course about carriage, little will be
brought down next season."vi He told Pett that there were 500 tons in
the Lea Bailey, the carriage of which would be 24s. a load. He
requested an order for sale of waste material, "as a great tide would
endanger them." He needs money, and "thinks his reward for service will be his undoing." He was even wrongly accused of embezzlement of ropes from the "Elias", sent down for his use in the Forest. On 15 December Furzer advised Pepys that "sawing and splitting the timber would be more expensive than squaring"; he had no copy of the contract with Wintour, "whom he would help if he could be benefited without prejudice to the king," nor of the "bond with Mr. Taylor." Pepys records that on 21 January 1663 he dined on the "Elias" and found the timber brought by her from Dean "to be exceeding good."

Devastation of Trees.

Furzer's troubles were small compared with those which had arisen out of Wintour's grant. The inhabitants, as could be expected, opposed Wintour's operations; he had again been put in a position to do untold harm to Dean. The grant "was rapidly followed with consequences so destructive to the Forest, and so detrimental to the public, that complaints were very soon made to the House of Commons of the great waste done there." A committee was appointed to consider the whole matter. From this committee Harbord reported to the House 13 April 1663 that Wintour "had 500 cutters of wood employed in Dean Forest, and all the timber would be destroyed if care should not be speedily taken to prevent it." The House made an Order to prohibit

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felling. On 20 July a Bill was brought in "for settling the Forest and improving and preserving" its trees; Parliament was prorogued before the Bill could pass, and the House 13 May 1664 ii recommended to the lord treasurer and the chancellor of the Exchequer to take care for the preservation and improvement of Dean. Wintour's waste continued. Years were to elapse before a satisfactory settlement was reached. He and his nominees would not stop their operations, and those who had the well-being of the Forest at heart, and the inhabitants who wished to safeguard their customary privileges, would not agree to its exploitation. Throckmorton was anxious to oust Wintour, partly for the good of the Forest, partly for his own advantage.

On 11 February 1664 iii William Harbord, son of the surveyor general, was paid £100 for making several surveys and estimates of the value of the woods and trees in Dean and elsewhere, and attempting an improvement of much of the Forest. Beyond this no action appears till 17 July 1665 iv when a warrant was issued to Charnock, and to Thomas Agar, one of the two surveyors general of woods, to view the 18,000 acres "which the king had resolved to dispose of for the making of convenient nurseries for future growth of ship-timber to supply the great decay thereof in this kingdom." They were to report on the state of the trees, the best method of enclosure, and particularly to inform themselves, "on conference with the freeholders

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i. 3rd Rept. of 1788, p.15. ii. Ibid.
of the several parishes, concerning discontent at the award made
formerly by Sir Charles Harbord and others by way of composition for
their pretended rights of common therein."

On 21 December the Treasury ordered Kettford Brayne and
Thomas Creed "to take special care to prevent the spoils daily
committed in the underwood and cover." The same day the Treasury
instructed William Rolles, steward of his Majesty's court of St
Briavels, with John Wade, "or any other officer in Dean", to permit
Wintour to "peruse the records, notes, and papers in their hands
touching the Forest and waste lands." The king had resolved, at the
desire of the House of Commons, "to raise nurseries there for the
future growth of ship-timber." The "prosecution of the king's rights
therein" was committed to Wintour; the news was received with great
disappointment by the inhabitants and officials of the Forest.

A Third Grant to Wintour (1667)

Wintour was to have a new grant of 8,000 acres; the
remaining 10,000 acres were to be managed by him as a "nursery of
timber". On 28 January 1666 a warrant was issued for confirmation
of the arrangement. But action was delayed. Wintour attended before
the Treasury 1 July 1667. Notes of the meeting include:

"His warrant from the king read and the Articles produced.
Consider how the king shall be secured for performance of his
covenants. Wintour says that if his own 8,000 acres be not
obliged to make up the fences by the present articles, he is
willing it should be so; as also a proportionable part of it for
ever for maintaining the fences. The first Article of the return
read, viz: that no freeboard be left on the highways but each two miles or mile, and that he has 8 or 10 acres to be left for a house on one side only, and that the highways should be 60 feet broad. The attorney general and surveyor general of lands to consider whether the whole land is obliged to make the fences and part to keep them up. A new commission to go out."

On 3 July the attorney general reported that Wintour's Articles "do oblige the land, which he is to have, to make the fences, and part to make them good." The Treasury ordered that Wintour "have his commission renewed." He was allowed 180 acres in lieu of the "freeboard" mentioned above, "and so the king have his entire 10,000 acres." A warrant for confirmation under the Great Seal of Wintour's Articles of Indenture was issued 26 July. On 5 November the Treasury ordered commissioners to "allow free-board on those parts of the nurseries that adjoin the enclosures of the adjacent freeholders, in order to prevent trespass through the fences of other persons."

Wintour's powers did not wholly supersede the duties of the various officials. The king dealt direct with the marquis of Worcester, constable-warden, 8 August 1667, drawing attention to the fact that the late king had issued a commission to Harbord and others for the improvement of the wastes of Dean, and that the lands and tenements of inhabitants assenting to the improvement had been freed from the jurisdiction of forest law. The forest courts having been

\[\text{\textsuperscript{v}}\] On 12 Aug.1667, the two surveyors, John Madden and Thomas Agar, were given a warrant to raise £50 from sales of dotard trees for the expenses of the commission (Cal.Tsy. Eks., II,p.153).  \[\text{\textsuperscript{vi}}\] Cal.S.P.29/212/p.368.
discontinued "to the great destruction of timber and retardment of its future growth", the king now ordered that they should be revived and the forest laws obeyed, "excepting therefrom only those freeholders who assented". Earlier, 18 July, Andrew Horne, a woodward, was commanded to see that the king's officers "measure all timber ere it be stirred from the place where felled, and he to inform the Treasury from time to time what abuses were presented at every three weeks' court; also what copses are fit to cut and to have the Treasury lords' warrant to fell it."

Naval Matters (II)

Meanwhile, Furzer had continued to attend to timber and to ship-building on behalf of the Admiralty. In March 1663 he asked the navy commissioners to instruct justices of the peace to obtain 14 carts for carriage of timber. The Treasury 30 May issued a warrant to him with George Whithorne to make an inventory of, and then to sell, "the offal wood and timber left in Dean upon the building of the frigates, which wood was felled for that purpose and not fit for navy use." Much of Dean's timber was decayed and some insufficiently seasoned; the commissioners were complaining about it in November. On 12 December they wrote to the Treasury that the timber on the 18,000 acres in Dean had "become unfit for the navy by its extraordinary age, and the cost of felling and carriage was more than

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v. Ibid./85/p.371.
£3.15s. a load"; the timber in the Lea Bailey was much better.

Nevertheless, timber continued to be shipped from Dean, as for example, in the "Augustine" in March 1664. In October Furzer wrote to Pepys: "Lydney is not so fit a place now for building a ship as formerly on account of the growing of the sands, not known in man's memory before." He recommended "Compill, 3 miles below, as it is clear of sand." Compill lay at the mouth of the Cone stream on the Severn.

Furzer dealt with smiths "for making the biggest anchors", and with blacksmiths for ironwork to be delivered into the storehouse at Compill. However, by 22 November he was "reduced to such exigence that he cannot employ men for want of timber and cannot discharge them for want of money." Twelve anchors were to be provided for new ships now building by him and Francis Baylie. Baylie was building a ship of Dean timber under the directions of John Badcock, naval surveyor in Bristol. By 1 September 1666 the frigate building in Dean was nearly finished "and the channel free from pirates." Furzer requested orders "for felling keel-pieces for the third-rate ship etc;" on 24 October he still "awaits the surveyor general's order for felling trees." In March 1667 he requested warrants for carriage of 300 loads of timber from Dean to Lydney Pill, 160 loads to be charged on

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x. Ibid./194/p.570.
Gloucestershire, and 80 loads on Herefordshire. On 3 April the new frigate, the "St David", was launched at Compill: it was "a most complete new ship of 64 guns."  

In August Furzer informed the navy commissioners he hoped "they were not unmindful of the exigence under which he groans for want of money." By 17 December he had received 1,060 tons of naval timber felled by Wintour; 200 were squared and ready for carriage, and about 100, accounting 40 feet to a ton, fit for the navy, were still standing. He had repaired the "Richmond" in Kingroad on the Severn. Some of the fitting-out of the "St David" was done after launching; on 15 February Furzer wrote from Bristol to the navy commissioners that his men were arrested there for payment of food while they wrought upon the St David; he too was arrested for not paying them. He begged for money.

On 15 February Furzer reported that a great quantity of "logs and bodies of trees" remained in Dean, part of which were marked with the king's mark by Walter Warren, and part for house-timber by Wintour's men. He would take what is serviceable for the navy, but there was not much left fit for other than house-timber and small

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ii. It was a fourth-rate, with 638 tonnage, carrying 54 guns and 280 men. Under the command of captain William Poole, in 1672 it rendered brilliant service in compelling the capitulation of Tobago. It sank 11 Nov. 1690 in Portsmouth Harbour and was weighed and made a hulk in 1691, eventually being sold at Woolwich 20 August 1713 (Information from the Admiralty).
vi. Ibid./p.231.
On 4 April, he agreed to "accompany the gentlemen to view the woods." He had been with others ordered by the Treasury "to seize the iron, wood, and charcoal in the Forest for his Majesty." He asked for his bill of £300 to be paid. He had "received not one penny for a year"; the bill for £800 would be a year old 15 May; they knew "his great suffering." He wrote again for money on 8 May; £2,000 was owing in Dean for building and fitting out the "St David", and for trimming and fitting out the "Dartmouth", "Richmond", and "Harp" from Bristol. He asked whether the building of the third-rate ship at Bristol was to proceed; "there is a month's squared timber in Dean fit for her frame, provided the season of the year be improved for land-carriage of timber."

By 27 June he was terribly in debt. He begged the commissioners' consideration of his own and his men's condition. The timber in Dean for the new ship "suffers extremely by the weather and embezzlement". He challenged them: "Give me your final resolution that it may be known what is and what is not to be done."

Proposals for "Settling the Forest"

While Furzer had been struggling under atrocious difficulties to build and repair ships and to despatch naval timber, there was much discontent over Wintour's grant and commission. Wintour was now in trouble over the 11,335 tons of timber suitable for the navy which, under his previous grant he had been obliged to reserve for the

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ii. Ibid./p.380.
iii. Ibid./215/pp.462-3,
king, or pay for at 15s. a ton. Although he went to great lengths to
deny it, he had cut and appropriated to his own use far more trees,
wood, and underwood than he had a right to do. A survey in December
1667 disclosed that of 30,133 trees sold to him there remained only
about 200 in the Forest. Of the 11,335 tons of naval timber not more
than 1,000 tons had been delivered, and about 500 tons only were lying
squared—cut in the Forest; 7 or 8,000 tons would be found wanting. The
navy commissioners had been informed of these facts 26 August. They
sent their surveyor John Badcock to mark out all the timber fit for
ship-building. Wintour, charged for the deficiency, petitioned for
favour 7 July 1667; his plight was further considered by the Treasury
7 and 14 October. Fortunately, Wintour had not been allowed to
squander the fine trees in the 1,000 acres of the Lea Bailey.

On 1 August 1667 a warrant was issued for a commission to
Throckmorton, Harbord, and thirteen others for yet another survey of
Dean and for "setting out the king's 10,000 acres for nurseries for
ship-timber." John May, the new supervisor of the Forest, was to
ascertain what timber-trees were standing and being felled fit for the
king's use. At the Treasury meeting 5 September Harbord offered
"a warrant for examination as to spoils made in Dean." The Treasury
informed the commission "not to proceed on any old warrants about

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i. Cal.Tsy.Bks. II,54. He discussed the matter with Pepys 30 April
1667 (Wheatley op.cit.,VI,p.294).
felling trees until they have given account and received new orders."
On 21 November a warrant was ordered "to stop all further proceedings on the commission." Four days later the Treasury minuted that the marquis of Worcester with Throckmorton were "to attend on Thursday about improving Dean Forest". The marquis told them 29 November that they could "improve the business of timber and yet satisfy the country as to their right of common." Wintour could have 8,000 acres, and the commoners 4,000 acres, leaving 10,000 acres to the king; forest law should be extinguished on 18,000 acres. The commoners were willing to forge estovers if not more than one-third of the Forest was enclosed at any one time. The marquis believed the king could have £2,000 a year from the underwoods and £4,000 after six years.

The Treasury soon after were presented with "Proposals made by and on behalf of the freeholders, inhabitants, and commoners for the preservation and improvement of the growth of timber." In them suggestions were made that 11,000 acres should lie enclosed at any one time, that the taking of estovers should be abolished, and pannage prohibited for twenty years. Forest law should be taken off the lands of the inhabitants, all grants should be resumed, and the stock of deer should not exceed 800.

On 17 December 1667 the whole business of the Forest of

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iii. Ibid., p.131.  iv. 3rd Rept. of 1788, p.15.  
Dean was before Parliament. The first consideration was the unpopularity of the grant and commission to Wintour, particularly in view of the unsatisfactory way he had executed past commitments. The second was the endeavour of the inhabitants to safeguard their customary rights of commoning and pannage.

On 6 March the following year, 1668, another attempt was made to settle Wintour's deficiency of timber. He with one of his nominees, Clayton, were called before the Treasury; Clayton "refused to join in the security and would rather stay till the king's debts be satisfied", while Wintour prayed "for any overplus that may remain after satisfaction of this debt." On 11 March a warrant was issued to seize Wintour's stock of iron and charcoal. Wintour and Clayton appealed; on reference to the attorney general it was found that seizure would be illegal. Lawrence Bathurst, May, and Furzer were told to discontinue the seizure, "but not to suffer any more wood to be converted into charcoal, and to continue the seizure of the forges." Wintour's debt for timber was £6,691.6s.1d.; he was not even to have "200 dotard trees which are yet unfelled". On 30 June his debt to the king for 8,921 tons of ship-timber was remitted. He was discharged of his "covenants concerning the improvement of the waste

ii. Ibid., p.275.  
vii. Ibid., p.321.  
vi. Ibid., p.288.  
viii. Ibid., p.321.  
soil in Dean and of his recognisance of £2,000 entered into in
pursuance of the same." Thus ended Wintour’s long and unfortunate
connection with the Forest. He went to great lengths to vindicate
himself. He was the chief cause of discontent in Dean over a long
period, during which the stock of timber-trees was much reduced. Among
other causes of depletion were the two great storms, fires, miners’
requirements, doubtful claims to "fee trees", and the inhabitants’
taking of estovers. Building and repairing of ships on the Severn,
timber sent to naval dockyards, and large quantities good and bad used
for smelting and mining also reduced Dean’s stock. These were
rational uses, and increment made good some of the loss. Few large
timber-trees remained. The Forest’s cover, reduced in quantity and
quality, called for new measures if it was to be replenished.

The Dean Forest (Reafforestation) Act, 1668

On 9 May 1668 legislation was enacted for the "settlement of
the Forest". The Act, based partly upon the principles in the
"Proposals" of about 1667, is given in Appendix X. Its preamble
asserts that the wood and timber "is become totally destroyed", except
in the Lea Bailey, "whereby there is an apparent scarcity of timber
there." Wintour had almost wholly depleted the Forest’s stock of both

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i. B.M.Mss.726, e.1.(2),8,1667, A True Narative &c. to "a pretended
paper, lately published, wherein divers things are most falsely
charged on his grants in the Forest of Dean, reflecting very
much on the integrity of divers of his Majesty’s officers, and
several other persons of great worth and reputation."

ii. See e.g. Cal.Tsy.Eks.,II, p.301, 14 April 1668.

iii. Of those trees perhaps the only survivor is the "CradOak" in
Sallow Vallet. See Photo I.
medium-sized and mature trees. The Crown was to enclose at any one
time, through Inclosure Commissioners, 11,000 acres of the 23,000 acres
for the growth of timber. The enclosures were to be discharged of all
rights of common and pannage till thrown open. Taking of estovers was
no longer lawful, and deer were not to exceed 800. Forest law was
again to apply to Dean; verderers and regarders were to be elected.
Enclosures were to be paid for by sale of decayed beech, birch, hawthorn,
hazel, holly, and other trees not timber; £1,500 thus raised was to
recompense Bannistree Mainard for the 1,000 acres acquired from him at
Cannop, Beachinhurst, and Mirystock.

At last there was for Dean legislation acceptable to most
interests. The powers under the Act could enrich the cover and make
Dean once more a storehouse of timber. Much would depend on the
officials. In June 1668 the marquis of Worcester, constable-warden,
was given the names of those who with him and Sir Baynham Throckmorton,
his deputy, were to be Inclosure Commissioners. Harbord, one of the
two surveyors general of woods, and his son, William, considered how
best to use the new powers; they advised the appointment of three
verderers and twelve regarders. In July the Treasury approved
instructions to Inclosure Commissioners and a warrant was issued to the
king's remembrancer in October for thirty-two named persons to be
appointed.

Throckmorton took charge of the deer and attended to the

iv. Ibid., p.629. v. Ibid., p.160.
lodges of the keepers. The division between his duties and those of May, the supervisor, and Thomas Agar, the other surveyor general of woods, is not clear. Thus, working in conjunction, with their not clearly defined duties, were the marquis, Throckmorton, May, Harbord, Agar, the verderers, and the regarders. Concurrently the Admiralty continued to rely chiefly on Furzer to keep them informed about ship-timber.

On 23 June 1668 Throckmorton was given £46.14s.3d. to repair the court house at Kensley and the prison at St Briavels. On the site of Kensley House was built a few years later a lodge, known as the "King's Lodge", containing a court-room; it became the Speech House.

Conservation of sound trees was the order of the day. The Treasury 8 January 1669 authorized the felling of dotards. One Madden was to be prosecuted for £200 "in his hands for offal wood etc."; he was not to be re-employed in Dean by Bathurst, May and Charnock. On 7 July the Treasury instructed the Dean commissioners to sell coppice "at the best price", sufficient to raise £1,500 to compensate Mainard. Throckmorton arranged a sale to Thomas Foley, ironmaster of Stoke Edith, Hereford. The Treasury 6 July told Agar not to sell wood in the Lea Bailey until instructed. May sold

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v. Probably John Madden who for a time was one of the surveyors general of woods.
viii. Ibid.,p.244.
£3,000 worth of wood on their instructions, half to be paid to Mainard and half to be used for enclosures; until this was accounted for no more sales were to be made. Furthermore, Agar should attend to answer why he did not in time acquaint May of the meeting for the sale of wood to Foley and why he "took away and entertained May's servant without May's consent". Foley was in dire trouble at the time; at the beginning of the month the Treasury minuted that he should obtain no pardon without their consent, for the great spoil and waste of the king's timber and bark committed by him to the extent of £36,000 to supply his ironworks in Salop and Stafford. The king ordered the Treasury not to stop legal proceedings "but that the laws have their course and effect whereby others may be deterred from the like offence."

May and the verderers were told in July 1669, and again in August, "not to suffer any sheep to go into the Forest, nor the colliers to have any wood unless they buy it." May was instructed "to take special care of the woods, in particular the 11,000 acres, to keep out cattle, and to forbid miners and colliers to cut wood."

The Treasury wrote to the verderers concerning "the great spoils and destruction of young sprouts of oak and beech heretofore made contrary to law by sheep, hogs, and other uncommonable cattle, which have frustrated the king's intention of preserving a nursery of trees."
They were to "proceed effectually against the like offenders in future."

At their meeting 12 October 1669 the Treasury considered a letter from May "about planting acorns in Dean Forest". A copy was sent to the commissioners, who were to "do what is fit, and provide the money." The warden with Col. Cooke, a verderer, attended before the Treasury 13 December. The ground they had resolved to enclose "is fit for wood, and agreed at a swanomote court"; it was "that resolved on in Cromwell's time." The same day Harbord was informed that the king "has this afternoon approved the enclosing of the ground in Dean". Opposition by some of the inhabitants was soon apparent; enclosure was abhorrent to them. On 12 April 1670 the Treasury considered information from the marquis relating to abuses; it was passed to the Privy Council. On 21 June the warden with Throckmorton attended "about pulling down hedges in Dean"; the Treasury solicitor was ordered "to prosecute the rioters in the king's behalf."

The Dean commissioners were asked by the Treasury 18 April to give account of enclosures made and what money had been expended. Agar was forthwith to "draw an exact plot of Dean Forest". He was to fell 40 tons of timber for building a new court-room at the Speech House, and to sell at Bristol or elsewhere to the king's best benefit the many parcels of timber, some rough, some ready-squared,
amounting in all to 1,200 tons or thereabouts, lying dispersed in
Dean and especially in the new enclosures.  The timber was "running
in daily decay, being purloined and embezzled by the country, and will
be of great damage to the enclosures if left to be drawn when the young
shoots are up." It is uncertain whether this is the same timber for
which Pepys wanted the warrant withheld till he could be heard, "which
Mr. Pepys says will be as soon as the king comes to town". The navy
commissioners were consulted in July as to what timber in Dean was
fit for their use. A month later the Treasury told a Mr. Burlacy to
stop grubbing up roots under a right he claimed from Sir John Wintour.
His agents had grubbed up in the enclosure of Austons Bridge, lately
sown with acorns "for future king's timber"; grubbing up would be "a
great destruction to that intended nursery." His claim was to be
heard. About this time John Smith was commended by the Duke of York
"for his care in improvement of the Forest of Dean." What he had
done is not known.

Naval timber and Pepys' "Survey" in 1671

Meanwhile Furzer had continued his operations in the Forest.
On 22 May 1668 the Treasury considered an "order of Council about
a third-rate ship to be built there." No action followed. On 19 March
1670 Furzer wrote to the navy commissioners:

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There is a large quantity of timber felled in Dean Forest which is subject to waste and embezzlement. As a considerable sum is due to me and other poor men, I suggest that such of the timber as shall be found worth the charge of transportation shall be brought into the stores, the remainder appraised and sold, and the proceeds applied in payment of our debts. Or I will undertake to build a ship near Bristol, 124 ft. long in the keel, 39 ft. broad, and 16 ft. deep in the hold, at £7.15s. a ton, and accept the timber in part payment at the rates it shall be valued at, you advancing £1,000 and paying the rest as the work goes on.

In September he supplied an estimate totalling £5,378.10s. of "the charge for felling, preparing, and bringing in timber from Dean and elsewhere to Bristol for building a third-rate frigate." Two months later the Treasury gave a warrant to Agar to fell 100 trees to yield 140 tons, the trees being selected by Furzer for the frigate. Pepys, with Lord Brounker and J. Tippetts, surveyed the Forest for three days in July 1671. One of the results was the report given in Appendix XI. They found no trees in the Forest except in the Lea Bailey suitable for the navy. There were about 900 loads squared for the ship to be built in the "Bristol river", and about 500 loads unsquared; but very little appeared fit for naval timber, as it was deteriorating. The Forest contained about 1,200 acres of well-grown woods of oak and beech from 10 to 90 years old; the underwood should be removed from them. Of the remainder of the 11,000 acres, 8,486 were "planted" and well fenced, either with stone walls or with ditches and banks "quick-set", that is, planted with hawthorn. In

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many places the oaks were coming up well especially among bushes, but not in the bare places, the greater part of the land. There was little expectation of supplies for the navy; the cost of transport would be heavy. In the Lea Bailey there were about 5,000 oaks and 5,000 beeches. The oaks were wind-shaken, or cup-shaken; only 800 would be fit for the navy, but perhaps 2,000 loads from the sound parts of the oaks would be suitable. The beeches were sound; much good 2 and 4 inch plank could be obtained from them for the parts of ships below water.

Pepys and his colleagues did not think highly of the quality of Dean's oak. The causes were its heart-rot and stem-rot, particularly of the trees beyond their prime, and certainly the shakes in it, probably from lack of shelter. But the naval officers misjudged the potential of the younger trees on the 1,000 acres of the Lea Bailey and that of the 8,000 or so acres in plantations, chiefly of oak, growing slowly but surely.

Agar raised in all £5,125.8s.9½d. by the sale of cordwood to Foley and others, and of timber "that happened to arise out of the old oaks and beeches felled for cordwood and other uses, and of wood sold to the colliers." This money was expended in "buying-in Cannop of Banister Mainard, at £1,500; in setting up enclosures of 8,400 acres with gates and stiles, and some reparations of them; in

i. Cracks following the annual rings.
ii. "It appears that immediately after the passing of the Act of 1668 the colliers...purchased their timber from the crown". (3rd Rept. of 1788, p.16.).
employing a sworn surveyor to measure them; in building part of the
Speech House; in divers repairs at St Briavels castle; in the charge
of executing two commissions; and in other services in the Forest.  

The enclosures were:

<table>
<thead>
<tr>
<th>Enclosure</th>
<th>Acres</th>
<th>Rods</th>
<th>Poles</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Great Inclosure</td>
<td>5,701</td>
<td>3</td>
<td>36</td>
</tr>
<tr>
<td>Moorwood and Hangerbury</td>
<td>255</td>
<td>3</td>
<td>19</td>
</tr>
<tr>
<td>Ruardeans Eaves</td>
<td>672</td>
<td>30</td>
<td>32</td>
</tr>
<tr>
<td>The Chestnuts and Edgehills</td>
<td>688</td>
<td>25</td>
<td>32</td>
</tr>
<tr>
<td>The Lea Bailey and Lyning Wood</td>
<td>1,169</td>
<td>3</td>
<td>32</td>
</tr>
</tbody>
</table>

| Total                                | 8,487 | 33   |

It is uncertain when the 2,513 acres were enclosed to complete
the statutory 11,000 acres.  

The end of the King's Ironworks

In April 1672 May reported that "another fire occurred in
the Forest"; he with the warden were ordered by the Treasury to "take
an exact state of it". In October, George, viscount Grandison,
petitioned for a lease "of several forges, furnaces, and ironworks in
Dean for 21 years and for the pre-emption upon the fall of timber
there"; the petition was referred to May and Harbord.  

May was confirmed in his appointment as supervisor  

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i. 3rd Rept. of 1788, p.16.  
ii. The commissioners of 1788 related: "It is chiefly in those parts
of the Forest which were then inclosed, that the timber with
which the dockyards have been since furnished from this
Forest has been felled, and in which any considerable quantity
of timber is now to be found" (Ibid, p.17).  
iv. Ibid., p.1331.  
v. Ibid., p. 1107.
15 January 1673, with a salary of £100; in addition £20 was to be paid to each of his two deputies. He was "to preserve the standing woods and young woods that shall grow on the 11,000 acres and all other woods and underwoods on the wastes." A warrant 27 January instructed him to "keep off all uncommonable cattle and to forbid all colliers and miners to cut any beech, birch, ash, hazel, or other underwood upon the wastes other than rights saved to them by the Act of 20 Charles II." He was to take special care that no fires were started, and to guard against spoils. Persons found cutting underwood or timber were to be apprehended and brought before the warden or any justice of the peace, or before "others enabled to inflict punishment thereon".

On 10th July the Treasury issued a warrant to May, Agar, and the other surveyor general of woods, Charles Strode, who had replaced Harbord, to mark sufficient trees for 120 tons of timber, half for rebuilding the Speech House and half for repairing St Briavels castle, and sufficient dotard trees to raise £200 for repairing the Speech House and £200 for repairing the castle.

The Treasury found that the commission on Dean was not "fully perfected", and on 3 June asked the attorney general for a commission to the marquis of Worcester, Throckmorton, and ten others to enquire the cost of putting the ironworks in order and what timber must be allowed for their support. They were also to report on the
enclosures lately made, on all decayed trees standing in the Lea Bailey, and on coal-pits taken into enclosures which might conveniently be left out.

On 16 June a Treasury warrant was given to Agar for £100 "to be obtained by felling dotard timber for charge of the commission and to do necessary repairs of the mounds and fences." On the following day a Royal Warrant was issued for a Great Seal for a lease to Grandison, with Edward Villiers "of all and every the king's ironworks and the utensils thereof now standing in Dean (in reversion after the lease now in being granted 30 June 1662 to Francis Finch and Robert Clayton, scrivener, for 11 years) without rendering any rent or any other account whatsoever." This change of policy, of again leasing the ironworks, was not well received in Dean. The marquis, Throckmorton, and Cooke attended a Treasury meeting 27 February 1674. After a minute mentioning that "the lord chief baron is to be consulted about prosecution of those men that commit spoils in Dean", it was recorded "to urge the king to remove the ironworks out of the Forest as they are conceived to be the destruction of the wood and timber."

Throckmorton was of the opinion that "the cutting down of the coppice was inconsistent with the raising of timber." The lord treasurer thought it proper to have the coppice cut in the Lea Bailey, and proposed that the cordwood should be sold to Foley who, being called to the meeting, was asked what he would offer for it. Of the

estimated 30,000 short cords available Foley offered to take 8,000 annually at 4s.6d., himself doing the cutting. The lord treasurer insisted on the whole being cleared in three years. However, the following day the Treasury, whose meeting was attended by Agar and Strode, directed that the wood in the Lea Bailey "be set to sale at the Treasury chambers in Whitehall, and all persons who are willing to buy the same are to repair thither to bid accordingly." The auction, fixed for 7 March, was postponed. By 10 March the sale of the cordwood was effected to William Hanway and alderman John Forth, "farmers of revenue, and merchants of London." Articles were drawn up between them and the king whereby the purchasers were to pay 5s. a short cord, and 1s.4d. for cutting. The sale was to be of all the cordwood which was to be cut in the Lea Bailey in three years. The articles were offered to the king "for his approbation."

On 11 March the Treasury announced the sale to Paul Foley for £500 of all the materials of the furnaces at Howbrooke and Parkend, of the forges at Parkend and Whitecroft, and of all the Crown's other ironworks in Dean. The whole was to be demolished before 1 May next and to be carried away before 29 September next. Thus ended the sixty-four years' story of the "King's Ironworks."
Thereafter only ironworks beyond the cover, at Flaxley and Lydney, and
those in Monmouthshire and Herefordshire, were sustained by Dean’s
cordwood.¹

**Keepers’ Walks and Lodges**

On 18 April 1674ii the Treasury appointed Throckmorton
conservator and supervisor of Dean; its officials were put in his
charge. He was to admit no sheep, hogs, or other uncommonable cattle.

On 23 Mayiii £400 was allocated to him to repair the enclosures.

The £500 from Foley for the ironworks was paid to Agar; £300
was to be handed to William Wolseley for building lodges, and £100 to
Throckmortoniv who with Agar and Strode were to "repair substantially
the mounds, gates, and stiles of the enclosures, taking none but ready-
cut timber for the work."v The same two surveyors general were
ordered 3 Augustvi "to sell to the best advantage 318 tons of timber
cut and lying dispersed in Dean and 88 tons of timber saved out of the
dotard trees in the Lea Bailey this summer;" and, 3 December,vii to
fell 60 tons of timber, not being naval timber, for rebuilding Newent
Parish Church.

For 3 Novemberviii the Treasury minuted: "The business about
sheep pounded in Dean Forest is referred to the attorney general";
again: "Captain Colchester’s debt of £56.7s.1d. for lathes, boards and

¹ See B.L.C. Johnson, "New light on the Iron Industry of the
Forest of Dean" (Trans. B. & G. A. S., 1953, pp. 129-143); I. Cohen,
"History of Iron Working in and near the Forest of Dean"
timber from Dean is ordered to be remitted and allowed upon the
accompts of the surveyor, for his services as a commissioner in the
Forest."1 For 2 December,2 a minute reads: "The lord treasurer will
speak with the attorney general in the matter of Sir Baynham
Throckmorton's paper concerning the establishment of the Forest." At
the same meeting directions were given for the payment of one half-
year salaries "to Michaelmas last until the matter of Dean be settled
with the attorney general, and this half-year's pay to be placed on
the privy seal dormant."

By 2 March 1675 iii only four keepers had been appointed; on
that day £40 was allocated for half a year's wage to four of them, "a
settlement being intended to be speedily made for payment of their
wages, the present issue being for their present supply." On 15 April iv
Strode was given £110; £80 was for four keepers, and £30 for repair of
fences. The previous month v the surveyors general of woods were
ordered to deliver 40 tons out of timber felled in the Lea Bailey for
building lodges; also to fell sufficient dotard trees to raise £50 for
building a stable at the Speech House. On 28 July vi a warrant was
ordered for the constable-warden vii to have £210 per annum, to be paid
half-yearly, £100 being for Throckmorton, £80 for four keepers, and

iv. Ibid., p. 727. v. Ibid., p. 689. vi. Ibid., p. 802.
vii. The marquis was also President of Wales, the third marquis of
Worcester (afterwards duke of Beaufort), and the governor
of Chepstow.
£30 for upkeep of fences. In September there were six keepers. The marquis was reminded that 10,000 acres were enclosed under the Act of 1668, "but for want of proper view and care thereof the same are like to be of no effect, no particular part being under any man's distinct charge as in other of the king's forests where they are by walks or districts." Treasurer Danby had therefore "caused the Forest to be divided into six walks and had built six lodges therein, with 30 acres to each, and six keepers." Strode had 24 April 1675 been instructed by the Treasury "to measure out forthwith 30 acres of land to each of the six lodges in such places as, by the lord treasurer's direction, the marquis had already appointed." On 13 June 1676 a Treasury warrant to Throckmorton and to Sir Charles Harbord, now surveyor general of crown lands, instructed them to set out the 30 acres to each of the six lodges, the same to be part of the statutory 11,000 acres, and "to send a note of the metes and abuttals." The names given to the six Walks were: "The King's" or "Speech House", "York", "Danby", "Worcester", "Latimer", and "Herbert". The Lodges took the same names. "Danby" was named after Sir Thomas Danby the lord high treasurer, and "Latimer" after his later title of viscount Latimer; "Worcester" after the marquis of Worcester; "York" after the Duke of York; and "Herbert" after Charles lord Herbert of Raglan.

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iii. See also Ibid., pp.317,319.  iv. Ibid., V, Pt.I, pp.240-1.
It is uncertain how frequently attachment courts were held at the time. Swanimotes took place once each year, at least from 1673 to 1681,\textsuperscript{i} at the Speech House or Mitcheldean or St Briavels castle, usually before three verderers in the presence of the deputy constable. The foresters, woodwards, and keepers attended, together with the reeve and four men from each town of the Forest. Most of the presentments concerned venison offences; a few concerned the vert.

**The Commission of 1680.**

On 23 July 1679\textsuperscript{ii} the Treasury secretary asked Harbord to draw up instructions for preparing a commission for Dean. In consequence a warrant 26 August\textsuperscript{iii} was given to the king's remembrancer for a commission to the marquis, Throckmorton,\textsuperscript{iv} the two surveyors general of woods, the surveyor general of crown lands, Charles lord Herbert of Raglan, and fourteen others. The commissioners were to "view and perambulate Dean to observe the present state and condition thereof."\textsuperscript{v} They reported 23 April 1680\textsuperscript{vi} that the Forest was about 23,600 acres; "much the better half, dispersedly over the whole, is well covered with young wood of oak, beech, birch, hawthorn, hazel, \begin{itemize}
\item\textsuperscript{i} G.R.O., D.36 (Colchester Muniments, 2).
\item\textsuperscript{ii} Cal.Tsy.Eks., VI, pp.145,196,482.
\item\textsuperscript{iii} Ibid., pp.196,482.
\item\textsuperscript{iv} Throckmorton was reappointed as supervisor by the Treasury 12 March (Ibid.,p.471) and instructed, inter alia, to "keep sheep, hogs and other uncommonable cattle from the waste of the Forest, and to prosecute offenders."
\item\textsuperscript{v} Ibid., p.196.
\item\textsuperscript{vi} G.R.O.,D.23 (Probyn Muniments).
\end{itemize}
and holly, whereof are very hopeful young oaks and beeches of 40 years' growth and upwards as well without the enclosure as within." The commissioners recommended that more enclosures should be made "on the bare hills and lawns in places where no highway passes through"; the cost of enclosing would be about £1.2s. a perch. The spoil of woods was small except that occasioned by setting fire to gorse and young woods whereby "multitudes of hopeful young oaks and beeches" had been destroyed. The miners received birch and alder without paying for it; their right to this was to be enquired into. The keepers needed very little browse, chiefly holly, to feed the deer. Some hawthorn was cut to repair fences. The Lea Bailey contained about 10,400 oaks and beeches, generally wind-shaken and decayed, especially the oaks; only about 1,400 tons, worth 18s. a ton, were fit for ship-timber and other construction work. About 30,000 short cords of 2 ft.—wood worth 5s. a cord should be cut to relieve the "very hopeful thick spring of underwood". The forest courts should be made effectual, and the officers of inheritance compelled to be "diligent and faithful in the discharge of their duties"; to this end a justice seat should be held once a year for six or seven years. The commissioners found about 30 cabins inhabited by about 100 poor people; these they removed. The "over—hangings" bordering the highways should be cut.

The Treasury empowered the commissioners to raise money by sale of old decayed oaks and beeches sufficient for paying the warden and the keepers, to make a map of the Forest, to build pounds, to sow
acorns (not exceeding £5), and to repair the Speech House and the
enclosures. On 21 July 1680 the Treasury authorized Agar and Strode
to raise from wood-sales £210 for salaries of keepers and other
officials for the year 1679; £40 "for completing and finishing a court-
house over the market place in Coleford in which to hold a justice
seat"; and the further sum necessary to make additional enclosures.
The wood was to be sold to the assignees of Forth under his unexpired
contract. An account of the whole was to be "entered before the
auditor of the county."

On 24 October 1681 Sir John Ernle, junior, of Hem—House,
co. Hereford, succeeded Throckmorton as "conservator and supervisor
for enclosures and springs of young oaks". His salary was to be £100.
Meanwhile the legal position of two large properties in Dean was
being discussed. Benedict Hall of Highmeadow was challenged by the
Treasury regarding his title to about 500 acres at Malscot, and
Abraham Clarke of Flaxley was "praying for a survey" of Abbot's Wood.
Concurrently the navy was needing timber from the Forest. On 3 May
1681 the Treasury requested Agar, Strode, and the verderers to enable
the Admiralty surveyors to view and mark timber; none was to be felled
till ordered. By 8 November 327 oaks and as many of the 128

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i. Cal.Tas.Bks.,VI, p.641. ii. No forest court was held at Coleford.
v. Ibid., p.207. vi. Ibid., p.138.
vii. Ibid., p.297.
beeches lately marked in the Lea Bailey as will make 50 lead of
4-inch plank" were reserved for two second-rate frigates being built
at Portsmouth. Agar and Strode were to deliver the plank to the
surveyors of the navy. They were also to fell old and decayed oaks
and beeches to raise the usual £210 for salaries, and £2,000 for
financing the fortifications at Portsmouth. According to Agar, who
was in Dean 24 April 1682, £2,000 would take two years to raise
"according to the best market he can make for the wood". A new
warrant for the purpose was given him 6 February 1683.

