



CREaTE

Canterbury Research and Theses Environment

Canterbury Christ Church University's repository of research outputs

<http://create.canterbury.ac.uk>

Please cite this publication as follows:

Sweetinburgh, S. (2006) Strategies of inheritance among Kentish fishing communities in the later Middle Ages. *The History of the Family*, 11 (2). pp. 93-105. ISSN 1081-602X.

Link to official URL (if available):

<http://dx.doi.org/10.1016/j.hisfam.2006.06.003>

This version is made available in accordance with publishers' policies. All material made available by CReaTE is protected by intellectual property law, including copyright law. Any use made of the contents should comply with the relevant law.

Contact: create.library@canterbury.ac.uk



**Strategies of inheritance among Kentish fishing communities in the later
Middle Ages**

Sheila Sweetinburgh

Abstract

Anthropologists and historians have long been interested in the subject of inheritance. One area that has received considerable attention is the connections between property, production and the family. Researchers have noted the complexity of the systems used by donors and recipients whereby assets are transmitted, including matters of timing, life cycle stage and the formation of relationships. One of the most significant times is death. For the family, the death of a spouse often has severe implications for its production and reproduction, and the strategies of inheritance employed affect its subsequent history. Studies of post-mortem inheritance have primarily investigated agricultural communities. This article seeks to test their findings by exploring the links between occupation and inheritance, and between identity and inheritance with respect to the fishing families from two small late medieval Kentish towns. The exceptionally good testamentary materials for the fishermen of Lydd and Folkestone reveal the deployment of a number of post-mortem inheritance strategies. By indicating the importance of significant relations in the transference of material and symbolic capital at this critical time, the study provides a greater understanding of the role of inheritance in familial and communal replication.

Keywords: Family; Inheritance; Identity; Kinship Networks; Social Relations; Property

Sheila Sweetinburgh

Strategies of inheritance among Kentish fishing communities in the later Middle Ages

1. Introduction

One of the key issues in the study of family history is an awareness of how inheritance strategies were employed within a given society. Anthropologists and social historians have long acknowledged the importance of inheritance, leading to the production of a large corpus of material. Global in scope and covering a very broad time period, the sheer proliferation of such studies has resulted in a wide range of approaches.¹ In part this diversity is underpinned by different methodologies, for example, the value of using the household or the family as the unit of analysis. Yet, as David Sabean has indicated, this reductive dichotomy, especially when linked to seeing such units in terms of production and/or consumption, masks the complexity and flexibility of ‘the inner workings of families and households’ (1990, pp. 93-100, 116). Moreover, it is also important to ‘examine the links between individuals and groups beyond the boundaries of it [the house] in order to put the house [and family] in its proper place’; that is, in its community (Sabean, 1990, p. 116). Such links may be forged through the transference of a diverse range of assets—material and/or symbolic—at various times during the lives of donors and recipients, but certain points in the life cycle, such as marriage and death, mark especially significant transmission events. Both of these events have attracted considerable attention. Some researchers have focused on legal and cultural issues, examining the interplay between national and regional requirements regarding matters such as dowry and dower; and the differing importance societies place on lateral and lineal inheritance (Goody, 1976, pp. 88-9). With regard to lineal inheritance (seen as characteristically Eurasian), one topic that has generated discussion is the effect of partible compared to impartible inheritance on the devolution of property in European peasant societies. The assumption being that partible inheritance would produce widespread fragmentation of peasant landholdings, each succeeding generation further dividing the family’s patrimony among all the sons (or children). Yet, as Richard Smith (1984, p. 50) has demonstrated, even during periods of population growth in medieval England, the likelihood that more than one son would inherit was still relatively infrequent in areas where partibility was customary. Consequently, the problem of finding sufficient heirs, rather than having too many, has generated considerable interest among scholars, and one of the growing areas of investigation is the way people sought to adapt legal and customary systems of inheritance to try to ensure what Goody (1976, p. 87) calls the ‘security’ of the donor (Kermode, 1999, p. 7; Gross, 1996, pp. 200-2; Ben-Amos, 2000, p. 301; Botelho, 2002, p. 75; Warpula, 2002, pp. 319-20, 321, 322). Security may be seen to take various forms, including care in old age, continuity of the family and of one’s name and memory, the latter especially vital where one’s fate in the afterlife was at stake. Among the strategies investigated by researchers working on Japanese and Danish societies, for example, is the adoption of male heirs, which might be done formally, or as recipients through their wives as inheritors (Kurosu and Ochiai, 1995, pp. 280-1; Johansen, Madsen and Degn, 1993, p. 367).

Looking specifically at pre-industrial western Europe, the last will and testament provided a means of circumventing these prescribed parameters, giving a degree of flexibility and pragmatism within which the local community expected individuals to operate. This concept of communal restraint has been identified by Sabean (1990, pp. 420-1) in his study of early modern Germany, and similar factors were presumably at work in medieval England. Wills

¹ In addition to classic studies such as Goody, Thirsk and Thompson, 1976, those investigating the subject will find articles of interest in the *Journal of Family History*; *History of the Family*, and *Sociology*. For those wishing to study medieval English peasant society, the classic works include: Razi, 1980; Howell, 1983; Smith, 1984.

could be used for the transmission of a broad range of assets. Property is often considered to be the principal component, either in the form of ownership or user rights, but heirs might also inherit tools and other productive capital following the death of the testator; providing evidence regarding the operation and interaction of the family or household with others within the local community.² Consequently, by assessing the inheritance process, it may be possible to gain a greater understanding of the ‘web of obligation fuelled by the calculated strategy of property devolution’ as envisaged by testators (Sabeau, 1990, p. 416). For example, some scholars have examined the role of women, particularly the significance of wives/widows as intermediaries in intergenerational transmission; while others have considered the strategies adopted by those who were forced or wished to look beyond the nuclear family (Hanlon and Carruthers, 1990, p. 155; Whittle, 1998, pp. 49-59; Poska, 2000, pp. 316-9, 322; Bowdon, 2004, p. 415). Nevertheless, there are certain methodological difficulties regarding the use of wills for the study of inheritance: testators are often at different stages in the life-cycle; women are under represented, as are those from different social, economic status groups; and there may be considerable local variation regarding recording practices. Furthermore, wills are produced for a specific purpose and rarely indicate the transmission of assets at other times, though reversionary and conditional clauses may hint at other points of transference. Yet, in the absence of other forms of evidence indicative of such pre-mortem transference, wills remain valuable resources for the investigation of local inheritance practices, especially by those from specific occupational groups.

The fishermen of two small coastal towns in south-east England may fit this description, their value as a test case resting primarily on the relatively large number of extant last will and testaments, and the considerable proportion of these that include fishing equipment. For the town of Lydd there are 74 wills that mention at least one item of fishing equipment in a total of 451 wills for the period 1400 to 1600, and similarly for Folkestone there are 44 ‘fishing’ wills among a total of 237 wills. Furthermore, from the 1460s the number of surviving wills per decade from these towns is relatively consistent, the minor peak around 1500 a product of epidemic disease, perhaps. Consequently, even though there are certain methodological problems of relying heavily on testamentary materials for the study of inheritance, as outlined above, the quality and quantity of the surviving sources for Lydd and Folkestone make them ideally suited for a detailed case study of post-mortem inheritance strategies. In particular, these will collections appear to extend further down the social scale compared to those for many contemporary towns, thereby providing a glimpse of how people below the ‘middling sort’ engaged in the transmission of their accumulated capital. Furthermore, the testamentary materials, in addition to their value as records of the transfer of fishing assets, provide evidence concerning fishing partnerships, as well as other contacts and networks within and between the various fishing communities in south-east Kent, and further afield. Such networks were frequently based on familial and/or affinal links, but other significant relations were also uncovered through the close study of these documents. However, it was clear that the testamentary sources alone would not reveal the wealth of the affinal and amical (friendship) links within fishing communities. Thus, where possible, the analysis was supplemented by data from inventories, parish records, civic records and other materials. For example, the ordinances of the ‘Owners of the Stade and Masters’ guild created at Lydd in 1571.³ As a result, this investigation is able to provide an analysis of the personal choices and constraints of the fishermen testators of Lydd and Folkestone, which in turn offers insights concerning the ideology of family and community self-replication.

