

‘Open’ or ‘Closed’? Participation in English Manorial Presentment Juries, c.1310–c.1600: A Quantitative Approach*

Historians of both the medieval and early modern periods have long noted that English villages were intensely governed places. This governance was dependent on local inhabitants, who as office-holders reported offenders to various courts, distributed charitable funds, and met the policing, military and taxation obligations owed to the state. A key question for scholars working on both periods has been how far such offices were held by a broad cross section of the community or monopolised by a few elite families.

Early modernists have argued that village offices in the sixteenth to eighteenth centuries were controlled by a select group of ‘chief inhabitants’. Keith Wrightson’s pioneering thesis states that the late sixteenth century saw the formation of a new ‘middling sort’ of local elites.¹ These men increasingly came to disassociate themselves from the plebeian culture of their fellow villagers in a transformative process that worked ‘to promote integration nationally, but differentiation locally’.² These ‘chief inhabitants’ maintained this power structure by monopolising the offices which regulated rural communities in early modern England.³ As the Tudor state sought to strengthen its power, it has been argued, a stronger relationship formed between state and local elites. The state used local elites

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¹ K. Wrightson, *English Society, 1580–1680* (London, 1982), pp. 225–7.

² K. Wrightson, ‘Aspects of Social Differentiation in Rural England, c.1580–1660’, *Journal of Peasant Studies*, v (1977), pp. 33–47, at 38–9, 42–5; K. Wrightson and D. Levine, *Poverty and Piety in an English Village: Terling, 1525–1700* (rev. edn, Oxford, 1995), pp. 175–84.

³ M. Gaskill, ‘Little Commonwealths, II: Communities’, in K. Wrightson, ed., *A Social History of England, 1500–1700* (Cambridge, 2017), pp. 84–104, at 92; H. French, *The Middle Sort of People in Provincial England, 1600–1750* (Oxford, 2007), pp. 119–24.

to better impose legislation concerning religious orthodoxy, military service and state-mandated poor relief. Local elites symbiotically drew on the power of the state to control their humbler neighbours.⁴

Such an interpretation has been strengthened by studies of patterns of office-holding.⁵ Wrightson and David Levine demonstrated oligarchy through a quantitative study, showing that various offices at the village of Terling (Essex) were dominated by ten to fifteen men in any half-decade.⁶ Other studies have been more sceptical of the idea of office-holding as being universally restricted to elite groups.⁷ The typicality of the experience of Terling has been questioned and Jan Pitman has emphasised the role of local particularism, highlighting village traditions of inclusion which could work against closed systems.⁸ However, the existing literature generally suggests that the sixteenth century was a watershed in the history of village governance because it witnessed a new level of restriction in the personnel controlling local governance institutions.

Medievalists have also long been interested in the governance of local communities. Much of this attention has been focused on manorial courts and the array of officials on which they relied to fulfil their functions. These officers were typically drawn from among the lord's tenants, meaning that those who served had significant control over the governance of their local community.⁹ Many late nineteenth- and early twentieth-century studies argued that manorial offices were dominated by a narrow elite of tenants.¹⁰ In the post-Second World War era, the so-called 'Toronto School' of

⁴ Wrightson, *English Society*, pp. 130–31; S. Hindle, *The State and Social Change in Early Modern England, 1550–1640*, (Basingstoke, 2000), pp. 2–35, 227–37; S. Hindle and B. Kümin, 'The Spatial Dynamics of Parish Politics: Topographies of Tension in English Communities, c.1350–1640', in B. Kümin, ed., *Political Space in Pre-Industrial Europe* (Farnham, 2009), pp. 151–73, at 166–8, 172; M.J. Braddick, *State Formation in Early Modern England, c.1550–1700* (Cambridge, 2000), pp. 59, 116, 201; French, *Middle Sort of People*, pp. 252–3; S. Gunn, *The English People at War in the Age of Henry VIII* (Oxford, 2018), p. 103.

⁵ Hindle, *State and Social Change*, pp. 207–15.

⁶ Wrightson and Levine, *Poverty and Piety*, pp. 106–7.