The Commission of 1683

At this time the Forest contained, besides the young
enclosures and a small number of large oaks and beeches, much coppice
and underwood. On 7 August 1682 Agar was asked to report on an offer
received "for the weeds in the Forest of Dean, meaning the orle (alder),
holly, crooked beech, hawthorn, sally (willow) and hazel, the proposer
to take as many thousand cords as will amount to £1,500 at 4s. per
cord for 21 years, out of which his Majesty never yet made any
advantages." The Crown, undecided what action to take, ordered a
commission 26 November 1683 to consist of the constable-warden, the
supervisor, the surveyor general of crown lands, the surveyor of woods,
and eight others. In particular they were to report on a proposal by
Ernie to raise a constant revenue out of the Forest by making iron.

iii. Ibid., p.455. iv. Ibid., Pt.II, p.701.
The commissioners found that 8,000 cords worth 8s. each could be cut annually from the underwood, "it being in many places so thick and high as to hinder the growth of young oaks". Computations showed that much profit would accrue to the Crown if it undertook the making of iron. The proposal was not pursued; the arrangement decided upon was that of selling the cordwood to ironworks in Herefordshire and Monmouthshire.

Agar was ordered by the Treasury 14 August 1684 to fell sufficient decayed trees in the Lea Bailey to raise £300 to be paid into the Exchequer for the king's use, and £30 to be paid to Isaac Betts "for his pains in supervising timber felled for the service of the navy". Felling of similar trees from the same wood was ordered 18 August "to raise £1,476 clear for the king's buildings at Winchester". The officials of the Forest were to view the felling. The Lea Bailey was to supply still more; on 5 May 1685 Agar was instructed by the Treasury to fell and sell there, "with approbation of two or more justices of the peace and of such officers as the warden shall direct," sufficient old oaks and beeches, not suitable for ship-timber, to raise £2,000 per annum for 3 years. It had been certified by Agar 27 April that "it has been represented by several commissions that they should be felled with all speed for the benefit of the young coppice enclosed under the late Act, and that the navy commissioners, after many views and trials of the trees, have rejected

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them as utterly unserviceable." Agar was to ensure that the wood was
not sold for firewood or at "under-rates, but to the best profit that
may be; and no poundage or other benefit is to be taken by any person".
He was "to keep a book of details of all his contracts for such sales".
On 12 May the Treasury secretary asked the auditors for an account of
wood-sales made by Agar in Dean "10 or 12 years ago."

The Chestnuts near Flaxley was under review during the
following year; on 16 February 1686, the Treasury gave notice to
the warden of an intended felling-warrant "if you have nothing to
offer against it". The warrant, 8 June, gave the area as about
350 acres, "being only small hazel wood, though above 30 years' growth;"
chestnut had almost disappeared through mismanagement. Agar was
authorized to sell the underwood "to the king's best advantage" and
out of the proceeds to enclose the coppice "with mounds and gates for
future growth". All young oaks and beeches were to be conserved. An
account of sales was to be rendered to the auditor of Gloucestershire
within six months. Another wood under review was the Fence, in the
south-west towards St Briavels. Ernle was asked by the Treasury
8 June whether the estimated 1,000 cords in its underwood, "which is
so cut and spoiled by the country people that it is in danger of being
lost", can be cut for the king's use and the whole wood enclosed for
future growth. It is unknown to whom the underwood in the Chestnuts
and the Fence was sold. The only large timber known to be felled that
year was 20 tons in the Lea Bailey; Agar received a Treasury warrant
7 April\(^i\) to deliver it to repair Coleford Chapel, for "many years
ruinous and the charitable collections for the repair thereof being
insufficient." It was to be used under the direction of the bishop
of Gloucester.

For a while the Forest was without a supervisor; by
8 November\(^ii\) Ernle was deceased; his successor, Captain William
Wolseley, was not appointed till 15 March 1687.\(^iii\) Strode, jointly
surveyor general with Agar, had died by 4 January 1687.\(^iv\) Whether the
two deaths had impeded the payment of the keepers is uncertain, but
11 December 1686\(^v\) the Treasury referred to Agar the keepers'petition
for "payment of £385 due for 3½ years to 29 September last, on their
salaries, without which they are not able to subsist." On 28 June
1687\(^vi\) a "Royal warrant to the clerk to the signet for a Privy Seal"
was issued for payment to the warden of arrears to 29 September 1686
of £735. The allocation of the sum was £350 to the beneficiary of
the late supervisor, Ernle; £280 to six keepers; and £105 for repairs
of fences, "to be divided between the keepers according to the quantity
of enclosures within their respective walks." Earlier, 4 January
1687,\(^vii\) Agar and the executors of his late colleague, Strode, were paid
out of the Exchequer £300 "arisen from sale of dotards." Agar was
soon presenting to the Treasury affidavits relating to several spoils

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\(^i\) Cal.Tayler's, VIII, p.675. \(^ii\) Ibid., p.983. \(^iii\) Ibid., p.1265.
\(^iv\) Ibid., p.1135. \(^v\) Ibid., p.1059. \(^vi\) Ibid., p.1407.
\(^vii\) Ibid., p.1135.
committed in Dean; on 12 March the attorney general was instructed to prosecute the offenders.

About the same time Wolseley proposed the felling of several unnamed underwoods. The Treasury wanted to know how much money would be raised thereby and added: "the officers of the Forest are to assist you in distributing the fines you mention." By 18 October Agar was deceased. As he had dealt with many royal forests besides Dean, his widow became much involved with the Treasury in trying to settle his debts and claiming sums due to her. The claims included money paid for stripping bark, suing offenders, and "poundage" on wood-sales and felling, a revelation of forest management tolerated at the time. The Treasury secretary asked her 17 November to forward the articles between Agar and Foley for 24,000 short cords of wood to be cut in the Lea Bailey. Wolseley with Charles Morgan, lately Agar's deputy, were scrutinizing Foley's contract for "8,000 short cords annually for 3 years in the Lea Bailey". The matter was pursued by Philip Ryley, serjeant-at-arms, who took over some of Agar's duties; the Treasury authorized him 6 December to settle the matter. Foley's debt was £7,100; he had paid to Agar £2,900 which the said surveyor general's wife must meet. Ryley reported that it was reasonable Foley's contract should be completed; the Treasury concurred.

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iii. Ibid., p. 1549. iv. Ibid., pp. 1736, 2100, 1586.
v. Ibid., p. 1604. vi. Ibid., p. 1648.
Meanwhile the commoners had played havoc with many of the enclosures. In 1688 the lodges Worcester and York had been "pulled down by the rabble", and the Speech House "defaced and spoiled".¹ The duke of Beaufort, constable-warden, was unable on account of his other commitments to take his share of responsibilities in Dean. The Treasury secretary wrote to him 10 May 1688 ii expressing the Treasury lords' desire to speak with him "when in town" concerning the state and condition of Dean. They were perturbed by a report from Ryley that only about 2,500 acres were enclosed at the moment out of 11,000 acres allowed, "whereby the common is enlarged to the people and their stock of cattle thereupon increased proportionately, the underwood and young timber being exposed to the injury of both." The good intentions of the Act of 1668 had been thwarted. Ryley urged the cutting of the underwood to relieve the young oaks and straight beeches; it could be converted to cordwood without overstocking the market; there were many furnaces and forges outside the Forest that wanted it. The underwood would never be timber or of a greater value "but rather run more into decay by standing there." He continued:

"Were the underwoods cut and enclosures made and kept until the younger timber should become past danger of browsing of deer, cattle, and other prejudice, such parts so deemed safe might then be laid open and other fresh parts cut and enclosed, thus improving the condition of the timber in a few years; furthermore, the cost of such enclosures will be small, many of the grounds having been formerly enclosed and others being bounded by the lands of the freeholders."

Ryley asserted that £300 net per annum could thereby be raised. He presented a schedule of woods and underwoods which might usefully be cut, estimated to yield 15,000 cords worth 4s. each. James II, consulted as to Ryley’s proposals, approved the whole, and 17 July a Royal warrant was given to the Treasury for Ryley to proceed. With the assistance of the officials and of two justices of the peace he was to "cut away so much holly, hawthorn, crooked beech, birch, hazel, and stoggal oaks in places as will produce £800 per annum clear for so long as the same may conveniently be raised without any prejudice to the state of the Forest". Out of the moneys so raised he was to repair the mounds and fences, "to preserve them from the browsing of deer and cattle, and to build pounds in some convenient place in the Lea Bailey at a charge not exceeding £3." It was an attempt to halt the commoners’ depredations.

Sales of trees continued. A record of wood delivered since 15 March 1687 by Charles Morgan reads:

<table>
<thead>
<tr>
<th>Place</th>
<th>Cords</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moorwood, 19 April 1689</td>
<td>1,885½</td>
</tr>
<tr>
<td>14 May 1689</td>
<td>345</td>
</tr>
<tr>
<td>Sally Fellett, 15 July 1689</td>
<td>52</td>
</tr>
<tr>
<td>Hangerbury</td>
<td>5,394½</td>
</tr>
</tbody>
</table>

The above deliveries were presented 10 June 1691 by Giles Creed, a keeper. Another record is headed: "Reserved by Charles Morgan out of the old trees in the Lea Bailey and sold pursuant to the direction

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ii. Ibid.,pp.2001-2; Cal.Tsy.Papers I, p.29, No.54.
v. L.R.5/11.
of a warrant from the lords commissioners of the Treasury dated 6 December 1687". The following are typical of the hundreds of minor sales from 21 November 1687 to 11 January 1690:

<table>
<thead>
<tr>
<th>Description</th>
<th>£.</th>
<th>s.</th>
<th>d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 beech clefts</td>
<td></td>
<td></td>
<td>9.</td>
</tr>
<tr>
<td>22 hammer helves, beech</td>
<td>2.</td>
<td>15.</td>
<td>6.</td>
</tr>
<tr>
<td>11 load, 9 scores of bark at 13s. a load</td>
<td>7.</td>
<td>12.</td>
<td>9.</td>
</tr>
<tr>
<td>5 loads of bark</td>
<td>3.</td>
<td>5.</td>
<td>0.</td>
</tr>
<tr>
<td>12 hay pieces</td>
<td></td>
<td></td>
<td>0.</td>
</tr>
<tr>
<td>8 feet of cardboard beech</td>
<td>1.</td>
<td>7.</td>
<td>0.</td>
</tr>
<tr>
<td>95 feet of cardboard beech</td>
<td>16.</td>
<td>0.</td>
<td>8.</td>
</tr>
<tr>
<td>12 feet of vessel timber beech for saddles</td>
<td>2.</td>
<td>0.</td>
<td>6.</td>
</tr>
<tr>
<td>1 beech log, 3 tons, 4 feet</td>
<td>2.</td>
<td>4.</td>
<td>6.</td>
</tr>
<tr>
<td>80 feet of beech</td>
<td></td>
<td>3.</td>
<td>3.</td>
</tr>
<tr>
<td>1 oak log, 100 feet</td>
<td>1.</td>
<td>14.</td>
<td>0.</td>
</tr>
<tr>
<td>1 oak log, 90 feet</td>
<td>1.</td>
<td>10.</td>
<td>0.</td>
</tr>
<tr>
<td>1 oak kibble</td>
<td></td>
<td>5.</td>
<td>0.</td>
</tr>
<tr>
<td>1 kibble for laths</td>
<td></td>
<td>2.</td>
<td>6.</td>
</tr>
<tr>
<td>2 kiddles and a hollow butt</td>
<td></td>
<td>6.</td>
<td>0.</td>
</tr>
<tr>
<td>a parcel for lath</td>
<td></td>
<td>6.</td>
<td>0.</td>
</tr>
<tr>
<td>a parcel of beech for hammer-helves</td>
<td>3.</td>
<td>10.</td>
<td>6.</td>
</tr>
<tr>
<td>1 foot of scale timber</td>
<td></td>
<td>4.</td>
<td>0.</td>
</tr>
<tr>
<td>5½ feet of beech for stole legs</td>
<td></td>
<td>9.</td>
<td>0.</td>
</tr>
<tr>
<td>3 oak crooks</td>
<td></td>
<td>16.</td>
<td>0.</td>
</tr>
<tr>
<td>1½ feet of spoke timber</td>
<td></td>
<td>5.</td>
<td>0.</td>
</tr>
<tr>
<td>18 feet of beech for shovels</td>
<td></td>
<td>3.</td>
<td>0.</td>
</tr>
</tbody>
</table>

The sales in the Lea Bailey totalled £746.16s.7d. The account was certified as correct by Ryley, now surveyor general of woods.

The Commission of 1692

Ryley's attempts to overcome opposition to enclosure proved ineffective. On 21 April 1690 he wrote to the Treasury:

"There are not at present any trees that can be properly called principal timber for the navy, such of them as lately were there having about 12 months since been felled and carried away by the country people with many thousands of young trees; and there are no enclosures for increase or preservation of timber as by the Statute in that behalf is directed, the same

having been broken down and destroyed, likewise two of the lodges and the Speech House pulled down to the ground at the time the former spoils and injuries were committed; but there are in the Forest near 100,000 young trees and saplings, some of them about 40 years growth, which if carefully preserved may be of great use to the navy. Also valuable quantities of holly, hawthorn, crooked beech, birch, hazel, and stoggal oak that may be cut away and converted into cordwood; by their sale £1,000 per annum may be raised for many years without danger of overstocking the market by reason of the many furnaces and forges in those parts, which want it, and the removal of which will be to the benefit of the young oaks."

Ryley further pointed out that, although the Act of 1668 authorized 11,000 acres, even when the enclosures of the Lea Bailey and the Chestnuts were repaired there would not be enclosed in the whole above 1,500 acres. Commons extended their privileges almost everywhere. It would be to the king's advantage to make enclosures "until the springs and saplings are beyond danger." He was given permission 30 April 1690 to raise £235 from wood-sales in order to repair the Speech House at a cost of £120, to rebuild two keepers' lodges at £45 each, to enclose the Lea Bailey with new gates and posts at £10 and the Chestnuts at £15.

The previous month the Treasury received a petition from Sir John Guise of Highnam Court pointing out that "the great timber of Dean has of late years been cut down, and the young spring of timber greatly injured and like to be destroyed, unless some

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i. On 9 July 1689, Ryley had been told by the Treasury to allow Daniel Drake, keeper of the Speech House Lodge, £3 towards its repair. (Cal.Tsy.Bks.,IX, p.40).

ii. Ibid., p.506.

iii. Ibid., p.901.
extraordinary care be taken." The best course was to enclose the Forest into "21 coppices, and to cut trees which were not of the kind to make timber, but usually called weeds of the forest". He offered to do this at his own expense in return for those "forest weeds" for 21 years, undertaking not to cut any oak, ash, or elm that are standard or "ground trees". The Treasury 6 March 1691 asked Ryley and William Harbord to report on a draft lease submitted to them. As part of the result the Treasury 18 May appointed a new commission comprising the duke of Beaufort, warden, Harbord, Ryley, and eight others.

The commissioners' Report to the Exchequer in 1692 is given in Appendix XII. From 9,025 acres of woodlands, ranging in age from 40 to 50 years, about 192,000 short cords could be cut, leaving an estimated 423,500 to stand. At 4s.10d. a short cord the Forest was worth £148,745.16s.8d., plus the timber—trees. Of the underwood and inferior trees not more than 12,000 should be cut annually; care should be taken to conserve all oaks and straight beeches. A long-term agreement such as that proposed by Guise was not favoured. The Forest should be entrusted to the present officials; it was now in a flourishing condition and care was being taken to make it useful for the navy. It was "now perhaps the best nursery for a navy in the world". Many of the 11,000 acres authorized under the Act of 1668

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i. As opposed to those arisen from stools.
iii. Ibid., pp. 1156-7.
were "generally very well grown with oak and beech of 30 to 50 years' growth and under"; many thousands of them were 40 feet and upwards in height "without a bough to hurt them". The Lea Bailey was "a spring" of 4 to 6-year oak and beech but much spoiled by cattle.

The commissioners stated that £137.10s. would suffice to repair the enclosures of 2,400 acres. Repair of the lodges Worcester and York would require £90 and 12 tons of timber, and of the Speech House £109 and 2 tons of timber. Since 28 April 6,186 short cords had been sold to Foley at 6s. a cord clear of cording. Much stealing and many other misdemeanours had taken place; action should be taken against offenders, now numerous and insolent. The miners took timber without order or view; this should be regulated. The attachment court was regularly held, but it could only convict, not punish; it was ineffective without a justice seat. Inaction by the officers of inheritance contributed much to the spoils; their establishment was questionable. If a justice seat could be held each year for six or seven years all diligent officials would be encouraged, the negligent reproved, "and the vain hopes that some persons have given the many and daring offenders that the Forest shall be made a free chace, and consequently destroyed and they exempted from punishment, will be utterly defeated and disappointed."

During the investigation by the commissioners and the preparation of their report, Ryley was authorized to fell "so much underwood and decayed trees, in places where the same may best be
spared, as will raise £420 clear,\textsuperscript{i} to pay to Lady Day 1691 the
salaries of the supervisor, £200, the keepers, £160, and for repairing
enclosures, £80.\textsuperscript{ii}

On 17 February 1692\textsuperscript{iii} the Treasury decided to instruct Ryley
to cut over a period of seven years £20,000 worth of "scrubbed beech
and birch with some holly, hazel, and alder"; care was to be taken to
preserve all oaks and straight beeches. Colliers were to be allowed
their customary wood only "by order of the verderers and by view of the
woodward or keeper as formerly.\textsuperscript{iv} A contract for 60,000 short cords of
"2-foot wood" was made with John Wheeler and Richard Avenant,\textsuperscript{v}
partners of the Foleys. The moneys raised in connection with the £20,000 sale
were sometimes applied to the Crown's debts and expenses throughout the
kingdom, including repairs in other forests and parks; the Secret
Service received £1,000, the duchess of Grafton £1,500.\textsuperscript{vi} On
28 February 1696,\textsuperscript{vii} Ryley was authorized "to fell old hawthorns and
other spareable underwood sufficient to raise £1,604.4s.10d." for
expenditure outside the Forest. He was in the Treasury's favour for
being successful in selling large quantities of cinders for re-smelting,
which had heretofore been taken without payment. Furthermore he was
given a reward of £1,110\textsuperscript{viii} for his diligence in apprehending clippers,
i.e. fraudulent debasers of coinage. He was connected with the
proceedings against ten people convicted and outlawed for "a pound

\begin{itemize}
\item \textsuperscript{i} Cal.Tsy.Eks.,IX,p.1198.
\item \textsuperscript{ii} Ibid.,p.1202.
\item \textsuperscript{iii} Ibid.,pp.1495–7.
\item \textsuperscript{iv} Ibid.,pp.1544,1583.
\item \textsuperscript{v} Ibid.,pp.1682,1700.
\item \textsuperscript{vi} See also Lord Godolphin's petition for some of the moneys:
S.P.32/p.175, 9 June 1693.
\item \textsuperscript{vii} Cal.Tsy.Eks.,X,p.1325.
\item \textsuperscript{viii} Ibid.,XI,p.93.
\end{itemize}
breach and riot" in May 1696.\(^{i}\)

The grant of the constabulary and wardenship "of the deer and woods" to the duke of Beaufort becoming void by reason of his "failing to sign the Association,"\(^{ii}\) 11 May 1687\(^{iii}\) a warrant was issued for a grant of the offices to Charles, viscount Dursley. He was "to hold in as full and ample a manner as Henry Herbert, now duke of Beaufort, held the same under Letters Patent of 18 June 12 Charles II", and to receive, "without account, in consideration of good and faithful services", £6,000 which Ryley was authorized 28 May 1697\(^{iv}\) to raise within seven years from 25 December 1697 from the sale of "scrubbed beech, birch, hazel, thorns, and alder in places where the same can be most conveniently taken or spared." However, almost at the same time another grant was mentioned, of £14,000 over seven years, to Henry Segar, lately lord Dursley, making a total of £20,000 over seven years, the amount which the commissioners had reported in 1692 could be raised.\(^{v}\) On 8 June 1697\(^{vi}\) a minute of the proceedings of the lords justices reads: "A bill offered for lord Dursley's being constable of Dean; their Excellencies were informed that lord Wharton had made some enquiries about that office, and they therefore forebore signing the bill until they heard from him". Again, proceedings in the House of Commons on 16 February 1698\(^{vii}\) indicated an objection to "a grant to a Mr. Montague, in a borrowed name, of £2,000 per annum for seven

\(^{i}\) Cal.Tsy.Bks., IX, p.150.  
\(^{ii}\) S.P.34/1702/3, pp 630-1.  
\(^{iii}\) S.P.32/1694-96, p.150.  
\(^{v}\) Ibid., p.129.  
\(^{vi}\) S.P.32/1698, p.190.  
\(^{vii}\) S.P.32/1698, p.94.
years to be raised out of the woods in Dean*. The appointment of
Charles, viscount Dursley held.

Wolseley the supervisor died 26 December 1697. On 11 January
1698 the office was filled by Harry Mordaunt; his duty was to see to
"the inclosures of nursery timber under the Act of 1668, and to six
other springs of young wood elsewhere in Dean*. All the officials were
strictly to perform their duties. Ryley was to assist in choosing
regarders; the verderers had certified to the Treasury that eight were
required in place of those dead or unqualified. But his main
occupation in Dean was raising money from wood-sales. If the greater
part of the money had been applied to improving the cover, and more
firm steps taken against the commoners, the aims of the Act of 1668
would have been more nearly achieved.

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ii. Ibid., XIII, p.216.
iii. Ibid., XIV, pp.61, 284.
CHAPTER IX
1700 to 1799

At the end of the seventeenth century the trees on the Forest's open lands, and the 100,000 immature oaks with some beeches on its statutory 11,000 acres were in jeopardy; so too were its fences, hedges, walls, and gates. The commoners were still obstructive.

Cordwood for the Iron Industry

The Treasury 17 August 1700\(^\text{i}\) permitted a few of the large and sound timber-trees to be felled for the navy; 40 oaks, and 60 beeches, sawn into 4-inch plank, were sent from Newnham-on-Severn to Plymouth.\(^\text{ii}\)

Edward Wilcox, the new surveyor general of woods, began June 1703\(^\text{iii}\) to complete the contract with Wheeler and Avenant, of which 26,756\(^\text{iv}\) short cords were as yet undelivered. He was also contracting with Mrs Boevey for 852 cords for her ironworks at Flaxley.\(^\text{v}\) On 6 December\(^\text{v}\) he was instructed to sell many hundreds of trees blown down in a severe storm.

There was much competition for cordwood. Foley petitioned 7 December 1704\(^\text{vi}\) for a new contract for 6,000 short cords each year at 5s.10d. for best wood and 5s.4d. for "thorny".\(^\text{vii}\) Wilcox advised that, at these prices, sales would fall by £800 per annum.\(^\text{viii}\) Furthermore, Mrs Boevey,

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\(^\text{i}\) Cal.Tsy.Eks.,III, Pt.I, pp.923-4
\(^\text{iii}\) Cal.Tsy.Eks.,XVIII, pp.306,313.
\(^\text{iv}\) Ibid.
\(^\text{vii}\) Chafly hawthorn and blackthorn.
Lady Wintour, and a Mr White with ironworks near the Forest should not be excluded; "if it all fell into the hands of one person the price would be deteriorated".\textsuperscript{i} Wilcox in January 1705\textsuperscript{ii} reported that the woods were "very full of young trees, two-thirds parts whereof were beeches, which overtopped the oaks, and would prevent them from ever growing up to be ship-timber." He advised that the statutory 11,000 acres should be in 16 sections of about 700 acres. One section should be cut annually, leaving sufficient standards of oak or beech, and then enclosed; £3,500 would thus be raised annually for ever, and "room would be given for the standards to grow and come to perfection."\textsuperscript{iii} In effect he recommended a cutting-cycle and coppice-rotation of 16 years and valued the crop, excluding standards, at £5 an acre. He agreed 7 February 1705\textsuperscript{iv} that Foley should have 8,000 short cords annually for six years at 6s. for "thorny" and 6s.6d. for better wood, and two-thirds of any surplus above 12,000 cords cut in any year. To fulfil this contract Wilcox was allowed to cut and enclose 700 acres annually for six years.\textsuperscript{v} This was almost the last large sale to the ironworks; coal and coke were now rapidly replacing charcoal. On 22 January Wilcox was instructed to repair the six lodges.\textsuperscript{vi}

Abuses

The officials were still having trouble with some inhabitants.

A report from Wilcox 6 June 1704\textsuperscript{vii} was passed to Mr. How, paymaster.

\begin{itemize}
\item[i.] Cal.Tsy.Bks.,III,p.408.
\item[ii.] 3rd Rept. of 1788, p.19.
\item[iii.] Cal.Tsy.Bks.,III,p.392.
\item[iv.] \textit{Ibid.}, pp.412-3.
\item[v.] \textit{Ibid.}, p.402.
\item[vi.] \textit{Ibid.}, XX, p.475.
\item[vii.] \textit{Ibid.}, p.263.
\end{itemize}
general of guards and garrisons, relating to "a riot and destruction of timber." The commendable plan to enclose was opposed by the commoners. A petition was presented 14 January 1706 to the Treasury by claimants of herbage and pannage asserting that enclosing would harm their interests; growth of underwood would lessen pasture, and swine would be deprived of acorns and beech-mast. An opposing petition was presented 10 February by employees of the ironmasters "praying that the plan of enclosure might be persisted in for the increase of underwood, by the cutting of which they gained their livelihood". The attorney general, Sir Simon Harcourt, consulted 4 July 1707 gave his opinion "that no claim or right of common of estovers, herbage, or pannage could prevent the enclosing, keeping in severalty, or improving the 11,000 acres as her Majesty should direct, and preserving the same enclosed for ever as a nursery of wood and timber only." Wilcox informed the Treasury 27 September that 20 trees were stripped of bark 3 or 4 feet above ground and others near the ground to kill them so that they might be taken by the inhabitants as dead trees. He asked for a warrant to fell these trees and any others so found, in the hope that "when disappointed the culprits would not take the pains to do the mischief". The Treasury concurred, and gave a warrant for felling "such other trees, not of use to the navy, for making gates, stiles and fences;" the remainder were to be sold, the

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money applied to her Majesty's service and annually accounted for to the auditor of the Exchequer.  

On 25 June 1708 a royal warrant for £2,500 from wood-sales was given to Charles, earl of Berkeley, the constable-warden; this was the balance of a royal bounty of £6,000 granted by William III, by felling "scrub beech, birch, holly, hazel, thorn, and oak in seven years from 25 December 1697". The same 25 June another warrant for £7,000 from sales was given to Henry Segar. Elizabeth, dowager countess of Berkeley, in 1711 claimed £1,750 due to her husband, Charles, from sales.

Foley obtained a renewed contract for cordwood "so long as any remains to be cut." Francis Wyndham, a verderer, persuaded the Treasury to agree to his distributing to the "under-keepers" the fines for offences. This action was followed in 1711 by a Bill filed in the Exchequer by the attorney general against the colliers for cutting trees and wood. The protracted suit was stopped by the death of Queen Anne.

In 1712 Sir Robert Atkyns, having for long been chief baron of the court of Exchequer, wrote: "The six lodges built for the keepers are the only houses within the present Forest, containing

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i. 3rd Rept. of 1788, 20.
iii. Ibid., p.286.
v. Ibid., pp.305,353.
vi. Ibid., p.186; see also Cal.Tsy.Eks.,XX,pp.3,689.
vii. 3rd Rept., of 1788, p.20.
23,000 acres, all extra-parochial." Dean was then "in its best state", but thereafter "all care of the Forest appears to have ceased". It would have been truer to say that the management during several decades round 1712 was inadequate to overcome opposition from the commoners and miners. The Crown was in part to blame. Only a small proportion of money raised from wood-sales was reinvested in Dean. There was no vigorous policy. Courts were discontinued. Officials' salaries were too low; perquisites and poundages were taken to supplement them; hence dishonest practices.

John Orde was appointed supervisor in 1712; Roynon Jones succeeded him in 1714. The warden, James, earl of Berkeley, petitioned the Treasury in 1717 for repairs to be done to five lodges (The King's, York, Herbert, Latimer, and Danby) with stables and pounds. Not till 1721 was a warrant given to the surveyor general, Edward Young, to fell timber to raise £389.11s.6d. to repair the lodges; two were uninhabitable, "insomuch as the keepers are not able to prevent the great damage done to timber—trees of which there are very good stores". Later evidence suggests that the repairs were not done. In 1718 Young informed the Treasury of persons who destroyed the fences round part of the Lea Bailey. He pressed for powers to prosecute; "for want of vigorous prosecutions on these occasions there are great damages done to the vert and venison in most of his Majesty's
No help was forthcoming. Later in the year he received orders to fell in Dean dotard trees to raise £64.19s.8d. to pay for repairs in Windsor Little Park.

On 15 September 1721, viscount Gage of Highmeadow, a verderer, then an office sought for prestige, informed the Treasury that the roads in Dean were impassable and dangerous. As the Forest was extra-parochial the Crown was liable for repairs; in the past the surveyor general had done repairs by direction of the Treasury. The matter was taken up with the new surveyor general, Charles Wither. He did not immediately comment on the roads, but informed the Treasury on 25 February 1722:

"The Forest of Dean contains 23,600 acres of which 11,000 of the best were enclosed pursuant to the Act of 1668. For several years after the enclosures were made, great care was taken in preserving them, insomuch that they produced a considerable annual revenue, but of late years they have all been sliplighted and thrown common, and when any part has been felled it has not been fenced and secured from cattle, so that the spring thereof has been cropped and spoiled. The soil is naturally so kind for wood and timber that the enclosures might easily be restored to a flourishing condition by being cut in orderly and reasonable proportions, and kept carefully fenced from the injuries of cattle. An annual warrant is proposed for cutting and fencing."

On 25 May 1725 Wither confirmed that as the Forest was extra-parochial the roads were not in the care of any particular parish, and had hitherto been repaired at the Crown's expense. Officials

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iii. Ibid., p.121.
iv. Maps IV and V.
and gentlemen of the county who had viewed the highways estimated the cost would be at least £854.10s. Ruardean lodge was in need of repair; its situation was so exposed that he recommended a more sheltered site. Five other lodges needed repair, at a cost of £207.10s. Roads were narrow and overhung with trees; he proposed widening them to 30 feet "in the clear"; the wood and trees might be sold to defray the expense. The Treasury agreed and issued a warrant.

During the next few years other warrants were sanctioned:

- 8 May 1730\textsuperscript{i} : £561.5s. and £247.3s.6d. to be raised by wood-sales.
- 10 August 1731\textsuperscript{ii} : For removing "Littledean Lodge" and repairing the lodges at the Speech House and Ruardean.
- 28 June 1732\textsuperscript{iii} : £733.12s.6d. to be raised out of wood-sales for repairing roads.
- 29 November 1732\textsuperscript{iv} : £871.2s.6d. for the same.

The constable-warden was given warrants for £52.10s. each quarter to pay the salaries of the supervisor and keepers.\textsuperscript{v} Roynon Jones was succeeded as supervisor in 1730 by Christopher Bond.\textsuperscript{vi}

Francis Whitworth, the new surveyor general of woods, reported thefts of timber; orders to prosecute the offenders were given to the Treasury solicitor.\textsuperscript{vii} In 1735 there were renewed outrages by the inhabitants; pounds were broken into and lodges despoiled.\textsuperscript{viii} In the same year the surveyor general complained that the colliers

\textsuperscript{iii} Ibid., pp.238,258,289. \textsuperscript{iv} Ibid., p.302.
\textsuperscript{v} Ibid., pp.276,289,554,584,594; II, pp.155,170,182,327,337,347.
\textsuperscript{vi} 474,487,297,509,562,663,673; III, pp.15,75,106,117,188,141.
\textsuperscript{vii} Ibid., II, pp.358,538, No.29. \textsuperscript{viii} Ibid., pp.228,Nos.66,285.
\textsuperscript{ix} Glox. Notes & Queries,III, pp.372-3, 1312.
made a practice of boring holes in trees that they might have them when decayed. On 18 March a warrant was issued to prevent "such pernicious practices"; bored trees appearing to be dead and spoiled were to be felled, taking care that none of use to the navy be cut down. Nothing is said about discovering and punishing the offenders, or recommending to the officials more attention and care. The slight attention then paid by the government to this matter is clear. It is apparent, too, that colliers did not think themselves entitled to any trees not dotard or decayed.

In 1736 attention was again drawn to abuses. Christopher Bond, supervisor, stated in a Memorial to the Treasury:

"After the Act 20 Charles II, 11,000 acres had been enclosed. The officers were duly elected, forest courts held, and offenders prosecuted and punished, by which means were raised a great quantity of timber-trees; but within the last 30 years these elections had been neglected, the courts discontinued, and offenders left unpunished. The officers of Inheritance, and others, were grown remiss and negligent; so that a few enclosures, and those of a few acres only, of the 11,000 acres were kept up, and these not carefully repaired. A great number of cottages were erected upon the borders of the Forest, the inhabitants whereof lived by rapine and theft. There were besides many other offences committed such as intercommoning of foreigners, surcharges of commons, trespasses in the Fence month and Winter Haming, and in the enclosures; keeping hogs, sheep, goats, and geese, being uncommonable animals, in the Forest; cutting and burning the nether-vert, furze, and fern; gathering and taking away crab-apples, acorns, and mast; and other purprestures and offences; carrying away such timber-trees as were covertly cut down in the night. By which practices several hundred fine oaks were yearly destroyed, and the growth of others prevented. It is feared that some of the inferior officers of the Forest, finding offenders to go on with impunity, were not only grown negligent, but also connived at, if not partook in, the spoil daily committed."
On 27 January 1736 the Treasury considered this Memorial with proposals "for a new law for remedy thereof." The opinions of the solicitor general, Sir Dudley Ryder, and of the attorney general, Sir John Wills, were that "the offences were chiefly due to the neglect of putting the Act of 1668 into execution". They recommended that vacant offices should be filled, that the courts should be regularly held, and that the officials should be strictly enjoined to do their duty. All this should be explored before considering a new law. The Treasury solicitor was given renewed orders to prosecute offenders.

The Treasury considered whether the lodges should be repaired and what should be done about their attached enclosures. They also considered the repair of roads, which the verderers said would cost £645, and of Parkend Bridge, "the parish of Newland being unable to bear the expense." The surveyor general was given a warrant to do the repairs. He sold 1,600 cords to Thomas Crawley-Boevey at 5s.6d. a cord, and paid 2s. a cord for felling and cording; he claimed a poundage of 20s. on each 1,000 cords, "being the ancient and usual allowance." The balance he expended on rebuilding Littledean Lodge and on repairing the lodges of Parkend, Speech House, Worcester, and Ruardean.

Christopher Bond, junior, succeeded his father as supervisor.

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ii. Ibid., II, p.359.
iii. Ibid., pp.206, 213.
iv. Ibid., pp.298, 363.
v. Ibid., p.532.
21 September 1736. The following April Augustus, earl of Berkeley, was appointed constable-warden "with £40 per annum to be distributed at his discretion among the keepers, and with all fees, wages, rewards, etc. out of the royal revenue of Dean Forest and the lordship and manor of Newland." The earl appointed Thomas James of Lydney his game-keeper; James, with the earl's steward, William James of Soilwell, were to have the sole rights over the game. The earl regularly received the money-warrants for the salaries of the keepers. It is with lord Ducie, Sir John Dutton, and others supported a grant to the inhabitants of Coleford to repair their chapel. Viscount Gage, lord of the manor of Stauton, asserted that the repair would be "prejudicial to his ownership of the ground on which the chapel was built". In spite of this a warrant was issued to fell trees to provide £150. Gage continued to oppose the earl and his supporters; an involved lawsuit of uncertain issue followed.

There was additional serious trouble with Gage, who had relinquished his appointment as verderer in favour of John Probyn of Newland. On 29 December 1743 he was accused of illegally taking

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beeches worth about £100 from 60 acres of the 200-acre Hangerbury Wood, east of English Bicknor. He claimed the 60 acres as his property; all 6,000 trees upon it were "stunted and withered wood except 200 small oaks containing about 850 tons." Gage also claimed under ancient custom wind-throws, with bark, lop and top, and roots of trees felled in his woodwardships of Staunton and English Bicknor, but not "brushwood and twigs for the king's deer to feed on". The whole matter was considered by the solicitor general; in consequence of his report and on the advice of the attorney general, Gage 24 April 1753 conveyed Hangerbury Wood to the Crown. In the long dispute many insinuations were made against Gage and his witnesses. His chief accusers were two verderers, Maynard Colchester and Thomas Pyrke, the new supervisor William Jones, and the deputy surveyor Tomkins Machen.

On 12 April 1743 a warrant for £516.3s.10d. was given to Henry Legg, surveyor general of woods, to be raised in Dean from sales of wood and damaged trees other than those fit for the navy. The money was to be spent in repairing lodges in Bere Forest, Hampshire. It would have been more fitting if this money and the huge bounties given to the Berkeleys had been used to improve Dean.

During the troubles with Gage the verderers made strong representations that miners of iron-ore and coal should be allowed timber for their works; it was alleged that "thousands must
inevitably starve if timber cannot be found for their pits, of which
the whole body of miners are already apprehensive and at which they
express great uneasiness".