² Looking at 19th-century Norwegian fishing families, for example, has revealed the likelihood that boat crew membership would cut across household lines (Dyrvik, 1993, p. 355).

³ The Stade was the open beach at the Ness, the fishing boats hauled onto the shingle to provide them with a degree of protection from storms.

2. Fishing communities

The fishing communities of Lydd and Folkestone were in existence from at least the 11th century, their fishermen enjoying the special privileges granted to the Cinque Ports Federation by the late 12th century: Lydd as a Corporate Member of Romney and Folkestone of Dover (Murray, 1936, pp. 45, 231, 233).⁴ Feelings of solidarity among the portsmen were fostered by the crown through the granting of control over the annual herring fair at Yarmouth to the Federation, the provision of a special Cinque Port court of Shepway, and the collective action of the Ports required in the form of Ship Service. The portsmen themselves developed their own court of Brodhull to hear cases concerning infringements of their privileged status, especially at the Yarmouth herring fair (Murray, 1936, pp. 6-8, 236-9). During the later Middle Ages, even though many of the barons or freemen of the various ports were not involved in fishing or allied industries and it was becoming increasingly difficult for the portsmen to supply royal demands for Ship Service, the various town officers tried to maintain the Ports' traditional role within the national fishing calendar. How far such considerations by the civic authorities affected the status of the local fishing communities is unclear, but it seems likely that the fishermen continued to see themselves as the true descendants of the early portsmen well into the early modern period. At Lydd, the formation of the master mariners and owners' guild in 1571 may indicate the desire of the leading fishermen to protect their position, possibly at a time of increasing difficulty (EKA-Ly/ZB9).

Occupational identity might be fostered through physical proximity because even though most fishermen had urban property, many fishing families at Folkestone had cabins or lodges 'by the seaside', while Lydd families occupied a seasonal fishing settlement at 'the Ness' to the south of the town, on the shingle banks of Dungeness. This ancient settlement (the first known reference to 'cabons' or fishermen's huts is from 1356/7 according to Mark Gardiner (1996, pp.18-20), but he considers they were probably in existence from an earlier date) served several roles, including the provision of living quarters for the fishermen (for sleeping, eating, repairing nets and other tackle, preparing fish), a place to market the catch, and as a defended look-out post against the threat of foreign invasion (EKA-Ly/FAc2, pp. 82, 94, 95, 103, 134). Like some other English coastal settlements, moreover, the men at the Ness had their own chapel, dedicated to Our Lady, which was still functioning in the early 16th century (Finn, 1911, p. 330. CKS-PRC 32/10, fol. 113). Occupational separation on land was mirrored by the working lives of the fishermen, especially for those engaged in deep-sea fishing, primarily for herring in the North Sea, though by the late 16th century the number of boats from Lydd and other Kent ports visiting these fishing grounds had apparently fallen considerably (Kowaleski, 2000, pp. 448-451).⁵ Those involved in North Sea fishing might be away from their home ports for several months, leading to the fostering of strong bonds among the individual ships' companies, among those from particular towns, and possibly more generally among the crews from the Cinque Ports. Moreover, similar support networks probably developed amongst the smaller crews, who worked the local coastal waters during the various fishing seasons (Dulley 1969, pp. 38-45; Sweetinburgh, 1993, pp. 52-3; Fox, 2001, pp. 188-91). Such networks may have been further enhanced by the frequent landing of fish at the home port, thereby bringing wives and other family members into the process of preparing the boats' catch for sale. As a consequence of their experience of the physical and, perhaps, conceptual separateness of their industry in terms of occupational time and space, it seems likely that the fishing families would have seen themselves as a community within the

⁴ Corporate Members aided the Head Ports in the provision of ships and crews for service to the crown. In return, they received the same rights and privileges from the king as those enjoyed by the Head Ports.

⁵ In 1568 only two boats from Lydd were recorded Robert Bargett's 'The Jesus' & John Purdewax's 'The William', two years later only John Mychell's 'The John' was listed (EKA-NR/CPc22, 27).

town and parish, the bonds of shared occupation enhanced through marriage and family, friendship and neighbourliness (Cohen, 1982, pp. 21-49; Dixon, 1992, pp. 376-89; Gunnlaugsson and Guttormsson, 1993, p. 328; Johansen, Madsen and Degn, 1993, pp. 366-7; Rogers and Tedebrand, 1993, p. 378). Nevertheless, it is unclear whether such feelings extended as far as the 'Westermen', fishermen from Cornish and Devon ports who came annually to fish off the Ness.

It is difficult to gauge accurately the numbers involved in fishing, but Sally Elks (1987, p. 125) has calculated that at Lydd during the second half of the sixteenth century there were at least 21 to 36 working fishermen at any one time, and in the 1567 Muster Role almost a quarter of the jurats and commoners were listed as fishermen. However, few of these men relied exclusively on fishing, many, instead, heading or belonging to multi-occupational households.⁶ The testamentary evidence seems to demonstrate this idea, and at Lydd most of the fishing families can be categorized under three main headings: exclusively fishing; major fishing, minor farming; minor fishing, major farming.⁷ Folkestone was probably very similar, though this is more difficult to substantiate from the surviving records.

Nor were the fishermen part of a homogenous group in terms of wealth, and only a very few were sufficiently affluent to hold civic office.⁸ Most families were of the prosperous 'middling sort'. Others were less fortunate, and several Lydd fishermen or the widows of fishermen were listed among the local tax defaulters in the decades after 1520. The hierarchical nature of the industry may partly explain this stratification: at the top were the boat owners and masters, at the bottom the one or two boys who served in the crew and between them were the members of the boat's company. Some of the latter provided nets for the boat, thereby increasing their share of the catch when it was divided. A 'mansfare' of nets at the south coast ports was regarded as equivalent to a crewman's share of the catch, and individual boats needed considerable numbers of these three-net (two nets on the east coast) units (Dulley, 1969, p. 48; Middleton-Stewart, 1996, p. 73). Moreover, not all the masters were boat owners, while the boats themselves were often divided into boat shares, some owners at Dover holding a sixteenth share in a single boat (Dixon, 1992, p. 383).

It has been suggested that a number of shared ideas and working practices characterize fishing communities. For example, gender differences marked processes of netting, preparing and marketing the catch. The role of women as workers apparently confined to preparation and occasional marketing, but at 15th-century Dunwich, in Suffolk, they may also have taken part in the processing of hemp for nets, ropes and sails (Bailey, 1992, p. 20). This may indicate that they were seen as minor financial contributors to the fishing industry, a perception reinforced by the relatively low collective value of their fishing assets, except in the case of some widows. Shared capital, comprising a system of shares in capstans, cabins, and especially boats, was also characteristic, permitting some fishermen to have a stake in such equipment, and a minority to accumulate shares in a number of these assets.⁹ Consequently, the building, maintenance and refurbishment of this capital became a collective

⁶ The desirability of even small scale agricultural production to offset variable fish catches and other difficulties was still important for fishing families into the modern era (Rogers and Tedebrand, 1993, p. 379).