⁷ M. Goldie, 'The Unacknowledged Republic: Officeholding in Early Modern England', in T. Harris, ed., *The Politics of the Excluded, c.1500–1850* (Basingstoke, 2001), pp. 153–94; B. Kümin, *The Shaping of a Community: The Rise and Reformation of the English Parish, c.1400–1560* (Aldershot, 1996), pp. 32–8; M.K. McIntosh, *Poor Relief in England, 1350–1600* (Cambridge, 2012), pp. 279–80.

⁸ Wrightson and Levine, *Poverty and Piety*, p. 212; J. Pitman, 'Tradition and Exclusion: Parochial Officeholding in Early Modern England. A Case Study from North Norfolk, 1580–1640', *Rural History*, xv (2004), pp. 27–45.

⁹ M. Bailey, *The English Manor, c.1200–c.1500* (Manchester, 2002), pp. 171–6; P.R. Schofield, *Peasant and Community in Medieval England, 1200–1500* (Basingstoke, 2003), pp. 41–4, 168.

¹⁰ Z. Razi and R.M. Smith, 'Introduction', in Z. Razi and R.M. Smith, eds, *Medieval Society and the Manor Court* (Oxford, 1996), pp. 1–35, at 4–6; Frederic Seebohm, *The English Village Community* (London, 1883), p.

medieval historians applied a quantitative methodology to the examination of village social structures, identifying office-holding as a key marker of families that belonged to an elite stratum. However, they did not see this as conflicting with the essentially communal role of officials, arguing that offices saw enough turnover and participation to prevent them from being controlled by an oligarchy.¹¹

More recent interpretations have questioned this rosy narrative.¹² This is partly due to sustained criticism of the School's methodology and use of a limited set of fragmentary sources.¹³ Edward Britton interpreted similar statistical trends at Broughton (Hunts.) as evidence for the development of an oligarchy with a 'class consciousness', noting a pattern of the passing of offices from father to son.¹⁴ Christopher Dyer argues that in fifteenth-century villages there was an element of oligarchy in the selection of officers, but that the number of positions meant that this oligarchy was 'necessarily broad'.¹⁵ These findings have been supported by quantitative approaches.¹⁶ In a recent study of the specific legal institutions found in Durham between 1348 and 1424, Peter Larson

29; *The Court Baron: Being Precedents for Use in Seignorial and Other Local Courts*, ed. Frederic William Maitland and William Paley Baildon, Selden Society, iv (1891), p. 113; G.C. Homans, *English Villagers of the Thirteenth Century* (Cambridge, MA, 1941), p. 312.

¹¹ J.A. Raftis, 'The Concentration of Responsibility in Five Villages', *Mediaeval Studies*, xxviii (1966), pp. 92–118; E.B. DeWindt, *Land and People in Holywell-cum-Needingworth: Structures of Tenure and Patterns of Social Organization in an East Midlands Village, 1251–1457* (Toronto, ON, 1972), pp. 206–33; A.R. DeWindt, 'Peasant Power Structures in Fourteenth-Century King's Ripton', *Mediaeval Studies*, xxxviii (1976), pp. 236–67; S. Olson, *A Chronicle of All that Happens: Voices from the Village Court in Medieval England* (Toronto, ON, 1996), pp. 104–61, 228–9.

¹² R.M. Smith, 'Some Thoughts on "Hereditary" and "Proprietary" Rights in Land Under Customary Law in Thirteenth and Fourteenth Century England', *Law and History Review*, i (1983), pp. 92–128, at 106–7, 126–7; Z. Razi, *Life, Marriage and Death in a Medieval Parish: Economy, Society and Demography in Halesowen, 1270–1400* (Cambridge, 1980), pp. 76–7; E.B. Fryde, *Peasants and Landlords in Later Medieval England, c.1380–c.1525* (Stroud, 1996), pp. 14–15; P.L. Larson, 'Village Voice or Village Oligarchy? The Jurors of the Durham Halmote Court, 1349 to 1424', *Law and History Review*, xxviii (2010), pp. 675–709.