Dean required much rehabilitation. In 1758 \(^i\) John Pitt,
surveyor general of woods, proposed that 2,000 acres should be re-
enclosed; the Treasury gave the order. \(^\text{ii}\) In 1763 Pitt was removed
from office in favour of Sir Edmund Thomas. From a survey of timber
made in 1764 \(^\text{iii}\) it was computed that 27,302 loads were fit for the
navy, 16,351 of about 60 years' growth, and 20,066 of dotard or
decaying condition. Pitt, reinstated in 1767, reported in 1770 that
in Dean he found much spoil and great quantities of wood and timber
cut without warrant by his predecessor to the value of £3,235.\(^\text{iv}\) In
1771 \(^\text{v}\) he obtained permission to enclose another 2,000 acres; a warrant
was given to him to raise its cost/£2,077.18s.10d. by wood-sales.
Between 1771 and 1786 he made representations to the Treasury
regarding abuses by miners, colliers, timber stealers, and others. He
tried means to prevent them, introducing checks on the delivery of
timber to mines and paying rewards on the conviction of offenders.
He was opposed by officials of both the old and new régime some of
whom by taking perquisites were no better than the inhabitants who
preyed upon the cover. The small success following Pitt's well-

\(^i\) 3rd Rept. of 1788, p.23.
\(^\text{ii}\) See maps of enclosures, 1758, in F.17/2 and 3.
\(^\text{iii}\) 3rd Rept. of 1788, p.24.
\(^\text{iv}\) Ibid., p.23.
\(^\text{v}\) Ibid.
intended measures show how useless it was to attempt improvement
while resident officers gained by continuance of abuses. ¹

The supervisors during much of Pitt's term of office, Roynon
Jones, senior and junior, ² were paid a salary of £100 but are not
recorded as forwarding the conservation of the cover. Neither are the
constable-wardens, namely, John lord Chedworth, appointed 9 October
1761;³ Norborne Berkeley, 21 May 1762,⁴ and Frederick Augustus, earl
of Berkeley, 26 June 1766.⁵ Many of the officials under them, and
others over whom they had no jurisdiction, appear to have been
concerned more with perquisites than duties. The deputy surveyor and
his assistant made efforts to conserve the Forest and to prevent
abuses, but they too took customary perquisites. They had at least
ensured that much naval timber had been sent to Plymouth. But
enclosures made on Pitt's recommendations "were soon suffered to go
to ruin."⁶ Letters tell part of the sorry story of the period.⁷⁸

These relate chiefly to naval timber which had become extremely scarce
in England. A document of 9 August 1768⁹ records that Dean "still

¹ 3rd Rept. of 1788, App.38.
² Appointed 12 May 1761; Home Office Papers 1760-5, p.94.
³ Ibid., p.119. ⁴ Ibid., p.235. ⁵ Ibid., 1766-9, p.127.
⁶ 3rd Rept. of 1788, p.24. As an example, the Rev. William Crawley
wrote 10 Dec.1770; "There is a hill of 3 or 400 acres called
Chestnuts with no trees on it, but close by at Flaxley are
some fine chestnuts" (G.R.O., D.33. Machen Muniments).
⁷ Eighteenth Century Documents relating to the Royal Forests, &c.
(selected from the Shelburne Mss. in the William L. Clements
⁸ Ibid., p.102.
contained much useful timber in maturity, and numbers of trees in progressive states of growth, but there are wastes of vast extent, uninclosed, which produce no trees, though the soil is of a nature very fit for their cultivation." A letter dated 15 May 1769 to the Navy Board\(^{i}\) said that miners each year took 700 to 1,000 oaks instead of inferior kinds. The woods were spoiled by animals and people. If proper care were exercised the Forest could supply much of the naval timber for Plymouth. Another letter 30 May\(^{ii}\) deplored the abuses in Dean "which is one of the finest nurseries in the Kingdom, and has for these 16 or 18 years afforded for the service of Plymouth yard a great supply of the largest and most useful sort for naval purposes." This timber had come from the enclosures made under the Act of 1668.

In 1774\(^{iii}\) Mr. Andrews, purveyor of naval timber in Dean, reported that cattle continued to spoil the young woods. The burning of gorse had ruined 10,000 oaks in one night. Only two enclosures had been made and these were ineffectively maintained. Acorns sown for raising transplants had been eaten by mice. There were no decayed timber-trees in the Forest; the oldest, none over 120 years, "were put in under Oliver Cromwell." The abuses in Dean were so great that he knew of no better preventive than "a troop or two of Light Horse to patrol the Forest day and night."

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\(^{i}\) Eighteenth Century Documents..., op. cit., pp.103-4.

\(^{ii}\) Ibid., p.105.

\(^{iii}\) Ibid., pp.134-8.
A letter 30 April 1777\textsuperscript{i} asserts that Dean was "going to wreck and ruin: the depredations made therein by the colliers and country people are incredible." Another, 28 February 1780,\textsuperscript{ii} from Benjamin Slade to the Navy Board, says that trees were stolen in the night and cut into coopers' ware. Other trees were shipped to Bristol every spring tide; on one day at Gatcombe on the Severn there were five or six teams with timber, plank, and knees, among which were several useful pieces for ships of 50 and 64 guns. Unless some method was found to prevent the depredations "in a few years the whole Forest must be destroyed". Slade himself had surveyed and marked timber in Dean last spring, the great part of which was fit for "thickstuff and plank", likewise other timber which will be tendered for by Henry Mills, a contract to the navy.\textsuperscript{iii}

The letters and reports which the Navy Board received around the 1770s had little effect, but by 1796\textsuperscript{iv} the Board had succeeded in getting the Treasury to consider the question of naval timber, and to agree to draft legislation to extend to Dean that part of the Act of 9 and 10 William II c.36 which forbade the removal of any tree; this legislation was not forthcoming. They sent to the warden, the earl of Berkeley, particulars of abuses in the Forest asking him to investigate; if he needed any further powers to prevent encroachment upon his

\textsuperscript{i} Eighteenth Century Documents..., op.cit., p.141; Robert Gregson to Lord Shelburne.
\textsuperscript{ii} Ibid., p.110.
\textsuperscript{iii} Mills was a timber merchant from Rotherhithe (2nd Rept., 1816, p.141).
\textsuperscript{iv} Eighteenth Century Documents, op.cit., pp.107-9.
Majesty's rights either by colliers or other persons he should apply for them. No action by the warden is evident. Matters were still the same in 1780 when 29 May the Treasury received from their solicitor a report on the abuses, advising the offering of rewards of £20 or £50 for information leading to the conviction of offenders. Thereafter some action is apparent. In the seven years to Michaelmas 1787 247 persons were convicted of stealing timber and of other offences, fines amounting to £729.9s.6d. were imposed, and £540 was paid out as rewards by the deputy surveyor. The only known planting was that of acorns and oak plants, and of a few Weymouth Pine, the first introduction of conifers, in c.1781.

In 1783, in pursuance of an order of the House of Commons, a new survey of Dean's timber was made. It showed 90,382 oaks, computed to contain 95,043 loads, and 17,982 beeches, computed to contain 16,492 loads, "both of square measure". The greater part of the trees ranged from 90 to 110 years; many were nearing their prime and were being felled for the navy and other useful purposes. Much of the Forest was, through neglect, "a barren waste and heath".

In 1786 warrants were issued for raising £2,000 from timber.
sales in Dean towards the cost of building a gaol at Gloucester; Joseph Pyrke and Thomas Crawley-Boevey viewed and marked 1,768 oaks and beech for this purpose. At this time Thomas Blunt was deputy surveyor, and Miles Hartland his assistant.

**Sales of Timber**

In spite of abuses and maladministration Dean had supplied much timber for mining, shipping, and other uses. During seven years to Michaelmas 1787 the now combined court of attachment and swanimote had issued to the miners 2,930 warrants for mining-timber. Under these warrants the miners had taken without payment 7,486 oaks, 494 beeches and 2,369 various trees, a total of 10,349, a yearly average of 1,478 trees. Some of the trees had been the best in the Forest. During twenty-six years from 1761 to 1786 the nation had benefited by huge quantities felled for the navy:

"Timber felled for the use of the Navy from 1761 to 1786 inclusive:

<table>
<thead>
<tr>
<th>Tree Type</th>
<th>Quantity</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oaks</td>
<td>16,573</td>
<td>£30,814 14s. 4d.</td>
</tr>
<tr>
<td>Beech</td>
<td>871</td>
<td>908 13s. 7d.</td>
</tr>
<tr>
<td>Cordwood from above</td>
<td>22,430</td>
<td>6,953 7s. 1d.</td>
</tr>
<tr>
<td>Stakes sold in 1786</td>
<td></td>
<td>12 3s. 10½d.</td>
</tr>
<tr>
<td>Bark</td>
<td>about 1,510 tons</td>
<td>2,650 1s. 5d.</td>
</tr>
</tbody>
</table>

Total: £41,339. 0s. 3½d.

**Disbursements:**

- Viewing, setting out and felling timber: £3,334. 9s. 4½d.

Allowances and appendages of the surveyor general,

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i. 3rd Rept. of 1788, App. 10.
ii. Ibid., p. 22.
iii. Ibid., App. 32.
his deputies and the
deputy surveyor, besides
costs of warrants, audits
etc. £7,422. 14s. 4d.
Discount and brokerage of
Navy Bills 762. 9s. 7d.
Repair of lodges and the Lea
Bailey pound 14.19s. 7d.
Repair of roads 103.10s. 0d.
Repair of enclosures, sowing
acorns and transplanting
young oaks 330. 5s. 7½d.
Keepers looking after the
timber and enclosures 723. 10s. 0d.
Keepers and other persons
watching the Forest by night 280. 0s. 0d.
Expenses of prosecutions and
rewards on convictions 647.15s. 7d.

£13,619. 13s. 7½d.

Balance of Navy Timber Account £27,719. 6s. 8½d."

During the same twenty-six years the following wood-sales had
been made:

"Oak and beech timber £16,226. 9s. 5½d.
Cordwood from the same 10,224. 18s. 1½d.
Barkii 1,263. 16s. 3½d.

£27,715. 3s. 10½d.

Disbursements:
Viewing, setting out and
felling timber £4,838. 2s. 3½d.

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i. 3rd Rept. of 1788, App.33.

ii. As to the bark, immense quantities were shipped from Chepstow
c. 1781; (this may or may not have been from Dean) and from
Newnham in the 1770s (Trans. B. & G.A.S., vol.18, p.12). As to
local ship-building, some of Dean’s timber may have been used
for one or more of the three ships built at Newnham in 1776,
1778, and 1779 (Ibid., p.13).
Allowance and poundages of the surveyor general and his deputies, besides costs of warrants, audits, etc. £2,892.10s. 8d.
Discount and brokerage of Navy Bills 249.12s. 3d.
Repair of Lodges etc. 764.16s. 5d.
Building a Watch House in 1782 144. 8s. 7d.
Making and repairing roads 11,221.11s.10d.
Building and repairing bridges 306. 2s. 0d.
Repairing of old and making new enclosures 3,676. 5s. 6½d.
Survey of timber in 1783 298. 6s. 8d.

£24,391. 16s. 3½d.

Balance of Wood Sales Account £3,323. 7s. 7½d.

The credit balance of the two accounts was therefore £31,042.14s.3½d. Of this balance £829.18s.5d. was expended in 1764 on repairs at Hampton Court House Park, £816.0s.5½d. on repairs at Richmond New Park and £2,000 towards the building of Gloucester gaol.
The rest remained in the hands of the surveyor general, John Pitt. Much ship-timber had been sold to Henry Mills.

Dean in spite of being robbed, exploited, and largely neglected, had proved an immense national asset. The enclosing and plantings during the Commonwealth and after the Act of 1668 had not been in vain. Efforts to encourage natural regeneration and coppicing and the sowing and planting of beech and oak had despite obstructions been worth while.

The Commissioners of 1788

Dean like other forests was riddled by abuse and mismanagement.
In 1780 commissioners had been appointed "to enquire into the state and condition of the Woods, Forests, and Land Revenues of the Crown." In due course the abuses of the cover of Dean and other forests would be exposed. The commissioners rendered between 1787 and 1793 seventeen reports of which the third, dated 3 June 1788, dealt with Dean. The commissioners state: "From the relaxation of the forests, and the neglect of those to whom the care of this valuable property was intrusted, abuses have gradually crept in, and have been suffered to increase to such a height as sufficiently accounts for the unprofitable and wasted condition to which they are now reduced." They recommended that an Act of Parliament should pass to appoint and empower commissioners to:

1. Treat and agree with freeholders, commoners, and others as to their rights and claims.
2. Dispose of or destroy the deer.
3. Enquire into claims relating to mining-timber.
4. Regularize cottages and other encroachments.
5. Ensure the prohibition of waste and destruction.
6. Ensure adoption of a new plan for payment of every efficient officer in the Forest.
7. Determine what roads are necessary to be made and kept in repair at the expense of the Forest.

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i. The Third Report of the Commissioners appointed to enquire into the State and Condition of the Woods, Forests, and Land Revenues of the Crown. Referred to throughout this thesis as "3rd Rept. of 1788."

ii. See Map VI.

iii. 3rd Rept. of 1788, p.20.

iv. Ibid., pp.40-49.
(8) Enclose 18,000 acres for production of timber.

(9) Make a complete survey of all trees in the enclosures, distinguishing those fit for the navy and particularly those containing "principal pieces or knee-timber."

(10) Tighten up felling-regulations.

Under proper management the Forest would be "productive of the most solid national advantages, without hindering the rights of any individual." By their "plan of arrangement and management" Dean could be made a very valuable nursery for timber for the navy, and productive of a considerable revenue.

John Robinson succeeded Pitt as surveyor general in 1788; his deputy to May 1789 was Blunt, and thereafter Hartland. The administration was tightened. Notices announcing severe penalties for abuses were displayed in the Forest in 1791. There were many prosecutions. In 1795 an Act authorized the making and improving of roads.

Meanwhile much timber had been shipped from Gatcombe and Purton to the dockyards at Woolwich, Portsmouth, and Plymouth. From 4 December 1786 to 19 March 1802, the felling of 16,788 loads of oak and 2,088 of beech was authorized by "His Majesty's Royal Sign Manual" supported by warrants from the Treasury.
fellings was in the presence of a representative of the navy and of two justices of the peace. The oak was felled "at the proper season for the running of the bark". Full accounts are extant of the numerous Navy Bills and the interest on them; also of the felling and delivery, and of sales of bark, lop, top, and offal. Produce not required by the navy was sold chiefly at auction by George Conibere and Thomas Wasley at the Speech House or at the Brown Bear Inn, Newnham. Much cordwood was sold at 6s. to 11s. 6d. a cord to Sir Thomas Crawley-
Boevey Bt., John Partridge, and David Tanner. The cost of cording was 1s. 6d. to 2s. 4d. Three keepers looked after the enclosures of Buckholt, Stapledge, and Birchwood. A watchman was paid £10 a year. Over £750 was expended in repairing fences, planting quickthorn, and (in 1792) sowing acorns.

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i. L.R.4/16/56-57; /17/108, 147-8; /18/166-9; /19/196.
Nelson's Report of 1803; Naval Timber

Nelson visited Dean in 1802 and was perturbed that much was unsatisfactory; there were fewer oaks than the Forest might grow. His Memorandum about 1803, given in Appendix XIV, indicated deficiencies and suggested remedies. He alleged that less than 3,500 loads of ship-timber were available, "and none coming forward"; if developed the Forest would grow 920,000 oaks and produce 9,200 loads yearly. He proposed strong measures, including the appointment of a "guardian of the support of our Navy", and submitted thoughts "on encouraging the growth of timber." Nelson gave no credit for some 30,000 loads which Dean had supplied from 1761 to 1802. He also underestimated the stock in the Forest. In 1803 3,313 loads were supplied, 1804, 3,042, 1805, 2,489, 1806, 1,078, 1807, 1,027, and 1808, 1,535. The prices ranged from £1.5s. to £3.10s. a load; the few hundred loads of beech fetched £1.11s. to £2.15s. each; these prices did not include transport.

The purveyor to the navy was a Mr. Jones.

The Dean Forest (Timber) Act, 1808

Robinson died in about November 1802 and was succeeded in 1803 by Lord Glenbervie. Hartland was replaced 1 January 1803 by James

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i. 30th Rept., 1852, App.16, pp.223-4.
iii. 1st Rept., 1812, p.141.
In May 1807 Glenbervie was authorized by the Treasury to thin trees in Dean "where so thick as to impede each others growth", to give room for the improvement of those likely to become fit for naval purposes. He was anxious to replant Dean and other forests, and went to great lengths to ascertain how the requirements of the navy could be met. His researches into the best methods of raising oak are commendable. He was much interested in experiments in Dean relating to the growth of oak. To him is due much credit for improved silviculture in Dean and other forests.

Frederick Augustus, earl of Berkeley, constable-warden, surrendered his lease of Whitemead Park 7 April 1807 so that it could be a "nursery of timber." A new deputy surveyor, Edward Tomkins Davies, (later the surname was changed to Machen), replaced his father James Davies under whom he had worked for two or three years. Edward Machen, of Eastbach Court and later of Whitemead Park, had a great love for Dean and came from a family with deep roots in it. He was in time to undertake much work within the Dean Forest (Timber) Act, 1808.

This Act, given in Appendix XV, confirmed much of that of

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ii. This is one of the earliest references to the operation of thinning. In 1802 £20.17s.2d. was paid "for marking the storers and other trees in Stapleford for the purpose of thinning the same" (L.R.4/19/196).
iii. 1st Rept. of Comr. of Woods, 1812, pp.18-23.
iv. Ibid., pp. 137-46.
v. Ibid., pp. 144,148.
vii. 48 Geo. III, c.72.
1668. It provided the powers necessary to complete the enclosure
of 11,000 acres; at this time only 676 acres at Stapledge, Acorn
Patch, Birch Wood, and Buckholt were enclosed. In September, Messrs
surveyors Driver reported to Glenbervie their estimate of Dean’s oak:

| Walk      | Oaks   | Content in "round measure"
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Ruardean</td>
<td>10,171</td>
<td>222,705</td>
</tr>
<tr>
<td>Latimer</td>
<td>422</td>
<td>6,455</td>
</tr>
<tr>
<td>Worcester</td>
<td>3,794</td>
<td>146,855</td>
</tr>
<tr>
<td>Parkend</td>
<td>5,563</td>
<td>226,165</td>
</tr>
<tr>
<td>Speech House</td>
<td>10,505</td>
<td>431,910</td>
</tr>
<tr>
<td>Blakeney</td>
<td>4,342</td>
<td>110,055</td>
</tr>
<tr>
<td></td>
<td>34,827</td>
<td>1,144,145 or 22,883 loads</td>
</tr>
<tr>
<td></td>
<td></td>
<td>of 50 feet</td>
</tr>
</tbody>
</table>

Also 9,500 tellers or young standards "exclusive of those
before-mentioned in this report."

Machen ii later recorded: "The report was not exact and is
supposed to be much under the real quantity."

Glenbervie could not at once make use of his powers. Lack
of finance was a chief reason. To overcome this he sought to make
miners pay for their timber, and to obtain revenue from those seeking
permission for tramroads through the Forest. Proposals for tramways
and railways in Dean had been made in 1799; iii after meetings with
miners many agreed to pay for timber. iv On 10 June 1809 the Lydney
and Lidbrook Railway Act v received Royal Assent. Section 75 made
provision that persons claiming or taking free mining-timber under the

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existing custom should not use the tramways.

Drivers' Planting Contract and Billington's
and Machen's Accounts

Glenbervie encouraged an extensive programme of enclosure, and planting began in the autumn of 1808 at Whitemead Park. Messrs Driver had in that year been given a contract to enclose, fence, drain, and plant 10,324 acres to complete the 11,000 acres. In 1810 an Act united the office of surveyor general of land revenues with that of the surveyor general of woods and forests; the new office was known as "the Commissioners of Woods, Forests, and Land Revenues of the Crown". Henry Somerset, duke of Beaufort, now held the ineffective office of warden.

The Drivers' operations were in the hands of their agent Amos Sleed; the work was supervised from 1810 by William Billington, appointed by Glenbervie, the first of the new commissioners. Billington was to report monthly as to progress. He left an extensive account

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i. The custom was finally cancelled by the Dean Forest (Lines) Act 1838 (1 & 2 Vict. c.54, s.30).
ii. 50 Geo. III, c.65.
iii. He continued to do so till in 1836 the office was vested in the three commissioners of woods by the Act of 6 Will. IV, c.3.
iv. He had formerly been "gardener" (equivalent to a modern "forester") to lord Yarborough and the earl of Haddington. In 1818 he was appointed to superintend similar work on 900 acres at Chopwell in County Durham.
v. Edward Machen wrote of him: "He was laborious and diligent...a hardworking man. He found Dean Forest in a state in which encroachments of all kinds were yearly increasing, and by vigorous measures succeeded in enclosing and planting a great proportion of it so that now it may be truly said the Crown has the lion's share. He was an agreeable man but sometimes rather impatient" (Ms. penes me. c.1850).
of the difficulties he surmounted. So did Machen, the deputy
surveyor. The following information is from these two sources.

Most of the oaks on the 10,324 acres were cut together with
some of the thorns, hollies, and crabtrees, but the undergrowth was
untouched except where young oaks were thriving. Over 100 miles of
new fences were made, including 25 of stone walls and 70 of earthen
banks with gorse hedges. The banks were 5' high, 4'6" in width at the
base and 2' at the top; on the outside, 1' from the bank, was a ditch
1'6" deep. A row of gorse ("furze or whins" from northern England)
was sown along the top of the banks, another outside at the base, and
a third at the foot of the walls. The banks cost 2s.6d. to 3s. a rod,
the walls 8s.; the contractors' charge, 4s. and 9s. respectively,
included repairs for three years except in cases of wilful damage.

Open drains were at first made 1' deep and 1'3" in width at
the top, later 1'3" to 2'6" deep and 2'6" to 3'6" wide. For the first
couple years, 1808–1811, holes 15" square and 9" deep were made 4' apart, 2,722 on an acre; these were sown with an acorn, except that in
every tenth hole a 5-year oak was planted and in every hundredth hole
a 5-year Sweet chestnut. Where oak was deemed unsuited to the soil,
ash, elm, sycamore, Norway spruce, European larch, or Scots pine was
planted. After three years' planting, numerous failures were evident

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i. W. Billington, A Series of Facts, Hints, Observations, etc.
1825, pp.1–72. A few of his letters, with some of the Drivers;
are in Whitemead Park Muniment Room.

ii. Machen Muniments, loc. cit.
Despite "mending over"¹ with acorns or hardwood plants. Thereafter 1-year oak were used instead of acorns, and replacements were made with larger oaks. The Drivers' contract-rate for digging holes and sowing or planting was 12s.6d. a thousand. Their charges for a thousand plants were: 1-year oak 12s., 5-year oak 70s., 5-year Sweet chestnut 60s., 4-year European larch 40s., 2-year Norway spruce 40s., 4-year Scots pine 30s., 2-year Maritime pine (Pinus pinaster) 35s., 3-year sycamore 60s., 4-year ash 30s., 4-year elm 80s., 3-year alder 40s., and 2-year black poplar 60s.

Billington encountered many problems. Sheep and cattle ate the gorse; moles and mice burrowed into the banks; drains became choked; and rooks, mice, and other vermin took the acorns, and barked or severed the plants. From autumn 1813 every means was tried, including trapping in holes and poisoning, to rid the enclosures of vermin; 100,000 mice were caught in one year. In four enclosures, 1,700 acres, about 200,000 5-year oaks were destroyed by mice, ii besides numerous acorns and seedlings. The Drivers charged for 300,000 plants so destroyed. Glenbervie feared that plantations would never be raised. Bracken 6' to 7' tall and coarse grass increased Billington's troubles. Much money was expended on weeding and "mending over".

By 1816 9,389 acres had been enclosed and planted; iii the

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¹ Now termed "gapping" or "beating-up".

ii. Probably field voles, Microtus agrestis L., a species which occasionally increase to "plague" numbers.

iii. 2nd Rept., 1816, p.22.
balance to make up 11,000 acres had been partly fenced and would be planted that year. The Forest contained 22,791 acres; 300 acres of freehold land were being scheduled for planting. All the sparable oaks in the Acorn Patch, now about 29 years old and of heights of 25 to 30 feet, had been transplanted over 120 acres of open forest; they were flourishing. Nurseries of 20 acres were now raising oak and other transplants. Expenditure on the plantations and nurseries to date was £59,172.5s.10d., about £6.8s.8d. an acre. Glenbervie was no longer in charge.

At great expense to the Crown the Drivers in 1818 completed their contract for 10,324 acres. In 1819 the plantations were said to be "in a very flourishing state". Much remained to be done; failures not attributable to the contractors had to be made good. By 1818 nurseries at the Bourts, Yew Tree Brake, Ellwood, and Sallow Vallet contained 4,039,000 oaks and 880,000 ash, elm, Sweet chestnut, and "fir". That year Billington Qo  in Machen's care the 11,000 acres of enclosed plantations wherein the young trees were looking "remarkably well" but in places required enrichment. A good mast of acorns, the first since 1809, helped to fill gaps in the cover.

Of the 676 acres of enclosures made under the Act of 1668

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i. 2nd Rept., 1816, p.29.
ii. A list of the enclosures with acreages and dates of planting is given in Machen Muniments loc. cit., and in the Rept. of Select Cttee, 1849, op. cit.
iii. 3rd Rept., 1819, p.20.
and still intact in 1808 the Buckholt had been felled and replanted; Stapledge, Birchwood, and Acorn Patch, chiefly of oak, were not felled but enriched. In 1818 most of the large trees, about 150 years old, were at Church Hill, Ivy More Head, Russells, and Parkend Lodge Hill. Those in the Lea Bailey were younger and standing close. Some oaks 10\(\text{ft}\) to 25\(\text{ft}\) tall had been successfully transplanted from the Acorn Patch to Russells. About Tanner's Hill were oak 15 to 40 years old. The Chestnuts was a mixture of young hazel, oak, and Sweet chestnut. There were no "very old" trees, "that is trees in a state of decay", in the Forest; a large oak at the corner of Sallow Vallet, called "Jack of the Yat", appeared to be the oldest. There were "scarcely any natural trees other than oak and beech as timber; birch springs up spontaneously in every enclosure and overruns the whole Forest".

Much good work had been accomplished by Billington and Machen; only in one respect could it be criticized. The upper slopes and crests of the ridges, a prominent feature, are in general too much exposed and the soils often too shallow for the satisfactory growth of oak. Furthermore, there are considerable stretches of low-lying land in the middle of the Forest which are subject to late frosts and

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i. In 1810 this enclosures had 72 good oaks on an acre, each containing about 60 feet; there were also 40 stumps of older trees (1st Rept., 1812, p.140).

ii. This famous old oak stood until recent times on the south side of what is now called "the top of the Long Hill".
unsuitable to oak unless special measures are taken, for example by using a "nurse" crop. The plantings after the Act of 1808 did not sufficiently take into account these factors; the result was not apparent till many years afterwards. Yet those in charge of Dean had as their object to grow every possible oak for the use of the navy.

Timber for the Navy and other purposes: 1809-17

While Billington had supervised the establishing of plantations, Machen and his assistant, John Dudgeon, had supplied oak to the navy and timber and bark to contractors. From 1809 to 1817 9,214 oaks, about 11,166 loads, had gone to the dockyards. For repair of buildings and fences 2,108 oaks, 2,500 loads, unfit for the navy, had been used; 2,938 oaks, 878 loads, had been sold by auction. About 50 trees had been blown down or stolen. Huge quantities of oak-bark had been stripped and sold at prices from £12.10s. to £14 a ton in 1814, to £11.15s. to £12.2s.6d. in 1818. It had been stripped standing, at 6s.6d. a load of timber in 1815. Much timber had been sold to miners. Dean had therefore been of great national value; the plantings following the 1668 Act had fulfilled their purpose.

Machen's Management: 1819-48

Machen and his assistants tended Dean's 11,000 acres of

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i. Machen Muniments, loc.cit.
ii. 2nd Rept., 1816, p.143. At this time consideration was given as to whether timber should be winter-felled; it was decided against this (Ibid., pp.140-3).
plantations with wisdom and enthusiasm. While enclosed the areas were
rid of rights of common. From 1818 to 1822 nurseries were retained;
almost two million trees, over one-fifth of them European larch and
Scots pine, were used for enrichment and additional planting. By 1823
the plantations, between 5 and 15 years, were fully stocked; although
the commissioners intimated disappointment at the little growth of them,
"they were doing well, and slowness of growth was inseparable from their
nature, particularly at that age." Besides the 11,000 acres, 300 of
freehold land had been planted, and 3,064 in Highmeadow enclosed. The
Highmeadow Estate, alienated from Dean, part by gift and part by sale,
had been repurchased by the Crown from viscount Gage 10 July 1817.
Its timber content was reported on in 1824 by Adam Murray.

Among the visitors to Dean was the duke of Wellington; he
stayed at Whitemead Park, home of the deputy surveyor, with Mr.
Arbuthnot, appointed a commissioner 8 February 1823. Mrs Arbuthnot
in her Diary 15 August 1823 records: "We came to Whitemead Park
for Mr. Arbuthnot to examine the woods and plantations now under his
care." On 1 September she wrote: "I also rode about the Forest,
which 50 years hence will be a real Forest; at present it consists of
about 11,000 acres of young plantations six or seven years old, but

\[ \text{\textsuperscript{i}} \] 4th Rept. of Coms. of Woods, 6 March 1823.
\[ \text{\textsuperscript{ii}} \] An Act for Ratifying Articles of Agreement..., 57 Geo. III, c. 97.
\[ \text{\textsuperscript{iii}} \] F, 3/132.
\[ \text{\textsuperscript{iv}} \] The Journal of Mrs. Arbuthnot 1820-1832, Ed. by Francis
\[ \text{\textsuperscript{v}} \] Ibid., II, p. 46.
where the oaks are growing luxuriantly."
Young plantations of oak are
an unimposing sight; rarely are the stems of the trees more than one
or two inches in diameter and their height would be from five to twenty
feet. Machen had to see that such plantations came to perfection.
From 1823 to 1831 he planted trees in all suitable open ground.
Thousands of oaks 12' to 15' high were set on roadsides and in avenues
at a cost of 4d. to 1s. each. From 1830 the oaks in general suffered
badly from the Oak-leaf Roller Moth (Tortrix viridana) the caterpillars
of which feed greedily on oak foliage. Some 16,500 acres including
Highmeadow Woods had a woodland cover. The unthrifty woods of the
outlying Fence, Mawkins Hazles, and the Hudnalls, in all 1,272 acres, were
sold in 1827 to George Rook of Bigsweir.

The enclosures in Dean had been made with little opposition
from the inhabitants, but in 1831 the commoners were aggrieved that the
enclosures were not thrown open; they deemed the trees to be now
properly established and out of reach of grazing animals, particularly
sheep. In June 1831 a local anti-enclosure movement led by Warren James
threw open most of the enclosures and drove sheep and cattle into them.

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i. Many of these trees survive but on account of their wide spacing
and the exposed situations they are chiefly stunted and
unthrifty; they enhance the amenity of the Forest.
ii. Dean, almost yearly, still suffers thus, but the oaks recover.
iii. Machen Muniments, loc. cit.
iv. 6th Rept. of Cons. of Wood, 5 June 1829, p.145.
v. See The Life of Warren James, the Reputed Champion of the Forest
Riots, Descriptive of the Forest Riots, by a Resident Forester
(Heath, Monmouth, 1831).
Some 2,000 people with pickaxes and spades left scarcely a mile of unbroken boundary. The Royal Monmouthshire Militia and Third Dragoons quelled the riot. James was apprehended and the rioters had to repair the enclosures. The animals were removed; no trees had been damaged.

It was necessary for the government to enquire into grievances. The Dean Forest Commission Act 1831 was passed. The commission thereby appointed considered fully claims in the Forest, particularly those of commoning and free mining. Encroachments were compounded after 1838. The five reports rendered, and the consequent Acts, have been dealt with elsewhere.

The first thinning of oak and conifers in the enclosures took place during 1831. For several previous years the natural birch had been cut to relieve the oak. The early thinnings from the oak, as usual, were small and often crooked. While standing they were stripped of their bark, which was sold. The poles were felled a few months later and sold with conifers as cordwood or small mining-timber.

From 1831 to 1848 Machen, assisted by John Langham in Dean and William Turnbull in Highmeadow, continued to thin the plantations.

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i. The riots are explained fully in Hart, The Commoners..., pp.86–92.
ii. 1 & 2 Will. IV, c.12.
iii. See the Dean Forest (Encroachment) Act 1838 (1 & 2 Vict.c.212). For subsequent correspondence and papers relating to encroachments, see F.16/37, F.3/138–140.
v. The year of thinning each of the enclosures from 1831 to 1846 is given in the Machen Muniments, loc.cit.
and to plant trees along roadsides, on unenclosed parts, and in gaps in the enclosures. During 1830–38 oak was sold at 1s. to 2s.6d. "a foot" \(^i\) or at £2.10s. to £6 a load. Mining-timber fetched 10s. a cord of 78 cubic feet, cordwood 5s.9d. to 14s. a cord, and flittern bark £4.7s.6d. to £7.10s. a ton. \(^ii\)

By 1841 some of the enclosures made since 1808 were deemed by the Crown to be past danger from sheep and cattle, and fit to be thrown open under the Act of 1808; an equivalent unenclosed area could be taken in for reforestation. In the next two years 571 acres were enclosed in lieu of woodlands of an equal extent laid open. \(^iii\) The commissioners of woods asserted that "by pursuing the same plan for a few more years, the whole Forest (so admirably suited for the production of the finest oak timber) will be reclaimed from its past unproductive state, and be in progress of becoming of great value and national importance." \(^iv\) During 1842–47 about 2,039 acres were enclosed. \(^v\)

In 1842 Machen employed 312 labourers, many in nurseries; but about 200 was usual. By 1848 fewer men were required; the permanent staff was 5 keepers and 23 woodmen. \(^vi\) Four verderers still

\(^i\) Measuring was done with string folded twice or with a Hoppus quarter-girth tape, giving squared measure approximate to modern "quarter-girth measure".

\(^ii\) Machen Muniments, \textit{loc.cit.}

\(^iii\) 21st Rept., 1844, p.11.

\(^iv\) Ibid.

\(^v\) Bd. of Agric. 1st Ann. Rept. of Forestry Branches, 1914, p.37.

\(^vi\) Machen Muniments, \textit{loc.cit.}
held the court of attachment but dealt chiefly with encroachments; in ten years there had been about 50 convictions for vert offences. The Forest population had now increased from 5,000 in 1821, 7,000 in 1831, and 11,600 in 1841, to about 14,000. There were about 72 miles of roads under the Forest Turnpike Trust; about 50 miles were within the Forest. Dean was also intersected by tramroads and railways, mainly for transport of produce.

Timber for the Navy and other purposes: 1818–47

From 1818 to 1833 7,678 loads of naval oak had been supplied from Dean at prices from £3.15s. to £5.5s. a load. In the period 1838–47 1,908 loads of timber, chiefly oak, had been sold by auction at £2.9s. to £7.9s. a load and 1,448 loads by private treaty at 6d. to 2s.10d. a foot. Bark, 7,399 tons, cordwood, about 55,000 tons, besides 56,500 faggots and 20,000 oak plants had also been sold. The miners, whose rights to free timber had been extinguished in 1838 had purchased 37,800 cords. For many years supplies to the navy ceased after 1833; the Admiralty alleged that the cost from forests was £8.12s.7d. a load, but that from contractors only £6.6s. V Not till 1848 did supplies from Dean begin again; then some "stag-headed" trees fit for naval use were felled and shipped from Purton to Pembroke Dock.

ii. F.16/33, 34.
iv. 1 & 2 Vict. c.43, #30.
v. 34th Rept. of Coms. of Woods, 1856, App.I.
From 1803 to 1847–48 Dean's income was £543,577.12s.2d., its expenditure £369,260.0s.4½d. and its surplus £174,317.11s.9½d. i

For Highmeadow, which had supplied no naval timber, the figures from 1818 to 1847–48 were £86,876.0s.9½d., £55,679.4s.1d., and £31,196.16s.8½d. respectively. ii Both Dean and Highmeadow contributed handsomely to the nation's wealth.

The Select Committee of 1849

In 1849 a Select Committee reported on the woods, forests, and land revenues of the Crown. iii One section was devoted to Dean and Highmeadow. Nearly half the timber sold at public auction and by private contract during the last ten years had been purchased by a timber merchant at Monmouth who became bankrupt in 1848. It had been impossible to break through the monopoly amongst purchasers in the Forest; sales by sealed tender had never been tried. Bark was sold by auction; its price, having gone down for several years, was rising. Mining-timber, chiefly thinnings and cordwood, was sold monthly by private contract; though worth more, 10s. a cord was accepted to "let the miners down easily at first."

The extent of the woods was now about 12,504 acres. Little old timber remained. John Clutton in a survey of the Forest found the trees in general to be extremely fine, some of the oaks being the largest he had ever seen. Where oaks stood close as on Church Hill there

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ii. Ibid., p.691.
iii. Rept. of Select Cttee., 1849, op.cit.
were 24 to 30 an acre; he never saw longer timber, some trunks being 50 feet. On the 100 acres of that Hill there were about 60 to 70 loads an acre; \(^{i}\) they trees should be felled as their increment was small. \(^{ii}\) The condition of the plantations proved they had been judiciously selected and planted; Clutton had never seen plantations better thinned or drained; they could not be better managed. This was indeed a tribute to Machen and his staff.

The old timber—trees had been valued at nearly the same amount by three witnesses; by Clutton at £89,000, by Langham at £83,000, and by a Mr Downes at £72,000. As to the value of the 11,000 acres of plantations, however, Downes and Clutton differed much. Downes estimated them at £166,000 (£15 an acre), Clutton at £440,000 (£40 an acre). Clutton was of the opinion that the then income of the Forest, £10,000 with minerals, might be increased by £19,000 being added thereto as an accumulating annual income from timber. The 11,000 acres of plantations should produce a net annual income of 10s. an acre. The value of the land was estimated by Downes at £418,000 and by Clutton at £240,000. Clutton thought the old timber on the 500 acres of open Forest, which was for the most part fine and of large size and good quality, was fit for naval purposes and worth about £49,000.

The single trees on a considerable area were becoming fit

\(^{i}\) This would be about 3,000 Hoppus feet an acre under the modern system of measurement.

\(^{ii}\) A few of these oaks, called "Charles II Oaks", are standing today, now over 275 years old. See Photo II.
for naval purposes; there was a further portion occupied by trees "of spontaneous growth" which, with the plantations thrown open, were estimated at 3,000 acres and valued at £106,000. Furthermore, there were some old timber-trees fit for the navy within the plantations, probably worth £34,000, many of which should be cut to give space for the more rapid growth of the intermixed young oak.

Clutton reported the principles he had adopted in his estimates. He had taken the value of 100-year oaks as 60 loads at £6, say £350 an acre, and their existing value of £40 an acre had been approximately ascertained by discounting £350 at 3%. He believed the plantations would eventually not only repay the cost of planting with that interest thereon, but after the first 20 years also pay a fair rental. At the end of 18 years after planting, the conifers in the plantations had made £610.19s.1ld. profit in one year.

The income had reached 10s. an acre, the net annual value of the land for any purpose; it would continue to increase. There were still 400 tellers standing on an acre, 340 of which would be thinned to pay rental, the remainder standing for the ultimate crop, which would reach maturity in 100 years from planting. Some of the older oak, probably 160 years old, stood at 100 loads an acre worth £7.10s. a load or £750 an acre.

After the report of the Select Committee matters in Dean went on much as before. Thinning continued and some mature timber was felled. In November 1850 388 loads of naval oak went to Pembroke Dock,
the cost of carriage was £992.8s. The sales of mining-timber in Dean amounted in 1848-9 to £1,717, in 1849-50 to £1,380, in 1850-51 to £1,426 and in 1851-2 to £622; the respective figures for Highmeadow were £493, £1,380, £114, and £297.