⁷ Dimmock (1998, pp. 121-7, 130-41, 149-51, 154-7) differentiated between 'fishermen' and 'fishermen-farmers' in his doctoral thesis on medieval Lydd. He also considered other criteria, including sociopolitical status, using contemporary terms: 'jurats', 'commoners', 'the poor'. Similar occupational groups have been described by Fox (2001, pp. 165-7, 181-6) for south Devon, where he found a broad shift from farmers engaged in fishing to full-time fishermen, though he also noted that nationally this was not always the case.

⁸ Robert Lawless, for instance, was a frequent member of the town's judiciary. He was also a wealthy mariner having four boats in 1570 and at his death 14 years later he had £10 worth of herring nets. The total value of the inventory of his goods was £131 12s. 2d. (EKA-Ly/FAc3, p. 185; CKS-PRC 21/6, fol. 378v).

⁹ Capstans were especially valuable because they were used to winch the boats up on to the beach, allowing them to be secured away from the shoreline and so offering protection during storms. Littler (1979, pp. 119-37, 323-6) included definitions of many fishing terms in her doctoral thesis.

matter, involving varying degrees of responsibility. Richard Harlestone of Sandwich (1595) bequeathed to two of his four sons a quarter boat share each in ‘The Swallow’. Joshua was already in command of the vessel and John, his young brother, was to be given the option of having £30 instead when he came of age. Nicholas, another brother, received a third share in the crayer ‘The Josua’, while Thomas, possibly the eldest, was left £20 towards the building of his third share in a hoye which was ‘in the stocks at London’ (CKS-PRC 32/37, fol. 261).¹⁰ The spreading of risk for those with shares in more than one boat was likely to increase the family’s chance of survival in the industry. Nonetheless, a stake in a single boat might not jeopardize completely a family’s place in the local fishing community, though its loss would be extremely serious. Connected to this idea of shared assets was the importance of sustainable fishing partnerships. Interestingly, these rarely seem to have involved brothers, uncles or nephews, rather there appears to have been a preference for those linked through marriage, and in some cases partners were apparently drawn from outside the family. Occasionally, at least one of the partners belonged to a well-established, but not necessarily particularly prosperous, local fishing family, implying, perhaps, that newcomers and others valued this type of relationship. Such a position was presumably recognized and probably supported by the leading fishermen, resulting in some cases in the formation of small fishing companies. Vital also was a system of debt and credit which created inter-dependencies within and beyond the fishing community, like the links between Thomas Galyon, fisherman, of New Romney and William Cacherow, a London grocer (CKS-PRC 32/3, fol. 258).

As a way of providing their families and community with a sense of identity and continuity, the fishermen adopted a number of strategies, using pre-mortem and post-mortem systems of gift exchange, which included the transfer of fishing assets. These strategies can be classified under three main headings: the replication of the family through the male line; replication of family/community through marriage, remarriage, and affinal connections; and replication of the community through gift-exchanges with partners, servants, apprentices and others (some of whom may have been kinsmen). As noted above, the transference of assets between donors and recipients took place on special occasions, and on a more continuous basis. Post-mortem transfers, often constructed at the point of death in wills and testaments, sought a similar transmission of material and spiritual capital. Probably surviving for a minority of fishermen, testamentary evidence, nonetheless, indicates their aspirations and the means they identified to secure their objectives. Testators might divide their assets between a number of beneficiaries, frequently taking into account the type of item and its economic and symbolic value. Boats, prized for their economic worth, might also confer status further enhanced by family associations; while a manshare of nets was equivalent to a crewman’s share of the catch, which meant the unit was significant for both exchange partners. Equally, the testator’s choice of a range of fishing items, given singly or collectively, to be enjoyed individually or shared, provided the opportunity to signify favour and status, as well as to encourage co-operation or partnership. Intentions might be further expressed by the provision of constraints upon the use of bequeathed assets and upon the user, and through the employment of conditional reversionary clauses. In addition, testators might exercise the option of the sale of all or part of their fishing equipment post-mortem, manipulating terms of sale and specifying potential buyers.

3. The determining system of inheritance

[Table 1 here]

¹⁰ A crayer was a small vessel, probably under 30 tons, that was used for trading as well as fishing. Its use was not confined to coastal waters; such boats capable of withstanding North Sea conditions, allowing them to be employed to fish the deep sea herring grounds. A hoye was a small vessel, having a single mast, which was primarily used in coastal fishing and trading.

Having considered how and why these fishermen might have sought to aid their families and community through the use of the last will and testament, it seems appropriate to examine the evidence from the fishing communities at Lydd and Folkestone. From Table 1, it would appear that in broad terms sons were the most favoured beneficiaries, and that wives were seen as significant participants in the process of inheritance. In some cases, widows were expected to relinquish ownership of the items at their sons' majority, or if they remarried, but others retained control of the assets for life, leaving sons to wait a considerable time before receiving their inheritance. Impartible inheritance was the prevalent system, suggesting an unwillingness to follow the ancient Kentish partible system of gavelkind, though a few fishermen did adopt partibility.¹¹ Furthermore, as beneficiaries, brothers were of minor importance, possibly indicating the infrequency of joint-family enterprises, or biological misfortune and/or a lack of evidence. Sisters were even less likely to receive fishing equipment, but daughters occasionally received nets, making them more attractive to potential suitors, perhaps. Yet, for most testators their preferred dowry items were money or household goods. Robert Bargett of Lydd had recently purchased 'a dozen of pewter' for the endowment of his two young daughters when he made his will in 1586 (CKS-PRC 32/36, fol. 6). Even the use of parish registers was insufficient to overcome the difficulties of identifying affinal and other kinship links in the testamentary materials, which means that the category 'others' is far larger than it ought to be. Presumably, therefore, testators did bequeath fishing assets to affines and other kinsfolk as frequently as they did to their business partners, friends, servants and apprentices. It is also worth noting that about a third of the fishermen testators intended at least one fishing item should be sold post-mortem. In addition to these broad findings, the wills also demonstrate the employment of complex wide-ranging strategies of inheritance, sometimes apparently dictated by the personal circumstances of the fishermen, whose choices were considerably influenced by a desire to balance the future needs of their family and community, and were not conditioned solely by an over-arching ideology.

4. Fisherman testators at Lydd and Folkestone

This section examines the testamentary evidence more closely to try to understand the inheritance strategies adopted in the two ports by looking at: the number, sex, age, age differentials and marital status of the testator's children; whether he had a wife and whether she was the wife of all or some of his children; his relative prosperity and the nature of his fishing assets; the range and type of his other productive assets; and his relationship and involvement with others in the fishing industry. As well as what might be termed the personal circumstances of the testator; external conditions—the buoyancy of the livestock trade compared to the fishing industry in the late 15th century—might also affect his aspirations for his family's future well-being, and so influence his choices regarding the identity of the beneficiaries and what they would receive.