¹³ Z. Razi, 'The Toronto School's Reconstitution of Medieval Peasant Society: A Critical View', *Past and Present*, no. 85 (1979), pp. 141–57; J.M. Bennett, *Women in the Medieval English Countryside: Gender and Household in Brigstock Before the Plague* (New York, 1987), pp. 212–13; Larson, 'Village Voice or Village Oligarchy?', p. 678 n. 10; T.L. Johnson, *Law in Common: Legal Cultures in Late-Medieval England* (Oxford, 2019), pp. 33–6.

¹⁴ E. Britton, *The Community of the Vill: A Study in the History of the Family and Village Life in Fourteenth-Century England* (Toronto, ON, 1977), pp. 44–9, 98–105.

¹⁵ C.C. Dyer, 'Power and Conflict in the Medieval English Village', in his *Everyday Life in Medieval England* (London, 1994), pp. 1–12, at 7; C.C. Dyer, *An Age of Transition? Economy and Society in England in the Later Middle Ages* (Oxford, 2005), p. 65; C.C. Dyer, 'The Political Life of the Fifteenth-Century English Village', in L. Clark and C. Carpenter, eds, *Political Culture in Late Medieval Britain* (Woodbridge, 2004), pp. 135–58, at 142–3.

¹⁶ Razi, *Life, Marriage and Death*, p. 123.

demonstrates that at the manors of Billington and Norton ‘patterns in membership on the jury show that ... power was ... concentrated among only a few individuals from the village’.¹⁷

A survey of the medieval and early modern literature thus reveals significant parallels. Historians of both periods have emphasised that office-holding was to some extent monopolised by a subset of local elites. This parallel has been remarked upon by several scholars, who have questioned the novelty suggested by some early modernists for the mid-sixteenth century.¹⁸ Richard Smith has suggested that wealthier tenants around 1300 were ‘holders of offices on manors that positioned them as potential intermediaries between the local community and higher tiers on the administrative order—a veritable middling sort’.¹⁹ Wrightson himself has noted the ‘important structural continuities between late medieval and early modern English village society’ and that many early modernists have inaccurately assumed that medieval villages were characterised by a high level of cohesiveness. However, he continues to emphasise that the sixteenth century saw ‘differences of degree, of context, and of meaning’ in the responses of officers to perceived social problems.²⁰

Despite this coming-together of the medieval and early modern literatures, there is still significant uncertainty about the degree of change over time and differences between localities. This is in part because neither literature has provided an agreed set of criteria by which to evaluate whether a village-governance regime was ‘open,’ and characterised by wide participation, or ‘closed’, and characterised by the narrow restriction of office to an elite group, making it difficult to draw comparisons across time and space. This article uses a quantitative approach to solve this problem. In doing so, it answers three questions. Firstly, were village-governing institutions ‘open’ or ‘closed’?

¹⁷ Larson, ‘Village Voice or Village Oligarchy?’, p. 706.

¹⁸ Dyer, ‘Political Life’, pp. 135–7; M. Spufford, ‘Puritanism and Social Control?’, in A.J. Fletcher and J. Stevenson, eds, *Order and Disorder in Early Modern England* (Cambridge, 1985), pp. 41–57, at 49–50; J. Sharpe, *Crime in Early Modern England, 1550–1750* (London, 1984), pp. 83–5.

¹⁹ R.M. Smith, ‘Contrasting Susceptibility to Famine in Early Fourteenth- and Late Sixteenth-Century England: The Significance of Late Medieval Rural Social Structural and Village Governmental Changes’, in M.J. Braddick and P. Withington, eds, *Popular Culture and Political Agency in Early Modern England and Ireland: Essays in Honour of John Walter* (Woodbridge, 2017), pp. 35–54, at 44.

²⁰ K. Wrightson, ‘The “Decline of Neighbourliness” Revisited’, in D.R. Woolf and N.L. Jones, eds, *Local Identities in Late Medieval and Early Modern England* (Basingstoke, 2007), pp. 19–49, at 20, 27–31; Wrightson and Levine, *Poverty and Piety*, pp. 200–203.