Machen v. Kennedy and Brown

In September 1850 T. F. Kennedy was appointed chief commissioner of woods. He caused a great stir in Dean. His first clash with Machen was about naval timber. Machen had estimated that the felling planned for 1851 would provide 553 loads from Dean and 177 from Highmeadow; the purveyor to the navy accepted only 400 and 70 respectively. In August 1851 Mr Martin, seconded by the Society of Lloyds to whom he was surveyor, found that the purveyor had rejected trees with as much as 200 to 300 cubic feet in them; only 19 top-lengths had been accepted out of 233, and no crooks. The cause was damage and decay of limbs which had produced "bad, druxey, and foxey rot" in the trunks, the trees having been permitted to stand beyond maturity; there were thousands more in Dean in similar condition. Kennedy was non-plussed. To him the rejections affected the whole economics of growing oak; the navy paid £10 a load; the rejects could be sold at only about £2.15s. a load. Machen was blamed. The worth of the naval timber eventually sold from Dean in 1850 and 1851 was £3,852 and from Highmeadow £1,412.

On a visit to Dean in April 1852 Kennedy was impressed by

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i. 29th Rept., 1851.
ii. 27th Rept., 1849, 28th Rept., 1850, and 29th Rept., 1851.
iii. 30th Rept., 1852, App. 5 (F.& X).
iv. Ibid., App. AA.
"its magnitude and interesting character.\textsuperscript{i} Dissatisfied with the income, he called to his aid James Brown of Arniston, a forester and wood-surveyor well known in Scotland, whom he had commissioned to report on other forests. Brown visited Dean and Highmeadow in July and submitted reports supporting ideas advanced by Kennedy.\textsuperscript{ii} Portable steam-saws should be introduced; bark should be stripped after felling not before as hitherto, and it should be stacked on stages instead of on the ground; many of the enclosures were under-thinned, others over-thinned. Brown could not say that the crop in all the enclosures had been well managed, "because the trees were comparatively small for their age"; the main crop was oak with a few chestnut trees intermixed, of a general age of 40 years. No comment was made on the conifers.

Kennedy now had much of the ammunition he required. He began firing on Machen by a letter 11 December 1852.\textsuperscript{iii} Brown's criticisms were made known; the thinning procedure and the method of stripping bark were to be changed; three old woodmen were to be dismissed with compensation. Machen and his assistant, Langham, were disturbed; they politely refuted many of Brown's criticisms and advised delay in making changes. Kennedy for the time being had to agree: "it was in vain to contend against the universal indisposition to adopt the improvements suggested.\textsuperscript{iv} He had his own way by quite rightly having many of the deteriorating oaks in Russells felled; he also started an experiment in "siding", i.e. sawing or axing off the sides of logs.

\begin{footnotes}
\item[i] 31st Rept., 1853, p.134.
\item[ii] Ibid., App.13 (A),(B),(C),(D),(E),(F),(G).
\item[iii] Ibid., (M).
\item[iv] Ibid., (N.5).
\end{footnotes}
before extraction. In the spring of 1853 he had felled 1,707 trees estimated to contain 4,008 loads; Mr. Freebridge, the navy purveyor, accepted only 1,812 loads. Of the balance, 2,691 loads were sold. The rejected timber was put to public auction; of 1,055 ends of trees offered 18 July 1854, only 620 were sold, and of 2,299 offered shortly afterwards only 112 were sold. The huge fine trees felled in Russells and on Church Hill in 1852 and 1853 were later "well described by the oldest woodmen as the great falls of such timber as will hardly be seen again"; 1,241 trees yielded 191,825 cubic feet by quarter-girth measure, or an average 154 a tree.

In 1854 Machen found conditions under Kennedy intolerable. He resigned in February and published "Observations" refuting the criticisms. Brown took Machen's post, but his months in Dean were few. In the spring of 1854 the "Drummond Committee" investigated "the management and condition of Crown forests". So far as the inquiry related to Dean, it arose from the supposition that its timber, of which 7,800 loads had been felled during the two previous years, might

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i. 34th Rept., 1856, p.108.
ii. Ibid.
v. F.3/4,5.
have been sold at higher prices, and that the method of stripping
and drying bark was defective. The Committee found that the accepted
prices were about those usually paid in the neighbourhood. Furthermore,
the method of stripping the bark from a standing tree and setting the
bark upright on the ground to dry was as good as that of felling,
stripping, and drying on temporary stages. The portable steam-saw
sent to the Forest had proved too small for its purpose although as
large as could be conveniently moved from place to place. The
Treasury, to satisfy both the public and the legislature, decided to
have the whole matter investigated by Messrs J. Matthews, W. Hurton,
and W. Menzies. Their report vindicated Machen's management.

Furthermore, the investigators were able to say: i

"The enclosures were originally planned with extreme care,
their situations judiciously chosen, the land well prepared, and
the plants protected with nurses...Viewing these plantations as
a whole, we feel quite satisfied in representing to your
Lordships that not only is their state such as to merit approval,
but having reference to their regularity, growth, and prospective
ultimate development, they are not surpassed by any forest
property in the kingdom."

Kennedy had been removed 12 May 1854 by Gladstone. ii Brown
too was dismissed. Machen was temporarily re-appointed until a
successor could be chosen. On 11 November 1854 Sir James Campbell Bt.,
lately deputy surveyor of Bere and Parkhurst Forests, was placed in

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i. Quoted by Rev. H.C. Nicholls, The Forest of Dean: An Historical
   and Descriptive Account, 1853, p.139.

ii. Kennedy was replaced as chief commissioner by Charles Gore. On
    31 March 1855 J.K. Howard took over that portion of Gore's
duties which related to forests and woods (34th Rept., 1856).
charge of Dean. The letter from the Treasury announcing his
appointment states: "After the satisfactory opinion conveyed in the
Report of Messrs Matthews, Murton, and Menzies regarding the system of
management heretofore followed in this Forest, the time has come when
Mr Machen may be honourably relieved from the charge which he so long
and ably filled, and which he resumed at the request of this Board."
Machen had faithfully served Dean for 47 years.

The 13,486 acres of woods in Dean included 12,500 of plantations
made in Machen's time; the trees' ages now ranged from 24 to 46 years, their
diameter being probably 5" to 9" at 5 feet, with heights of 25 to 50
feet. Their market-value was low but their potential value was high.
Older trees were scattered throughout the plantations and on the
unenclosed "waste".

1855 to 1896

J.K. Howard, appointed commissioner of woods and forests 31 March
1855, encouraged Campbell to set up in the Forest a new silvicultural
management. No ship-timber had been felled in 1854. Much of that
rejected in 1852 still remained; 510 loads of it were accepted by the
navy in 1855 together with a great part of a new fall that year of
600 loads. This virtually ended large supplies to the navy from
Dean; iron had supplanted oak for warships. The Forest, planted in
1808-18 to supply naval timber, ceased before its plantations reached
half the requisite age and size to have an important market. The heavy

i. 33rd Rept., 1855, p.22.
ii. Rept. of Select Ctte. of 1854, pp.10-18.
iii. 34th Rept., 1856, App.1, pp.107-8.
thinning advocated by Nelson had begun to produce wide-spreading
trees with crooks and bends. No evidence has been found of deliberate
mutilation or bending to induce shaped timber. Dean had been important
during the navy's most critical periods, and continued to supply small
amounts of timber till about 1874. Between 1616 and 1855 it sent to
the dockyards some 100,000 tons; about two-thirds came from enclosures
made after the Act of 1668. What additional tonnage went through
contractors for mercantile building there is no means of knowing.
Professor Albion has said: "From the days when Cromwell ruled England
till the battle of Hampton Roads sounded the knell of wooden ships of
war, the heads of the English Navy worried over its timber shortage."
He avers that Dean was "the most famous of the nurseries of naval
timber...the name Dean was more closely associated with naval timber
than that of any other woodland in England, and it furnished a more
constant supply of oak than any of the other Crown forests."

The mines, now chiefly of coal, were an important remaining market,
and an outlet for much woodland produce difficult to sell. In 1853-4
£2,091 worth was sold from Dean and £727 worth from Highmeadow; in
1854-5 £2,907 and £867; in 1855-6 £2,335 and £520; and in 1856-7

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i. Rept. of Select Ctte. 10 July 1874, p.143. For comments on the
shipping of naval timber from Gatcombe and Purton, see J.Bellows:
A Week's Holiday in the Forest of Dean, c.1881, p.12.
iii. Ibid., p.107.
iv. Ibid., p.108.
v. 32nd Rept., 1854, p.120.
vi. 34th Rept., 1856.
£3,287 and £292. As more and deeper coalpits were opened the amount increased. The glass-making plants at Newnham-on-Severn, Gloucester, and of north-east/May Hill, used much wood; supplies from the Forest probably went by way of contractors.

Thinning of plantations continued. Its heavy grade, begun by Machen, proved unfortunate. Its intention was originally to give the oaks room to develop strong side branches and thus produce the crooks and curved timber needed for naval purposes, but the drastic opening of the crop checked upward growth and produced the relatively stunted branchy trees to be seen over the greater part of the old oak woodlands even today. ii

Throwing open, with some re-enclosing and planting, went on intermittently till 1872; iii the area planted between 1868 and 1872 was 224 acres. iv In 1874 a Select Committee reported; v

"The existing woods and plantations extend over between 14,000 acres and 15,000 acres; they are almost entirely of oak, and are of ages varying from 2 up to 70 years; the greater portion are from 50 to 70 years old, and in general are in a thriving condition. The plantations on the better soils may be expected to reach maturity in about 50 to 60 years, but where the soil is poor the result is not likely to be attained for 100 years. The object with which the plantations of oak were made was to provide a supply of timber for the navy. At present the quantity of mature oak timber in the Forest is very small, but the existing plantations may be expected to yield a large supply hereafter."

The government were having some doubts about the immature plantations, the sale of which Campbell and others strongly opposed. "it

would be like cutting down your wheat crop in the months of May or March."^i Dean was saved for the nation. Thinning continued but only a little planting was necessary.

In 1889^ii Campbell described the Forest's condition and the methods of selling its timber; foreign imports of mining-timber were causing a drop in demand and price; he was planting European larch wherever possible; he had two wood-foremen living in Perch and Bromley lodges, three keepers in Danby, Herbert, and Worcester lodges, and eighteen woodmen in lodges throughout the Forest and Highmeadow. ^iii

Dean's accounts from 1850 to 1888 showed a surplus, excluding mining royalties, of £127,775, the income being £432,913 and the expenditure £305,138; the surplus for Highmeadow was £82,491. ^iv

Campbell was succeeded as deputy surveyor in 1893 by Philip Bayliss, a barrister. ^v Charles Edward Machen, who had in 1888 succeeded James Ward as assistant to Campbell, remained with Bayliss till 1903. Bayliss applied to his management much energy and wisdom; he quickly showed a remarkable grasp of silvicultural problems. Furthermore, he intended that the Crown's rights vis-à-vis those of the commoners should be safeguarded. Up to his appointment the Forest was under no

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^i Rept. of Select Cttee. 10 July 1874, p.141, 2.3358.
^ii Select Cttee. appointed to inquire into the Administration of the Department of Woods &c; Minutes of Evidence, printed 26 July 1889, pp.29-33.
^iii Ibid., App.6, p.242.
^iv Ibid., App.16, p.303.
^v F.3/483.
expressed plan of management. The old trees had been felled as required, and over-heavy thinnings made in the plantations. Bayliss at once realized that the Forest's crops were immature and that felling should be stopped; the open woods were not growing satisfactorily. A scheme was put in hand for re-enclosing as fast as possible up to the limit of the 11,000 acres. He started nurseries, extended planting, began underplanting oaks with beeches, and stopped the heavy thinnings in the young woods. He also projected new roads.

Hill's Report of 1897

In his efforts to improve Dean and its management Bayliss had the full co-operation of E. Stafford Howard, commissioner of woods and forests. In April 1897 H.C. Hill, conservator of forests in India on furlough, was invited to prepare Working Plans for both Dean and Highmeadow. He surveyed the woods from 8 May to 14 June and submitted his plans on 19 July. The renowned forestry expert William Schlich later wrote of Dean's condition in 1896:

"Any person with a pair of eyes, who visited Dean and made his way across the several woods, found on by far the greater part of the area a thin crop of oaks from 80 to 90 years old, of poor height growth, with rounded or flat tops, and the branches coming down low, so that only clear boles of small length were formed. Looking down on the ground, our observer would see the soil covered with a matting of grass and weeds, overrun with brambles, etc. Presently the wanderer would probably come across a solitary

i. F.3/666.
ii. Hill, op. cit. Two maps relating to Hill's Reports are in F.17/42 and 44.
iii. Forestry in the United Kingdom, 1904, "The Forest of Dean: An object Lesson", p.68.
old oak or two of magnificent dimensions, towering high over
the 80 to 90 years old crop; the idea would at once cross his
mind that the flat-topped younger generation could never grow
to the height of the few remaining old trees, and he would be
sure to ask, 'What has brought about the change?' The answer
is, 'The nineteenth-century foresters in charge of Dean have
ruined the former fertility of the soil by trying to grow pure
oak beyond youth, by excessive thinning, and by unrestricted
grazing.' An enquiry into the past history of the Forest has
revealed the fact that, up to the end of the eighteenth
century, the Dean carried a mixed crop of oak and beech in the
proportion of one oak to about two beeches; under these
conditions the fine oaks of enormous size were produced which
made the Forest renowned, and provided large quantities of
first-class timber for the 'walls of oak' of Old England.'

The probable explanation of the attempts to substitute woods
of pure oak for mixed oak and beech was the small value of beech as
compared with oak and its tendency to outgrow and suppress the oak.¹

Hill expressed great admiration of the plantations established
from 1808: "The sites were admirably chosen, the land systematically
drained, the choice of species and their arrangement in alternate lines,
8 feet apart, of oaks and conifers (European larch, Scots pine, and
Norway spruce), the latter to serve as nurses to the oaks, were all that
could be desired;' The planting was so well done that, though
failures and difficulties were at first met, the crops succeeded everywhere.

¹ Forestry in the United Kingdom, 1904, "The Forest of Dean: An
Object Lesson", p.12.
² Ibid., pp.12, 13.
³ Hill may have been unaware that much of the 1808-16 planting was
of almost pure oak without conifer nurses.
⁴ Here again, Hill was perhaps unaware of the immense effort which
had to be made after 1816 to fully stock many of the
plantations.
Hill's chief criticism was of premature throwing-open and of over-heavy thinning. Enclosures had been thrown open when the young trees "had grown up sufficiently"; no other consideration had been given. The system of heavy thinning, inaugurated between 1840 and 1850, removed most of the conifers; it became the custom and was unfortunately pursued over a number of years till the plantations were reduced to the condition of open park-like woods, with isolated branching hide-bound oaks of little or no promise as regards the production of timber of fine size and quality."

Hill further remarked that unfortunately all underwood was cut with the result that the exposed soil became covered with grass, fern, and bramble. The fact had been lost sight of that the fine large trees then being felled had grown under far different conditions, with 66% of beeches to complete the leaf canopy and maintain the soil's fertility. The law of nature under which pure woods of oak cease to thrive after the early stages of growth had been disregarded, and natural regeneration was prevented in many enclosures by their being thrown open.

Hill was aware that "it is an easy matter to point out, now the results are apparent, the mistake that was made." His recommendations for management had as their chief object to establish on the 11,000 acres "a complete crop of mixed beech and oak in high forest, with scattered larch, chestnut, sycamore, and other trees." To this end he proposed measures supporting those already started by Bayliss, "more with a view

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i. Except perhaps pressure from the commoners, and the Crown's desire to avoid the heavy cost of keeping up fences.
to systematizing and elaborating the work than to introducing any new general scheme of management." The understorey in the oldest woods, and Russells, Chestnuts, the Lea Bailey, required only protection. In the small Acorn Patch, Yew Tree Brake, and parts of Park Hill, underplanting with 3-year old beech was recommended. Some enrichment with beech was necessary in the 50–56 years-old oak plantations, and sowing of beech-mast in those of 25–40 years. In the 6,335 acres to be re-enclosed, 660 already fenced, it was decided to cut the poorest oaks, reserving the more promising to form a shelter wood; young natural regeneration should be encouraged, and open places filled with beech-mast or beech-plants. In places oak and European larch should be planted. The work might take 20 years. Among other recommendations was the replacing of inferior crops with conifers, and the making of nurseries and roads.

1898 to 1913

Hill's reports and recommendations were chiefly based on practice already followed by Bayliss and Howard, who had already recognized the unsatisfactory state of the crops and had begun to improve them. i Bayliss decided to re-enclose the 11,000 acres allowed by law, to underplant with beech the limited area of oak woods under 50 years old, to remove undesirable trees from the older woods, and to fill up the blanks with larch, oak, and other trees, according to the conditions of each locality. ii At the same time it was decided to attempt the natural

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i. Schlich, op. cit., p.69.
regeneration of the existing oak woods when oak-masts occurred. Above all, it was laid down that attempts at uniformity should be abandoned, that any areas suited to the production of good oak should be retained for this species, but that the rest of the area should be stocked with such species as were likely to give the best results.

There were, however, difficulties ahead. Areas thrown open too soon had to be re-enclosed, and this could be done only gradually. W.L. Taylor has written:

"A start was made to regenerate some of the poorer woods. It was at this time deemed wise only to cut small groups and replant with conifers, but experience of the subsequent extensive suppression of these groups led to the other extreme. The remaining oaks were removed, new plantings were preceded by wholesale clear fellings, and in consequence suffered severely from frost. This plan, while it provided for putting some of the worst land under conifers, did not contemplate any extensive conversion to softwoods. Its importance lies in the fact that it stopped the previous system of thinning, and provided for enclosure up to the full area permitted by statute."

Bayliss's attempt to carry enclosure to the limit met much opposition from the commoners; resistance was increased by his trying to obviate the fencing of both sides of a new road from Mirey Stock to Whitecroft, and yet impounding sheep which strayed. Damage was done to fences, and a steam sawing-machine was blown up near Blakeney Hill in 1898. On the silvicultural side Bayliss underplanted with beech

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i. F.3/1907-11: Report on work done to carry out Hill's recommendations.
iii. 80th Rept., 1902, p.3; 81st Rept., 1903, p.3; 82nd Rept., 1904, p.4; see also F.3/390-3.
iv. Notice, 7 March 1898 (now in Whitemead Park) offering a reward of £100 for apprehending the offenders.
the oak plantations not more than fifty years old; this was done as quickly as the occurrence of beech-mast permitted. In the older woods all but the promising oaks were cut; the blanks were filled in, chiefly with larch, oak, sycamore, ash, and in suitable places Norway spruce and Douglas fir. An example of the good results with conifers is in Parkhill. In 1895 it was "a poor wood much tampered with in the wrong places"; through enrichment during 1895-1905 with Douglas fir, European larch, and Norway spruce, the wood is now of fine quality and a credit to the silviculturists.

To take advantage of a good oak-mast in 1899, Blakeney Hill North, 499 acres, was enclosed in 1900 to protect the oak seedlings "which sprung up in considerable profusion". Some 100 acres were established in 1900-01, and 276 acres between 1901 and 1918, particularly 1901-14. The result was 376 acres of fine natural regeneration, possibly today the finest crops of their kind in the world. Many of the oak crops have been underplanted with beech.

Concurrently, small sales and exchanges of land were made and licences given to use land for the working of coal, iron-ore, and stone.

The verderers dealt with encroachments and other offences against the vert; sheep and cattle were impounded by the keepers and dues claimed. In 1899 Abbotswood, 666 acres, was repurchased by the

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ii. Ibid.
v. E.g. 79th Rept., 1900, pp. 30-32. vi. 78th Rept., 1900.
Crown from the Crawshay family for £2,800.

At the turn of the century the first steps were taken towards a National Forest Policy recognizing the necessity of establishing demonstration-areas and of amplifying supplies of coniferous timber. In 1904 the nation's first "Forester Training School" was begun in the Crown Offices at Coleford, C.O. Hanson being its first principal.

This school, moved to Parkend in 1905, has done important work for British and overseas forests. A Forest Garden was begun in 1904 in Abbotswood; its many experimental plantations continue of great value. The sinking of pits to work the deeper seams of coal in Dean provided additional markets for its timber.

In 1906 Philip Bayliss, after a distinguished tenure of office, was succeeded as deputy surveyor by V.F. Leese who continued the plan of throwing open and enclosing. Fuller use was made of conifers on difficult sites, and as enrichment crops. By 1908 7,947 acres were enclosed.

The repurchase in the previous year of Clearwell estate,

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i. F.17/68, 1901: Appendix No. 1 to Working Plan.
iii. F.3/1278, 9.
v. Under the Dean Forest (Mines) Act 1904, amended by the Dean Forest (Mines) Act 1906.
vii. F.3/933 (1905-08); F.3/983 (1906-10); F.3/1067 (1902-12);
   F.3/1177 (1910-11); F.3/1232 (1908-14).
vi. 86th Rept., 1908, p.50.
712 acres, for £12,104, increased Dean's woodland acreage. By 1911 Dean had 8,154 acres of oak containing 11,671,660 cubic feet. Schlich revisited the Forest in 1910 and found "substantial progress" had been made. He said:

"8,300 acres have been re-enclosed efficiently and are protected against sheep. The effect of this measure is very remarkable, there being already a decided difference in the vegetation and soil inside and outside the enclosures. The deputy surveyor is now dealing with about 200 acres a year, where blanks have been filled up, a commencement having been made with Stapledge Wood. The thin oak wood was filled up with larch, which now requires more air and light; hence the miserable 90 years old oaks are being cut out and the fresh blanks replanted. To avoid opening out too large blocks in one place, the cutting is being done in strips 88 yards broad, running at right angles to the prevailing wind, leaving strips of the same breadth. When the cleared areas have been restocked, the intermediate strips will be taken in hand. In this way a considerable amount of shelter is given to the young plantations, and the drying up of the soil prevented."

The overwood in the 376 acres of naturally regenerated oaks had gradually been removed, the last part being cut in 1910. Schlich was much impressed with the crop:

"It consists of extensive groups of young oak, separated by smaller strips and patches where the seed trees stood. The latter will be filled up with two years old beech plants, thus creating a most desirable mixture. The success of the operation is very remarkable, and it can hold its own against any natural regeneration of oak to be found on the Continent. While bestowing this praise, we must not overlook the fact that some minor mistakes were made. It appears to me that the overwood might have been taken away a little more rapidly in the middle and higher part of the area, and left a little longer in the lower part, where the young oak have suffered from late frost."

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i. 86th Rept., 1908, pp.50,66.
iv. Ibid., p.200.
The deputy surveyor had established a series of nurseries as fine as Schlich had ever seen. There had been a good beech-mast in 1909. Many shelter belts of Scots and Corsican pines had been planted. The management of Dean was now sound, but there was a great need for the roads for extracting timber.

By 1910 the European larches were of excellent quality; 32½ acres planted in Edgehills, after a fire in 1848, were clearfelled during 1909–10. The oak planted in Nagshead in 1813 now stood 65 to an acre, with a few larches. The Lea Bailey, enclosed in 1815 when there was a crop of 45-year-old oak with short boles and large crowns, had been filled up with larch and oak; the larches were fine, but the oaks were poor for their age.

Plans were made to replace 75% of Dean's poorest areas of hardwoods with conifers by felling and replanting 190 acres, and to regenerate 40 acres annually with oak. The aim was 12,000 acres of conifers "normally" stocked with age-classes 1 to 60, and 4,000 acres of oak. Lack of markets hindered the scheme, which was not elastic.

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i. C.O. Hanson, "Some measurements of larch in the Forest of Dean and neighbourhood", Q.J. of F., V (1) 1911, pp.34–42.
ii. The first sale of telegraph poles to the G.P.O. was made from this felling.
iv. A "normal forest" is one which, for a given site and given objects of management, is ideally constituted as regards growing stock, age-class distribution, and increment.
enough for the prevailing local conditions. The area so dealt with did not alter substantially the general distinction of the Forest as a predominantly broad-leaved woodland.

In 1913 enclosures totalled 9,253 acres. The same year "chemical works" were built at Speech House Road by the Office of Woods and Forests at a cost of £15,500 to make charcoal and to distil wood; the works were run at first under a patent process of Herr F.H. Meyer of Hannover-Hainboltz. From 420,000 cubic feet of wood annually were expected 384 tons of grey acetate of lime, 270 tons of wood-tar, and 1,380 tons of charcoal, besides 90 tons (equal to 23,400 gallons of 8.61 lbs. each) of wood-spirit. The plant used rough hardwood timber, for which there was little demand elsewhere. There had been a small 'chemical works' nearby in earlier years and one at Lydbrook run by the Newcomens.

The 1914-18 War

L.S. Osmaston was deputy surveyor at the outbreak of war; he was assisted by C.O. Hanson. The Forest supplied huge quantities of sawmill-timber, mining-timber, and charcoal. Net receipts in Dean and Highmeadow amounted in 1916-17 to £1,097, and in 1917-18 to £10,063.

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i. 91st Rept., 1913, p.37.  
ii. 92nd, Rept., 1914, p.35.  
v. Ibid., p.30.
Early in the war the wood distillation works were enlarged and run by the Ministry of Munitions.\textsuperscript{i} Much charcoal was also made on hearths throughout the Forest. Osmaston worked under a silvicultural plan, drawn up in 1915, endorsing that followed by Leese, but the production\textsuperscript{ii} overshadowed systematic forest management.\textsuperscript{iii} In 1916 there were about 12,000 acres of old hardwoods, and some 2,400 acres of conifers of which only 300 were over 20 years of age.\textsuperscript{iv} A start was made to regenerate the poorer woods, then aged 80 to 90 years. For reasons of "policy and sentiment" it was judged wise to cut comparatively small groups of trees and to replace them chiefly by conifers, but some years later the new groups had been suppressed by the branches of the surrounding oaks. Gradually the cuttings grew larger, till extensive clear-felling took place, especially in Beechenhurst, Stapledge, Blakeney Hill North, Great

\begin{itemize}
\item \textsuperscript{i} Much information on the processes and production of the plant has been kindly given to the present writer by Dr. C. Scott Garrett who worked there during part of the war period. The plant continued to distil wood until c.1960; it is now used solely for charcoal burning.
\item \textsuperscript{ii} Unfortunately little information is available of timber production during the war (1914-18) - vide "1960: Working Plan for Dean and Highmeadow" (H.M. Forestry Commission); but see F.3/996 (1906-1919): Statistics of Forest Operations, F.3/1198: Military Manoeuvres in the Forest; and F.3/1315: Management.
\item \textsuperscript{iii} F.3/1367, 1419: Emergency fellings to meet the shortage of pit-timber. See also F.17/73, 1916 (Appendices to Working Plan) and F.3/1420.
\item \textsuperscript{iv} B.C. Adkin, "Report of Meeting of the Royal English Arboricultural Society", Sept. 1922 (\textit{J. of F.}, XVII, 1, pp.299-315).
\end{itemize}
Kensley, and part of Edgehill. In 1918 Dean contained about 5,375,000 cubic feet of merchantable timber, and 5,480,000 of pitwood.  

The Forestry Commission: 1919 to 1938

A vigorous National policy arose out of the necessities of the war based on the Acland Report of 1918. The work of acquiring large areas and planting them with conifers proceeded apace after the passing of the Forestry Act, 1919. Dean was much in need of rehabilitation. Its acreage was increased August 1918 by 181 acres of Hope Wood near Longhope purchased from the Pringle family for £181.  

The enclosed areas by then totalled 9,742 acres. The Forestry Commission, set up in 1919, had the technical supervision of Dean, on 1 June 1926, by an Order in Council 21 March 1924, the Forest with Highmeadow was transferred to the Commission. The 18,695 acres of woodlands in Dean were valued at £281,700, and the 3,455 in Highmeadow at £55,100.

Dean was now being managed under a comprehensive Working Plan drawn up by Osmaston and Hanson in 1919. The old unit of management, the enclosure, was replaced by compartments and sub-compartments; many of these new units ran into hundreds of acres; some were even 1,000 acres. The plan was to keep oak little more than one quarter of the area; the remainder, after the felling of the old oak, was to be planted with

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i. Adkin, op.cit., p. 301.  
iii. 97th Rept., 1919, pp. 17, 30. 
iv. 98th Rept., 1920, p. 17. 
v. 1st and 2nd Repts. of H.M. Forestry Commission, 1920, 1921. 
vii. F. 3/1286.
conifers. This aim was determined by the fact that during the 1914–18 war there was little demand for oak but a great shortage of softwoods. The chief objects were (a) primarily to secure a sustained yield of large oak and coniferous saw-timber of high quality; (b) to obtain the best financial results; and (c) to provide suitable facilities for students, for research, and for the collection of statistical information on the growth rates of timber-trees. * "Sequence of closure" was followed by which some 15,000 acres might be brought under treatment. Though the periods of planting of conifers under Bayliss, Leese, and Osmaston were short, the acreage planted was extensive and had an increasing effect upon the contemporary landscape. By 1926 the policy in Dean changed to one prescribing hardwoods, mainly oak wherever the site was suitable. ** This change arose from the realization by the Forestry Commission that it could acquire land suitable for conifers in other parts of Britain, but that forest land to grow hardwoods was scarce. Osmaston and D.W. Young who succeeded him in 1925, and W.L. (later Sir William) Taylor who followed from 1931 to 1932, each left his mark on the sylvan scene.

Taylor, writing in 1934, *** says that the plan followed for the previous eight years roughly allotted 11,000 acres to a hardwood-cycle, part of which total area was land already planted with conifers. The remaining acreage was scheduled to a conifer-cycle, to serve as a

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i. Adkin, op.cit., p.303; Rept. of the Forest of Dean Ctte., 1958, p.13.
iii. Ibid.
source of revenue during the years when the sparsely stocked 1-100 age-
classes come to maturity. A factor complicating management was that
many of the older oak-stands were so unhealthy as to render it doubtful
if the timber could usefully be retained, even for 30 to 40 years, much
less the period needed to maintain a sustained yield while the then
considerable "abnormality" in age-classes of the hardwoods was being
adjusted. Flourishing woods, hardwood and conifer, were found only in
age-classes 1-20, 21-40, and 61-80; the greater part of the rest
contained stands deficient in volume and increment. The oaks suffered
from cycles of defoliation by two species of caterpillar, those of the
moths Cheimatobia brumata and Tortrix viridana. The sessile oak fared
better than the pedunculate, owing to the former's habit of earlier
flushing and tougher leaves. Most of the oaks were subject to the stem-
rot, Stereum spadicium. By 1934 about 700 acres of oak were of natural
regeneration, success having been dependent upon mast-years and the
absence of depredations by mice and wild pigeon.\footnote{Taylor, op.cit., p.10.}

Subsequent deputy surveyors, A.H. Popert from 1932 to 1937,
and A.P. Long from 1937 to 1939, continued the silviculture. The putting
into effect of the recommendations of the Forest of Dean National Park
Committee, 1938,\footnote{H.M.S.O. 1938.} relating to amenity and recreation, was delayed by the
world crisis.

The 1939-45 War

At the outbreak of hostilities Dean had a big reserve of timber,
though much of the older oak was of poor quality and many conifers, established since the first world war, were immature. About 100 skilled and semi-skilled workers were at once available for timber-conversion. Production was first centred on mining-timber. By the end of the first fortnight over 2,000 tons were despatched. Some of the 20-35-year old plantations of conifers were clear-felled instead of thinned. By August 1940 two sawmills were ready. In September the 129th Forestry Company, Royal Engineers, arrived from Dunkirk and were soon joined by the 131st Company. From timber-production in the Forest of Crécy the companies set to work in Dean, using by 1942 eight large and three rip mills. A high rate of production, about 13,000 cubic feet a week, chiefly for railway-sleepers and trucks, and for mines, was achieved. The work was supplemented by the Home Timber Production Department of the Ministry of Supply under W.D. Russell and later F.G.O. Pearson. Much charcoal was made at the "chemical works" and in kilns. The Engineer companies returned to France in the summer of 1944. Most of the timber converted was measured by the Women's Land Army; 400 members were trained in the Foresters School at Parkend. The output during the war was about 4½ million cubic feet hardwoods and almost 3 million softwoods. The clear-felling amounted to 4,864 acres. Much shipping-space was saved, and the Forest's contribution to victory was great.

So far as the emergency permitted, felling was planned with

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ii. Ibid., p.141.
iii. Personal communication from Col. A.H. Lloyd, officer in charge.
three objects: amenity, shelter, and disposal of inferior oak crops. Belts of trees, particularly on roadsides, were left to screen fellings and provide shelter for plantations. Prospects for the Forest were improved by the clearance of inferior oaks on soils giving no hope of a sound old age; replanting with more suitable and profitable species was made possible. Only limited silviculture could be exercised, but the deputy surveyor, W.H. Guillebaud, had some opportunity to display his wide knowledge and talents. Young plantations were tended; 1,658 acres were planted, usually 8 to 10 rows of oak with 3 to 5 rows of conifers, chiefly European larch or Norway spruce.

Dean played another hardly-seen but urgent part. Vast quantities of ammunition and stores were accumulated under the trees, which sheltered them from aerial observation. New roads were made, particularly by troops of the U.S.A., to facilitate handling and despatch; they are today a great aid to forest management.

The Forestry Commission: 1946 to 1964

Dean again required much rehabilitation. Only about 1,800 acres of the 1808-13 plantings remained; over 3,000 acres required replanting. Under A.D. Hopkinson, deputy surveyor from 1945 to 1947, C.A. Connell 1947, and N.A. Wylie 1947 to 1950, the Forest was reclothed and the felling-programme slowed down to prevent depletion. Planting was usually of oak, sometimes intermixed with groups of 9 to 16 European larch, or beech. Revision of the Working Plan reaffirmed the objects of
management generally, but instead of prescribing a definite and relatively small area for oak, provision was made for this species to be grown on all suitable soils. Over a large part the soils are eminently suitable for oak of high quality and thus the maintenance of Dean's character as mainly broad-leaved woodland was assured. Later a new Working Plan for 1950-59 was introduced; its objects were substantially the same as previously. J.Q. Williamson, deputy surveyor from 1950 to 1954, and R.G. Sanzen-Baker from 1954, continued the silviculture; rehabilitation was completed. The chief plantings were of mixtures of oak and conifers, 3 rows of oak and 3 to 5 of conifer. Particularly where amenity had to be considered, oak groups were planted in a matrix of conifers.

Deputy surveyors from 1808 have been allowed much freedom in matters of management. The commendable guidance of the "Commissioners of Woods"i and later the Forestry Commissioners' successive chairmen,ii directors-general and their deputies, and directors, is inherent in Dean's woodlands. Nor should the contribution be forgotten of district officers, head foresters, and foresters. All have taken great interest in the promotion of the Forest's wellbeing.

National forest policy from 1919 to 1958 was directed to the creation of a large reserve of timber for an emergency. In 1957-8 the

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i. As shown for example by letters from Glenbervie, and Alexander Milne (Whitemead Park Memorials).

ii. Lord Robinson, for instance, played an important part in retaining Dean's traditional hardwood cover after Osmaston's planting of conifers.
policy was reviewed in the light of current conditions, strategic, economic, agricultural, and social. In Dean a new Working Plan has been followed from 1 October 1959, with these objects of management:

1. To manage the Forest estate, subject to certain limitations dictated by paras. 4 and 5 below, as a commercial proposition on the basis of securing the optimum sustained financial return. It is anticipated that this will be obtained by growing high forest to provide main crops of sawmill logs and, under present conditions, by maintaining coppice crops primarily for the production of hardwood pulpwood for the nearby factory at Sudbrook.

2. To achieve ultimately a regular sustained yield of the various classes of product.

3. Within the statutory limitation that there shall at no time be enclosed more than 11,000 acres of the total Crown Forest area of 19,352 acres, steadily to expand the area under commercial forest to its maximum (it is not anticipated that any great expansion will be secured by the acquisition of additional land).

4. To pay particular regard to the amenities of the Forest for the enjoyment of the public, especially of the local residents, and for scientific and educational interests.

5. To retain the predominantly broadleaved character of the Forest bearing in mind the preceding object of management; this will be achieved by maintaining oak woodland on the most suitable sites together with beech and other broadleaved species where appropriate. It will be customary to plant the broadleaved species in mixture with conifers as the growing of pure broadleaved crops is unprofitable due to the absence of economic markets for early thinnings. On sites unsuitable for oak and other broadleaved species, and where the amenity interest is not a major consideration, coniferous crops will be grown, principally Norway spruce and Douglas fir.

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6. To retain a permanent, settled, and skilled labour-force of the size necessary to meet all regular management and protective needs of the Forest, and with only the minimum labour requirements for exploitation of marketable crops which will normally be disposed of standing to the timber trade.

7. To manage the remainder of the estate outside the Forest proper, including the housing of local supervisory staff and the key industrial workers, as behaves a good landlord and employer. To maintain and improve as required the special facilities which are needed for a National Forest Park. To dispose of surplus territorial, domestic, and industrial property only with the strictest regard for the long-term amenities of the district, but also with a view to facilitating its economic and social development as the old and dying coal industry needs to give place to other industries."

A further review of National policy in 1963 added multiple use, particularly recreational. All these changes are due to the search for the best procedure in modern conditions.

Some Comments and Conclusions

Dean's cover was often in jeopardy until the twentieth century; it carried fewer trees than it might. From broad-leaved "natural selection forest" it has passed, usually by accident not design, through periods of two-storey high forest, with pure coppice and underwood, and some coppice—standards, to chiefly high forest.

Natural regeneration, mainly of oak and beech, helped to perpetuate the cover despite the infrequency of mast-years, particularly those of beech; the ability of hardwoods to throw up coppice shoots

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helped considerably. Increment, rarely mentioned in historical writings on forests, was immense; twelve good oak standards, or an average acre of underwood or coppice, can grow a ton of timber each year. Taking a ton as 30 hoppus feet, fresh felled weight and measure, it will be seen that an acre of coppice-with-standards could yield 60 hoppus feet per annum, a fair rate for hardwoods even in plantation form today.

The central cover of Dean, at various periods from about 15,000 to 20,000 acres, i remained almost intact except during short periods of alienation of some of it. The chief factors which secured this cover were:

(a) To 1327 : The Crown's hunting, prestige, and issues of the Forest.
(b) To c.1550 : The Crown's prestige, issues of the Forest, and the generally hilly terrain.
(c) c.1550 to c.1870 : The need for coppices for smelting, and timber for ship-building, the Acts of 1668 and 1808, and the commoners' interests.
(d) c.1870 till today : Demands for timber, enlarged by two world-wars, and the threat of a third.