Taking these general conclusions in turn, at Lydd and Folkestone patrilineal inheritance was favoured by those testators who had at least one son. Those having a single adult son predominantly passed all or a majority of the fishing equipment, usually nets, to the son directly, though in the case of boat shares his late father's partner or another local fisherman might be involved. As well as seven shot nets and a cabin, Richard Makett (1533) intended that his son Robert should receive the use and profit of his two boats for the first two years after his death, but after this time they were to become the property of John Kempe the elder, Richard's neighbour (CKS-PRC 32/15, fol. 317).¹² For those testators with more than one son primogeniture was the preferred option. However, very occasionally another, probably the

¹¹ Even though gavelkind only covered the inheritance of land, this customary Kent practice might have been expected to influence the division of other commercial assets.

¹² Shot nets were used for catching mackerel.

youngest, was chosen. It might be argued that the older sons had received fishing equipment pre-mortem, yet this is difficult to substantiate from the available evidence, and some were engaged in other activities. This suggests that these fishermen believed the best chance of success/survival of the family fishing business was to avoid fragmentation. Thus, the division should not extend beyond one son, and possibly his mother, the other sons often gaining their livelihood outside the fishing industry. In 1561, of William Baker's four sons at least two seem to have been engaged in farming. Only John, possibly the youngest, received any fishing equipment (a boat with her apparel, ropes, a capstan and certain cabins) in their father's will made that year, William and Laurence inherited property and agricultural equipment, while Nicholas was to receive cash (CKS-PRC 17/35, fol. 255).

Nevertheless, about a third of the fisherman testators who had sons bequeathed their fishing tackle to more than one son, most favoured dividing such assets among them all, though not necessarily equally. In part this may relate to the age of the testator's sons, but also the perceived need to sell some of fishing equipment post-mortem as a way of meeting any financial obligations. In such cases sons were most likely to receive nets, thereby enhancing their status as crewmen even though the family no longer operated as an independent fishing unit. Robert Notye of Lydd, for example, had built up a considerable fishing business comprising four cabins and two boats when he made his will in 1510 (CKS-PRC 32/10, fol. 53). His three sons each received a number of nets and a quarter share of his seacraft goods, his wife receiving the fourth share; yet certain other nets and the family's most valuable fishing assets, the cabins and boats, were to be sold to cover Robert's debts. Although his sons may have worked together after their father's death, other testators, presumably in an attempt to maintain the family fishing business, apparently tried to foster a degree of co-operation among their offspring. In 1508, John Pargate of Folkestone left similar gifts of hooks and nets, and boat shares in different boats, to two of his three sons (the third was a minor), while Harry also received the family fishing lodge and capstan (CKS-PRC 17/9, fol. 292). Agnes, John's wife, also received nets, hooks and other seacraft goods, assets she bequeathed in her own will made two years later (CKS-PRC 17/11, fol. 225). The main recipient was Thomas, her youngest son, but his brother John received half a winding rope and Harry's three sons (Agnes' grandsons) each received a shot net.¹³ Such a division of the family's assets implies a co-ordinated inheritance strategy, the wife seen as playing a vital role in the transmission between generations.

This role was not confined to the wife's own will-making. Rather, as a group, wives fulfilled a number of roles through their inheritance of fishing items. For example, where the son(s) was a minor at his father's will-making, his mother was frequently seen as the guardian of at least a portion of the family's fishing assets, most sons receiving these assets at adulthood. Cabins were particularly favoured because, in addition to their use as easily rented items, they provided the testator's family with valuable capital and a certain area of foreshore, thereby maintaining the family's place within the fishing community. Such items were valuable in the short-term for the rent/share of the profits, but where the son(s) was very young the testator's wife might be expected to sustain the family's position over the longer-term, and in such a high risk business the family's status within the community may have been critical. As well as the family house, Joan May was left a cabin and a half share of another cabin in her husband's will dated 1548 (CKS-PRC 32/21, fol. 81). She was to retain the house and cabins until their son John was eighteen, when he was to receive his late father's gift. It is possible that during the intervening period the cabin was rented to John's uncle, Simon May (though there is nothing in his will to indicate a connection with the sea), or to either of the two local fishermen who had received nets in Robert May's will.

¹³ The winding rope may refer to the rope used on the capstan or winding gear. There were also other special ropes, such as the waroppe, a long rope to which nets were attached, the whole kept afloat by small buoys.

If their sons were older or adults, fishermen rarely expected that their wives would continue to be involved in the fishing industry as stake-holders. Instead, wives often received household goods, frequently all or part of the family tenement, and sometimes a few animals. A minority of the fishermen, however, continued to see a role for their wives as participants in the maintenance of the family business. By bequeathing nets, hooks and other seacraft items to their wives and sons, these fishermen were making provision for their wives in widowhood, as well as aiding their sons' chances of remaining in fishing. Often such gifts were given for the lifetime of the testator's wife, in some cases a considerable length of time, but others died within a few years, presumably leaving their sons to enjoy all their late father's equipment. Although some of these women may have rented their nets to those connected through affinal and amical (friendship) links, others may have entrusted them to their sons as a means of fostering the welfare of the family. John Tydeman of Folkestone (1528) stipulated that his wife should be allowed to dry the nets he had left to her outside the cabin Henry, his son, had inherited from him (CKS-PRC 17/18, fol. 128). Others merely hoped for common action. William Lucas of Lydd (1506) bequeathed equal shares in all his boats, cabins and seacraft to his wife and to one of his two sons, with the proviso that if they could work together they should do so; if not, they were to split the assets, paying William, his other son, 20s. between them (CKS-PRC 32/9, fol. 10).

By providing their wives with part of the family fishing equipment for life, husbands were attempting to safeguard these assets and, as a way of controlling their fate, a few fishermen directed that the widow should relinquish her rights on remarriage. Robert Menwood (1548) stated that his wife should receive half the profits of his cabin while she remained a widow, but he did not place the same restriction on the boat share she was to receive, or on the residue of his goods (CKS-PRC 32/22, fol. 133). In some instances, therefore, it seems the widow did take such assets into her next marriage, though probably on the understanding that their ultimate disposal remained her prerogative, or that of her previous husband. Although it is difficult to trace the fate of these items in the wills, Thomas Harte's bequest of one of his cabins at the Ness to Robert Lawles may have been the result of Thomas' marriage to Malyne, whose previous husband had been William Lawles (CKS-PRC 32/26, fol. 155). Nineteen years earlier William had given several nets and a gage to his young son Robert, but the majority of his fishing assets may have gone to his wife in the residue of the estate, presumably to pass to their son at her death or as she saw fit, in this case via the will of her second husband (CKS-PRC 32/12, fol. 29).¹⁴ For the local fishermen such restrictions may not have been a disincentive and, though not common, the parish register evidence suggests that remarriages among the fishing communities did take place, wives seen as providers of fishing equipment at least for the duration of the marriage. Under these circumstances, ownership of the family's fishing assets was retained by the family, though usage was seen to pass outside the family in the short-term. This concept of 'borrowing' capital by other members of the local fishing community may have been seen as a vital means of safeguarding the community's long-term future and that of its constituent units. However, William Strete apparently extended this idea when he bequeathed his wife's fishing assets. In his will, dated 1512, he gave his cabin next to his kiddle ground to Isabel his wife. The bequest was conditional: if she remarried and left Lydd (presumably having married a stranger), she was to relinquish the cabin to her son John Kempe (CKS-PRC 32/11, fol. 52).¹⁵ It is likely that the cabin and kiddle ground were the same ones she had received in her first husband's will made four years earlier (CKS-PRC 32/9, fol. 77). John Kempe the elder had left these assets to her for life, intending that after her death they should be sold and the money used for the commemoration of his soul, those of his parents, benefactors and the departed faithful.