Secondly, what patterns make a political regime fall into one of these categories? And thirdly, was there a change between the medieval and early modern eras?

This approach is applied to a single governing institution which existed across the medieval and early modern eras, allowing for the first truly comparative assessment across time and space. This institution is the manor court, the most immediate forum of law and governance for the vast majority of people in medieval England.²¹ These courts were a crucial instrument for lords in exerting their powers over their tenants, but also served many communal purposes including enforcing agricultural by-laws, maintaining communal infrastructure, facilitating the inheritance and sale of land, and keeping law and order.²² Juries of presentment—panels of sworn men who gathered information about various offences and then made these known to the court—were the vital mechanism through which courts fulfilled their functions. Presentment juries are well suited to quantitative analysis. While some manors unfortunately did not record the names of these officials, they are routinely listed from the fifteenth century onwards within many sets of court rolls (the documents created by manorial lords to record the activities of their courts).²³ This provides a large number of observations over relatively short time periods.

Specifically, this article examines two types of presentment jury for the three case-study manors of Little Downham (Cambs.), Horstead (Norf.) and Worfield (Shrops.). These manors have been selected to encompass a variety of different regions, types of lord and local landscapes, thus making the study representative of a range of manorial regimes. For each manor, all surviving court rolls for the period between 1310 and 1600 have been utilised. In relative terms, the rolls for these manors survive well. However, there are still gaps in the lists, caused by both the loss of court records and the failure of clerks to list jurors in certain periods, even when juries were clearly in existence.²⁴

²¹ S.H. Rigby, *English Society in the Later Middle Ages: Class, Status and Gender* (Basingstoke, 1995), pp. 26–7; Bailey, *English Manor*, pp. 168–9; S. Walker, ‘Order and Law’, in R. Horrox and W.M. Ormrod, eds, *A Social History of England, 1200–1500* (Cambridge, 2006), pp. 91–112, at 97–8.

²² Bailey, *English Manor*, pp. 167–82; J.S. Beckerman, ‘Procedural Innovation and Institutional Change in Medieval English Manorial Courts’, *Law and History Review*, x (1992), pp. 197–252, at 245–6.

²³ Bailey, *English Manor*, p. 174.

²⁴ Downham’s court rolls survive for 1310–1582 with gaps of more than three years for 1317–22, 1336–61, 1475–83 and 1509–51. They routinely list jurors baron from 1364 and capital pledges for 1310–78 and 1447–

Overall, it was possible to extract 26,431 named jurors in 2,202 panels.²⁵ These names were then linked together to identify individuals, creating a total of 1,677 men.²⁶ Additionally, individuals who served after the Black Death were grouped by surname to create 540 ‘presumptive’ families.²⁷

Four measures were applied to this data to analyse with precision different elements of participation. The first measure, ‘Number Serving’, analyses the changing number of individuals serving as jurors and the number of families from which they were drawn across the three centuries examined. The second measure, ‘Proportion’, compares the number of jurors serving with local population estimates to see what percentage of village inhabitants served. The third measure, ‘Turnover’, analyses the turnover in individuals, to see whether the same individuals served continuously or if there was significant changeover in the composition of jury panels. It also examines the degree to which office-holding was inherited by examining whether individuals were replaced by others from the same family. The fourth measure, ‘Concentration’, employs a ‘modified gini’ technique (typically used by historians of economic inequality) to examine how far juries were characterised by inequality of service. This addresses whether panels were dominated by a small clique who regularly served as jurors or if a more equal situation pertained where individuals served a similar number of times.

Combining these measures yields two main results. Firstly, it reveals that rural governance institutions cannot be characterised simply as either an open or closed regime, but that a more nuanced two-tier system existed. In the post-Black Death period, presentment juries were characterised by relatively high rates of participation among the adult male population and consistent turnover in membership. Jurors were drawn from an array of families, and individuals without close

1582. Horstead’s rolls survive for 1392–1599 with gaps of more than three years for 1494–1510 and 1562–5. They routinely list jurors baron from 1410 and capital pledges from 1392. Worfield’s rolls survive for 1327–1600, but with gaps of more than three years for 1467–71 and 1542–7 as well as very patchy survival pre-Black Death. They routinely list jurors baron from 1393 and jurors leet from 1378. See Appendix A for a full description of the data availability.