Throughout neglect and mismanagement, from natural existence and then primitive preservation, to modern silviculture, and despite local and national crises, damage by commoners, miners, and grantees, and attacks by animals, vermin, insects, disease, frost, storm, and fire, Dean's cover has been and still is a very valuable national asset.

i. See Graph I.
The Forest Today

Dean today includes for management purposes the 18,975 acres of "statutory Forest" (i.e., the central block of woodland with Abbotswood, 646 acres, interspersed by about 3,000 acres termed "waste of the Forest", railways, mines, and quarries).  It also includes the re-acquired woodlands of Highmeadow, 3,580 acres, Chase and Penyard, 511, Flaxley, 506, Clanna, Kidnalls, Norchard, Millrough, Hope, Bishopwood, Forge, Astridge, Bircham, the Haie, and Huntsham Hill, all part of ancient Dean. The total is 25,363 acres and with Tidenham Chase, 1,908, makes the total of the Dean Surveyorship 27,271 acres. Of the "statutory Forest" 9,471 acres are enclosed.

The Surveyorship is managed by the Forestry Commissioners through the Director of Forestry for England, J.R. Thom, and the deputy surveyor, R.G. Sanzé-Baker; the local headquarters is at Whitemead Park, Parkend. Responsible to the deputy surveyor are a land agent, two district officers, a head forester for the east of Dean, with four Walk-foresters, and a head forester for the west of Dean, with six Walk-foresters. The Walks in the east of Dean are Blakeney, Cockshoot, Edgelands, and Speech House; those in the west of Dean are Worcester, Nagshead, the Lea Bailey, Highmeadow, Ross, and Tidenham Chase. The four verderers, the only officials of the old régime, continue to hold

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i. Map VII.

ii. 44th Annual Rept. of the Forestry Commissioners for the year ended 30th September 1963. Parts of Dean now lie in Herefordshire and Monmouthshire.
Inclosure Commissioners authorize throwing-open and taking-in.\textsuperscript{ii} The 833-year old St Briavels castle, now a Youth Hostel, technically not in the Forest, still shows on one of its chimney-tops the symbolic hunting-horn of the constable.

The Haie near Newnham-on-Severn, and a few purlieus such as the Purples (Broadwell) and Perlieu Wood (Hope Mansel), bear witness to lands which were once forest. Many anciently alienated woodlands are still extraneous: they include Lydney, Hudnalls, The Fence, Glydden, Mawkins Hazles, Nottwood, Huntley, Birdwood, Highnam, Blaisdon, Ley, and Newent. Others such as Morton, Sudrugg, most of Hope Mansel, and Churcham have long been cultivated land. Taynton and Kilcot are among those with only a fragment of their earlier extent. Ancient parks are represented by Whitmead and Ley; and chases by those of Tidenham and Penyard.

Of the common lands remaining the most extensive is the Hudnalls where the parishioners of St Briavels continue their ill-defined right of taking trees and underwood. The other common lands, once part of Dean

\textsuperscript{i} The present verderers are: C.E. Hart (Senior verderer), Sir L. Crawley-Boevey Bt., Viscount Bledisloe, and J.H. Watts. Their steward is J.R. Haines.

\textsuperscript{ii} The present Inclosure Commissioners were appointed 8 Oct. 1962. Their last meeting was held at the Speech House 20 Aug. 1963, when the throwing open of 684 acres and the enclosing of 1,629, making a total enclosed of 10,899, were authorized under the Act of 1808.
are: in Minsterworth, 8 1/2 acres (Calcotts Green, Ham Green, and Upper Ham Green), Kilcot Green, 3 acres, Walmore, 100 acres, Poor's Common, Tidenham, 104 acres, Woolaston, 24 acres, Hewlesfield, 2 acres, and Aylburton, 4 acres.

Broad-leaved trees still cover about 57% of Dean's area, but a change is taking place as the percentage of conifers is increased either by planting pure or by including them to provide the intermediate yield in hardwood areas. This is specially so on the coal-measures where it is much more profitable to grow conifers; even so some hardwoods are planted for amenity. The latest available statement of the growing stock, excluding that of Tidenham Chase, is at 30 September 1958; revised figures will not be available until a survey for Working Plan purposes as at 30 September 1968:

<table>
<thead>
<tr>
<th>Acres*</th>
<th>Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(Thous. of Hoppus feet)</td>
</tr>
<tr>
<td><strong>High Forest</strong></td>
<td></td>
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<tr>
<td>Conifers</td>
<td>5,886</td>
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<tr>
<td>Mixed</td>
<td>1,430</td>
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<tr>
<td>Broad-leaved</td>
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<tr>
<td><strong>Total</strong></td>
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<td>Coppice-with-standards</td>
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<td>Coppice</td>
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<tr>
<td>Partially felled</td>
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<td>Other plantable land</td>
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<td>223</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>21,739</td>
</tr>
</tbody>
</table>


* The figures include woodlands attached to Dean.
/ This acreage excludes "waste of the Forest", some 3,000 acres.

The 1808-40 age-class oak-stands, 2,559 acres in 1958, are poor by present standards, having excessively large crowns, short boles, and many large, dead branches infected with Stereum whereby losses of increment by heart-rot usually occur. These stands result from the heavy and early thinning régime to produce naval timber; many are being felled as suitable markets appear. The 1841-60 oak, 1,627 acres, were also subjected to heavy and early thinning, and are coarse branched, prone to epicormic branching, except where underplanted with beech, particularly during 1900-19, and have a low increment. Continued light thinning will be given to prevent further infection by Stereum, except when early clear-felling is planned. The 495 acres of 1861-80 oak are of better quality and growth, indicating sounder management. The oak areas naturally regenerated in 1901-18, some 402 acres, include many fine and renowned stands, as do subsequent plantations of other species.

Besides oak, there were in 1958 about 689 acres of beech, 111 sycamore, 329 ash, 64 birch, 230 Sweet chestnut, 42 poplar, 21 grey alder, and 133 lime. Mixed high forest, 7%, of oak or beech with conifers, runs to about 1,400 acres. Of coniferous high forest, 36%, there are 5,851 acres. Norway spruce, European larch, and Scots pine were introduced in 1808-18, Douglas fir in 1895, ii Japanese larch in

i. Photo V.
ii. Photo VI.
1912-15, followed by Corsican pine, Sitka spruce, Western red cedar, Californian redwood, Lawson cypress, and Western hemlock.

This mixed character of the woods is a desirable feature of the Forest; with its bluebells, bracken, and foxgloves it adds greatly to the amenity. Only one large coal-mine and a few free-miners' pits and adits are now working; no iron-ore has been mined since 1945. Some stone is worked. Ugly sores of the mining era are rapidly being healed: most pit-heads are screened by trees, and their soil-heaps planted, or clothed by natural regeneration. The flora and fauna are attractive and interesting. All deer were removed about 1850 but there is a small herd of fallow around the Speech House and a large one in Highmeadow. Only a few "Charles II Oaks", including two of the "Three Brothers" in Russells and others in Churchill, and the Crad Oak (16 feet girth) in Sallow Vallet, remain from before 1700. The huge Newland Oak, formerly 44 feet in girth, which probably took "200 years to grow, 200 years to exist, and 200 to die", succumbed to decay a few years ago. Four fine specimens of the first conifers planted in Dean, Weymouth Pine (c.1781), and a few dozen of their natural seedlings of varying ages, stand in Lady's Slad in Sallow Vallet; one mature tree was felled and planked late in 1963. Scattered throughout the Forest are some of the huge 1808-18 Norway spruce and European larch.

The Forest has many other specially interesting trees; the
Queen's and Prince Philip's Oaks planted in 1957; the Prince Consort Oak, 1861; i Prince Charles' Oaks, 1948; Lord Robinson's Oak at
Prichard's Hill in the Reddings Enclosure; Sir Arthur Gosling's Ash in Highmeadow; red oak; southern beech from Chile; Deodar cedar from
the Himalayas; and hundreds of hollies ii intermingled with old oaks and
beeches around the Speech House.

By careful planning Dean's hardwood distinction has been
largely retained. So too has much of scientific and aesthetic interest:
as well as an ecological reserve, there are part of the Wigpool bog,
habitat of the sundew; the Cannop and Soudley ponds with their wild
life; the Nagshead "Bird Box" area; the Spruce Ride, planted 1904, and
the Arboretum near the Speech House began 1915; the Lime Avenue, planted
1910; and the Forest Garden in Abbotswood.

In 1944 80 acres were set aside in Lady Park Wood as an
ecological reserve, wherein the mixed cover struggles for survival
without interference by man. Much that is instructive is and will be
learned from this "natural" woodland, some of it typical of Dean's
cover as it was at least two millennia ago.

Clear-felling of over-mature oak, thinning, and replanting,

i. The oak planted in 1861 by the Prince Consort was from an acorn
of a tree in Pansanger Park planted by Queen Elizabeth I; the
oak planted in 1957 by Queen Elizabeth II was from an acorn of
the Prince Consort's oak. Thus is established a silvicultural
link between the two Queens.

ii. For a description of these hollies see Bellows, op.cit.,
pp. 20, 21.
continues. The annual production of timber is immense. In the year ended 30 September 1963 the Surveyorship produced some 750,000 cubic feet of saw-timber, 3,500 tons of pitwood, 6,000 tons of pulpwood, and 10,000 tons of other produce. Local and distant mines, turneries, tanneries, pulpmills, chipboard plants, sawmills, and charcoal works are constantly supplied. Each year's increment is approaching a million cubic feet, over 40,000 tons; a conservative estimate of the volume of Dean's trees is 20 million cubic feet, about 800,000 tons, with a value of over £2 million.

There are many calls on Dean's woodlands and their facilities. Some inhabitants still exercise common and pannage, but not estovers; about 10,000 sheep and 250 pigs feed in the open Forest. The Forestry Commissioners and the verderers resist "pressure" on the "green core" of Dean, but for the economic stability of the inhabitants land is required for new industries, housing, and schools. The multiple use of the Forest, particularly to provide recreation, is a quickening part of national policy. In order to ascertain requirements and to make recommendations a Committee was appointed in June 1955 with the terms of reference:

"To review the situation in the Forest of Dean, and having regard to all existing rights and interests, to recommend such measures as they consider desirable and necessary to secure that the administration of the Forest, more particularly as regards the grazing of animals, may be adjusted to modern requirements."

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i. Information from the Forestry Commission.
ii. The estimates are those of the present writer.
iii. Current ones are for opencast coal-mining and for land on which to build a large school.
iv. The "Creed Committee".
The Committee in 1958 made a report\(^i\) putting forward recommendations satisfactory to the large majority of interests. The Forest should continue to be predominantly broad-leaved. Despite representations by the verderers and the inhabitants, the chief recommendations await legislation. The number of "camper-nights" at the Christchurch Camping Ground\(^ii\) during 1963 was 58,600, and at other sites 12,950. Picnic sites have been equipped,\(^iii\) way-marking completed,\(^iv\) and new bye-laws made. Much of the work has been under the aegis of the verderers and the Dean Forest Park Committee within recommendations made in 1938\(^v\) when Dean was designated the first National Forest Park in England. Much remains to be implemented: members of the Commoners' Association have agreed to forgo their privileges of commoning on the open parts of the Forest if some of the 11,000 acres allowed to be enclosed are set aside for their joint use with timber-production.\(^vi\) The privileges are still some hindrance to silviculture, but are losing importance: many of the areas thrown open are conifers, and the herbage on them sparse. The M.50 road from the Midlands is nearing Dean's north-west boundary, and the new Severn Bridge will provide access from the

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\(^i\) Report of the Forest of Dean Cttee; 1958, op.sit.
\(^ii\) Photo X.
\(^v\) Report of the National Park Cttee. (Forest of Dean), H.M.S.O., 1938.
\(^vi\) An area on the east of the Mirey Stock-Cannop road has been thinned to 10 oaks an acre, to discover the potentialities of such enclosures for sheep-grazing. See Photo XI.
south-west; demands will increase, particularly for recreation. Some changes may be urged upon Dean, but through all its vicissitudes it will long continue a timber-producing forest of great national importance.
APPENDICES

I (A) Demesne Woods in 1282 (including clearings or riddings).
(B) Chases, Rights of Warren, Parks, and Groves in 1282.

II Waste in Demesne Woods: 1271 to 1282.

III (A) Woods granted by the king as at 1282.
(B) Waste in woods granted by the king: 1271 to 1282.

IV Gifts of Trees and Woodland Produce in the Thirteenth Century.

V Quarrels for Crossbows in the Thirteenth Century.

VI Taverner's Survey in 1565.

VII Broughton's Survey in 1633.

VIII The Survey of 1634.

IX The Survey of 1638.

X Dean Forest (Reafforestation) Act, 1668.

XI "Pepys's Survey" in 1671.

XII The Report of 1692.

XIII (A) Enclosures made prior to 1787.
(B) Drivers' Survey of 1787.


XV Dean Forest (Timber) Act, 1808.

XVI Prices, Costs, and Valuations.
APPENDIX I (A)

DEMESNE WOODS IN 1282
(Including clearings or riddings)

BAILIwick of Aabenhall:

Oures

Clearings:

9 acres in Oures from Priests ridding (Priestes ridding) to Bronstomesbroke.
West Stream ridding (Vastbachereude), 12½ acres, in Oures from the new mill to the Meend.

Haywood (Eyewde, Heywde)

Clearings:

Spanneway, 5 acres, from Scoetaresforde to the Meend between Haywood and Horewood (Horewood).
Old ridding (Oldreude), 6 acres, from Oldefolde to the Meend, in Haywood.
New ridding (Newereude), 4 acres, Oldefolde to the Meend, in Haywood.
10 acres by la Rulle, by the pasture land of Oldefolde.

Withenhaye (Wydenhay)

Bardemore (Barndmore)

Gardino

Clearings:

10 acres from Cinderford (Sinderford) to Perry Hay (Perihaye) in Barndmore.
Neware ridding (Newamereude), 11½ acres, from Wyteleye to Mulebeche in the eaves of Gardino and Wydenhay.

i. Believed to have been about 3 of a mile south of Abenhall.

ii. West stream ridding ran from a new mill to the Meend and contained 12½ acres in the wood of Oures (E.32/31).

iii. Trenches (trenchae).


v. East of the modern Steam Mills.

vi. Shootersford brook, near Nailbridge, in 1674 (Mss. penes me).

vii. The north fringe of Haywood.

viii. Adjoining Haywood at the modern Steam Mills.

ix. These three woods are stated in the eyre-roll of 1282 to be "under one covert" (E.32/30). A clearing called Newarne ridding (Newamereude) ran from Whitelea (Vytleleye) to Mulebeche "in the eaves of the woods of Gardino and Withenhaye (Wydenhay)" E.32/31.)
The Chestnuts (Castiner, Chastenariis, Chestenars)

Clearings: Two of 6 acres each, one along the Camp and one in breadth therefrom.

*First sale made by William of Stears, Henry of Dene and Adam le Proust.*

*Second sale*.

**BAILIWKICK OF BLKENLEY:**

Saintlow 'castle (Seyntelecastel)
Perry Hay (Pyrheye)
Middle Ridge Moor (Middlrruggemor)
Serridge Moor (Schirrugggemor)
Stapledge (Stapelegge)
Scitteschreue
Putnage (Putenegge)
Bromhurst
Blakeneye edge (Blakeneysegge)
The Buckholt (La Bokholte)

Clearings: Between the bailiwick of Blakeney and the wood of the earl of Warwick (Lydney wood) from Stinleye to Babberudinge.

*Colsterereude*, 60 acres, from the Boundary brook (Merbrok) to the Camp of Moseley.

Howbeech (Holebage, 160 acres), from Seytteschreudeforde to Waldingesworthyn.

*Romspulle*, 120 acres, from the Boundary brook to Depeford.

*La Hayereude*, 100 acres, from the Holloway (la Holwey) to Ankeleyeforde.

Blackpool ridding (Blakepulleureude), 120 acres, from the Little ford (la Fatiteford) to Serridge Ford (Seyrruggeforde).

*Ansteyerereude*, 180 acres, from Roynascheyne to Holloway's end (Holweysende).

Sandebed ridding (Sondebeddreude), 240 acres, from the Richtwye to the head of Moseley.

*Crossed ridding* (Crostyerereude), 100 acres, from the Blackpool (Blakepulle) above Moseley to West brock.

*Stapledge* (Stepallegge), 50 acres, from the spring of the Boundary brook to the head of Howbeech (Holebache).

---

i. Of Welshbury.

ii. The location of this camp or "castle" is not known; the site may have been destroyed during the laying of the railway.
RAILIWICK OF BEARSE:

The Fence (La Defens)
Clayhulle
Hudnalls (Hodenhales)

Clearings: Bream ridding (Bremereude), 1½ acres, from la Holynail meend to Broad Oak thorn (Brodeckethurne).
Aspenmerereude, 4½ acres, from Aspunemere to la Holiene meend.
Aspen ridding (Aspunerede) iii, 10 acres, from la Horewalle to the end of Etherede.
Fineschere, 2 acres, from Long ridding (Longereude) to Oakwood brook (Okwdebrok).
Long ridding (Longereode), 2 acres, from Wyelesbury to Trellemede.
Claysalad ridding (Clyesladereode), 4 acres, from the White ridding (Wytereode) to Horewell brock (Horewalphische).
Spon ridding (Sponnerede) from Spon Green (Sponnegrene) to the Bearse Eaves (la Borseseuse).
White (or Wide) ridding (Wytereude), 10 acres, from Clayway's end (la Cleyweysende) to Trellemedes Eaves (Trellemedeseuse).

RAILIWICK OF STAUNTON:

Eynde
Bremleyswalle
Knockalls (Knokenhulle)
Holmes
La Wynhole, Le Winholt
Wet Wood (Wetewde)
Nywenheye
The Snead (Le Sned)
Chalfridge (Chelfrugge, Chafield)

i. "Is destroyed by the men of St Briavels" (E.32/31).
ii. The meend covered with holly trees. Possibly The Hollies near Hudnalls Farm.
iii. In E.32/334 is recorded "Le Aspene Rode in le Quarters".
iv. The location of this bury is not known; but cf. Willsbury farm, north-west of Priors Mesne House.
v. Referred to as Knobelhulle in E.32/333.
vi. Cf. Modern Winnol's Hill.
vii. South of the road from Cannop to Speech House in Russell's Enclosure.
viii. This wood appears to have adjoined the Wet Wood. Cf. E.32/334: "Newenhey next to Newarne".
Clearings: Beechenhurst (Bechenehulle), 12½ acres, from the head of Holmes (Wood) to the road to Chalfrugge.

Next Newarne (Cannop brook), 160 acres, on both sides from Chapman's bridge (Chapmonebrugge) to Wyteleye.

Newerne ridding (Newernerede), 60 acres, from Chapman's bridge (Chapmonebrugge) to Coleford (Coleforde).

20 acres from Boundary brook (Merebrok) next to Newarne to Coleford (Colford).

30 acres from Pillowell (Pilewalle) to the way which leads to Waldingesworthin.

10 acres from Crooked Ford (Crokedeforde) to Holienes Meend (Holienesmunede).

30 acres from Sea-coal pits (Scolputtes) to Ward Oaks path (Wartokesey) next to Newenheye.

30 acres from Pillowell (Pileswalle) to Progwell (Froggewalle).

BAILIWK OF BICKNOR:

Coverham (Courerhom, Clwrham)
Mailscot (Maylescott)
Hangerbury (Hangerby)

Clearings: Next to Wye (Wayam) between Bishop's slade (Bysopesslade) and Dykes.

Bishop's slade, 90 acres, from the highway from Bicknor to Staunton and extends to the Wye.

Mailscot, 2½ acres, from Hadnock's pit (Hodenskemutte) and extends along the Wye to Symond's Yat (Symondeszate).

Alunesbache, 7½ acres, from the highway which leads towards Staunton and extends to the Wye.

Crossed ridding (La Cровеседероде), 2 acres, from Alunesbache to Bishop's slade.

Lybrook's ridding (Lybrookesreode), 4 acres, from Holebrock to the fields next to Hangerbury (Hangerby).

i. Possibly a bridge over the Newarne stream near the modern Speech House Road Station.

ii. The meend covered with holly trees.

iii. Possibly Offa's Dyke or the earthworks south of Symond's Yat Log Cabin.
BAILIWICK OF HUARDEAN:

Howardesegge
Brierley (Brerhey)
Great Berry (La Bury)
Barnedge (La Barne)
Bourts (La Bourt)
The Buckholt (Le Bokholte)
Asmundesrugge
Hazel Lea (Hasleye)

Clearings: 80 acres from Avenel's (Avenelli) cross to Shootersford (Scuteresford).
20 acres from Kaderick's oak (Kedereksok) to Knapp's path eaves (Knappestyeseuse).
12 acres from Broadoak (Brodok) to Broadway eaves (Brodweyeseuse).
12 acres from Knapp's path ford (Knappestyesforde) to Warinwalle.

BAILIWICK OF THE LEA:

Eyewood (Eywde)
Oakholt (Okholte)

Clearings: Sleperesthorne, 6 acres, from the wood of the abbot of Gloucester to Wigpool (Wyggepol).
Pirihaile, 6 acres and 1½ roods, from the Boundary path between the bailiwick of the Lea and the wood of the abbot of Gloucester to Meend Way.

BAILIWICK OF GREAT DENE:

Redesoleg
Buckholt (Bokholte)
La Homme
Harewde
Serridge (Schirruge)

Clearings: 50 acres from Hope path ford (Hopestieasford) to Staunton ford (Stauntuneseforde).
Boundary ridding (Merruede), ½ acre, from the Meend to Marl Bridge (Marlebrugge).
1½ acres from Drybrock's ford (Dryebrokesford) to Sheeps path (Schepesty).
2 acres from Cockshoot field (Kocschitesfeld) to the Meend.

i. Possibly modern Astonbridge Hill.
ii. The wood of Hope Mansel.
BAILIwick of Little Dene:

Clearing: 1 acre from Bronstones brook (Bronstonesbroke) to Holemerestowe.
(1).

**APPENDIX I (B)**

**CHASES IN 1282**

<table>
<thead>
<tr>
<th>Chase</th>
<th>Holder</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monmouth (including Hinderleys and Wyesham Eaves)</td>
<td>Edmund the king's brother.</td>
</tr>
<tr>
<td>Hadnock</td>
<td>Roger de Clifford.</td>
</tr>
<tr>
<td>Tidenham</td>
<td>The earl Marshal.</td>
</tr>
<tr>
<td>Penyard (See &quot;Granted Woods&quot; in App. III (A))</td>
<td>Lady Joan de Knovile</td>
</tr>
<tr>
<td>Old Penyard (See &quot;Granted Woods&quot; in App. III (A))</td>
<td>The bishop of Hereford.</td>
</tr>
</tbody>
</table>

**RIGHTS OF WARREN IN 1282**

Claimed by lady Joan de Knovile in her Penyard Chase; by the abbot of St Peter's, Gloucester, "for all his lands"; and by the earl Marshal in Tidenham.

Granted to Bogo de Knovile (1258).

**PARKS IN 1282**

Ley Park: One third held by each of the following:

- Nicholas de Gamages
- Nicholas de Baton
- Roger de Boronhulle

It was enclosed.\(^1\)

Whitemead: A pasture land of the king, enclosed with a hedge and made into a park by Walter de Snappe, deputy constable.\(^{ii}\)

Hadnock and Tidenham: Sometimes referred to as Parks.

The constable controlled a "Park of the king" at St Briavels, c.1244-48.\(^{iii}\)

---

\(^{i}\) E.32/31.

\(^{ii}\) E.32/31.

\(^{iii}\) E.146/1/25.
GROVES IN 1282

Parson's Moor grove at Huntley: Simon de Ribbesford, rector there.

Piper's Grove in Highnam: The abbot of St Peter's, Gloucester.

Haygrove, in Eccleswell: Richard Talbot.

at Groves: Dymock, Sudrugg (Ruddle), Birchen Grove (now in Ley Park), Brokkengraue (in Overley), and Little Dene of Henry of Dene.
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The text on the page is not legible due to the quality of the image. It appears to be a table or a list, but the details are not clear enough to transcribe accurately.
<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>The unwooded wetland</td>
<td></td>
</tr>
<tr>
<td></td>
<td>225</td>
</tr>
<tr>
<td></td>
<td>236</td>
</tr>
<tr>
<td></td>
<td>237</td>
</tr>
<tr>
<td></td>
<td>111</td>
</tr>
<tr>
<td></td>
<td>3,627</td>
</tr>
<tr>
<td></td>
<td>110</td>
</tr>
<tr>
<td></td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>64</td>
</tr>
<tr>
<td></td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>204</td>
</tr>
</tbody>
</table>

**TOTAL:** 11,697
APPENDIX III (A)

WOODS GRANTED BY THE KING AS AT 1282

These are in addition to those within the chases of Monmouth (Hinderleys and Wyesham Eaves), Hadnock, and Tidenham (Hart Hill, Wootlston and Tidenham).

<table>
<thead>
<tr>
<th>Wood</th>
<th>Holder</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alvington</td>
<td>The prior of Llanthony by Gloucester.</td>
</tr>
<tr>
<td>Aylburton</td>
<td></td>
</tr>
<tr>
<td>Lydney (including Ascumbe)</td>
<td>The earl of Warwick.</td>
</tr>
<tr>
<td>Birwood and Mortun</td>
<td>The abbot of St. Peter's, Gloucester.</td>
</tr>
<tr>
<td>Sudrugg (in Ruddle)</td>
<td></td>
</tr>
<tr>
<td>Hope Manse</td>
<td></td>
</tr>
<tr>
<td>Highmem (including Pipersgrove)</td>
<td></td>
</tr>
<tr>
<td>Churcham</td>
<td></td>
</tr>
<tr>
<td>Blaisdon</td>
<td>Ralph of Abenhall.</td>
</tr>
<tr>
<td>Hope (south-west of Longhope)</td>
<td>Richard Talbot.</td>
</tr>
<tr>
<td>Nottwood</td>
<td>Richard de Heydon (of the fee of the earl of Hereford).</td>
</tr>
<tr>
<td>Ross (&quot;Bishop's Wood&quot;)</td>
<td>The bishop of Hereford. (He also held the wood of Wydehay or Wytehay - vide E.32/30.).</td>
</tr>
</tbody>
</table>

i. E 32/31.

ii. Held by the prior of Baunton in 1258 (E.32/28).

iii. Held by William de Clevile and Vivian de Rostole in 1258 (E.32/26), and by William de Clevile and Pulco de Lucy in 1270 (E.32/29).

iv. At one time held by William Maudit (E.32/29).

v. Held by Thomas of Blaisdon in 1258 (E.32/28).

vi. Held by Edward the king's son in 1258 (E.32/28), and in 1270 (E.32/29).
Abbots Wood
Haygrove (at Eccleswell)
Newent Wood (with Yartleton)
Huntley
Taynton
Kilcot
Peryard (Chase)
Old Peryard
Aston Ingham (Eston)

The abbot of Flaxley. He also had certain rights in Welshburi (Welshbury) and Timberhouse.
Richard Talbot.
The prior of Newent.
Walter of Huntley.
Cecilia de Michegros.
Lady Joan de Knoville.
Part bishop of Hereford and part Richard Talbot.

i. Held by John de Mussegros in 1258 (E.32/28), and in 1270 (E.32/29).
ii. Held by John de Mussegros in 1258 (E.32/28), and by Bogo de Knoville in 1270 (E.32/29).
<table>
<thead>
<tr>
<th>Holder</th>
<th>Wood</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abbot of Gloucester</td>
<td>Piper's Grove (Pipareresgrove) at</td>
</tr>
<tr>
<td></td>
<td>Highnam (Hynehome) - New Waste</td>
</tr>
<tr>
<td></td>
<td>Churcham (Chirchome) below the court</td>
</tr>
<tr>
<td></td>
<td>House - New waste</td>
</tr>
<tr>
<td></td>
<td>Birdwood - 49 oaks taken</td>
</tr>
<tr>
<td></td>
<td>Ruddle, Sudruggin, - New waste</td>
</tr>
</tbody>
</table>
|                            | Hope Mansel - Old and new waste, "and he still causes charcoal to be made daily there, and has enclosed with a hedge the wood which was felled."

| Thomas of Huntley          | Huntley - New waste of all the wood between Birdwood and la Wardock |
| Walter of Huntley          | Huntley - Old and new waste, "and he has made a clearing or ridding next the public way to prevent misdeed done there by thieves, and another above his court house! Also Simon de Ribbesford, rector there, "has destroyed a grove called Parsonesmor and has anew made charcoal of it" |
Richard of Heydune: Nottwood
(Nottewde)\(^1\)
within the fee
of the earl of
Hereford
- New waste.

Ralph of Aberall: Birchengrove\(^2\)
at Blaisdon
- New waste.

Abbot of Flaxley: Little Dene
The Chestnuts
(Castiard)
Timbrigge
Welshbury
(Walschur')
- New waste.

Henry of Dene: A grove in
Little Dene
- Felled and made
into charcoal.

Earl of Warwick: Lydney
- Old and new waste.

In the Chase of (Prior of
Llanthony
Alvington
(Alwntune)\(^2\)
- Old waste, "and is
now being properly
looked after."

(Abbot of
Tintern
(-Wolauestone)
- New waste.

- Hart Hill
(Herthulle) in
Hewelsfield
(Ewaldesfeld)
- Old waste "and was
taken into the king's
hands in 1270 for
the transgressions of
John of Awre, woodward,
and was not redeemed."

\(^{1}\) South of modern Little London.
\(^{2}\) The eastern end of Ley Park.
\(^{2}\) It appears strange that Alvington, which lies to the
north of Cone brook, is included in the chase of the
earl Marshal.
<table>
<thead>
<tr>
<th>Name</th>
<th>Place</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earl Marshal</td>
<td>Tidenham (Tudenheim)</td>
<td>- New waste.</td>
</tr>
<tr>
<td>Lord Edmund</td>
<td>Hinderleys and Wyesham Eaves</td>
<td>- New waste, &quot;and they still cause charcoal to be made there, but all the lords of Monmouth have at all times been accustomed to take vert there at their will.&quot;</td>
</tr>
<tr>
<td>The Chase of Monmouth king's brother</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roger de Clifford</td>
<td>Badnock (Hodenak)</td>
<td></td>
</tr>
<tr>
<td>Bishop of Hereford</td>
<td>Ross</td>
<td>- Old and new waste, &quot;and they still cause charcoal to be made there, but the bishop claims all pleas of vert there and pleads them in his court of Ross, and claims to take of the same wood at his will, by what warrant is unknown.&quot;</td>
</tr>
<tr>
<td>Bishop of Hereford and Richard Talebot</td>
<td>Old Fenyard (Old Fenzard)</td>
<td>- Old and new waste.</td>
</tr>
<tr>
<td>Richard Talebot</td>
<td>Longhope</td>
<td>- Old and new waste &quot;and he is still making charcoal there.&quot;</td>
</tr>
<tr>
<td>Richard Talebot (of Eccleswell)</td>
<td>Haygrove</td>
<td>- &quot;Was underwood and it has been entirely destroyed by cutting and making into charcoal.&quot;</td>
</tr>
<tr>
<td>Lady Joan de Knovile</td>
<td>Penyard (Fenzard)</td>
<td>- Old and new waste, &quot;and she still causes charcoal to be made there daily.&quot;</td>
</tr>
<tr>
<td>Name</td>
<td>Location</td>
<td>Details</td>
</tr>
<tr>
<td>---------------------------</td>
<td>-----------</td>
<td>-------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Bogo de Knovile</td>
<td>Kilcot</td>
<td>- Old waste.</td>
</tr>
<tr>
<td></td>
<td>(Killecote)</td>
<td></td>
</tr>
<tr>
<td>Lady Cecily de Michegros</td>
<td>Taynton</td>
<td>- Old and new waste, &quot;and she has made there a clearing next the wood</td>
</tr>
<tr>
<td></td>
<td>(Teintura)</td>
<td>of Walter of Huntley.&quot;</td>
</tr>
<tr>
<td>Prior of Newent</td>
<td>Newent</td>
<td>- Old waste, &quot;and he still takes wood for his fire and has felled and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>debranched oaks.&quot;</td>
</tr>
<tr>
<td>Walter of Aston</td>
<td>Aston Ingham</td>
<td>- Old waste.</td>
</tr>
<tr>
<td></td>
<td>(Astune)</td>
<td></td>
</tr>
</tbody>
</table>
### APPENDIX IV

**Gifts of Trees and Woodland Produce in the Thirteenth Century**

The following gifts by the king have been noticed in the Calendars of Close Rolls and a few in those of the Liberate Rolls:

<table>
<thead>
<tr>
<th>Name</th>
<th>Gift Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Edmund, the king's brother:</td>
<td>For his weirs at Rodley: rods and timber per John the king's mason (1256);</td>
</tr>
<tr>
<td></td>
<td>rods (1276); poles (1279); poles (1281); poles and timber (1282).</td>
</tr>
<tr>
<td>Queen Eleanor, the king's mother:</td>
<td>For her weirs at Gloucester: timber and rods (1288).</td>
</tr>
<tr>
<td>Prior of Llanthony, Gloucester:</td>
<td>3 oaks for the tower of the new church (1221); wind-throws (1223); 5 oaks</td>
</tr>
<tr>
<td></td>
<td>(1226); 10 oaks (1265); 12 sapling oaks (1278).</td>
</tr>
<tr>
<td>Robert de Wakering, parson of Clearwell (Welinton):</td>
<td>2 oaks (1221); 6 oaks for repairs to the church (1223).</td>
</tr>
<tr>
<td>Peter de Bury, clerk, of Clearwell:</td>
<td>10 oaks, housebote and haybote for his hospital (1238).</td>
</tr>
<tr>
<td>John of Monmouth:</td>
<td>30 wind-thrown oaks (1223).</td>
</tr>
<tr>
<td>Hugh de Burgh:</td>
<td>wood for building an edifice at Elmore (1225); 50 oaks for his fishery at Elmore (1227).</td>
</tr>
<tr>
<td>Hugh de Kinnardesley:</td>
<td>5 oaks (1225).</td>
</tr>
<tr>
<td>Chapter of Hereford:</td>
<td>3 trees for repairing the chapel at St Briavels castle (1228).</td>
</tr>
<tr>
<td>Bishop of Hereford:</td>
<td>50 oaks (1262).</td>
</tr>
<tr>
<td>Grey friars of Gloucester:</td>
<td>5 trees (1231); 5 old oaks (1237); 6 oaks (1240); 5 oaks (1241); timber</td>
</tr>
<tr>
<td></td>
<td>for houses (1243); 8 oaks (1245); 6 oaks from Lydney wood (1256); 3 leafless</td>
</tr>
<tr>
<td></td>
<td>oaks (1262); 10 oaks (1278); 8 oaks (1280); 7 oaks (1282).</td>
</tr>
<tr>
<td>Grey friars of Bristol:</td>
<td>5 oaks (1258).</td>
</tr>
<tr>
<td>Person</td>
<td>Items</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>--------------------------------------------</td>
</tr>
<tr>
<td>Abbot of Flaxley</td>
<td>wind-throws sufficient to repair his house (1223); 2 oaks for making and covering a wing of aisle at his house (1229); 10 oaks for repairing his church and houses (1232); 2 oaks each week for his forges (1255).</td>
</tr>
<tr>
<td>Chapel of the church of St Briavels:</td>
<td>3 oaks (1232).</td>
</tr>
<tr>
<td>Roger Ailand, mayor of Bristol:</td>
<td>1 oak for a ship (1229).</td>
</tr>
<tr>
<td>John fitzNicholas of Longhope (Hope):</td>
<td>3 trees in the Lea wood for repairing houses recently burnt (1231).</td>
</tr>
<tr>
<td>Abbot of St Peter's, Gloucester:</td>
<td>5 oaks in the bailiwick of Staunton to repair houses recently burnt at Riddle (1231); 10 oaks with their loppings (1250); 10 oaks (1251); 5 oaks from his Birwood for his refectory (1252).</td>
</tr>
<tr>
<td>Richard de Clifford:</td>
<td>10 oaks (1243); 6 oaks (1244); 12 oaks (1261).</td>
</tr>
<tr>
<td>Archbishop of York:</td>
<td>3 good big oaks (1244).</td>
</tr>
<tr>
<td>Earl of Essex and Hereford:</td>
<td>6 oaks for shingles (1244).</td>
</tr>
<tr>
<td>William of Provence:</td>
<td>4 oaks (1244).</td>
</tr>
<tr>
<td>The earl Marshal:</td>
<td>10 oaks for a tower in Chepstow castle (1228); 13 trees (1244).</td>
</tr>
<tr>
<td>William de la Hyde:</td>
<td>4 oaks (1244).</td>
</tr>
<tr>
<td>Hayles Abbey:</td>
<td>40 oaks per earl Richard (1245); 60 oaks (1246); 5 oaks (1251); 20 oaks for the abbot's dormitory (1251); 20 oaks (1253).</td>
</tr>
<tr>
<td>Henry de Pembridge:</td>
<td>10 oaks, not to be sold or used for charcoal (1245).</td>
</tr>
<tr>
<td>Hugh de Betyun:</td>
<td>3 oaks in the bailiwick of Staunton (1246).</td>
</tr>
<tr>
<td>Friars Preachers of Gloucester:</td>
<td>6 oaks (1241); 15 oaks for their church and houses (1243); 10 oaks (1245); 10 oaks (1246); 3 oaks for fires (1254); 5 oaks (1256); 22 oaks (1265); 4 oaks for fires (1278); 6 trees (1280); 12 oaks (1284).</td>
</tr>
<tr>
<td>Friars Preachers of Bristol:</td>
<td>10 squared oaks (1241); 10 oaks (1242); 12 oaks (1244); 6 oaks (1246); 6 oaks for church works (1248); 4 oaks with their loppings (1250); 14 oaks (1249); 6 oaks (1255); 6 oaks (1256); 5 oaks (1259); 12 oaks (1260); 4 oaks (1261); 6 oaks (1293).</td>
</tr>
</tbody>
</table>

1. These may have been for St Oswald's priory at Gloucester, held by the archbishop.
| Friars Preachers of Hereford: | 10 oaks (1246). |
| Carmelite Priors of Bristol: | 10 inferior oaks (1276). |
| Carmelite Priors of Gloucester: | 4 oaks (1282); 3 oaks and some shingles for their cloister (1290). |
| William the clerk, citizen of Bristol: | 1 oak for making a mast (1246). |
| William de Valence, the king's uncle: | 10 oaks and 20 cartloads of rods of underwood for the mill at Morton, in Minsterworth (1247); 10 cartloads of rods (1247); 10 oaks for the building of his hall at Morton (1253); pales for enclosing his park at Morton (1255); 15 oaks (1261); 12 oaks with their loppings (1275); 12 oaks (1277); 2 oaks for Goodrich castle (1280); 6 oaks for Goodrich castle (1284); 12 oaks (1293). |
| John de Freecorn: | 4 oaks (1245). |
| Sybil Giffard: | 4 oaks (1248). |
| Humphrey de Bohun: | 4 oaks (1251); 6 oaks (1254). |
| Prior of St. Mary's Monmouth: | 4 oaks (1251). |
| Custodian of Berkeley Hospital: | 5 oaks (1250). |
| William Daubenev: | 1 oak for his fires (1248); 4 oaks (1254); 3 oaks (1258); 6 oaks (1281). |
| Matthew Bezill: | 4 oaks (1248); 6 oaks (1252); 6 oaks (1253); 6 leafless oaks (1254); 6 oaks (1253); 6 oaks (1256); rods for weirs (1257); 6 oaks (1257); 10 oaks (1258); |
| Maurice of Berkeley, junior: | 10 oaks (1265). |
| Roger de Lokinton: | 4 oaks (1249). |

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i. Warden of Gloucester castle.
The woman looking after the ferry at Newnham:
1 oak to make a boat (1238).