¹⁴ The gage may have been some kind of standard measure, possibly relating to barrels.

¹⁵ The kiddle ground was the area on the foreshore, between the tides, where fish traps or kiddles were set up.

William Strete's failure to acknowledge the wishes of the dead is interesting, and seems to demonstrate a concern for the future of the Kempe family as fishermen.

The absence of at least one son, or even stepson, had a profound effect on the inheritance strategies adopted by the fishermen. Rather than provide his wife with a life interest in his fishing equipment, most testators apparently envisaged the wife's role in terms of the short-term maintenance of the business, granting such assets to her for a very limited period only. When John Payne of Folkestone made his will in 1550 he believed his wife was pregnant, hopefully carrying their son (CKS-PRC 17/29, fol. 246). In addition to his tenement and garden, he left his cabin to her until his child reached adulthood on the understanding that his feoffees would immediately sell all the property if the child died before that age, his wife then receiving the sum of 40s. Other fishermen were similarly prepared to limit their wives' fishing interests. Robert Mayow of Lydd (1535) expected that after his death his wife and daughter would share the profits of the following shot net time, though he did, in addition, leave his wife a few nets (CKS-PRC 32/15, fol. 367).¹⁶

Testators might similarly seek to sustain their family fishing enterprise in the short-term through the establishment of a joint venture between their wives and those outside the nuclear family. Interestingly, few fishermen were apparently willing to see their brothers as fishing partners, Richard Dyne of Lydd being one of the rare exceptions. His will, made in 1545, split his fishing assets between his wife and brother, possibly because his two sons were considered too young to inherit (CKS-PRC 32/19, fol. 67). More distant kinsmen were even less likely to become involved in the family business. Even though Philip Strete of Folkestone bequeathed his boat shares and several nets to William Rygdon, his neighbour and kinsman by marriage, there is nothing to indicate that a partnership was established between his wife and probably her kinsman (CKS-PRC 17/9, fol. 312). Nor did his wife leave the cabin to any of the Rygdons when she made her own will 18 years later; instead she favoured John Patt of Hythe (CKS-PRC 32/12, fol. 200). From the available evidence, it is difficult to discount the idea that testators looked to their kinsmen and affines for prospective partners, yet they also appear to have considered those from the local fishing community, and possibly those from other ports. Consequently kinship may not have been the deciding factor in the selecting of potential partners; rather criteria such as age, similar interests and connections, and status and reputation may have been viewed as more important. Thomas Inglott had established significant relationships with two fishermen by the time of his will-making in 1510, neither seemingly related to him by blood or marriage (CKS-PRC 32/10, fol. 113). Richard Edward of Rye was to be the recipient of Thomas' new boat, possibly in recompense for his labour as executor, while Adrian Dyne was to share a cabin with Thomas' wife, the same cabin they had recently purchased from Richard Notye. The link between Richard Edward and Thomas is unknown, but that of Adrian and Thomas may mark a partnership between two established Lydd fishing families. Thomas was probably the elder, and his relationship with the young fisherman and his growing family was presumably advantageous for both men. As a means of aiding their wives post-mortem, others appear to have valued the founding of similar ties with their young servants, though, again, it is possible the relationship was strengthened through affinal or kinship links. For example, Thomas Cooke of Folkestone (1485) left one of his two cabins to Felice his wife for life, presumably with the expectation that she would continue in fishing aided by their young servant, Thomas Martyn (CKS-PRC 32/3, fol. 53). Thomas received several nets and two spindlers in his master's will, conditional on his remaining with his mistress until he married.¹⁷ For Thomas Cooke, his young servant was a valuable part of his strategy for the well-being of his family and business because Martyn was already linked to the household through occupation, service, locality and friendship, and as a beneficiary

¹⁶ The shot net time was the mackerel fishing season. These fish were caught in spring in local, coastal waters.

¹⁷ Spindlers may have been used for spinning hemp to produce cord for net making.

such ties would be further strengthened. Moreover, if Thomas Cooke was indeed childless, it is possible he saw Thomas Martyn as the means of continuing the fishing enterprise beyond his wife's lifetime. Thus, even though the connection with his family name would be lost, the link through the Christian name would remain.¹⁸

Unlike their mothers, daughters were rarely seen as beneficiaries of fishing equipment, possibly in part because this too would lead to the loss of such equipment to the named fishing family. Most testators preferred household goods or cash, in some cases involving the conversion of their fishing assets. In his will, James Bagotte of Lydd left all his household stuff and his seacraft goods to his wife, but his shares in a boat and a cabin were to be sold by his executors as a means of providing 20s. for his daughter's dowry (CKS-PRC 32/2, fol. 559). It is not clear why nets were not generally considered suitable items. Fishermen testators may have wished to encourage suitors for their daughters from occupations outside fishing, yet it seems likely that a considerable proportion would have married fishermen. Adrian Dyne's will (1518) seems to highlight this apparent ambiguity, because he stipulated that if either of his daughters married a landsman she was to receive 6s. 8d., but if she married a fisherman she would get a sprout net, and, depending on its age and quality, it might be worth more or less than the 6s. 8d (CKS-PRC 32/12, fol. 171).¹⁹ Nevertheless, a few fishermen did bequeath fishing equipment, usually nets, as well as household items to their daughters, which may have attracted young fishermen from local families (and possibly migrants), who were trying to establish themselves in the community. Richard Stanforth's son William received most of the nets in his father's will (1533), but his young sister was due to inherit half a mansfare of shot nets, several domestic items and 40s., when she became 16 years of age (CKS-PRC 17/19, fol. 323). Unfortunately, it has proved impossible to find further references to Agnes, so whether her late father's gift netted her a fisherman is unknown.

Childless fishermen were most likely to include bequests to non-family members as part of their inheritance strategy, yet a minority of those with daughters and/or one son did likewise. By giving nets and hooks post-mortem to others, testators were hoping to aid their own household because, even though such assets passed out of the family, the recipients were frequently young fishermen from local, well-established fishing families who were, or would as a result become, linked to the widow and her children. John Bruer of Lydd (1522) left a mansfare of flew nets and the use of two cabins to his wife, in part to pay for their son's schooling; a mansfare of flew nets to Thomas Walter and a shot net to his feoffee, John Dyne the elder, the eldest son of the late Adrian Dyne, and now the head of his own fishing company (CKS-PRC 32/14, fol. 190).²⁰ Through the symbolic gift of a shot net John Bruer was seeking to provide his young family with a strong patron, who might be expected to aid young John even if the boy did not follow his late father's craft. Others apparently intended that their last will would build still further on the connections they themselves had established over their working life. William Stokham (1469) bequeathed some of his nets to his wife, but the rest, two boat-shares and half a cabin, went to John his young son (CKS-PRC 32/2, fol. 197). William appointed two local fishermen as his feoffees and executors, giving them special responsibility for the cash legacy: John and his brothers would each receive at 16 years of age. By so doing, William had effectively made Robert Howgh and William Wanstall guardians of his young family, whose concern for young John may have extended to teaching him matters of sea craft and management of the Stokham family fishing enterprise.

Certain fishermen testators appear to have employed their last will with regard to the third

¹⁸ Baptismal naming practices, though not considered specifically here, have been shown to be significant in terms of intensifying kinship links, but might also be used to strengthen links with those outside the family (Gardardottir, 1999, pp. 309, 311; Kasdagli, 2004, p. 269).