²⁵ See Appendix A for a full breakdown of panels by decade.

²⁶ Specifically, 418 men at Downham, 462 men at Horstead, and 797 men at Worfield.

²⁷ Specifically, 190 ‘presumptive families’ at Downham, 180 ‘presumptive families’ at Horstead, and 170 ‘presumptive families’ at Worfield. See Appendix B for an explanation of the nominal and family linkage processes.

family ties to previously serving jurors regularly joined panels. However, this was combined with significant inequality of service, as a small group of prominent individuals served a disproportionately frequent number of times. Secondly, it questions the narrative of increasing restriction in village governance over the sixteenth century. Change over time and space reveals a variable set of trends, with no universal linear pattern appearing across the late medieval and early modern eras. Instead, the inflexibility of manorial institutions, combined with local demographic regimes, socio-economic changes connected to landholding, and, in some cases, shifts towards more capitalist forms of agriculture led to significant differences in political participation between communities.

The following article is split into nine sections. Section I justifies the use of membership of presentment juries to explore regimes of village governance by providing an overview of their nature and role. Section II provides a brief discussion of the taxable wealth of jurors. Sections III to VI then detail the methodology behind, and results of, each measure in turn. Section VII draws the results of these measures together to highlight some overall patterns, and Section VIII considers factors that explain the diversity in results between the manors and periods studied. Section IX concludes by suggesting that pre-existing assessments have generally been too stark in suggesting that regimes were ‘oligarchical’ or ‘participatory’. More work is required that thinks about both aspects of ‘openness’ and ‘closure’ *within the same* village-governance regimes and how local differences could affect levels of participation *between* village-governance regimes. The lack of a clear chronological pattern in the context of regional variations also supports attempts in recent scholarly literature to suggest elements of continuity alongside change across the medieval/early modern divide in rural political and social stratification, a creative tension which throws into some doubt the emergence of the ‘middling sort’ as a specifically early modern phenomenon.

I

This section provides a brief overview of the role of presentment jurors both in general and at each case-study manor, and demonstrates that jurors were powerful officials within village communities between the early fourteenth and later sixteenth centuries.

Presentment jurors were an innovation of the late thirteenth and fourteenth centuries. Unlike trial jurors who decided civil disputes, they responded to a set of articles given to them by the lord's steward.²⁸ These articles were concerned with public rather than private business.²⁹ Presentment juries can be divided into two different types which dealt with different sorts of business: juries baron and capital pledges/juries leet. The former was the typical presentment jury and dealt with a range of issues relevant to the lord and the wider village community. Their presentments typically covered elements of serfdom and lordship (such as the monitoring of servile obligations and the maintenance of seigniorial property), the protection of common lands and fields (such as monitoring overstocking and the use of common resources by non-tenants), the upkeep of infrastructure (such as ditches and fences), and the administration of landholding (such as noting cases of inheritance and the transfer of land).³⁰

A significant minority of English manors held by more powerful lords also administered court leets, including all three analysed here. This franchise allowed lords to oversee the enforcement of petty elements of the royal law within the boundaries of the manor. This included administering the tithing system of criminal responsibility, policing petty violence, theft and other elements of misbehaviour, and monitoring the assize of ale, which regulated the quality and sale of this commodity.³¹ Court leets had their own juries, which were sometimes called capital pledges, creating a second type of presentment jury on manors with this franchise. The exact role of these officials differed between manors. In some courts, they also directly presented offences against the list of

²⁸ Beckerman, 'Procedural Innovation', pp. 212–19, 228; Z. Razi and R.M. Smith, 'The Origins of the English Manorial Courts as a Written Record: A Puzzle', in Z. Razi and R.M. Smith, eds, *Medieval Society and the Manor Court* (Oxford, 1996), pp. 36–68, at 51–3; Larson, 'Village Voice or Village Oligarchy?', p. 676. Sometimes the same panel acted both as a trial and presentment jury but these functions were still separate. See Beckerman, 'Procedural Innovation', pp. 215–16.