Prior of the Hospital of St. Bartholomew, Gloucester
5 oaks (1253); 8 oaks (1264); 6 oaks (1265).

Earls of Warwick from their Lydney Wood:
10 oaks (1247); 60 oaks (1253); 50 oaks (1254); oak and timber (1264); timber (1290).

John de Grey:
10 oaks (1261); 20 oaks (1263); 2 oaks (1283).

Reginald de Grey:
6 oaks (1283).

Robert de Tuberville:
30 oaks for houses in Herefordshire (1265).

Bishop of Llandaff:
4 oaks (1262).

Peter de Brampton:
8 oaks (1274).

Vivian de Roshale:
20 oaks from his wood of Aylburton (1253).

Richard Talbot:
wood from his woods of Hope and Fownhope to roof his houses at Eccleswall (1280).

Hugh de Wengh:
70 oaks from Lydney wood (1256).

Walter Wyther:
2 oaks (1252); 4 oaks (1261); 8 oaks for his houses at Lydney lately burnt (1264).

Thomas of Rossillion (Ruessylm):
6 oaks (1261).

William, parson of Woclaston:
2 oaks (1261).

Geoffrey, parson of Ellastone:
3 oaks for repairing the church (1262).

Walter Giffard, rector of Newland:
reasonable estovers as his predecessors (1256).

Ken of Rodley:
estovers (1256).

Adam de Rameneys:
2 oaks (1283).

Abbot of Winchcombe:
6 oaks (1282).
Robert Walerand, constable in 1255: 30 copulas\(^i\) of young oaks (1255).

John of Stears: 6 oaks in the bailiwick of Abenall (1267).

Richard de la River: 7 oaks (1254).

Matthew de Gamages: 6 oaks (1254); 4 oaks (1263).

Thomas de Fanes, the king's merchant: wool suitable for making a ship's mast (1276).

William St Ermine: 1 oak (1256).

Robert de Glaston': 1 oak (1258).

Roger de Bigod: 10 oaks for Striguil bridge (1258).

Gilbert Talbot: 15 oaks (1266).

Julian Deubeney: 4 oaks (1266).

Edmund, the king's brother: 30 oaks (1281); rods and 10 oaks (1284).

Robert Cckerel of Goodrich: 2 oaks (1280).

Thomas le Marshall: 4 oaks (1280).

Stephen de Eskby, parson of Staunton: 2 oaks (1280).

Walter de Helyun: 10 oaks (1277); 6 oaks (1279).

Grimbald Fauncefot, junior: 12 oaks (1283).

Bishop of Worcester: 40 oaks for rafters (1232); 4 oaks (1284).

Abbot of Pershore: 100 oaks (1233); 10 oaks to rebuild his abbey (1288).

William the Archer: 3 oaks (1284).

Walter de Federton: 2 oaks for Carmarthen (1285).

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\(^i\) Copula, a kind of beam or rafter (see Turner, op.cit., p.140).
Geoffrey of St Edmunds: 3 oaks (1282).
Henry de Audley: 6 oaks (1293).
The Master of the ship called "The Cow" (la vache): a mast (1283).
A history of the making of quarrels has not been written, but there are a few books giving some information.\textsuperscript{i} Quarrels, short, heavy, square-headed arrows or bolts, used with the crossbow or arbalest, were made at St Briavels in enormous quantities in the thirteenth century. The bolt of a steel crossbow was a heavy and dangerous projectile, far more so than an arrow. From the shape of its head, usually four-sided, whether blunt or pointed, the bolt was called a "quarrel," probably from quarreau, in modern French carreau — anything diamond-shaped or with square faces. The bolts (shafts) were often winged with thin strips of wood, leather, skin, or horn, instead of with goose or swan feathers;\textsuperscript{ii} made of seasoned yew, sometimes ash, they were usually 12 ins. in length by $\frac{1}{2}$ in. to $\frac{5}{8}$th ins. in diameter, weighing from $\frac{2}{5}$ ozs. to $\frac{2}{5}$ ozs.\textsuperscript{iii} The heads were of solid metal prolonged to a hollow sheath to fit over the wooden shaft; some were sharply pointed, others were square-headed with four small points, one at each corner of the head, so that they might not glance off armour.\textsuperscript{iv}

The crossbows themselves were of various kinds; they are described by Payne-Gallwey\textsuperscript{v} and in the Encyclopaedia Britannica.\textsuperscript{vi}

\textsuperscript{i} See e.g. Hodgkin, The Archers Craft (Faber & Faber) which contains a good bibliography; and Sir Ralph Payne-Gallwey Bt., The Crossbow (2nd Edn. 1958).

\textsuperscript{ii} Payne-Gallwey, op. cit., p.17. \textsuperscript{iii} Ibid., p.16. \textsuperscript{iv} Ibid., p.18.

\textsuperscript{v} Op. cit., pp.15,17: The large military crossbow with a thick steel bow which was carried by the crossbowman in battle, as at Agincourt, weighed from 15 lbs. to 16 lbs. with its windlass. Its steel bow was from 2 ft.7 ins. to 2 ft.8 ins. long, and at its centre $\frac{13}{4}$ ins. to 2 ins. wide, and $\frac{5}{8}$th ins. to $\frac{3}{4}$ ins. thick. In order to give a sufficient substance for the thick string of the crossbow to act against, the height of the bolt at its butt-end was the same as the diameter of the bow-string which was usually $\frac{1}{2}$ in. thick. The bolt was then tapered forward to a slightly increased size, which caused the fore-end of its shaft, over which the sheath of the iron head fitted, to be $\frac{5}{8}$th ins. thick — to give it a proper balance.

\textsuperscript{vi} Vol.6, p.755: "An ancient missile-throwing weapon, consisting of a bow fixed traversely upon a stock that contains a groove to guide the missile, a notch to hold the string of the bow, and a trigger to release it. There were several varieties of crossbows, viz: goat's-foot, windlass, catch, German, crossbow à galet, ramrod, the Chinese, and the arbalest, which usually fired quarrels or square-headed bolts, and was so stiff that a mechanical contrivance was required to bend it. Those of the cavalry were lighter than those of the infantry."
The first record of quarrels made at St Briavels is an order to the constable-warden in 1223 to send 6,000 to Montgomery. The following year he was instructed to deliver to Ralph fitzNicholas all the quarrels that he had caused to be made at St Briavels by the king's order. On 2 November 1228 the bailiff of St Briavels was informed that Henry III was sending three workmen to him for the making of quarrels. William the smith was to make them at 5d. a day and John de Malenorm, his brother, at 4d. William the fletcher was to receive 4d. a day to feather (innemand) the quarrels. The bailiff was to pay the wages, and supply the necessary charcoal and iron.

There may have been some delay in the arrival of the workmen, for 26 October 1229 a similar instruction was issued. However, the work must have started before this time for the sheriffs of Gloucestershire and Herefordshire were ordered 2 July 1229 to supply feathers to William the fletcher who was staying at St Briavels castle; on 11 September the constable was told to hold 2,000 quarrels and send the remainder of his stock to the sheriff of Gloucestershire who was to deliver them to Winchester. On 10 November Hugh de Kinardesley, deputy constable, was allowed in the ferm of Dean's paid by him in part payment of the wages of two quarrel-makers. Six days later each workman was promised an increase of 23d. a day provided they each made 300 quarrels daily. The fletcher was to receive 13d. a day over his usual 4d. The bailiff was ordered to provide charcoal and iron, also a grindstone (molam), and a building in which to work. He was to continue paying their wages; it soon appeared that he had no funds in hand, and this responsibility was passed to the bailiffs of Gloucester who 6 February were ordered to cause the three workmen to have £4.15s. for their wages for 60 days. A like order to pay wages followed on 7 May. On 25 May the bailiff of St Briavels was to find a dwelling for William and John. Nothing more is heard till 4 January 1232 when John de Malemort was to be paid 10d. a day. What had happened to his two colleagues is unknown. On 17 December 1232, the constable was to supply iron, charcoal, lard (lard') and bran (bren').

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v. Ibid., p. 136. vi. Ibid., p. 142.
ix. Ibid., pp. 165, 166. x. Ibid., pp. 181, 182.
xii. Ibid., p. 193. xi. Ibid., p. 182.
to make quarrels, barrels in which to put them, feathers to feather them, wood (fustum)\textsuperscript{i} to make shafts (flechias),\textsuperscript{ii} a grindstone, and a building in which to work.\textsuperscript{iii} Malemort was still expected to make 100 quarrels a day. On 2 May 1233 the bailiffs of Gloucester were again ordered to pay his wages;\textsuperscript{iv} a like order was given 17 August 1233, the payment to be made out of the corn of the town of Gloucester.\textsuperscript{v} The constable of St Briavels was instructed to replace the grindstone, now worn-out.\textsuperscript{vi}

The results of some of Malemort's labours are known. On 31 August 1233 the constable was to deliver 10,000 quarrels to the sheriff of Gloucestershire, who in turn was to send them to Whitecastle in Monmouthshire.\textsuperscript{vii} The same year, 1,000 were to be delivered to Hamon de Crevequer and Ralph Daubeney, and 1,000 to the constable of Bristol.\textsuperscript{viii} These 12,000, representing only 120 days' work, could have been but a fraction of the total manufactured by that year. Other deliveries were unrecorded or huge quantities were in store at St Briavels castle.

No subsequent record is found till 28 October 1236 when Malemort was still working at 10½d. a day;\textsuperscript{ix} he required a millstone.\textsuperscript{x} On 17 March 1237 the sheriff of Gloucestershire was to expect 20,000 quarrels coming from St Briavels and deliver them without delay at London for Dover Castle.\textsuperscript{xi} Malemort continued to be paid by the bailiffs of Gloucester in 1237,\textsuperscript{xii} 1238,\textsuperscript{xiii} 1239,\textsuperscript{xiv} and 1240,\textsuperscript{xv} and to be supplied by the constable of St Briavels with necessities for his work.\textsuperscript{xvi}

On 8 August 1241,\textsuperscript{xvii} the constable was ordered to cause to be made 2,000 quarrels of each of the six patterns (formarum) delivered by Paul Peyvre to John Malemort, and 10,000 "fit for a crossbow to be strung with the foot (balista ad pedem)", to be sent

\textsuperscript{i} The kind of wood used is not stated. Beeches are specified for shafts.
\textsuperscript{ii} Fleck (M.Fr.fleche) a flech, the wooden part of an arrow, bolt or quarrel, on which the metal head and the feathers were fixed.
\textsuperscript{iii} C,62,1,p.192.
\textsuperscript{iv} Ibid.,p.213.
\textsuperscript{v} Ibid.,p.228, also 2 Oct.1233, p.233.
\textsuperscript{vi} Ibid.,p.229.
\textsuperscript{vii} Ibid.,p.229.
\textsuperscript{viii} Cal.C,54,1231-34,p.352.
\textsuperscript{ix} C,62,1,p.240.
\textsuperscript{x} Ibid.,29 Oct.1236.
\textsuperscript{xi} Ibid.,p.263, 20 April.
\textsuperscript{xii} Ibid.,p.259.
\textsuperscript{xiii} Ibid.,p.320,27 April; p.337, 23 June.
\textsuperscript{xiv} Ibid.,pp.381,382, 11 May; p.428, 4 Nov.
\textsuperscript{xv} Ibid.,p.469, 22 May; II, p.1, 30 Oct.
\textsuperscript{xvi} Ibid.,p.337, 23 June 1238; p.382, 11 May 1239; p.469, 25 May 1240.
\textsuperscript{xvii} Ibid.,II,p.67.
to the king at Shrewsbury. On 2 December the same year the constable was to send to Montgomery castle 10 wooden crossbows (balistae lignea) and 6,000 quarrels "out of those belonging to the king which are in his keeping". The following March 50,000 thin quarrels of those in his keeping were to be sent to equip Windsor Castle, 50,000 thick to the Tower of London to equip Dover castle, and 2,000 thick and 50,000 thin to Portsmouth. On 17 December 1,000 were to be sent to equip Bristol castle.

Malemort appeared to be working still on his own, at 10th^d. a day in 1241,^vii 1242,^v and 1243,^vi In c.1244–8 he was referred to as gavarius^vii and held a forge. His output was prodigious; on 11 July 1242,^ix 30,000 quarrels were delivered by the constable to the sheriff of Gloucestershire who was to "barr them after the king towards the parts of Scotland, unless he send for them first, so that he may have them at Newcastle-upon-Tyne on the day of St Peter's Chains." The same year 2,000 were to go up to Richard de Clifford, constable of Lundy, "for the munitioning of the castle,"^x and 6,000 to John of Monmouth for his castle.^xi

The following year, 1245, the sheriff of Herefordshire was to send from the stock at St Briavels 6,000 quarrels to John of Monmouth "to carry out the king's orders,"^xii 15,000 to Chester,^xiii an additional 15,000 to the same place,^xiv and 30,000 "with all possible speed, alike by day and night," to equip Gannok castle. In 1246,^xv 1247,^xvi 1248,^xvii 1249,^xix and 1250,^xx the bailiffs of Gloucester were still paying Malemort's wages, and the constable of St Briavels supplying him with the necessary materials. During those years the only requisition was for 10,000 quarrels for Robert Walerand in 1248,^xli In 1251,^xlii 12,000 were to be supplied to John fitzGeoffrey, justice of Ireland, "or his certain messenger", and 10,000^xliii to Alan La Zouche, justice of Chester, for the castles.

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iv. Ibid. p.77, 6 Oct.
v. Ibid. p.175, 8 April.
vi. Ibid.

vii. This probable means waggoner.

xiv. Ibid., p.322, 7 Sept.
xvi. Ibid., III, p.41, 15 April.
xvii. Ibid., p.119, 30 April. xviii. Ibid., p.185, 6 June.
xix. Ibid., p.265, 19 Nov. xx. Ibid., p.287, 14 May; p.314, 12, 15, Nov.
xxiii. Ibid., m.9.
of Dissard (Diserth) and Gannok.

Making of quarrels continued in 1252, i 1253, ii 1254, iii 1255, iv and 1256. Malemort's pay of 102d. a day was changed to 25 marks annually in 1255; on 13 May 1257 vi the constable was credited with six and a quarter marks which he paid to Malemort "for Michaelmas term in the 39th year, of the 25 marks which he receives for making 25,000 quarrels yearly." vii Stocks must have accumulated at St Briavels; 30,000 "quarrels and bolts" (fausardus) viii were ordered in 1253 to be sent "without delay" to Bristol, ix but no subsequent requisitions are recorded till 1254 x when Gilbert Talbot was to have 6,000 for the castles of Grosmont, Skenfrith, and Whitecastle, all in Monmouthshire. In 1255 30,000 were ordered for Gascony xi and 30,000 for Bristol xii An account for 5s. "for carrying quarrels from St Briavels to Whitecastle" appears in 1256-7, xiii and a note relating to Abergavenny castle of the same year refers to "20 barrels full of quarrels received from the constable of St Briavels of which 6 were delivered to Builth, 2 to Monmouth and 7 to Whitecastle" xiv

In 1257 xv 30,000 were to go to Chester "with all speed, by night and day as the king is about to depart with his army for the parts of Wales." Malemort's services appear invaluable: on 18 December 1257 xvi the constable was ordered "to take good surety from John de Malemort to make 50,000 quarrels annually during the war with Wales as he has already undertaken before the king to do". Malemort was to be paid £50 a year from Christmas; his quarrels were to be kept till ordered, "seeing that on account of the war the king is in extreme need of quarrels to equip divers places in Wales and desires that the making thereof at St Briavels should not cease." This, according to a mandate from the king to Malemort, was to be "irrespective of any prohibition made by Philip Lovel." xvii It is possible that Malemort

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i. Cal.C.62, IV, p.45, 8 May; p.89, 27 Nov.
ii. Ibid., p.131, 30 May; p.151, 12 Nov.
iii. Ibid., p.163, 27 April; p.180, 14 Oct; p.186, 24 Nov.
iv. Ibid., p.195, 7 Feb; p.226, 16 June.
v. Co.54, 39 Hen.III, m.9; 40, m.17.
vii. The constable was allowed a further 25 marks 18 Dec.1257 for 25,000 made by Malemort (Ibid.,p.415). A note of this time records that Roger the smith was making quarrels in the Tower of London at 42d. a day, and materials found (Ibid.,p.376, 26 May 1257).
viii. A kind of arrow.
ix. Ibid., p.142, 27 June.
x. Co.54, 38 Hen.III, m.20.
xii. Ibid., 40 Hen.III, m.20.
xiii. Ibid., p.142, 27 June.
xiv. Ibid., p.390.
xvi. Ibid.,p.415.
xvii. Co.54, 41 Hen.III, m.4. Philip Lovel was a relation of William Lovel, one of the king's hunters who was often in Dean.
was sub-contracting some of his work, for Adam the flecher appears on the eyre-roll of 1259. It is not certain that it is the same Malemort as hitherto; it may have been a son or other relative of the same name: one Stephen Malemort appears in the Regard of 1282.

On 13 March 1261, the constable was ordered to send 8,000 quarrels for one foot crossbows and 20,000 for two foot to Marlborough. On 20 October he was ordered to send 50,000 quarrels to the Tower of London, "setting aside all other business". Other deliveries in the same year were: 8,000 for two foot, and 7,000 for one to Richard, king of Germany; 6,000 to Salisbury and 6,000 to Corff; 3,000 to Norwich; 3,000 to Devizes; 1,000 to Monmouth; and 1,000 to Bristol.

In 1262 a new impetus to the manufacture was given when the constable was ordered to have made "with all speed" 150,000 quarrels for one foot crossbows and 50,000 for those of two foot, "as the king wills that quarrels shall be made and kept there for his..."
Malmort in 1278 was allowed two beeches for shafts for quarrels, and two oaks to make chests to contain them. Relevant to what followed is a claim by the heir of Grimbold Paucefot, constable in 1281-7, for:

"10s. for making 500 quarrels and 15s. for carriage of the same in 1283 to Rhuddlan (Rothelan), being 6 days at 6d. a day for each hundred.

10 marks expended in making 10,000 quarrels, and for carriage of the same to Rhuddlan.

£14.6s.8d. expended in making 20,000 quarrels, and for carriage of the same to Rhuddlan."

Beyond the above, the only records found is an order 8 April 1288 to the constable for 5,000 quarrels to be sent to Bristol castle for delivery at Kermerdin castle, and a like order 8 October 1293 to prepare without delay 3,000 for two foot crossbows and 3,000 for one foot, to be delivered to Richard de Bosco constable of Corff castle.

In the absence of records concerning other supplies from St Briavels, the following note is of interest:

"The cost of crossbows and quarrels or bolts varied considerably. The average price of the 'one foot' was from 3s. to 5s., of the 'two foot' 5s. to 7s., and the 'great' balista ad turnum, really a small engine, 9s. The quarrels at one time cost 34s.4d. for 2,600, at another 10s. for 1,000. Iron heads were contracted for at 14d. to 16d. per thousand. The question of ammunition was very important, and we find that enormous supplies were brought up. In March 1277, no less than 200,000 rounds were ordered, 150,000 for 'one foot' and 50,000 for 'two feet', for use in South Wales. The same year, Imbert bought thousands at a time for his brigade at Flint. In 1282, some 14,000 were sent to Rhuddlan, 10,000 to Chester, and 10,000 to Carmarthen, all of these from the depot at Bristol; 4,000 were first supplied to the fleet and 40,000 sent later in the year under an escort of ten troopers as a reserve supply from London. Next year, 170,000 are accounted for as issued to both Gascon and English crossbowmen in the Anglesey division of the army only, and the Gascons had originally brought with them 70,000. Meanwhile, a bare 16,000
arrows were issued. These figures represent a minimum of the ammunition used, for missing documents probably would have given us many similar entries. After the second war, when the castle of Carnarvon was built, a consignment of 120 crossbows was sent up from Bristol, twenty-four of them being "two feet" pieces; they were made of Spanish yew and whalebone, — a horn was used as a substitute for yew, but not often, and not on this occasion — and a complete set of accoutrements, baldrics, &c., was laid up in a time of peace. At the time of Rhys's rising, nine crossbows and 21,000 quarrels were shipped from Bristol to Carmarthen, and later 20 crossbows and 6,000 quarrels. All the details argue the importance of this small corps of professional soldiers."

From about 1223 to 1293 at least half a million quarrels were made at St Briavels. The total output may have been double this amount; some years 25,000 were made; the total could have been over one million. St Briavels was one of the great arsenals of the thirteenth century. Only a few quarrels, referred to as darts, were made in Dean in later centuries.¹

¹ See Chapter III.
## Appendix VI

### Taverner's Survey in 1565

<table>
<thead>
<tr>
<th>Woodwardship</th>
<th>Woodland Acres</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bicknor</td>
<td>995</td>
<td>&quot;One-quarter is set with handsome beech, one-quarter oak not shred, and half oak lately shred.&quot;</td>
</tr>
<tr>
<td>Staunton</td>
<td>1,240</td>
<td>&quot;Oak and beech of great age (most part commonly used to be shred well nigh unto the top).&quot;</td>
</tr>
<tr>
<td>Kydall collet</td>
<td>83</td>
<td>&quot;Underwood of beech and holly of 10 year's growth and straddled with oak of greater age which were shred at the last sale of the underwood, whereof 10 acres are waste.&quot;</td>
</tr>
<tr>
<td>(in Staunton Woodlandship)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Akenhall</td>
<td>2,414</td>
<td>&quot;Half oak and beech of great age (most part commonly used to be shred well nigh unto the top as well by William Guise as by the inhabitants there). Half is waste.&quot;</td>
</tr>
<tr>
<td>Ruerdyn</td>
<td>1,100</td>
<td></td>
</tr>
<tr>
<td>Great Dean</td>
<td>995</td>
<td></td>
</tr>
<tr>
<td>Blackney</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>The Lee Bayly</td>
<td>640</td>
<td></td>
</tr>
<tr>
<td>Elys Bayly</td>
<td>400</td>
<td></td>
</tr>
<tr>
<td>The Berse Bayly</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Badcocks</td>
<td>30</td>
<td></td>
</tr>
</tbody>
</table>

### Also:

| Chestnut Wood     | 253            | "Chestnut trees and oaks, all being shred about 3 years past, and underwood of chestnut, oak, and hazel likewise fallen 3 years past and never before coled." |

\[c/f \quad 9,650\]

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i. E.315/429, ff.126,127; L.R.R.0. 5/39 (1790 transcript).

ii. This was a small portion of the old Littledean bailiwick.
"The Underwoods called the Collettes, viz. Great Bradley, Little Bradley, Stonegrove, Ruckholemore, and Piggeslade."

<table>
<thead>
<tr>
<th>Woodwardship</th>
<th>Woodland Acres</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>b/f 9,650</td>
<td>&quot;Lying together and unseparated, so measured together. Set with underwood of oak, beech, holly, hazel and Sallowe, and straddled with oak commonly used to be shred.&quot;</td>
</tr>
</tbody>
</table>

\[330^1\]

|              | \[9,980\]      |

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1. In 1610 the acreage was given as 520 acres (B.M. Lansd. Mss. 166, ff. 340, 346).
APPENDIX VII

EBOUGHTON'S SURVEY OF 1633

Woodwardship and Woodward

The Lea Bailey

"This wood is a ground of 1,000 acres and lies severed from the main Forest. It is safely inclosed and compassed almost round about by the lands of particular men excepting a little neck or small quantity of ground which lying open to Licheldeanes meend or waste ground makes the Lea Bailey common to the country, but that part may be inclosed with £20 charge. And to speak the truth, this ground is fit for nothing else but for wood. This Lea Bailey is without exception at this day for the quantity the best wood in England and most fit to be reserved for his Majesty's use, for it is all young wood and most of it to the beholder's eye seemeth excellent timber, and by nature framed for ship-timber, viz. for crucks, knees, bents, planks, etc., and it lies conveniently to be transported to the rivers Severn and Wye."

23,347

'Teardisse eves'
(Mrs. Joan Vaughan) 25,835

Abenhall
(Mrs. Joan Vaughan) 11,255

Abenhall
(Mrs. Joan Vaughan) 5,758

'Micheldean'
(Nicholas Roberts) 25,635

i. S.P.16/236/f.191.
<table>
<thead>
<tr>
<th>Woodwardship and Woodward</th>
<th>Remarks</th>
<th>Trees</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;Micheldeane&quot; (Nicholas Roberts)</td>
<td>&quot;In a place there called 'Harwoods eves'&quot;</td>
<td>4,478</td>
</tr>
<tr>
<td>Abenhall (Mrs. Joan Vaughan)</td>
<td>&quot;In Aywood&quot;</td>
<td>1,602</td>
</tr>
<tr>
<td>Abenhall (Mrs. Joan Vaughan)</td>
<td></td>
<td>8,435</td>
</tr>
<tr>
<td>English Bidlorn, 'Raardone' and Abenhall (Earl of Essex and Mrs. Joan Vaughan)</td>
<td></td>
<td>9,435</td>
</tr>
<tr>
<td>Stauton (Benedict Hall)</td>
<td>&quot;In the eves of Coleford&quot;</td>
<td>13,077</td>
</tr>
<tr>
<td>Stauton (Benedict Hall)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cloverwell and Fresses eves (Sir Payrham, Throgmorton)</td>
<td></td>
<td>8,787</td>
</tr>
<tr>
<td>Stauton (Benedict Hall)</td>
<td></td>
<td>10,688</td>
</tr>
<tr>
<td>(Mr. Borrow) (Mrs. Joan Vaughan)</td>
<td>&quot;Great Staplege and Middleudge&quot; &quot;Little Staplege&quot;</td>
<td>6,493</td>
</tr>
<tr>
<td>(Mr. Borrow)</td>
<td>&quot;Middleudge, Sayntley, Staplege, Ferry hay, Ayres Clew, Neysyhurst and the end of Pitnedge&quot;</td>
<td>6,950</td>
</tr>
<tr>
<td>(Mrs. Joan Vaughan)</td>
<td>&quot;Great Kensley, Rownel Lane, Horse Lawn and Rushy Lane&quot;</td>
<td></td>
</tr>
<tr>
<td>Stauton (Benedict Hall)</td>
<td>&quot;Blackpenry Wall and Wett Wood&quot;</td>
<td>5,807</td>
</tr>
<tr>
<td>Abenhall (Mrs. Joan Vaughan)</td>
<td>&quot;Sayntley&quot;</td>
<td></td>
</tr>
<tr>
<td>(Mr. Borrow)</td>
<td>&quot;Fery hall&quot;</td>
<td></td>
</tr>
<tr>
<td>Woodwardship and Woodward</td>
<td>Remarks</td>
<td>Trees</td>
</tr>
<tr>
<td>---------------------------</td>
<td>---------</td>
<td>-------</td>
</tr>
<tr>
<td>(Mr. Perrowe) (Benedict Hall)</td>
<td>&quot;Heisy Burst and Wettwood&quot; &quot;Phelps Medowe&quot;</td>
<td>9,173</td>
</tr>
<tr>
<td>(Mr. Perrowe)</td>
<td>&quot;On Blackney side&quot; &quot;Blackneyes eyes&quot;</td>
<td>5,470</td>
</tr>
<tr>
<td>&quot;Plays Bayly&quot; (Mr. Hill)</td>
<td>&quot;Near to Little Deane&quot;</td>
<td>1,502</td>
</tr>
<tr>
<td>&quot;Badcocks Bayly&quot; (Mrs. Joan Vaughan) (&quot;Her 4th bayly&quot;) (Mrs. Joan Vaughan)</td>
<td>&quot;Near to Little Deane&quot; &quot;In Edge hills&quot;</td>
<td>101</td>
</tr>
<tr>
<td>&quot;Micledeane&quot;</td>
<td>&quot;Near unto the turmes end&quot; &quot;Trees standing within the 24 acres at the furnace of the Park of White Meade&quot; &quot;Trees standing within the Park of White Meade&quot; &quot;Trees standing within the 24 acres at Canoe furnace let by the King to the Farmer&quot; &quot;The trees standing in Mr. John Gibbons's grounds (at Canoo) are not numbered or surveyed&quot;</td>
<td>20 128 46 65 166,848</td>
</tr>
</tbody>
</table>

"After I had numbered the trees of the Forest I did (as I was directed) spend divers days in reviewing the whole Forest, and I had in my company:

John Hopkin, a corder of the Farmers
John Giles, Mr. More's corder
John Sandy, Sir John Kyrle's corder
William Rudge, Sir John Wintour's corder
John Ashley, a ship carpenter
Walter Meeke, the Farmers' corder
Peter Marshall, a ship carpenter
Henry Robins, the Farmers' cutter
Griffith Hopkins, the Farmers' corder.
With these men I travailed again over all the Forest viewing the trees very precisely and valuing them as near the truth as possibly we could, yet rather under than at their just value. And although we found very many trees that to be cut into cordwood for fire were worth £7, £6, £5, £4, £3, £2, 10s., a tree; and although we found above 30,000 trees that one with another were worth 40s. a tree, yet because the rest of the trees were of an inferior value we, following directions, did agree that every tree of those we had numbered, if it might hereafter be moared up fairly by the root, and not cut down as heretofore trees had been cut down 5, 4, 3, and 2 foot above the root, would one with another yield 3 cords of wood, and so every tree though cut into cordwood for fire was worth 20s. a tree. The whole number of trees, amounting to 166,848 trees, makes the sum of £166,848.

We also took special note of the very small trees which we had not formerly numbered for trees, they being but small raskally oaks and beeches, and we rated them at 10,000 cords, price £3,333.6s.8d.

The hazels, the crabtrees, the birches, the maples, hawthorns, and hollies, growing there in great abundance, we rated at 30,000 cords, and that these cords at 5s. per cord would yield £7,500.

At this rate we valued the trees of the Forest, admitting them to be cut into cordwood for fire, and to be employed only for iron works £177,681.6s.8d.

But these above named ship carpenters and corders of wood being all skilful timber men did assure themselves that at least the third part of these trees was good timber fit for shipping and for many other uses, for which it might be employed it would notably advance the value of the Forest wood. For the very cardboard makers, that are now in the Forest, rather than they will gitt cut and be debarred of having timber for their use, do offer unto me 18s. per cord for cardboard timber; And any carpenter that has the least experience in ship timber, may find divers trees in the Forest that being not above one ton of timber, or one cord of wood, will yield 40s. apiece to be employed in ship timber. And there is such store of ship timber in the Forest that an old experienced ship timber man, George Dunning by name, did assure me that there is in the Forest ship timber sufficient to furnish this Kingdom with shipping. This man is well known to Mr. Charles Harbord.
I leave to those that shall read this Paper to judge of the Forest wood. And God Almighty direct them whom it doth concern, in the best way for his Majesty's profit and honour and for the public good.

But if I may give a scathing of my thoughts in this great business, I think that if this Forest did belong to any private man, and if this private man had therein ironworks of his own, that had cost him £10,000 the building, as these ironworks in the Forest have cost the Crown and the present farmers, and if these works would constantly yield unto him £6,600 per annum for the space of 15 years, and afterwards £12,000 per annum as long as there was wood to supply these works, which by good husbandry might be continued a long time and perhaps for ever, if care was used in coppicing the grounds, I think that this private man would never entertain a thought of selling the Forest wood from his own ironworks, nor of giving or selling any part of the Forest to any man whatsoever, but would preserve the timber for his own uses, and best and fit, the offal wood for his own ironworks, and would enclose and encoppice the ground of the Forest to breed wood and timber, the grounds being for wood worth 10s. an acre, and for any other use scarce worth ten groats an acre.

But I submit all I have written to graver and better judgment. And craving pardon for my boldness take my leave, being ever

your honor's humble and devoted servant

John Broughton."

23 August, 1633
"According to an order made at the Justice Seat held for the Forest of Dean 10 July 1634: The particular surveys of the number of trees taken in the several woodwardships of the Forest of Dean by the woodwards and other officials of the Forest thereof, some timber and some not....the total number amounting to 141,632 trees of all sort, whereof we find:

<table>
<thead>
<tr>
<th>Type</th>
<th>Quantity</th>
<th>Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>Of good timber-oak</td>
<td>55,450</td>
<td>163,764</td>
</tr>
<tr>
<td>Of good timber-beeches</td>
<td>22,175</td>
<td>49,305</td>
</tr>
<tr>
<td></td>
<td>77,625</td>
<td>213,069</td>
</tr>
</tbody>
</table>

Of oaks and beeches which are supposed not to be timber trees, 64,007 containing 160,920 cords.

Of offal wood of the aforesaid timber-trees of both sorts, beside the aforesaid quantity of timber contained in them, 78,940 cords.

The value of the 163,764 tons of timber in the 55,450 timber-oaks at 10s. a ton is £81,982

The value of the 49,305 tons of timber in the 22,175 timber-beeches at 7s. a ton is £17,250

The value of the 78,940 cords of offal wood in the timber-trees at 6s. 8d. a cord is £26,315

The value of the 160,920 cords of wood in the 64,007 trees of oak and beech which are not timber-trees at 6s. 8d. a cord is £53,640

The worth of all the trees now standing in the Forest of Dean £179,187

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In many of the aforesaid timber trees we find there is great store of good timber fit for shipping of all sort, arising to such a quantity as may well be sufficient to maintain his Majesty's navy until the supply be made of young timber to be raised in the Forest.

And that the two rivers of Severn and Wye (near and between which the Forest is situated) afford great convenience, either for building of shipping or transporting (at easy rates) timber out of the Forest, to other parts of the Kingdom, to be employed to that use.

And we also find and observe that the greater part of the ground of the Forest is fit to raise wood of oak and beech and other woods which may in a reasonable time be of use both for supply of his Majesty's ironworks there, and for his navy and other shipping in time to come.

And thus having endeavoured to obey your Lordships' command we humbly refer the same to your wise and noble consideration and do rest, Your Lordships' humble servants,

Throckmorton
James Kyrle
Deputy Constable

W. Catchmay
Warren Gough
John Berrow
Verderers."
APPENDIX IX

THE SURVEY OF 1638

"Michell Dean 17 January 1638:

By virtue of a Commission out of his Majesty's Court of Exchequer to us and others directed for the survey of the Forest of Dean, we have met in the Forest and have taken a view thereof, and for the better performance of his Majesty's service according to the effect of the Commission and our instructions have called before us the Woodwards, Regarders and other officers of the Forest, together with Shipwrights, freeholders and other able men of or near adjoining to the Forest and have given them in charge to enquire and make presentment upon their oaths, unto the Articles of Instructions annexed to the Commission, who have according to their Directions and Charges viewed the lands and woods and numbered the trees, and do present as follows, viz: 1

Woodwardship

Michell Dean

Oaks 4,343 - 700 are timber trees and will yield 2,100 tons.
Stogalls 3,378 - may be had crooked timber for ships, 40 tons.
Beeches 52 - which were the stogalls and other oaks not being timber, and will make 12,277 cords.

The trees of this Woodwardship are decaying.

The value of the land by the acre per annum:
Sheridge hill without wood, 3s.4d. - apart from wood lying near the middle of the Forest.
All the rest without wood 4s. - lying most part in the skirt of the Forest.

Abenhall

Oaks 15,668 - 7,834 are timber trees and will yield 23,502 tons.
Beeches 4,844 - containing with the offal of the timber
Stogalls 3,060 - trees and the oaks which are not timber, 45,261 cords.

i. E.178/7369; see also S.P.16/491/p.352.
ii. The survey was made in each woodwardship by the woodward, one to three rangers, and three to twenty-four other able men "in or adjoining".
Woodwardship

The value of the land by the acre per annum:
The Lannes without wood, 5s. - lying in the deep of the Forest.
Little Deanes Mynes without wood, 1s. - lying in the skirts of the Forest.
The residue without wood, 3s.4d. - lying most part near the midst of the Forest.

The trees of this Woodwardship are for the most part decaying.

Badooks Bayly, alias Little Deane Stogalls
Old decaying trees 50) containing 68 cords. 48)
The value of the land by the acre per annum:
Badooks containing 40 acres, 2s. } Apart for wood
Chestnuts containing about 330 acres, 2s. } lying in

Bleithes Bayly
Oaks 426 - all timber trees, which will yield 213 tons.
Beeches 973 - containing 486½ cords.
The oaks and most part of the beeches are growing trees.

The value of the land by the acre per annum:
As they are now, being about 150 acres, 2s. } Apart for wood
The wood being taken away, 6s. } lying in the skirt of the Forest.

Blakeney
Oaks 5,182 whereof 2,620 are timber trees and will yield 7,860 tons.
Beeches 9,722) containing with the offal of the Stogalls 631) timber trees and other trees not being timber 23,34½ cords.

There are in this Woodwardship many growing trees, but the greater part decaying, all standing intermixed.

The value of the land by the acre per annum:
The Colletts, about 300 acres, 6s. } Most of it
All the rest without wood, 6s. } apart for wood and lies in the skirt of the Forest.
## Woodwardship

<table>
<thead>
<tr>
<th>Location</th>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bearse</td>
<td>2, whereof one timber which will yield 3 tons.</td>
<td>2s.</td>
</tr>
<tr>
<td>Beeches</td>
<td>142) containing with the offal of the Stogalls</td>
<td>6s.8d.</td>
</tr>
<tr>
<td>Stogalls</td>
<td>45) timber trees and other trees not being timber, 83 cords.</td>
<td>6s.8d.</td>
</tr>
</tbody>
</table>

The value of the land by the acre per annum:

- Dreams meane, Blind mine, and part of Clowerwall meene, 1s.8d. (skirt of the Forest)
- The Glidden, 1s.6d. (skirt of the Forest)
- The Bearse, 5s. (thick with young wood and lieth in the skirt of the Forest)
- The Fence, 2s. (thick with young wood and lieth in the skirt of the Forest)

<table>
<thead>
<tr>
<th>Location</th>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staunton</td>
<td>24,283 whereof 8,000 are timber trees and will yield 16,000 tons.</td>
<td>6s.8d.</td>
</tr>
<tr>
<td>Beeches</td>
<td>3,668 containing with the offal wood of timber trees and the other trees that are not timber, 32,092½ cords.</td>
<td>6s.8d.</td>
</tr>
</tbody>
</table>

The trees of this Woodwardship are for the greatest part decaying.