¹⁹ Sprout nets were fine mesh nets for catching sprats.

²⁰ Flew nets were used to catch herring.

type of fishing asset: the provision of good name and goodwill. As well as 20s. and some household stuff, Richard Garard bequeathed all the profits from his boats and cabins for the following 'shottyme' after his death to his pregnant wife on condition that after this time the boats and cabins were to be sold by his executors (CKS-PRC 32/8, fol. 54).²¹ Of his two executors, one was William Adams, a fisherman, and the other was John Henxell, a leading townsman and civic officer of Lydd. Richard was concerned to continue his association with John Henxell and his family for the good of his own family, and to that end he stated that John's son Robert might buy the boats and cabins at 6s. 8d. below the market price. Through his will Richard was providing for his family's immediate future, and, by aiding the younger Henxell, he was aligning his family physically and symbolically with those who might enhance the longer-term prospects of his children.

For a number of fishermen, the need to convert at least part of their capital into cash for the payment of debts was an essential part of their inheritance strategy, though some chose to list their debtors as a way of providing executors with the means to offset the testators' own indebtedness. The employment of debt and credit arrangements may have been especially significant among fishermen and those in allied industries, and there is some evidence of borrowing among kinsmen and others in order to maintain the family business. When William Goldsworth of Folkestone made his will in 1533, he was under an obligation to pay the considerable sum of £30 (CKS-PRC 17/19, fol. 337). As a means of redeeming the debt, he bequeathed his agricultural assets and his boat with all its seacraft to his wife on the understanding that she should discharge the obligation. John Laurens (1494) owed far less to his sister Elizabeth, and, possibly not wishing to deprive his wife and young son of the household stuff, he gave four nets to her to cover the debt of 6s. 8d (CKS-PRC 17/6, fol. 32). He also owed money to John Payne, his servant, who was to receive the 20s., eight nets and a 'maunde of herbews', probably significantly helping his servant's career as a fisherman.²²

By supporting his servant in this manner John Laurens was in part discharging his charitable duty to God and to his neighbour, as well as benefiting his own soul. Equally, Robert Lawles' bequests in 1584 to two poor fishermen (Simon Winday received his sea boots, his leather breeches and his fell; Thomas Christopher his sea coat and a flew net) demonstrate his charitable nature, and his commitment to the well-being of the local fishing community and to the town of Lydd (CKS-PRC 32/35, fol. 111).²³ Furthermore, because neither John nor Robert appears to have had a son, they may have felt their inheritance strategies should be directed towards providing for their wives and daughters in material terms, and with respect to their reputation and status. Consequently for both men, their bequests were directed towards their own commemoration and spiritual welfare (John's through prayers for his soul, Robert's through his splendid tomb), and the future well-being of their families through their good name and fame.

For those fishermen living in Folkestone and Lydd before the Reformation it might have been assumed that bequests to the parish church, and the chapel at the Ness, would have been part of their pious giving, their last actions on this side of the grave for their souls and those of their family, neighbours and friends. Interestingly, however, none of the Lydd parishioners are recorded as donors to the chapel, and the only known benefactor is John Gyblot of Folkestone who bequeathed 4d. to 'Our Lady of Nesse' in 1512 (CKS-PRC 17/12, fol. 102). Presumably the Lydd fishermen supported the chapel in other ways, but their testamentary giving was directed towards the parish church of Lydd, though not the light of Dengemarsh. Instead, they were twice as likely to leave a gift to the lights/fraternities of St John, St James

²¹ See note 16.

²² Maundes were wicker baskets and in this case the basket was probably weighted, the fish caught on hooks or herbews.

²³ It is not clear what type of clothing his fell was, but it was presumably made of leather.

or St Peter compared to their fellow parishioners. Their compatriots at Folkestone similarly favoured St James, but their greatest devotion was directed towards the lights of Corpus Christi, St Euswith and St George, lights which received far less support from the other parishioners there. Apart from these pious bequests, as a group fishermen in neither port were apparently prepared to show particular support for other church furnishings or devotions, though there were a very few notable exceptions. Nor did they donate fishing equipment to the church post-mortem, preferring instead to give cash from its sale. The only known donor is William Kirkby (1533), who gave his lodge by the sea to the Jesus mass at Folkestone church, his wife receiving an annuity for life and the residue of his goods (CKS-PRC 17/19, fol. 323).

6. Family longevity

Another way of examining inheritance strategies is to follow the fortunes of a particular family whose biological success aided its longevity. By the early 15th century, members of the Dyne family were master mariners in Lydd (EKA-Ly/FAc1, fol. 17). However, family wills do not survive much before the beginning of the 16th century, the earliest extant will belonging to Elizabeth, the widow of Richard Dyne, dated 1498 (CKS-PRC 32/4, fol. 208). The first to mention fishing equipment were Adrian Dyne, and his wife Florence, in 1518 and 1520 respectively, and thereafter six of their sons and grandsons included such items among their own bequests in wills made prior to 1600. Having traced the fortunes of Adrian and Florence's sons and the aid they gave to their offspring post-mortem it would appear that the inheritance strategy employed by Adrian and Florence did have an impact on the lives of their descendants. Of their six sons, at least four were Lydd fisherman, the other two, Henry and Thomas are not known outside their mother's will.²⁴ As the major beneficiary of his father's will, and also a beneficiary of his mother, John the elder was well placed to lead the family fishing enterprise after his father's death. Having inherited the family shares in two boats and a cabin, he became a leading fisherman in the area, which benefited his own young family, and his siblings, who were able to work aboard the family boats, or elsewhere, as crewmen owning nets.²⁵ His young brother Richard, in particular, may have gained from the arrangement initiated by their father, receiving several nets on condition that he stayed with his mother until he was 21 years old, presumably working aboard his elder brother's boat and learning sea craft. The arrangement must have been satisfactory because he received more nets than any of his brothers from his mother and, in his own will (1545), he listed a boat, nets and ropes (CKS-PRC 32/19, fol. 67). Richard and his brothers were apparently unusual in the degree of co-operation they exhibited with regard to the family fishing enterprise, Richard expecting his wife and his brother Robert to take responsibility for the boat (each received a half-share) to sustain his young family, but this trait may have been more common than the sources suggest.

Two of Richard's other brothers died in middle age, and, like him, their relative prosperity as fishermen may be due in part to their parents' post-mortem benefaction. As noted above, John the elder was the primary recipient of his father's fishing assets, which may have included goodwill because Adrian expected his son to form a boat company. Presumably such spiritual capital was crucial for his success as a fisherman, and his adoption of a similar inheritance strategy to his parents may indicate his recognition of this factor. Furthermore, like his father and brother Richard, he was confronted by the need to provide for a young family, which probably influenced his decision to bequeath the major portion of his fishing

²⁴ Like their brothers they too received nets from Florence, but whether they were/became fishermen is unknown (Florence Dyne CKS-PRC 32/13, fol. 40).

²⁵ He received the boat shares and half the cabin from his father and the other half of the cabin on the death of his mother (Adrian Dyne CKS-PRC 32/12, fol. 171).

assets (two half-boat shares, a cabin, ropes, a large number of nets) to Thomas, his eldest son, and the other half share of 'The Michael' to his brother Robert (CKS-PRC 32/21, fol. 98). His three younger sons were to share other cabins when they reached adulthood, and John and William each received a number of nets, giving them the opportunity to work as net-owning crewmen aboard the family boat[s]. The names of these boats, 'The Michael' and 'The John', seem to represent ideas about continuity and family longevity for the Dynes because Adrian had two boats bearing these names, and he bequeathed a half-share in 'The Michael' to John the elder.