²⁹ Lists of articles survive in guidance literature on how to hold a court. See Bailey, *English Manor*, pp. 193, 223–6; F.J.C. Hearnshaw, *Leet Jurisdiction in England: Especially as Illustrated by the Records of the Court Leet of Southampton* (Southampton, 1908), pp. 43–64; J.S. Beckerman, 'The Articles of Presentment in a Court Leet and Court Baron in English, c.1400', *Bulletin of the Institute of Historical Research*, xlvii (1974), pp. 230–34.

³⁰ Beckerman, 'Procedural Innovation', p. 231; Larson, 'Village Voice or Village Oligarchy?', pp. 680–81.

³¹ Bailey, *English Manor*, pp. 181–3; Beckerman, 'Procedural Innovation', p. 201.

articles, while on other manors they supervised the presentments made by tithing men who represented individual hamlets and made any additional presentments.³²

Although many core activities of presentment juries were universal, the varying combinations of types of lordship, landscape and tenurial structure found at each case-study manor created differences in focus. Downham was situated in the Cambridgeshire fenlands, giving its tenants access to large fen commons which were intercommoned with other nearby villages. The manor was held by the bishop of Ely, who had control over aspects of royal government within his wider liberty of the Isle of Ely, making him an exceptionally powerful lord.³³ Horstead was situated in eastern Norfolk and, typically of this county, the boundaries of the manor were complex, with a separate portion being located in a neighbouring hundred. Horstead was held by the Crown down to 1462 and then by King's College, Cambridge.³⁴ As is well documented for the neighbouring manor of Coltishall, tenants at Horstead participated in an active market in customary land, although rights to significant common pasture continued to be exercised until these were extinguished in 1599.³⁵ Worfield was situated near the royal forest of Morfe in Shropshire and sheep-raising was an important part of the local economy. It had a dispersed settlement pattern, with around twenty-five separate hamlets making up the manor. Worfield was held by aristocratic landlords of Abergavenny throughout the period. After initially being held by the Hastings family, the manor fell to the Beauchamps and then the Nevilles.³⁶ At all

³² See the contrast between the practices described at Birdbook (Essex) and at Halesowen (Worcs.): P.R. Schofield, 'The Late Medieval View of Frankpledge and the Tithing System: An Essex Case Study', in Razi and Smith, eds, *Medieval Society*, pp. 408–49, at 427; Z. Razi, 'Family, Land and Village Community in Later Medieval England', *Past and Present*, no. 93 (1981), pp. 3–36, at 13.

³³ M.C. Coleman, *Downham-in-the-Isle: A Study of an Ecclesiastical Manor in the Thirteenth and Fourteenth Centuries* (Woodbridge, 1984), pp. 20–21; T.D Atkinson, E.M. Hampson, E.T. Long et al., 'The Liberty of Ely: The Medieval Liberty of Ely', in R.B. Pugh, ed., *A History of the County of Cambridge and the Isle of Ely, IV: City of Ely, Ely, N. and S. Witchford and Wisbech Hundreds* (Victoria County History; London, 2002), pp. 8–15.

³⁴ P. Millican, *A History of Horstead and Stanninghall, Norfolk* (Norwich, 1937), pp. 80–82, 201–3; H. Castor, *The King, the Crown and the Duchy of Lancaster: Public Authority and Private Power, 1399–1461* (Oxford, 2000), pp. 72, 80–81.

³⁵ B.M.S. Campbell, 'Population Pressure, Inheritance and the Land Market in a Fourteenth-century Peasant Community', in R.M. Smith, ed., *Land, Kinship and Life-cycle* (Cambridge, 1985), pp. 87–134, at 107–27; B.M.S. Campbell, 'The Extent and Layout of Commonfields in Eastern Norfolk', *Norfolk Archaeology*, xxxviii (1981), pp. 5–31, at 10–11.