The value of the land by the acre per annum:

- The land (the wood being taken away), 5s.4d. (lying in the midst of the Forest)
- White Meade, inclosed, in the occupation of Sir Richard Catchmay, Kt. 6s.8d. (lying in the midst of the Forest)

<table>
<thead>
<tr>
<th>Location</th>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bicknor</td>
<td>1,107 whereof 100 are timber trees and will yield 150 tons.</td>
<td>1s.6d.</td>
</tr>
<tr>
<td>Beeches</td>
<td>3,988 containing with the offal of the timber trees and other oaks, 3,954½ cords.</td>
<td>1s.6d.</td>
</tr>
</tbody>
</table>

The wood of this Woodwardship is for the most part decaying.

The value of the land by the acre per annum:

- The lands of this woodwardship, 1s.6d. (lying in the skirt of the Forest)
- A piece of ground called Hangerburie, containing about 40 acres, fit for coppice and full of young springes, 1s.6d. (lying in the skirt of the Forest)
Woodwardship.

Ruardeane

<table>
<thead>
<tr>
<th>Tree Type</th>
<th>Quantity</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oaks</td>
<td>19,910</td>
<td>whereof 4,868 are timber trees and will yield 12,060 tons.</td>
</tr>
<tr>
<td>Beeches</td>
<td>1,422</td>
<td>containing with the offal of the</td>
</tr>
<tr>
<td>Stogalls</td>
<td>2,613</td>
<td>timber trees, and the oaks which are not timber, 33,644½ cords.</td>
</tr>
</tbody>
</table>

Value of land by the acre per annum:

- A piece of land called God Meadowe, about 10 acres, 5s. lying towards the middle of the Forest.
- Part of the Burt, about 20 acres, 3s.4d. Apart for wood, most part of it lying in the skirt of the Forest.
- Morewood and Morewoodhill, about 20 acres, 3s.
- All the residue, without wood, 2s.6d.

The Lea Bayly

We have taken a view of the Lea Bayly, alias Lacu, but not numbered the trees, as a work of much time and has lately been twice particularly performed, and the trees then testified to be about 23,220 oaks and beeches whereof we conceive not above a fourth part to be beeches since when (as it appeared upon good proof) there has not been above 120 cut and blown down.

It is an entire wood containing about 1,000 acres, the trees seem to be good timber and most of them increasing, but the ship-carpenters were doubtful of that, but certified that it will yield 6,000 loads of ship timber. This wood lies in the skirt of the Forest, apart for wood, and of little value for other uses.

The total of the aforesaid trees and what they contain, the Lea Bayly excepted:

<table>
<thead>
<tr>
<th>Tree Type</th>
<th>Quantity</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oaks</td>
<td>70,971</td>
<td>whereof 24,549 are timber trees.</td>
</tr>
<tr>
<td>Beeches</td>
<td>20,923</td>
<td></td>
</tr>
<tr>
<td>Stogalls</td>
<td>13,763</td>
<td></td>
</tr>
</tbody>
</table>
Tons of timber, 61,928, whereof 14,350 loads fit for ship timber.

Cords of wood, 150,808.

The tons of timber are valued at 10s. a ton, and the loads of ship timber at 15s. a ton (4 loads making 5 tons), and the 5s. a ton increase upon the ship timber raises the value of the whole tons of timber to £35,448.7s. 6d. (sic)

The cords are valued at 11s. a cord, whereof 530 cords of beech are presented for timber at 22s. a cord, and 3,171 cords of beech at 16s. a cord, 10 cords at 8s. a cord and 60 cords at 6s, 8d. a cord, the value of the whole number of cords amounting to £84,012. 8s. 0d. (sic)

The underwood being estimated at 2,401 cords at 6s. 8d.

The total of the oaks, beeches and stogalls, 105,557 whereof timber

trees of oak 24,549

The trees in the Forest are generally decaying.

The several natures and values of the lands are expressed at the foot of every woodwardship, but the number of acres we could not persuade any to judge of it, neither can we give an estimate thereof but must refer that to the Mapp of Survey of the Forest.

There was likewise presented unto us upon oath as part of the waste of the Forest a lawne called Walmore, two or three miles distant from his Majesty's demesne woods, being by their estimation 200 acres worth per acre 13s. 4d. per annum.

i. i.e. 43,990 tons at 10s. and 17,938 tons at 15s.

ii. i.e. 530 cords at 22s., 3,171 at 16s., 10 at 8s., 60 at 6s. 8d., and 147,037 at 11s.
There was likewise presented unto us upon oath a parcel of rough wooded ground called Hudnold near St Briavels wherein his Majesty's tenants in and about St Briavels claim common of herbage and wood, which with the wood upon it is worth by the acre 3s.4d., but the wood being taken off, 12d. per annum.

A Stogall is a tree cut short or broken down with the wind.

A cord of wood is in height 4 foot and 3 inches, in length 8 foot and 3 inches, in breadth 4 foot and 4 inches."
Forasmuch as the wood and timber of the crown, which of late years was of very great quantity and value, within the forest or late forest of Dean, in the county of Gloucester, is become totally destroyed, excepting what is standing within the woodwardship of the Lea Baily, whereby there is an apparent scarcity of timber there, as in all other parts of this kingdom, so that some course is necessary to be speedily taken to restore and preserve the growth of timber for the future supply of his Majesty's royal navy, and the maintenance of shipping for the trade of this nation. Be it enacted, by the king's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same.

1. That 10,000 acres, part of the waste lands of the said late Forest of Dean, shall be inclosed and kept in severality for the growth and preservation of timber, and that it shall and may be lawful to and for his majesty, his heirs and successors, forthwith to enclose, sever and improve within and out of the parts or places of the waste lands of the said Forest, or late Forest of Dean, the whole containing by estimation about 23,000 acres, the full quantity of 10,000 acres of statute measure at sixteen foot and a half to the perch, whereof the said woodwardship of Lea Baily, containing about 1,100 acres, to be part, and also the

i. 19 & 20 Chas. II, c.8.
grounds called by the several names of Cannop, Fellett, Duckholt, Beachinhurst, and Moyrystock (containing about 1,000 acres, heretofore granted to John Gibbon, John Mansil and Ambrose Bavin, some or one of them, and now belonging unto or claimed by Banister Mainard, esquire, which added to the 10,000 acres shall make up the full quantity of 11,000 acres to be enclosed as aforesaid), to be part. The said 11,000 acres to be set out by virtue of his majesty's commission to be directed to six or more such persons as his majesty shall think fit (whereof two, which shall execute such commission, to be justices of the peace for the said county, inhabiting near the parts and places of the said forest), out of such part and places of the said waste as shall be found or esteemed by the said commissioners, or any three of them, to be most convenient to be inclosed and to be most apt and meet to produce wood and timber for the future benefit of the kingdom, and may be best spared from the use of the commoners and highways of the county, which said inclosures shall be forthwith admeasured by a swornsurveyor and set out and inclosed, butted and bounded, and the quantities, buts and boundaries thereof returned into his majesty's Court of Exchequer, there to remain of record for ever. And the said inclosure so made and set out as aforesaid to remain in severalty in the actual possession of the crown for ever, freed and discharged of and from all manner of right, title and pretense whatsoever (excepting of fee deer), according to the purport and intent of this present act, and shall be made and reputed a nursery for wood and timber only.

2. And for defraying the charge of the said inclosures to be made as aforesaid, be it further enacted by the authority aforesaid that the said commissioners so to be authorized as aforesaid, or any six of them (whereof some justices of the peace for the said county inhabiting near the parts of the said forest to be two), shall by sale of the decayed trees of beech, birch, hawthorn, hazel and holly, and other such like trees not
being timber, or that can ever prove timber, now standing or growing in or upon the wastes within the said forest or late forest, raise moneys for defraying the charge of making and maintaining the said inclosures, and also for the satisfaction of the claim or interest of Banistree Mainard in the lands aforesaid, which are to be made part of the said quantity of 11,000 acres as aforesaid, in full satisfaction and recompence for the same.

3. And it is hereby declared and enacted that the said lands so set forth as aforesaid shall be fully and perfectly inclosed with sufficient mounds and fences according to the true intent and purport of this act, within two years after the Feast of Saint George now next ensuing.

4. And it is hereby further enacted and declared, that at all times hereafter, whenever the lord treasurer of England, or commissioners of the treasury, or chancellor of the exchequer for the time being, shall, at any time or times hereafter be satisfied and shall determine that the woods and trees, which shall be growing on the said 11,000 acres, or any part thereof, so to be inclosed as aforesaid, are become past danger of the browsing of deer, cattle or other prejudice, and shall think fit to lay the same or any part thereof, consisting of 500 acres or more, open and in common and shall cause the same to be so done, That then and so often it shall and may be lawful to and for the king's majesty, his heirs and successors, from time to time to inclose in lieu of so much as shall be so laid open out of the said 11,000 acres, the like quantity out of any other part of the residue of the said wastes, to be set out by like commission and admeasurement as aforesaid, and to be holden, inclosed, freed and discharged of and from all manner of common,
e sto v e r s, herbage or pannage and other rights, excepting fee
deer as aforesaid, for so long time as the same shall remain
and continue inclosed according to the purport, direction and
intent of this present act to be a nursery for timber as
aforesaid, instead of so much as shall be laid open according
to the direction aforesaid. And whenever any wood or
timber shall at any time or times hereafter be directed to be
fallen in any part of the wastes of the said late forest,
inclosed or not inclosed, the same shall be first viewed and
allowed to be fallen by two or more of the justices of the
peace for the said county unconcerned in the premises, and shall
not be cut or fallen until the same be viewed and allowed by
such two or more justices as fit and convenient to be cut and
fallen, and that the said justices shall have marked with a
broad arrow and crown that it may remain to be seen (as they
are hereby required and empowered to do) so many and such trees
as are most fit to be preserved for growth for timber upon every
acre intended to be fallen, and also shall have certified (as
they are likewise hereby required to do unto the lord treasurer
or lord commissioners of the treasury for the time being) the
names of the places and number of trees so viewed and allowed to
be fallen, and so marked to be preserved as aforesaid. And if
any person or persons shall at any time or times hereafter,
either fell or cut down any wood or trees upon the premises, or
any part thereof, before such view, allowance and certificate
made thereof as aforesaid, contrary to the true meaning of this
present act, or shall after cut down any of the said marked trees
without like allowance, the person or persons so offending shall
forfeit for every tree so fallen the sum of £20 to him or them
who shall inform or sue for the same in any of his majesty's
courts of record, wherein no essoign, wager of law or protection
shall be allowed to the defendant. And for further preservation
of the said timber growing and to grow upon the premises, no
officer or other person or persons whatsoever shall at any time
hereafter have or claim any fee trees out of the said late
forest upon any pretence whatsoever, but shall have and enjoy
their usual fees in the game of deer of all parts of the said
wastes, inclosed or not inclosed, as formerly they have had,
anything in this act to the contrary notwithstanding.

5. And forasmuch as by former experience it hath been found
that nothing did more conduce to the raising, increase and
preservation of timber and wood within the said wastes than the
execution of the forest laws whilst the said wastes were afforested
and kept under the regard of the forest, be it therefore further
enacted and declared by the authority aforesaid, that as well
the said 11,000 acres so to be inclosed as all other the waste
lands aforesaid shall be and are hereby reafforested, and shall
from henceforth be governed by forest law, and put under the
regard of the forest to the same effect, and in the same manner,
to all intents and purposes, as the same were in the 10th year
of the reign of the late king Charles of blessed memory, and
that all articles or agreements, and all grants and charters,
made since the 10th year of the reign of the late king Charles,
for or concerning the disafforesting the three and twenty
thousand acres aforesaid, or any part thereof, and all the matters,
clauses and things therein contained relating to such disafforestation
shall be henceforth void, so that the said wastes and
premises shall be for ever henceforth deemed and adjudged to be
forest. And to that end that new elections shall be made
forthwith, and from time to time continued, of all verderors,
regarders, and other officers of and for the governing of the
said forest, according to the forest law in that behalf.

6. And to the end the said forest and premises may be
perpetually preserved and estated in the crown for public use
as aforesaid, and may not be granted or disposed to any private
use or benefit, be it further enacted, that in case any person
or persons whatsoever shall presume to take, or shall obtain any
gift, grant, estate or interest of or in the said inclosures or
wastes, or any wood or trees growing thereon, or of or in any
of the mines or quarries of or within the said inclosures, or
any part thereof, every such gift, grant, estate and interest shall
*ipso facto* be null and void, and the person or persons so taking or
obtaining the same shall be, and is hereby made and declared,
utterly disabled and incapable to have, hold or enjoy any such
gift, grant, estate or interest.

7. Provided always, nevertheless, that for preventing the
destruction of young wood by over-charging the said forest with
deer, it is declared and enacted by the authority aforesaid that
in case his majesty, his heirs and successors, shall think fit
at any time hereafter to restore a game of deer within the said
forest or wastes, the same shall not exceed the number of 800
deer of all sorts at any one time there to be kept for his
majesty's game within the said forest.

8. And to the end some recompense may be made to the persons
whose right of common and of herbage within the said intended
inclosures is hereby taken from them for the necessary preserv-
ation of the said timber as aforesaid, be it further enacted and
declared by the authority aforesaid, that it shall and may be
lawful to and for all and every the owners, tenants and occupiers
of any the several lands (lying within the metes, limits and
boundaries of the said forest, not being part of the said waste
ground or inclosures), their heirs, executors and administrators
respectively from time to time, and at any time or times hereafter,
to cut down and dispose of any of the timber trees, woods or underwoods growing, or which shall hereafter grow, or be in or upon their several or respective lands (lying within the boundaries aforesaid, not being part of the said waste ground as aforesaid), at their own wills and pleasures, without the licences of any justice in eyre or his deputy, and without the license and view of any officer of the said forest whatsoever, and also without incurring any offence against the forest law or any forfeiture or penalty touching the same, and also to manure and improve the said several lands and tenements by ploughing, assarting, digging, inclosing, fencing or building upon the same at their wills and pleasures, and to keep any sort of dogs unexpeditated, and to hunt and kill any beast of chase or other game in or upon the said several lands, as if the same were not lying within the bounds of any forest.

9. And it is enacted by the authority aforesaid that all offences whatsoever heretofore committed or done by any person or persons whatsoever upon the said lands lying within the said boundaries aforesaid, not within the wastes of the said forest as aforesaid, against any of the laws of the forest whatsoever, shall be and are hereby wholly remitted and discharged.

10. Provided always, and it is hereby enacted and declared, that all and every person and persons having any right of common of pasture or of pannage, or any other rights, fees, liberties or privileges within the said forest or any part thereof, shall hold and enjoy the same in the manner following (that is to say): Their said right of pannage from and after the feast of Saint Michael the Archangel, which shall be in the year of our Lord Christ 1687,
and not before, and their said right of common of pasture and all other their said fees, liberties and privileges in and through such of the said waste ground, and at such time and times as the same shall not be enclosed as aforesaid the time of the fence month (that is to say), for fifteen days before and fifteen days after the feast of Saint John the Baptist yearly and the time of the winter heyning (that is to say), from the 11th day of November to the Three-and-twentieth day of April yearly excepted, under and subject to the forest law, in as ample manner as he, or they, or those under whom they or any of them might lawfully claim might have held or enjoyed the same in the tenth year of the reign of the late King Charles, this act or any other thing to the contrary notwithstanding.

11. Saving also unto the inhabitants of and in the parish of Saint Breville for the time being lying within the boundaries of the said forest their lawful rights and privileges for the taking, cutting and enjoying the wood growing in a certain place within the said forest called Hudsall as fully and amply as if this act had not been had or made, and also saving unto the miners and persons using the trade of digging for iron ore, coal and ochre in the said forest their lawful rights and privileges in all lands and grounds lying within the perambulation and regard of the said forest, other than the said inclosures for the time they shall continue inclosed, as fully and absolutely as if this act had not been had or made.

12. Provided nevertheless, that this act nor anything therein contained shall make void or null certain letters patents granted by the king's majesty unto Sir John Wintour, knight, Francis Finch and Robert Cleighton, esquires, in or about the 30th of July,
in the fourteenth year of his now majesty's reign, of certain woods and ironworks in the forest of Dean for a certain term of years yet unexpired.

13. Provided always, that nothing in this act contained shall be deemed or constructed to make void or prejudice a certain lease for years yet unexpired granted to Thomas Preston, Esquire, by letters patents under the great seal of certain lands in the said forest of Dean called Great and Little Bradleys, Pigslade, Buckholt Moor and Stony Grove now belonging to or claimed by Dame Mary Stanhope, relict of Charles Stanhope, Esquire.

14. Provided always, and it is hereby declared, that the lands called or known by the name of Mayly Scot and other lands heretofore granted unto Sir Edward Villars, knight, deceased, and his heirs, by letters patents under the great seal of England, bearing date the 28th day of May in the first year of the reign of our late sovereign lord King Charles the First, shall not be accounted or esteemed any part of the 23,000 acres which are to be inclosed or lie waste to the commoners.

15. Provided always, and be it enacted by the authority aforesaid, that if the full and just sum of £1,500 shall not be paid unto the said Banistree Mainard, his heirs or assigns, by the said mentioned commissioners, or some other person or persons by their appointment, for and in lieu of his estate in the lands called Cannop Fellett, Buckholt, Beechinhurst and Moyry Stocke, on or before the 24th day of June in the year of our Lord 1669, that then the said Banistree Mainard, his heirs and assigns, shall and may have, hold and enjoy all and every the said mentioned lands in as full and ample manner as any of those persons from
whom he claims did ever enjoy the same or might have enjoyed
the same by virtue of any grant under the great seal of England
made unto them of the premises, anything in this present act to
the contrary in anywise notwithstanding.

16. Provided, and be it further enacted by the authority
aforesaid, that the metes and boundaries of the said forest
shall be for ever hereafter taken to extend to such parishes and
places only as were commonly used, esteemed and taken to be
within the perambulation and regard of the said forest in the
twentieth year of the reign of the late King James and not to any
other parishes or places whatsoever, any judgment, ordinance,
usage or pretence whatsoever to the contrary notwithstanding.

17. Provided always, and be it further enacted by the
authority aforesaid, that any lease or leases made or to be made
by his majesty, his heirs or successors, to any person or persons
whatsoever for any term or terms of years not exceeding the term
of thirty-one years in possession of the coal mines and quarries
of grindstone in the said forest, or any part thereof, shall be
of like force as if this act had never been made, except of such
coal mines as are or shall be in any part of the 11,000 acres
allotted for his majesty's inclosure and as shall continue inclosed,
APPENDIX XI

"PEPYS'S SURVEY" OF 1671

"The State of his Majesty's Forest of Deane surveyed by some of the principal officers and commissioners of his Majesty's Navy by his Majesty's command in the year 1671:

The number of trees now standing in the said Forest (viz. in that part thereof called the Lee Bayly, for on the other part none remain) are said to be about 10,000 whereof about the one half are beech, the other oaks, where 24 trees being chosen scatteringly over the whole, and these none of the worst, it was found that the beeches were sound and well conditioned. Out of which may be had a considerable quantity of good 4 and 3 inch plank fit to be wrought upon ships under water which (for shipping) is the only use it can be put to.

The oaks are generally either very wind-shaken or cup-shaken, but four in twenty-two felled otherwise, and it was conceived upon the view of those standing that none one of thirty will prove free of these shakes, and that of the 5,000 oaks there will not arise 800 fit for the use of the Navy. Yet out of the rest when the shaken butts are taken off may arise 2,000 loads or more fit for the Navy.

There are very few knees and but little fit for beams and other principal uses, and so gives but small encouragement towards the building of ships for his Majesty's use in those parts, besides the great charge of conversion, land and water carriage to the place of use, the charge of sending materials from London and other places that cannot be had in those parts and seamen to bring the ship about when built.

In this Forest is a considerable quantity of trees lying on the ground and timber whereof part and (as it was affirmed) about 900 loads squared for the ship intended to be built in Bristol river, and about 500 loads unsquared reserved out of what was sold thence, of all which very little appeared fit for the use intended, or worth the charge of removing to any of his Majesty's yards. This timber will yield (it was said) twelve shillings per load upon the place in case it can be sold in time, but if it lie much longer undisposed will come to little.

There are also several parcels of well grown woods from 10 to 90 years growth containing in all per estimate 1,200 acres for the most part very thriving and well secured, wherein is no want for heirs or standells both of beech and oak, the ground seeming equally

inclined to both and were the underwood (which shares too much of the nourishment with what is fit to be preserved) taken away. These would thrive much the better, and would soon get the mastery thereof and the underwood (as it is said) will yield, over and above the charge of cutting, from 5s. to 6s. the acre, which in case it be sold it is conceived necessary to fell it at his Majesty's charge, thereby to prevent the cutting down of what shall be found fit to be preserved.

Of the 10,000 acres ordered, it is said that 8,486 acres are already planted and very well fenced either with stone walls or ditches with banks quick-sett; in divers places (especially where there are bushes) the oaks come up very well but not so in the bare places which is judged to be the greatest part thereof.

The soil for the greater part is light sandy ground, here and there rocky, the timber much alike on both, which gives little encouragement to expect much thence for the support of the Navy in future ages, yet it was conceived that it would be convenient that which is fenced in, should be preserved, the charge thereof being already over, and will require only the care of the officers, whose duty it is to look after it, but that no more charge be laid out in planting there, not only for that the timber is no better qualities, but in regard of the great charge of transporting the same to any of his Majesty's yards which is likely to be no less than the full price of as good (if not better) timber than this Forest affords.
Firstly, we have repaired to the Forest of Dean and carefully viewed and parambulated the several parts and places thereof, as well as enclosed as unenclosed, and find there are great and valuable quantities of scrub beech and birch with some hazel, holly and arle (alder) fit to be cut and disposed of. And provided due care be taken to preserve all oak whatsoever the straight beech with the principal shoots of such beech as grow upon old stools and sufficient shoots about them in such places, where either the thickest of their growth, or being exposed to weather shall make it necessary, we conceive it will be consistent with the Act 20 Charles II for increase and preservation of the timber in this Forest, the quantity and growth of the said woods fit to be cut, the places where situated, the number of acres, and quantity of cords on each acre, according to our best computation and judgment, together with the value for which the same may be sold by the cord, all charges of cutting and cording being deducted, and also the quantity of wood, besides oaks, that will be left standing on each acre after the Pellets proposed have been made, are:

<table>
<thead>
<tr>
<th>Places where situated</th>
<th>Acres</th>
<th>Years' growth on each acre</th>
<th>Cords to be cut</th>
<th>Total cords</th>
<th>Cords left standing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aye Wood: scrubbed beech with some birch</td>
<td>300</td>
<td>50</td>
<td>30</td>
<td>9,000</td>
<td>15,000</td>
</tr>
<tr>
<td>Great and Little Bourt: forked beech</td>
<td>50</td>
<td>40</td>
<td>20</td>
<td>1,000</td>
<td>1,000</td>
</tr>
<tr>
<td>Ruardean Enclosure: the whole content 672 acres whereof</td>
<td>100</td>
<td>45</td>
<td>20</td>
<td>2,000</td>
<td>6,000</td>
</tr>
<tr>
<td>Elmise Bally: most beech</td>
<td>90</td>
<td>45</td>
<td>30</td>
<td>2,700</td>
<td>4,500</td>
</tr>
<tr>
<td>Bradley and Copes: most beech &amp; birch</td>
<td>280</td>
<td>40</td>
<td>30</td>
<td>8,400</td>
<td>14,000</td>
</tr>
<tr>
<td>Viney Hill: most beech</td>
<td>80</td>
<td>40</td>
<td>30</td>
<td>2,400</td>
<td>4,000</td>
</tr>
<tr>
<td>Blakeneyes Eaves and Thornehill: most beech</td>
<td>200</td>
<td>40</td>
<td>30</td>
<td>6,000</td>
<td>10,000</td>
</tr>
<tr>
<td>Morewood and Hangebury: not to be cut</td>
<td>250</td>
<td>40</td>
<td>-</td>
<td>-</td>
<td>8,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Places where situated</th>
<th>Years' growth on each acre</th>
<th>Total cords to be cut</th>
<th>Cords left standing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lea Bayly: beech &amp; hazel</td>
<td>-</td>
<td>-</td>
<td>3,000</td>
</tr>
<tr>
<td>Deadman's Cross: most beech, very long</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Blakeney Bayly, Old Bayly, Moseley Green:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>beech &amp; birch</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Misleyhurst: most birch, well grown</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Little Staple, Putnag and thereabouts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Edgehill and Badcocks Bailey:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>beech &amp; hazel</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Little Kensey, Kensey Edge, Rushy Lawn:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>most birch</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sturley Tufts: most birch</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Perryhay Ditch, Middle Ridge, Saintley:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>beech &amp; birch</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stonedge: most birch</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phelps Meadow: beech &amp; birch</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Old Velle: most beech &amp; birch</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brockwerhill and Brockwere Ditches:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>beech &amp; birch</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wet Wood: most birch</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Breems Eaves and Parkhill:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>beech &amp; birch</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Daniell Moore and Orlings</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Moores: birch &amp; orle</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>About Petters Hill, Stoney Stile and Wynnolls, Quietalade, Cleve and Birch Hill: beech &amp; birch</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tivey Tree Hill: beech</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Darkhill, Churchill, Lymoorhead, Little Faire Moore, Hunters Beech, Oakwood, Barnhill, Wimberley Slad, Cannop, Coverham and the rest of the Great Enclosure being besides waste:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>9,025</td>
<td>192,000</td>
<td>423,500</td>
</tr>
</tbody>
</table>
To be cut: 192,000 short cords at 4s.10d a cord
clear of cutting and cording, amounts
to the sum of .................. £246,400. 0s. 0d.

To be left: 423,500 at the same value amounts
to ................................... £102,343. 16s. 8d.

Total present stock besides oak:
615,500 short cords at 4s.10d a cord .... £148,745. 16s. 8d.

Which woods being near of equal growth may be cut in the
order that are aforesaid, and in such proportions as your Lordships
shall think fit; but we are humbly of the opinion the quantity ought
not to exceed 12,000 cords in any one year.

By the account aforesaid, if the underwood (certified as fit
to be cut) which may be sold at 4s.10d, a cord, clear of cutting
and cording, be cut in 7 years, the same will yield the sum of
£6,628,11s.5d. per annum during that term; and if the whole called
underwood (oak excepted) be disposed of to any person, with liberty
to cut the same in 21 years time, upon a covenant of repairing and
keeping up the enclosures (as mentioned in the fifth article) the
stock which such person may take off in that time (as appears by
the account aforesaid) is worth at a moderate computation £
£148,745.16s.8d.; and it does not appear that such a person may
cut some part of the said wood twice within the said term of 21
years, by which the value will be proportionately augmented,
though it cannot be ascertained by us; but we suppose the second
felled may amount unto the sum of £60,000 more or thereabouts.
The repairs of the enclosures will be inconsiderable, and may be
done for about £100 per annum.

It is very difficult to determine how mischievous and fatal
the consequences of such agreement will be, not only in respect of
this Forest but of the Nation in general, especially not on the
consumption of our naval timber is so very great, and our occasions
for it not inconsiderable, doubtless besides the cutting down
many thousands of straight beech that will be fit for their
Majesties' naval service such agreement will utterly destroy the
Forest which is now perhaps the best nursery for a navy in the
world, and has been of that esteem as to have justified the labour
of our enemies for its destruction the care and endeavours of
several Parliaments since the year 1660 for its preservation and
for very tender of this Forest was the Parliament of 1663. That
when agreement like what is now proposed had almost ruined it,
that Honorable House thought it worthy their care to resine it, and reassumed many agreements that had been made to private persons and compounded for others at a great charge, and did then by a particular Act of Parliament for that purpose endeavour to prevent any lease or grant to be made of any part thereof or the woods growing therein to any person whatsoever as by the said statute does appear in the following words: (Here followed clause 6 of the Act of 1668).

In 1674 (as also in 1662) it was proposed that if his then Majesty would repair the old ironworks in this Forest and make an addition of one furnace and two forges (which might be done for £1,000) and cause the spareable woods to be cut and converted in these works, that then every 8,000 cords of long wood so converted should yield a profit over and above the value of 8d. per long cord and clear of all charges of the sum of £2,190. Yet upon consideration that the erecting of such works and supplying the same with the quantity of wood necessary for that purpose might endanger a great waste in this Forest, if not the destruction thereof, it was advised rather to pull down these ironworks than erect new, and the old ironworks were pulled down and the material sold accordingly. And the same reasons do still remain against any new works, and have this addition that their Majesties' woods are now sold for 8d. each long cord more than the same was at that time valued. It may be taken notice of also the great difficulty with which the many freeholders that had right of common and other privileges in this Forest were prevailed with in the year 1665 to submit the same to the crown for enclosing the Forest according to the statute of 20 Charles II. Many of the same persons are yet living, and would doubtless be concerned to see the profit of it in any private hands, when they have freely parted with theirs for the public utility. And we are credibly informed that if any such grant pass, the freeholders intend to prefer a petition to be restored to the right of estovers enjoyed by them before the making of the statute. And although we certify that some woods maintained in the foregoing particulars may be cut, yet considering the great care and caution that has hitherto been taken to make this Forest useful for the navy and the flourishing conditions it has now reached, and add to this how natural it is and certain for any person who can obtain such a grant to consult his own advantage, not the preservation of the Forest, and that experience acquaints every woodman that it is hard to preserve in coppice wood what ought and is intended to be left by those who design an increase of timber, we can by no means (if the Act would permit thereof) think it advisable to make a grant.
so certainly destructive to the Forest as this proposal, nor
that the making of the Forest should be entrusted in any other
hands than the present officers who have in those places given
sufficient testimony of their care in observing the rules
afore-prescribed for making the Forest, and preserving everything
fit to be left for the increase and preservation of timber
according to the statute in that behalf made.

The Lea Bailey is now a spring of oak and beech of 4, 5
and 6 years' growth, but much cropped and spoiled by cattle, by
the inclosures made for the preservation thereof been in the
night several times pulled down and destroyed by persons unknown.
The other places particularly mentioned in the Act as part of
the 11,000 acres are generally very well grown with oak and
beech of 50, 40 and 30 years' growth and under; many thousands
of them being 40 feet long and upwards without a bough to hurt
them, but their numbers cannot well be known by reason of the
thickness of their growth and of great quantity of other sorts
of wood that will never be fit for the navy and is proposed to be
cut, in part as aforesaid.

Secondly, we have also enquired what the charge of
supplying and maintaining the inclosures heretofore and lately
made with all needful and necessary reparations may amount unto,
and find that the fences necessary to be repaired are only those
of the Lea Bailey, Chestnut Coppice, Edgehills and Badcocks Bayley,
Huardian Inclosure and the Fence, which contain about 2,400 acres
and may be repaired for the sum of £137,10s. The other part and
places formerly enclosed are not necessary to be repaired, being
past danger of prejudice from deer or cattle, and the fences of
the said 2,400 acres when repaired may be so kept by the annual
allowance of £30 made to the keepers for that purpose, unless
some accident of pulling down by the rabble, as hath been
sometimes done.

Thirdly, there are but six coalpits within all or any of
their Majesties' inclosures, and of those places the inclosures
being generally down and not necessary to be repaired the wood
there being past danger the country are not incommoded or
prejudiced in that respect.

Fourthly, the salary of the Conservator and six keepers
amount to the sum of £210 and are usually paid at their Majesties'
Exchequer out of the moneys arising by wood sales in this Forest.
The Castle of St Briavels has been a very great and ancient
building but the greatest part is ruined and fallen down, and only
some part kept up for a place to keep the Court in for the king's
Manor and Hundred of St Briavels, and also for debtors attached
by process out of the Court, and for offenders and trespassers
within the Forest; the same is very necessary to be repaired, and
will for mending the roof and tiling and in glazing, plastering
and repairing the prison building and new pound cost £10,14s.2d. There are two Keeper's Lodges, namely Worcester Lodge and York Lodge, that were pulled down by the rabble in 1688, and absolutely necessary to be rebuilt, and will cost £90 besides 12 tons of timber which we advise should rather be bought than cut in the Forest and will cost £18 more brought to the several Lodges. The Speech House (the place where the Courts are held for the Forest and being the principal lodge also) having been much defaced and spoiled by the rabble at the same time, will over and above the moneys already laid out for repairs of the roof cost £109 besides 2 tons of timber and carriage £2,12s.

Fifthly, we have taken an account upon oath from Charles Morgan, deputy to Surveyor of the Wood, of what quantity of wood has been cut in this Forest pursuant to their Majesties' Letters of Privy Seal of 28 April 1690, and find the same to be 6,166 cords of wood sold to Paul Foley, at the rate of 6s. a cord clear of cording, which rate is equal to, if not exceeding, the value of like wood sold in the county of Gloucester. And we have also viewed the places where the cordwood was cut and find there is very great stock left on the ground for timber, and all imaginable care taken by the officers employed in making the said Felllet and preserving all the stores and sapling, with the principal shoots of such beech as grows upon old stools and well sheltered by other wood for the improvement thereof. We have also enquired what offences have been committed in the Forest since 13 February 1688 and having taken upon oath the presentments of several woodwards, keepers and other officers of the Forest concerning the same have returned to your Lordships the particulars thereof as follows:

(The presentments are of typical vert offences)

We humbly observe to your Lordships that if some of the principal offenders are not made examples to others, we have great reason to believe that whatever inclosures are made or repaired or lodges erected the same will be demolished as have those formerly made. We also hold ourselves obliged to represent also that the colliers of this Forest have time cut of mind had an allowance of wood for support of their pits, usually made by order of the verderers and taken by view of a woodward or keeper, but the allowance having been stopped for some time upon a question of their right thereunto, they have taken the same without much order or view, by which great wastes are daily committed. For prevention whereof, and that the colliers may be duly supplied,
as we are humbly of opinion they ought, we propose it as expedient
that the allowances may be made to them by the order of the
verderers at the Attachment or Swanimote Court and taken by view
of a woodward or keeper as formerly.

Sixthly, we have enquired how duly the Forest Courts have
been kept and humbly certify the same are regularly held, but by
reason that the Attachment and Swanimote Courts can only convict
but not punish, the proceeding in either of them are ineffectual
to the preservation of the Forest without a Justice Seat. And the
great negligence of several of the 'foresters and woodwards-in-fee'
contribute much to the spoils committed. How far the lands which
are held and enjoyed by the several 'foresters and woodwards-of-
fee' for the exercise of those offices are inseparable from them
or forfeitible upon such neglect of their duties is humbly
submitted to your Lordships. We are informed by Mr. Rowles, steward
of the said Courts, that the moneys paid at the Forest Courts by
trespassers since their Majesties' happy accession to the crown do
not exceed the sum of 5s.

Seventhly, we have endeavoured with all exactness according
to the best of our judgment to answer all the foregoing Articles
of Instructions and have consulted such persons as we thought by
any advice or information might conduce to their Majesties' service
therein. And to this last Article, commanding our opinion upon
the whole state of this Forest for the better governing thereof
according to the Act of 20 Charles II, we do further humbly
certify that the most likely way to render the Forest Courts
effective for the punishment of offenders, which for want thereof
have grown numerous and insolent, and to oblige the 'officers of
inheretance' to be diligent and faithful in the discharge of their
several duties for the preservation of the Forest, is to procure
a Justice Seat once a year for 6 or 7 years to be held in the
long vacation, or not very far remote from it, which might be
done by deputation from the Lord Chief Justice in Eyre to some
of their Majesties' Justices of Assize going in their ordinary
circuits from Gloucester to Monmouth, by which means all the
diligent officers will be encouraged in their endeavours, the
negligent reproved, the vain hopes that some persons have given
the many and daring offenders about this Forest that the same
shall be made a free chace and consequently destroyed and they
exempted from punishment, will be utterly defeated and
disappointed."
### APPENDIX XIII (A)

**ENCLOSURES MADE PRIOR TO 1787**

<table>
<thead>
<tr>
<th>Name</th>
<th>Acreage</th>
<th>When made</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(A) Open by 1787:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Great</td>
<td>743. - 25.</td>
<td>c.1775</td>
<td>Fenced with posts and rails, but before completed a great part taken away and nothing remains but the bank. No young trees of any kind.</td>
</tr>
<tr>
<td>Stonedge</td>
<td>125. 1. 10.</td>
<td>c.1775</td>
<td>Fenced with a dry stone wall, mostly destroyed. Many thorns and hedges with some very fine oaks but no young timber of any kind.</td>
</tr>
<tr>
<td>Coverham</td>
<td>350. 2. 34.</td>
<td>c.1772</td>
<td>Fenced part with dry stone wall, part with posts and rails. Only the bank remains. Great quantity of young timber, mostly beech, with a few oaks.</td>
</tr>
<tr>
<td>The Perch</td>
<td>198. 2. 26.</td>
<td>c.1772</td>
<td>Fenced as Coverham. Only the bank remains. Used to be a great quantity of young timber, particularly beech, now nearly destroyed through fences being pulled down.</td>
</tr>
<tr>
<td>Serridge</td>
<td>409. 3. 20.</td>
<td>c.1775</td>
<td>Fenced with dry stone wall of which little remains. No young trees of any sort, and only a few old trees.</td>
</tr>
<tr>
<td>Heywood</td>
<td>715. 3. 38.</td>
<td>c.1777</td>
<td>Fenced part with dry stone wall and part pales; little remains. No young trees of any sort.</td>
</tr>
</tbody>
</table>

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i. 3rd Rept. of 1788 p. 113.
<table>
<thead>
<tr>
<th>Name</th>
<th>Acreage</th>
<th>When made</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>(B) Still enclosed in 1787:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stapledge</td>
<td>183. 1. 3.</td>
<td>c.1782</td>
<td>Fenced part with dry stone wall and part dead hedge, generally in good repair. In some parts there are some small oak and beech plants, and a few large oaks and beech.</td>
</tr>
<tr>
<td>Speech House</td>
<td>5. 6.</td>
<td>c.1783</td>
<td>Planted with acorns, which have produced some fine young oaks.</td>
</tr>
<tr>
<td>Birch Wood</td>
<td>135. 24.</td>
<td>c.1782</td>
<td>Fenced part with dry stone wall, and part dead hedge, generally in good repair. Only a few young oaks coming up.</td>
</tr>
<tr>
<td>Buckholt</td>
<td>352. 20.</td>
<td>c.1707</td>
<td>Fenced mostly with a stone wall, the rest hedge and ditch, in good repair. Some very fine large oaks, but in general contains a great quantity of fine young beech; also 10 to 15 year old oaks from acorns planted in vacant places. A few Weymouth Pines planted there are growing very well.¹</td>
</tr>
</tbody>
</table>

¹ Some of these, planted c.1781, are still growing. The area is now called Sallow Valley.
APPENDIX XIII (B)

DRIVERS' SURVEY OF 1787

"Speech House Walk:

Gorsy Green Inclosure (5 acres): enclosed 4 years; half planted with acorns; remainder in tillage.