Three years after John the elder's death, his brother John died. This John had been far less successful than his brothers. The only named fishing equipment in his will (1551) was a sprout net, and, even though the residue of his goods, inherited by Bartholomew his son, may have included further fishing tackle, his land holdings also appear relatively meager, his brother Robert receiving a mere 12d. to see that the will was carried out (CKS-PRC 32/23, fol. 35). Thus, Adrian and Florence's more generous provisions for John the younger's brothers apparently had a cumulative effect, their various grandsons inheriting markedly different levels of wealth. Nonetheless, even Bartholomew's relatively small inheritance may have aided his marriage prospects because within three years of his father's death he had married Florence Laurence. She had their first child within six months, and the family also prospered financially, Bartholomew becoming a very successful master mariner.²⁶

Of his cousins, only Thomas, John and William, the sons of John the elder, are known to have been fishermen. In part this was the result of the early death of many of his cousins, but some of the survivors were looking away from the sea. Adrian (son of John the elder) became a tailor and Robert (son of Robert), though sharing £39 worth of fishing assets with his mother from his late father, preferred farming to fishing (CCAL-P237/1/1. CKS-PRC 32/33, fol. 73. CKS-PRC 21/3/152). The growing problems in the local fishing industry in the late 16th century may have influenced these later Dynes, while for those retaining the family's link with the sea, the prospects for their own sons were far less attractive. John and William made their wills in 1586 and 1589 respectively (Thomas died in 1568 intestate), and both men had far less fishing equipment than either their father or their uncles Robert and Richard, probably a consequence of the times, but possibly also reflecting the less generous bequests they had received from their father compared to their brother Thomas. Like their father and grandfather they each had a young family and, as before, they saw their wives as intermediaries in the inheritance process. John similarly continued the family strategy of entrusting his family's survival to his wife and brother: William received most of the valuable fishing equipment, while Bridget inherited items used in the preparation of the catch (CKS-PRC 32/35, fol. 220). Yet it is not clear whether John expected his young son would follow him, and his bequest to Thomas of the family lands may have been instrumental in Thomas' decision to become a husbandman.

Interestingly, William does not appear to have turned to his cousin Bartholomew in the absence of any surviving brothers, his wife seemingly expected to maintain the family from his goods: fishing equipment, hemp and a few livestock (CKS-PRC 32/36, fol. 188). This apparent unwillingness by the Dyne fishermen to look beyond the nuclear family, except in the case of brothers, or to affines as beneficiaries was probably partly a consequence of the family's fecundity, which allowed two generations, and possibly the third, to develop a relatively successful inheritance strategy based on a highly modified form of partibility and the involvement of the testator's wife.

7. Conclusion

In conclusion, from a methodological standpoint the use of testamentary materials to

²⁶ In 1570 he was listed as the holder of four boats (EKA-Ly/Fac3, p. 185).

ascertain strategies of inheritance pose certain difficulties, not least the problem that such materials represent the endpoint in the process of inheritance. However, accepting these limitations it seems that these documents from Lydd and Folkestone do constitute a valuable source for the study of family and community replication, because post-mortem inheritance was one of the most important mechanisms for the transfer of accumulated capital. Even though the evidence reveals ideas about choice rather than practice, it does highlight the significance of the testator's intentions and how these might be achieved, possibly through the use of conditional and reversionary clauses. Such intentions were focused primarily on the continuation of the family, preferably through the male line, yet how this was to be achieved varied considerably. For those testators with more than one son, the most frequent policy was to favour one, not necessarily the eldest, and not always to the exclusion of the others in terms of the distribution of the fishing assets. With regard to the structuring of the family fishing enterprise, one consequence of this strategy seems to have been the relatively rare involvement of brothers, uncles or nephews in fishing partnerships, rather affinal and amical (friendship) bonds may have been preferred. In addition, the desire to limit the fragmentation of the family's productive assets, through the selecting of one son, had important implications for the role of the testator's wife in the transfer of these assets between generations. Unlike their mothers, daughters were seen as having a very limited role in the continuance of the family as part of the fishing community and, even though a few are known to have married fishermen, possibly receiving fishing equipment for their dowry, this practice was apparently not widespread. Instead, fishermen testators wished such items should be sold after their death, thereby remaining within the local fishing community even if 'lost' to the family of origin. However, in the case of boats a link may have remained through the family name. Thus, many of these fishermen in Lydd and Folkestone seem to have used their bequests of fishing items to initiate complex relationships, which they hoped would ensure the future well-being of their family and community.

Acknowledgements

The research for this essay was funded by a grant from the Romney Marsh Research Trust. The ideas contained here were first tried out on an audience at the University of Leeds International Medieval Congress in 1999. The other people involved in the session on inheritance strategies in late medieval Kent towns were Andrew Butcher, Lynne Bowdon and Gill Draper, and I should like to thank them for their comments and suggestions.

Bibliography

- Bailey, M. (1992). *The Bailiffs' Minute Book of Dunwich, 1404-1430*. Suffolk Record Society, 34.
- Ben-Amos, I.K. (2000). Reciprocal bonding: parents and their offspring in early modern England. *Journal of Family History*, 25, 291-312.
- Botelho, L. (2002). "The old woman's wish": widows by the family fire?: widows' old age provisions in rural England, 1500-1700. *History of the Family*, 7, 59-78.
- Bowdon, L. (2004). Redefining Kinship: exploring boundaries in late medieval New Romney. *Journal of Family History*, 29, 407-420.
- Cohen, A. (1982). *The Symbolic Construction of Community*. London: Routledge.
- Dimmock, S. (1998). Class and social transformation of a late medieval small town: Lydd c. 1450-1550. Unpublished Ph.D. thesis. Canterbury: University of Kent.
- Dixon, M. (1992). Economy and Society in Dover, 1509-1640. Unpublished Ph.D. thesis. Canterbury: University of Kent.
- Dulley, A.J.F. (1969). The early history of the Rye fishing industry. *Sussex Archaeological Collections*, 107, 36-64.
- Dyrvik, S. (1993). Farmers at sea: a study of fishermen in north Norway, 1801-1920. *Journal of Family History*, 18, 341-356.
- Elks, S. (1987). Lydd 1540-1644: a demographic study. Unpublished M.A. thesis. Canterbury: University of Kent.
- Finn, A. (1911). *Records of Lydd*. Kent: Kent Express Office.
- Fox, H. (2001). *The Evolution of the Fishing Village: Landscape and Society along the South Devon Coast, 1086-1550*. Leicester Explorations in Local History, 1. Oxford: Leopard's Head Press.
- Gardarsdottir, O. (1999). Naming practices and the importance of kinship networks in early nineteenth-century Iceland. *History of the Family*, 4, 297-314.
- Gardiner, M.F. (1996). A seasonal fisherman's settlement at Dungeness, Kent. *Medieval Settlement Research Group*, 11, 18-20.
- Goody, J. (1976). *Production and Reproduction. A Comparative Study of the Domestic Domain*. Cambridge: Cambridge University Press.
- Goody, J., Thirsk, J. and Thompson, E.P. (Eds) (1976). *Family and Inheritance. Rural Society in Western Europe, 1200-1800*. Cambridge: Cambridge University Press.
- Gross, S.J. (1996). Handing down the farm: values, strategies, and outcomes in inheritance practices among rural German Americans. *Journal of Family History*, 21, 192-217.
- Gunnlaugsson, G.A. and Guttormsson, L. (1993). Household structure and urbanization in three Icelandic fishing districts, 1880-1930. *Journal of Family History*, 18, 315-340.
- Hanlon, G. And Carruthers, E. (1990). Wills, inheritance and the moral order in the 17th-century Agenais. *Journal of Family History*, 15, 149-161.
- Howell, C. (1983). *Land, family and inheritance in transition: Kibworth Harcourt, 1280-1700*. Cambridge: Cambridge University Press.
- Johansen, H.C., Madsen, P. and Degn, O. (1993). Fishing families in three Danish coastal communities. *Journal of Family History*, 18, 357-368.
- Kasdagli, A.E. (2004). Family and inheritance in the Cyclades, 1500-1800: present knowledge and unanswered questions. *History of the Family*, 9, 257-274.
- Kermode, J. (1999). Sentiment and survival: family and friends in late medieval English towns. *Journal of Family History*, 24, 5-18.
- Kowaleski, M. (2000). The expansion of the south-western fisheries in late medieval England. *Economic History Review*, 53, 429-454.
- Kurosu, S. and Ochiai, E. (1995). Adoption as an heirship strategy under demographic constraints: a case from nineteenth-century Japan. *Journal of Family History*, 20, 261-288.