Beechenhurst Hill (202 acres): formerly covered with good oaks but only a few now and few beech; but many thorns.

Nelmes Vallet, Serridge Green &c. (162 acres): full of old pits; a few scrubby beech and some thorns.

Serridge Inclosure (410 acres): enclosed 12 years with a dry stone wall of which little remains; mainly open; covered with thorn; very few trees.

Daniel Moor (332 acres): generally open with a few straggling beech and oaks.

Great Kemsley Green, Crump Meadow, Barreth Green, Sally Greens &c. (937a). Interspersed with a few oak, beech and birch, and some thorns; a great quantity of fine timber has formerly been cut down here.

Little Stapleage: see Bailey Walk (29a).

The Great Inclosure (743a): Begun to be enclosed 12 years ago with posts and rails but all soon destroyed and only the bank remains. Interspersed with many fine oaks, some hollies and thorns.

Phelps' Meadow (270a): Some good oaks with a few birch. A fall was made here for Gloucester Gaol. The timber towards Stonedge Inclosure is very good.

Stonedge Inclosure (125a): Enclosed about 12 years with a dry stone wall, now mostly destroyed. Many thorns and hollies, with some very fine large oaks, but nothing coming up.

i. F.16/31 (Book in manuscript).
The Russells (245a.): A hanging hill under the Stonedge Inclosure. Some very fine thriving large timber of great height, with a few thorns.

Far Moor Lawn, Wetwood &c. (442a.): Very fine feeding land interspersed with a good sprinkling of very fine oaks, with some hollies and thorns.

Foxberry, Blackpenny Walk &c. (273a.): Interspersed with a good sprinkling of very fine oaks, with some hollies and thorns.

Little Kelmesley Green and Horse Lawn (176a.): In general open, interspersed with a few good oaks, birch, hollies, and thorns.

Worcester Walk:

Barn Hill, Howlers Slade, and Bixhead Slade (368a.): A good sprinkling of very fine oaks; formerly very thick.

Lodge Hill (137a.): Generally covered with very fine oaks; towards Winberry Bottom there are a great number of fine thriving beech.

Coleford Meend (312a.): In general open except towards Barn Hill and Lodge Hill where there are some fine beech. In the past covered with very fine timber. Would grow firs well.

The Perch (199a.): Inclosed about 15 years with part dry stone wall, and part post and rail; only the bank remains. There has been a lot of young growth but much injured by fences being pulled down. Still some fine young beech. A fall was made here for Gloucester Gaol. The timber is very sound and hard.

Coverham (351a.): Inclosed about 15 years as for the Perch. Mostly now full of fine young beech and a few oaks. Nearly all the fence is gone, chiefly destroyed because it enclosed the Meend.

Berry Hill, Shortstanding, and Jayford (298a.): Very open. Formerly covered with very fine timber, particularly beech, and would answer well for firs.
Eastbatch Meend (112a.): Formerly good oaks and beech. Now very open.

Hangerbury, Worrall Hill, and the Moorwood (442a.): Some beech underwood. Many old coal pits.

Great Bourt and Little Bourt (182a): Rather open and interspersed with a few good oaks, some small beech and thorns.

Sally Vellets, Middle Rudge, and Rudhall Marsh (367a.): A few good oaks and beech. Formerly has produced a great quantity of very fine timber.

Buckholt Inclosure (353a.): Enclosed about 50 years; the greatest part with a stone wall, the rest with hedge and ditch. Fences in general are in good repair. Some very fine large oak and a lot of fine young beech, and in some of the vacant places young oaks are coming up from the acorns which have been set; there are also some oaks of about 10 or 15 years growth. The Deputy Surveyor has planted a few Weymouth Pines in this inclosure, which grow very well.

Ruardean Walk:

The Lea Bailey (1,155a.): Is extremely thick with oak and beech, some large and a great quantity of saplings and underwood which require thinning. Lining Wood is also well covered with young timber and a few large, with a great quantity of underwood. Wigpool Green is open.

Michel Deane Meend (428a.): Very open and poor.

Pump Hill and Dockings Hill (395a.): Are very rough and stony, mostly covered with holly and thorns. Merring Meend, Holly Bush Hill, and Quarry Hill are in general sprinkled with hollies and thorns, and a few scrubby oak and beech.

Ruerdean Hill (615a.): Very open. A few beech and oaks about Beechin Hill.

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* Some of these, planted c.1781, are still growing. The area is now called Sallow Vallet.
Birchwood Inclosure (135a.): Enclosed about 5 years, part dead hedge and part stone wall, in general in good repair. A few large oaks and some beech, but very few young oaks. Also a few hollies and thorns.

Dam Green (402a.): Is rather open with a few bushes and a few oak. Lamor quog is a bog. The Delves is mostly covered with beech and bushes, also a few oak. Serridge is open with a few bushes.

Greatberry Hill (371a.): Has some good beech and a few oak. God Meadow also has a few oak and beech, with bushes. Aston Bridge Hill has a good many scrubby oak and a few beech.

Barn Edge Hill (436a.): Good many beech and a few good oaks, some bushes. Horsley Hill, a few scrubby oak, birch and beech, also some thorns and hollies. The Fluds has some young oak and beech and a few thorns.

Littledean Walk:

Heywood Inclosure (716a.): Enclosed about 10 years; part with a dry stone wall and part with pales, very little traces of which remain. No young timber is coming up. A few scrubby beech towards Stockwell Green. Some single trees with bushes interspersed. Very good timber has been grown here in the past.

Oiley Hill &c. (175a.): Low and wet, except a little higher near Oiley Hill; a few bushes and single trees, mostly beeches.

Little Dean Meend (274a.): Chiefly heath.

Edge Hills (597a.): In general very thick with underwood and a considerable number of young oaks and beech; also some good oak and beech. Includes Shapridge and White Hill.

Chestnut Hill (214a.): Extremely thick underwood, and many young oaks in a thriving state.

Popes Hill and Hangman's Hill (140a.): Very open; many encroachments.
Abbotts wood (873a.): Mostly covered with underwood and young timber, also some oak and beech of about 30 years growth. Ruspatched Meend and Soudley Green are open. The timber and underwood is claimed by Mr. Crawley.

Blaize Bailey (154a.): Mostly open with some bushes.

Blakeney or Bailey Walk:

The Bailey and Winberry Hills (648a.): Generally covered very thick with beech and some good oak, also some birch, thorns, and hollies.

Old Croft (174a.): Mostly covered with thorns and hollies, with a few scrubby oak and beech.

New Years Hill (514a.): Thinly covered with beech, and a few scrubby oak. Viney Hill is partly covered with thick underwood mostly of small beech.

The Copes: (211a): Contain a considerable number of large oaks fit for the navy, also some large beech with thorns and holly.

Blakeney Hill (114a.): Very open poor land.

Broom Hill (316a.): In general full of cover and a considerable number of fine oaks and beech, also some hollies and thorns.

Bradley Hill (279a.): A few oak and beech, also some thorns.

Puttenage Inclosure (179a.): Has produced a great quantity of timber; there remains some fine oaks and beech and is well covered with underwood. Some traces of the bank still remain.

Stapleage Inclosure (163a.): Enclosed about 5 years; part dry stone wall and part dead hedge, in general in good repair; in some parts oak, beech, and birch are coming up. There are also a few large oak and beech, with some hollies and thorns.

Stapleage Hill (365a.): An old inclosure; some bank still to be seen. A few good oaks and beech and some thorns. The part towards the east is open.
Middle Rudge and Awers Glow (347a.): Mostly open. Low and wet.

Moseley Green (355a.): Mostly open with a few single trees. Towards the old vallet the ground is higher and better and covered with oaks.

Parkend Walk:

The Birches (174a.): Formerly a great quantity of navy timber but at present only a few small birch, beech, and hollies. Two years ago a fall was made here for the Gloucester Gaol.

The Delves (461a): Rough through coalf tits. 12 years ago it was covered with very fine navy timber; now very little cover of any kind. Rudge Hill: good sprinkling of hollies, some few birch and beech and a few oaks. Used to be very fine timber. At Yorkley, only a few hollies and beech, previously very fine navy timber.

Park Hill (344a.): Now covered as far as the end of White Mead Park with very fine large oaks, and beech; a few years ago they were very thick; Breemes Eves was also covered with very fine navy timber, now only a few hollies and pollards of beech. Towards Paster Hill is rather poor and uneven.

Breemes Meend (191a.): Mostly wet. Towards Horwell Hill it is rocky and covered with furze.

Knockley Tump, Shutcastle Hill, Oakwood Hill, &c (362a.): All formerly well covered with timber. On Shutcastle and Oakwood there are a few good oaks and beech and a good sprinkling of small birch, with some hollies and furze. Towards Drybrooke the oaks are rather more numerous.

Ellwood Eves, Bromley Hill, &c. (478a.): A good sprinkling of very good oak in most parts except towards Ellwood Eves where they are not so numerous. Also a few hollies and birch. Formerly covered with fine timber.

Clearwall Meend (376a.): Generally covered with furze.

Coleford Meend (370a.): Generally covered with furze.
Lodge Hill, Birch Hill, Slade Hill, &c. (677a.): A good sprinkling of fine oaks. Also some good beech and birch. Formerly well covered with fine navy timber.

Church Hill, Ivey Moor Head, &c. (287a.): Good sprinkling of very fine oaks. About 7 years ago a great fall was made.

Whitemead Park (234a.): Few birch, beech, and hollies."
APPENDIX XIV
NELSON'S REPORT OF 1803

"The Forest of Dean contains about 23,000 acres of the finest land in the kingdom, which I am informed is in a high state of cultivation of oak, would produce about 9,200 loads of timber fit for building ships of the line every year; that is, the Forest would grow in full vigour 920,000 oak trees. The state of the Forest at this moment is deplorable, for if my information is true, there is not 3,500 loads of timber in the whole Forest fit for building, and none coming forward. It is useless, I admit, to state the causes of such a want of timber where so much could be produced, except that by knowing the faults we may be better able to amend ourselves. First, the generality of trees for these last 50 years have been allowed to stand too long; they are passed by instead of removed, and thus occupy a space which ought to have been re-planted with young trees. Secondly, that where good timber is felled, nothing is planted, and nothing can grow self-sown: for the deer (of which now only a few remain) bark all the young trees. Vast droves of hogs are allowed to go into the woods in the autumn, and if any fortunate acorn escapes their search, and takes root, then flocks of sheep are allowed to go into the Forest, and they bite off the tender shoot. These are sufficient reasons why timber does not grow in the Forest of Dean.

Of the waste of timber in former times I can say nothing, but of late years it has been, I am told, shameful. Trees cut down in swampy places, as the carriage is done by contract, are left to rot, and are cut up by the people in the neighbourhood. Another abuse is, contractors, as they can carry more measurement, are allowed to cut the trees to their advantage of carriage, by which means the invaluable crooked timber is lost for the service of the Navy. There is also another cause of the failure of timber: a set of people called Forest Free Miners, who consider themselves as having a right to dig for coal in any part they please; these people, in many places, inclose pieces of ground, which is daily increasing by the inattention, to call it by no worse name, of the Surveyors, Verderers, &c. who have the charge of the Forest.

Of late years some apparently vigorous measures were taken for preserving and encouraging the growth of timber in the King's Forests, and part of the Forest of Dean has been inclosed; but it is so very ill attended to, that it is little, if anything better than the other part.

i. 30th Rept. of Comrs. of Woods, 1852, App. 16, pp. 223-4.
There is another abuse which I omitted to mention: trees which die of themselves are considered as of no value: a gentleman told me, that in shooting on foot, for on horseback it cannot be seen, hid by the fern which grows a great height, the tree of 50 years' growth, fit for building, fencing, &c. is cut just above the ground entirely through the bark; in two years the tree dies, and it becomes either a perquisite, or is allowed to be taken away by favoured people.

These shameful abuses are probably known to those high in power, but I have gathered the information of them from people of all descriptions, and perfectly disinterested in telling me or knowing that I had any view in a transient inquiry; but knowing the abuses, it is for the serious consideration of every lover of his country how they can either be done away, or at least lessened, perhaps a very difficult or impossible task.

If the Forest of Dean is to be preserved as a useful Forest for the country, strong measures must be pursued. First, the guardian of the support of our Navy must be an intelligent honest man, who will give up his time to his employment; therefore he must live in the Forest, have a house, a small farm and an adequate salary.

I omitted to mention that the expense of Surveyor of Woods, as far as related to this Forest, to be done away; Verderer as at present; also, the guardian to have proper Verderers under him, who understand the planting, thinning and management of timber trees; their places should be so comfortable, that the fear of being turned out should be a great object of terror, and, of course, an inducement for them to exert themselves in their different stations.

The first thing necessary in the Forest of Dean, is to plant some acres of acorns; and I saw plenty of clear fields, with cattle grazing, in my voyage down the Wye: in two years these will be fit for transplanting.

N.B. I am aware that objections have been made to the transplanting of oak. I am not knowing enough in this matter to say how far this is true, when so young as two to five or six years. The next thing is to be careful to thin the trees, for more timber is lost by being too fearful of cutting down than by boldly thinning. A tree from 10 years of age ought by a scale given to me by a very able man, to be as follows; viz.-
Number of Trees that such Land as the Forest of Dean may contain at different Periods from their being first set.

<table>
<thead>
<tr>
<th>Trees distant from each other.</th>
<th>Years after being set.</th>
<th>Number of Trees in an Acre</th>
<th>Number of Trees to be thinned.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Feet.</td>
<td>No.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>10</td>
<td>1,200</td>
<td>-</td>
</tr>
<tr>
<td>10</td>
<td>20</td>
<td>430</td>
<td>770</td>
</tr>
<tr>
<td>15</td>
<td>40</td>
<td>190</td>
<td>240</td>
</tr>
<tr>
<td>20</td>
<td>60</td>
<td>100</td>
<td>90</td>
</tr>
<tr>
<td>25</td>
<td>80</td>
<td>60</td>
<td>40</td>
</tr>
<tr>
<td>30</td>
<td>100</td>
<td>45</td>
<td>15</td>
</tr>
</tbody>
</table>

In 40 years these Forests will produce a great value of timber fit for many uses in the Navy, indeed all, except for ships of the line. If on a due consideration it is found not to be practicable for Government to arrange a plan for growing their own timber, then I would recommend at once selling the Forests, and encourage the growth of oak timber; I calculate that taking away the 3,500 loads of timber at present fit for cutting (or be it more or less) that the Forest of Dean will sell for £460,000. I am sensible that what I have thrown together upon paper is so loose that no plan can be drawn from it; but if these facts, which I have learned from my late tour may be in the least degree instrumental in benefiting our country I shall be truly happy.

A few thoughts on encouraging the growth of oak timber, drawn from conversations with many gentlemen in my late tour: 1st, the reason why timber has of late years been so much reduced has been uniformly told me, that from the pressure of the times, gentlemen who had £1,000 to £5,000 worth of timber on their estates, although only half grown (say 50 years of age), were obliged to sell it to raise temporary sums (say, to pay off legacies). The owner cannot (however sorry he may feel to see the beauty of his place destroyed, and what would be treble the value to his children, annihilated), help himself. It has struck me forcibly, that if Government could form a plan to purchase of such gentlemen the growing oak, that it would be a national benefit, and a great and pleasing accommodation to such growers of oak as wish to sell. My knowledge of this subject, drawn from the conversation of gentlemen in the oak countries, I think would almost obviate all difficulties: of myself I own my incompetence to draw up a plan fit for public inspections, but all my gathered knowledge shall be most cheerfully at the service of some able man."
(1)

APPENDIX XV

DEAN FOREST (TIMBER) ACT, 1608.¹

1. Whereas an act was passed in the twentieth year of the reign of King Charles the Second, intitled "An Act for the Increase and Preservation of Timber within the Forest of Dean"; and whereas a certain other act was passed in the parliament holden in the ninth and tenth years of King William the Third, intitled "An Act for the Increase and Preservation of Timber in the New Forest, in the County of Southampton;" by which said acts part of the waste lands in the said forests of Dean and New Forest respectively were directed to be inclosed and kept in severality for the growth and preservation of timber, and which said acts have not been duly put in execution: And whereas from the great and increasing difficulty of procuring a supply of timber from foreign countries, and from the estates of private individuals in the United Kingdom, for the use of the navy, it has become necessary to adopt measure for insuring a more adequate supply of timber in this kingdom, and for this purpose to make more effectual provision for carrying the said recited acts into full and complete execution: And whereas certain inclosures have been made under the said recited acts in the said forests respectively; but doubts may arise whether in making some of the said inclosures all the forms of procedure required by the said recited acts have been strictly complied with; be it therefore enacted and declared by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, that certain inclosures in the forest of Dean, containing plantations of timber, that is to say, the inclosures called and known by the names of Stapledge Inclosure, Speech House Inclosure, Birch Wood Inclosure, and Buck Holt Inclosure, containing about 676 acres, shall be deemed and taken, and are hereby declared to be and shall be held to have been duly and legally made and set out under the said recited act of the

¹ 48 Geo. III, c.72.
There is another abuse which I omitted to mention: trees which die of themselves are considered as of no value; a gentleman told me, that in shooting on foot, for on horseback it cannot be seen, hid by the fern which grows a great height, the tree of 50 years' growth, fit for building, fencing, &c. is cut just above the ground entirely through the bark; in two years the tree dies, and it becomes either a perquisite, or is allowed to be taken away by favoured people.

These shameful abuses are probably known to those high in power, but I have gathered the information of them from people of all descriptions, and perfectly disinterested in telling me or knowing that I had any view in a transient inquiry; but knowing the abuses, it is for the serious consideration of every lover of his country how they can either be done away, or at least lessened, perhaps a very difficult or impossible task.

If the Forest of Dean is to be preserved as a useful Forest for the country, strong measures must be pursued. First, the guardian of the support of our Navy must be an intelligent honest man, who will give up his time to his employment; therefore he must live in the Forest, have a house, a small farm and an adequate salary.

I omitted to mention that the expense of Surveyor of Woods, as far as related to this Forest, to be done away; Verderer as at present; also, the guardian to have proper Verderers under him, who understand the planting, thinning and management of timber trees; their places should be so comfortable, that the fear of being turned out should be a great object of terror, and, of course, an inducement for them to exert themselves in their different stations.

The first thing necessary in the Forest of Dean, is to plant some acres of acorns; and I saw plenty of clear fields, with cattle grazing, in my voyage down the Wye; in two years these will be fit for transplanting.

N.B. I am aware that objections have been made to the transplanting of oak. I am not knowing enough in this matter to say how far this is true, when so young as two to five or six years. The next thing is to be careful to thin the trees, for more timber is lost by being too fearful of cutting down than by boldly thinning. A trees from 10 years of age ought to by a scale given to me by a very able man, to be as follows; viz.-
Number of Trees that such Land as the Forest of Dean may contain at different Periods from their being first set.

<table>
<thead>
<tr>
<th>Trees distant from each other.</th>
<th>Years after being set.</th>
<th>Number of Trees in an Acre</th>
<th>Number of Trees to be thinned.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Feet</td>
<td>No.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>10</td>
<td>1,200</td>
<td>-</td>
</tr>
<tr>
<td>10</td>
<td>20</td>
<td>430</td>
<td>770</td>
</tr>
<tr>
<td>15</td>
<td>40</td>
<td>190</td>
<td>240</td>
</tr>
<tr>
<td>20</td>
<td>60</td>
<td>100</td>
<td>90</td>
</tr>
<tr>
<td>25</td>
<td>80</td>
<td>60</td>
<td>40</td>
</tr>
<tr>
<td>30</td>
<td>100</td>
<td>45</td>
<td>15</td>
</tr>
</tbody>
</table>

In 40 years these Forests will produce a great value of timber fit for many uses in the Navy, indeed all, except for ships of the line. If on a due consideration it is found not to be practicable for Government to arrange a plan for growing their own timber, then I would recommend at once selling the Forests, and encourage the growth of oak timber; I calculate that taking away the 3,500 loads of timber at present fit for cutting (or be it more or less) that the Forest of Dean will sell for £460,000. I am sensible that what I have thrown together upon paper is so loose that no plan can be drawn from it; but if these facts, which I have learned from my late tour may be in the least degree instrumental in benefiting our country I shall be truly happy.

A few thoughts on encouraging the growth of oak timber, drawn from conversations with many gentlemen in my late tour: 1st. the reason why timber has of late years been so much reduced has been uniformly told me, that from the pressure of the times, gentlemen who had £1,000 to £5,000 worth of timber on their estates, although only half grown (say 50 years of age), were obliged to sell it to raise temporary sums (say, to pay off legacies). The owner cannot (however sorry he may feel to see the beauty of his place destroyed, and what would be treble the value to his children, annihilated), help himself. It has struck me forcibly, that if Government could form a plan to purchase of such gentlemen the growing oak, that it would be a national benefit, and a great and pleasing accommodation to such growers of oak as wish to sell. My knowledge of this subject, drawn from the conversation of gentlemen in the oak countries, I think would almost obviate all difficulties; and myself I own my incompetence to draw up a plan fit for public inspections, but all my gathered knowledge shall be most cheerfully at the service of some able man."
APPENDIX XV

DEAN FOREST (TIMBER) ACT, 1808.¹

1. Whereas an act was passed in the twentieth year of the reign of King Charles the Second, intituled "An Act for the Increase and Preservation of Timber within the Forest of Dean"; and whereas a certain other act was passed in the parliament holden in the ninth and tenth years of King William the Third, intituled "An Act for the Increase and Preservation of Timber in the New Forest, in the County of Southampton;" by which said acts part of the waste lands in the said forests of Dean and New Forest respectively were directed to be inclosed and kept in severalty for the growth and preservation of timber, and which said acts have not been duly put in execution: And whereas from the great and increasing difficulty of procuring a supply of timber from foreign countries, and from the estates of private individuals in the United Kingdom, for the use of the navy, it has become necessary to adopt measure for insuring a more adequate supply of timber in this kingdom, and for this purpose to make more effectual provision for carrying the said recited acts into full and complete execution: And whereas certain inclosures have been made under the said recited acts in the said forests respectively; but doubts may arise whether in making some of the said inclosures all the forms of procedure required by the said recited acts have been strictly complied with; be it therefore enacted and declared by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, that certain inclosures in the forest of Dean, containing plantations of timber, that is to say, the inclosures called and known by the names of Stapledge Inclosure, Speech House Inclosure, Birch Wood Inclosure, and Buck Holt Inclosure, containing about 676 acres, shall be deemed and taken, and are hereby declared to be and shall be held to have been duly and legally made and set out under the said recited act of the

¹ 48 Geo. III, c.72.
twentieth year of King Charles the Second, and to be effectually inclosed and vested in his majesty, and to remain in severalty in the actual possession of the crown, according to the purport and intent of the said last-mentioned act, during the period of the same remaining so inclosed under the said last-mentioned act and this act.

2. (This section relates to certain inclosures in the New Forest only.)

3. And, in order to complete the quantity of 11,000 acres in Dean Forest, and 6,000 acres in New Forest, to be inclosed and kept in severalty for the growth and preservation of timber, according to the true intent and meaning of the said recited acts; be it enacted, that it shall be lawful for his majesty, his heirs and successors, from time to time to inclose, sever, and improve within and out of the waste lands of the said forest of Dean and New Forest respectively, in whole or in part, such quantity of lands in the whole as shall, together with the quantity already in inclosure, or which shall be inclosed as aforesaid in the said forests respectively, make up the said quantities of 11,000 acres in the forest of Dean, and 6,000 acres in the New Forest, and so that there shall not be more than 11,000 acres in the forest of Dean, and 6,000 acres in the New Forest, inclosed and held in severalty as aforesaid at one and the same time; and such inclosures shall be made under and by virtue of commissions to be granted and issued by his majesty for that purpose, and each of such commissions shall be directed to six or more such persons as his majesty shall think fit, whereof two in each commission shall be justices of the peace for the county within which the forest in which the inclosure shall be made shall be situate,
and shall not be officers of such forest; and such inclosure shall be set out and made from and out of such parts or places in the said forests respectively as shall be found or ascertained by the said commissioners, or any three or more of them, to be most convenient to be inclosed, and to be best adapted for the growth and produce of timber, and may be best spared from the commons and highways of the respective counties; which said inclosures shall be admeasured by a sworn surveyor, and set out and inclosed, butted and bounded, and the quantities, butts and boundaries thereof returned into his majesty's Court of Exchequer, there to remain of record for ever; and the said inclosures so made and set out as aforesaid shall remain in severalty in the actual possession of the crown, freed and discharged of and from all rights of common, and of and from all manner of rights, titles or pretences, or privileges or claims whatsoever, during the period of the same remaining so inclosed for the growth and preservation of timber, and until the same or any part thereof shall be laid open under the provisions of the said recited acts and this act, according to the purport and true intent of the said recited acts and of this act, and shall be made and reputed a nursery or nurseries for wood and timber only.

4. And be it further enacted, that at all times hereafter, whenever the lord high treasurer or commissioners of the treasury, or chancellor of the exchequer for the time being, shall be satisfied, and shall determine that the woods and trees which shall be growing within any of the said inclosures, whether made before the passing of this act, and hereby confirmed, or to be made under and by virtue of this act, are become past danger of browsing of deer, cattle, or other prejudice, and shall think fit to lay the same or any part thereof open and in common, and
shall cause the same so to be done, and then and so often it
shall be lawful for his majesty, his heirs and successors,
from time to time to inclose, in lieu of so much of the
inclosures in either forest as shall be so laid open, the like
quantity out of any other part of the residue of the wastes of
the same forest, to be set out by like commission and
admendment as aforesaid, and to be holden, inclosed, freed
and discharged of and from all manner of common and other rights
as aforesaid, for so long time as the same shall continue inclosed,
according to the direction, purport and intent of the said recited
acts or this act, to be a nursery or nurseries for timber as
aforesaid, instead of so much as shall be laid open according to
the direction aforesaid.

5. And, for the making and maintaining the said inclosures
so set out and made as aforesaid, and for defraying the charges
thereof; be it further enacted, that the said commissioners so to be
appointed, under whose authority any inclosure in either of the
said forests shall be made, or any three of them, with the
assistance of one of the purveyors of his majesty's navy, shall
from time to time set out so many decayed trees in such forest,
not being ship timber, as shall be necessary to make and maintain
the said inclosure.

6. And, to the end the said inclosures may be preserved in
the crown for publick use as aforesaid; be it enacted, that in case
any person whatever shall presume to take or obtain any gift,
grant, estate or interest of or in the said inclosures, or any
wood or trees growing thereon, every such gift, grant, estate or
interest shall ipso facto be null and void, and the person so
taking the same shall be utterly disabled and incapable to have,
hold or enjoy any such gift, grant, estate or interest, and also
shall forfeit treble the value of any such gift or grant to him
who shall first sue for the same in any of his majesty's courts of record at Westminster by action of debt, wherein no essoin or wager of law shall be allowed to the defendant.

7. And be it further enacted, that every person who shall wilfully destroy or take away, or shall break down any fence or inclosure, or any part thereof, made for the protection of any nurseries of wood and timber as aforesaid, shall for the first offence forfeit the sum of £10, and for the second offence the sum of £20, and for the third offence shall be deemed guilty of felony, and may be transported to any part beyond the seas for the term of seven years, or be subject to such other punishment by fine, imprisonment or otherwise, as the court before which such person shall be convicted may direct; and such penalties shall and may be recovered, and on non-payment thereof, the person who shall forfeit the same may be committed to prison, in the manner and for the same periods as is specified in an act passed in the sixth year of the reign of his present majesty, intitled "An Act for the better Preservation of Timber Trees, and of Woods and Underwoods, and for the further Preservation of Roots, Shrubs and Plants," in relation to the penalties of £20 and £30 respectively, for wilfully cutting or breaking down any timber under the said act.
APPENDIX XVI

Prices, Costs, and Valuations

The documents used for this thesis afford information on prices of trees, timber, and other woodland products; on costs of labour and transport; on rents; and a few provide valuations. The information is tabulated below:

(a) Prices of trees, timber, and woodland products:

Bark:
- 1630s 17s. to £2 a load.
- 1814 £12,10s. to £14 a ton.
- 1818 £11,5s. to £12,2s,6d. a ton.

Bark, Flitter:
- 1830-38 £4,7s,6d. to £7,10s. a ton.

Beeches:
- 13th C. on average, 2s; occasionally as low as 6d. and as high as 8d.† 1634 7s. a ton.

Coppice:
- 1610 30s. an acre, standing.

Cordwood: For domestic fuel:
- 1610 1s.2d. a cord, standing.
- 1610 1s. to 2s,6d. a cord standing; 1612, 4s; 1613-33 6s,8d.; 1642 10s; in short cords: 5s; in 1683 4s; in 1730s 5s,6d; 1838-47 5s,9d. to 14s. a cord.♦

For smelting:
- 1610 1s. to 2s,6d. a cord standing; 1612, 4s; 1613-33 6s,8d.; 1642 10s; in short cords: 5s; in 1683 4s; in 1730s 5s,6d; 1838-47 5s,9d. to 14s. a cord.♦

Lath:
- 1630s 10s. a thousand.

Mining-timber:
- 1830-38 10s. a cord of 78 cubic feet.

Oaks:
- 13th C. 1s,6d. to 5s., occasionally 9s. to 13s,4d. each.† 1633 valued at 10s. to £7 each; as cordwood, on average, £1; for ship timber, on average, £2. 1634 timber-oaks 10s. a ton. 1830-38 1s. to 2s,6d. a foot, £3,10s. to £6 a load; 1838-47 at auction £2,9s. to £7,9s. a load, by private treaty 6d. to 2s,10d. a foot.

Plantations, cost of establishing: 1810s £6,6s,8d. an acre.

† It is not possible to say whether the prices included an element of fine.

♦ The dimensions of cords varied.
2.

Plants:

<table>
<thead>
<tr>
<th>Plant</th>
<th>1-year:</th>
<th>5-year:</th>
<th>4-year:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oak</td>
<td>1810s 12s, a thousand</td>
<td>1810s 70s, a thousand</td>
<td>1810s 30s, a thousand</td>
</tr>
<tr>
<td>Scots pine</td>
<td>1810s 40s, a thousand</td>
<td>1810s 30s, a thousand</td>
<td>1810s 40s, a thousand</td>
</tr>
<tr>
<td>Larch</td>
<td>1810s 40s, a thousand</td>
<td>1810s 30s, a thousand</td>
<td>1810s 40s, a thousand</td>
</tr>
</tbody>
</table>

Rods for wefts: 15th C, a load of unknown size.

Ship-timber: oak:
- 1630s £3.5s, a ton delivered to dockyards;
- 1638 15s, a ton; 1640 9s, a ton; 1818-33 £3.15s. to £5.5s, a load excluding transport.

Sweet chestnut: 13th C, 2s, and 3s.

Treenails: 1630s 40s, a thousand.

Underwood: 1326 4s.6d, an acre standing; occasionally 3s.

(b) Various costs:

- Felling axe in 13th C, 8d.
- Waggon to carry quarrels in 14th C, £3.3s8d.

(c) Costs of Labour:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Date</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acorns, collecting and carrying:</td>
<td>1650s</td>
<td>1s, a bushel</td>
</tr>
<tr>
<td>Acorns, sowing:</td>
<td>1810s</td>
<td>12s.6d, a thousand</td>
</tr>
<tr>
<td>Bark, stripping off standing trees:</td>
<td>1815</td>
<td>6s,6d, per load of timber.</td>
</tr>
<tr>
<td>Beech-mast, collecting and carrying:</td>
<td>1650s</td>
<td>2s, a bushel</td>
</tr>
<tr>
<td>Charcoal-burners:</td>
<td>1531</td>
<td>6d, a day.</td>
</tr>
<tr>
<td>Cutting and converting into charcoal:</td>
<td>1333</td>
<td>2s,3d, an acre (9-man-days at 3d.).</td>
</tr>
<tr>
<td>Cutting and cording:</td>
<td>1617</td>
<td>1s,8d, a cord; 1630s 2s,6d; 1674 1s,4d.; 1730s 2s,</td>
</tr>
<tr>
<td>Ditching and mounding:</td>
<td>1810s</td>
<td>2s, or 3s, a rod.</td>
</tr>
<tr>
<td>Ditching, moundling, and hedging:</td>
<td>1333</td>
<td>2½d, a perch.</td>
</tr>
</tbody>
</table>

* It is not possible to say whether the prices included an element of fine.
Ditching, mounding, and setting with quickthorn: 1650s 6d., 9d., or 1s. a perch.

Gate, erection of: 1650s 1s. 6d.

Planting: 1810s 12s. 6d. a thousand.

Post-and-rail fences, repairing of: 1617 1s. a day.

Quarrels: Makers in 1228 received 4d. or 5d. a day; 1229 7½d. a day to make 100; 1232 and 1241 10½d.; 1255 25 marks a year to make 25,000; 1257 £50 a year. The rate dropped in 1265 to 7½d., a day plus 3d. for shafting and feathering. 1337 a head fletcher was paid 6d. a day, and his assistants 3d. Feathering in 1228 4d. a day; in 1229 5½d.

Seedlings, beech, lifting and carrying: 1650s 9d. a thousand.

Seedlings, oak, lifting and carrying: 1650s 9d. a thousand.

Shingles: Cleaving, shaving and transporting to Gloucester: 13th C. 8s. 3d. a thousand.

Squaring oaks+: 1617 1s. 4d. a ton.

Stone-walling: 1650s 1s. or 1s. 6d. a perch; 1810s 8s. a rod.

Woodcutters and carpenters: Wage 13th C. 3d. a day; 1372 4d. or 5d.; 1531 6d.

(d) Costs of transport:

An oak to Gloucester 13th C. 5s. 4d. to 9s. 6d.

An oak to Bristol 13th C. 1ls. 4d. to 13s. 2d.

500 quarrels to Rhuddlan (taking 6 days) c.1283: 15s., or 3s. a hundred.

Timber to St Briavels 15th C.: 1s. 4d. a cart-load.

Naval oak to Pembroke Dock 1850: c.£2.10s. a load.

* It is not known whether by axing or by pit-sawing.
(e) Rents and Values of land:

Assarts: 1199 4d, an acre; 1372 4d, or 5d.
1623 10,758 acres were compounded at an average of 10s.

Other land: 1648 4s, an acre was offered for 8,000 acres of open forest land. 940 acres of good land at Cannop were said to be worth about 2s, 4d, an acre. Land throughout the Forest was valued at 1s, to 6s, 8d, an acre. In 1641 4,000 acres of the poorest waste was worth 3s, 4d, an acre. Wintour's price in 1640 for about 18,000 acres was about 7s, an acre; this included extensive mining-rights and immense quantities of wood and timber, as well as ironworks.

(f) Valuations of Dean:

1633: £177,681
1634: c.£179,187
1638: £143,361

£177,681 In addition, some 16,000 acres plus at £179,187 the land, some 16,000 acres plus at £143,361 least 4,000 acres "waste", was probably worth around £3,500.

1640: The Forest (excluding the Lea Bailey, 15,000 tons of ship-timber, certain leased coppices and 4,000 acres of poor land, together worth about £30,000) was sold to Sir John Wintour for £106,000 plus a fee-farm rent for ever of almost £2,000. The sale included land, trees, minerals, and ironworks.

1692: The cordwood alone, £148,745.

1704: 11,000 acres of young plantations, £3,500 a year. Timber-trees, immature standards, and land were not included.

1849: 11,000 acres of 35-year old plantations:

Value (a) £166,000)
" (b) £440,000)
The land: The whole value was
Value (a) £418,000) therefore something
" (b) £240,000) over £750,000.

Other trees:

£220,000)
1924: Trees in Dean (18,695 acres) £281,700.
Trees in Highmeadow (3,455 acres) £55,100.

1964: Trees only: over £2 million.†

† Present writer's estimate.
1.

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    Cotton Mss.
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    Pepys Mss.
(d) Gloucestershire Record Office
    Colchester Muniments.
    Machen Muniments.
    Probyn Muniments.
(e) Gloucester City Library
    Various Mss.
(f) Lewes Library
    Gage Mss.
(g) Northamptonshire Record Office
    Finch Hatton Mss.
(h) Public Record Office
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    C.53 Charter Rolls
    C.54 Close Rolls
    C.60 Fine Rolls
    C.62 Liberative Rolls
    C.66 Patent Rolls
    C.77 Welsh Rolls
    C.132-142 Inquisitions Post Mortem
    C.143 "ad quod damnum"
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State Papers Domestic

S.P. 1: Letters and Papers, Henry VIII
10: Edward VI
11: Mary
12, 13: Elizabeth I
14: James I
15: Edward VI to James I addenda
16, 17: Charles I
18: Interregnum
29, 30: Charles II
31: James II
32, 33: William and Mary
34: Anne

The Calendars have been used extensively, and where necessary the documents have been inspected.

II. LOCAL BOOKS, PAPERS, AND REPORTS:

Abbot Frocester's Register (Reg. A, Glouc.Cath.Liby*).


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Flaxley Cartulary, ed. A.W. Crawley-Beovey, 1887.


The Verderers and Speech-Court of the Forest of Dean, 1950.

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6.

Hill, H.C. Report on the Forest of Dean with Suggestions for its Management, 1897; and for High Meadow Woods, 1897.

Historia et Cartularium Monasterii S. Petri Gloucestriae, 'Rolls Series', 1863, I-III.

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Pleas of the Crown for the County of Gloucester, 1221, ed. F.W. Maitland, 1884.


III. THE FOLLOWING HAVE ALSO BEEN STUDIED.


Blackstone, Sir W., The Great Charter and the Charter of the Forest, 1759.


Dialogue de Scaccario, ed. Hughes, Crump, and Johnson, 1902.


Lewis, P., Historical Inquiries concerning Forests and Forest Laws, 1811.

Liebermann, F., Ueber Pseudo-Cnuts Constitutiones de Foresta, 1894.

Shaw, R.C., The Royal Forest of Lancaster, 1956.

Statutes at Large, 3 vols. (1763-5)

Statutes of the Realm.


Stubbs, W., Select Charters, 9th Edn.

III: "The Three Brothers", post-1668, in Russells.
IV: Weymouth pine, in Sallow Valley, the first conifer planted in Dean, c.1781.
VI: Douglas fir in Park Hill, planted 1895.
VII: Stripping oak bark.
Natural regeneration of mining spoil heaps.
IX: Amenity: The Southey pond surrounded by hardwood and conifers.