- Littler, A.S. (1979). *Fish in English economy and society down to the Reformation*. Unpublished Ph.D. thesis. Swansea: University of Wales.
- Middleton-Stewart, J. (1996). "Down to the sea in ships": decline and fall on the Suffolk coast. In C. Rawcliffe, R. Virgoe & R. Wilson (Eds), *Counties and Communities: essays on East Anglian history*. (pp. 69-83) Norwich: University of East Anglia.
- Murray, K. (1936). *Constitutional History of the Cinque Ports*. Manchester: Manchester University Press.
- Poska, A.M. (2000). Gender, property, and retirement strategies in early modern north western Spain. *Journal of Family History*, 25, 313-325.
- Razi, Z. (1980). *Life, Marriage and Death in a Medieval Parish: Economy, Society and Demography in Halesowen, 1270-1400*. Cambridge: Cambridge University Press.
- Rogers, J. and Tedeband, L.G. (1993). Living by the sea: farming and fishing in Sweden from the late eighteenth to early twentieth century. *Journal of Family History*, 18, 369-393.
- Sabeau, D.W. (1990). *Property, Production, and Family in Neckarhausen, 1700-1870*. Cambridge: Cambridge University Press.
- Smith, R.M. (1984). Some issues concerning families and their property in rural England 1250-1800. In R.M. Smith (Ed.), *Land, Kinship and Life-Cycle* (pp. 1-86) Cambridge: Cambridge University Press.
- Smith, R.M. (Ed.) (1984). *Land, Kinship and Life-Cycle*. Cambridge: Cambridge University Press.
- Sweetinburgh, S. (1993). *Women in late medieval Kent: Hythe and Appledore, c. 1400-1470*. Unpublished M.A. dissertation. Canterbury: University of Kent.
- Warpula, K. (2002). Eastern Finnish families on the borderland of historical family forms. *History of the Family*, 7, 315-326.
- Whittle, J. (1998). Inheritance, marriage, widowhood and remarriage: a comparative perspective on women and landholding in north-east Norfolk, 1440-1580. *Continuity and Change*, 13, 33-72.

Notes

1. In addition to classic studies such as Goody, Thirsk and Thompson, 1976, those investigating the subject will find articles of interest in the *Journal of Family History*, *History of the Family*, and *Sociology*. For those wishing to study medieval peasant society, the classic works include: Razi, 1980; Howell, 1983; Smith, 1984.
2. Looking at 19th-century Norwegian fishing families, for example, has revealed the likelihood that boat crew membership would cut across household lines (Dyrvik, 1993, p. 355).
3. The Stade was the open beach at the Ness, the fishing boats hauled onto the shingle to provide them with a degree of protection from storms.
4. Corporate Members aided the Head Ports in the provision of ships and crews for service to the crown. In return, they received the same rights and privileges from the king as those enjoyed by the Head Ports.
5. In 1568 only two boats from Lydd were recorded Robert Bargett's 'The Jesus' & John Purdewax's 'The William', two years later only John Mychell's 'The John' was listed (EKA-NR/CPc22, 27).
6. The desirability of even small scale agricultural production to offset variable fish catches and other difficulties was still important for fishing families into the modern era (Rogers and Tedebrand, 1993, p. 379).
7. Dimmock (1998, pp. 121-7, 130-41, 149-51, 154-7) differentiated between 'fishermen' and 'fishermen-farmers' in his doctoral thesis on medieval Lydd. He also considered other criteria, including sociopolitical status, using contemporary terms: 'jurats', 'commoners', 'the poor'. Similar occupational groups have been described by Fox (2001, pp. 165-7, 181-6) for south Devon, where he found a broad shift from farmers engaged in fishing to full-time fishermen, though he also noted that nationally this was not always the case.
8. Robert Lawless, for instance was a frequent member of the town's judiciary. He was also a wealthy mariner having four boats in 1570 and at his death 14 years later he had £10 worth of herring nets. The total value of the inventory of his goods was £131 12s. 2d. (EKA-Ly/FAC3, p. 185; CKS-PRC 21/6, fol. 378v).
9. Capstans were especially valuable because they were used to winch the boats up on to the beach, allowing them to be secured away from the shoreline and so offering protection during storms. Littler included definitions of many fishing terms in her doctoral thesis (1979, pp. 119-37, 323-6).
10. A crayer was a small vessel, probably under 30 tons, that was used for trading as well as fishing. Its use was not confined to coastal waters; such boats capable of withstanding North Sea conditions, allowing them to be employed to fish the deep sea herring grounds. A hoye was also a small vessel, having a single mast, which was primarily used in coastal fishing and trading.
11. Even though gavelkind only covered the inheritance of land, this customary Kent practice might have been expected to influence the division of other commercial assets
12. Shot nets were used for catching mackerel.
13. The winding rope may refer to the rope used on the capstan or winding gear. There were also other special ropes, such as the waroppe, a long rope to which nets were attached, the whole kept afloat by small buoys.
14. The gage may have been some kind of standard measure, possibly relating to barrels.
15. The kiddie ground was the area on the foreshore, between the tides, where fish traps or kiddies were set up.
16. The shot net time was the mackerel fishing season. These fish were caught in spring in local, coastal waters.

17. Spindlers may have been used for spinning hemp to produce cord for net making.
18. Baptismal naming practices, though not considered specifically here, have been shown to be significant in terms of intensifying kinship links, but might also be used to strengthen links with those outside the family (Gardardottir, 1999, pp. 309, 311; Kasdagli, 2004, p. 269).
19. Sprout nets were fine mesh nets for catching sprats.
20. Flew nets were used to catch herring.
21. See note 16.
22. Maundes were wicker baskets and in this case the basket was probably weighted, the fish caught on hooks or herbrews.
23. It is not clear what type of clothing his fell was, but it was presumably made of leather.
24. Like their brothers they too received nets from Florence, but whether they were/became fishermen is unknown (Florence Dyne CKS-PRC 32/13, fol. 40).
25. He received the boat shares and half the cabin from his father and the other half of the cabin on the death of his mother (Adrian Dyne CKS-PRC 32/12, fol. 171).
26. In 1570 he was listed as the holder of four boats (EKA-Ly/FAc3, p. 185).