³⁶ S. Gibbs, 'Felony Forfeiture at the Manor of Worfield, c.1370–c.1600', *Journal of Legal History*, xxxix (2018), pp. 253–77, at 256–7.

three manors, the unfree customary tenure of the late Middle Ages ultimately mutated into secure heritable tenures rather than copyhold-by-lives or leasehold.

At all the case-study manors, juries had an important role in dealing with petty crime and enforcing the assize of ale. They also all made frequent presentments concerning trespass on seigniorial property and the maintenance of suit of court. However, at Horstead, the high-velocity land market led to a greater proportion of the work of jurors baron being concerned with the transfer of land, confirming both transfers between living tenants made outside the court and deathbed transfers, and also punishing offenders for alienating land without seigniorial approval. While jurors at both Horstead and Downham paid significant attention to common lands, the existence of larger intercommoned fens at the latter meant that the jury was consistently concerned with access to common grazing and the use of fenland resources including peat and rushes.

The most significant distinction is in the role of the capital pledges at Downham and Horstead as opposed to the jurors leet of Worfield. The former officials directly presented all business, but at Worfield the dispersed settlement pattern led to each hamlet presenting individually to the manor court. The jurors leet instead had a supervisory role, confirming that the hamlets' presentments were accurate and adding any missing offences.³⁷ Crucially, in all three case-study manors, juridical activity had an impact on all persons living within the manor, irrespective of whether they were tenants or not. While direct land transfers were the concern of tenants alone, the policing of crime, access to commons and issues of trespass were of vital importance to all residents living within the court's jurisdiction.

Presentment juries were potent because of the procedure by which they introduced business to the court. Information about how juries operated is scarce; however, the available evidence suggests that jurors would be impanelled prior to the court session at which they presented and in which their names would be listed in the rolls. Those impanelled were invariably a set of adult men: women were excluded from serving as jurors, although they did occasionally serve in other manorial offices,

³⁷ Gibbs, 'Felony Forfeiture', pp. 256–7.

mirroring the patriarchal nature of jury service in the royal courts.³⁸ Between being impanelled and presenting, jurors would gather information and then list offenders in court. This process was largely in the jurors' control, with little opportunity for non-jurors to influence their work. Presentment acted as a summary judgment, as it assumed that the offender was guilty.³⁹ Unfortunately, little is known about how jurors internally decided on the list of presentments to be delivered in court, but scattered examples show that their deliberations were meant to be kept secret, with jurors punished for making their discussion public and non-jurors being reprimanded for eavesdropping on deliberations. This suggests a limited scope for those not impanelled to influence juries' work.⁴⁰ Although the estate stewards of lords had significant influence over the work of juries, chiefly by setting the lists of articles, jurors still had latitude in choosing how to respond to these articles and whether to present information to the court. While punishments of juries for concealing presentments do show that stewards were able to detect fraud, it seems likely that such cases are the tip of a much larger iceberg of successfully undisclosed justifiable presentments.⁴¹

One obvious objection to examining the presentment jurors of manor courts to explore village governance structures across the late medieval and early modern period is the question of whether these officials remained relevant over this long time span. Manor courts have often been seen as primarily medieval institutions and have therefore not been the focus of early modern studies of office-holding, which have concentrated instead on parochial officials such as churchwardens, constables and poor law overseers. Courts have usually been presented as an apparatus used by manorial lords to enforce their authority. Accordingly, they have often been characterised as

³⁸ Johnson, *Law in Common*, pp. 32–6; M. Forrest, 'Women Manorial Officers in Late Medieval England', *Nottingham Medieval Studies*, lvii (2013), pp. 46–67, at 49–52; J. Masschaele, *Jury, State and Society in Medieval England* (New York, 2008), pp. 128–31.

³⁹ Beckerman, 'Procedural Innovation', pp. 228–50.

⁴⁰ For example, at Little Downham: Cambridge University Library, Ely Diocesan Records [hereafter CUL, EDR], C11/2/4, m. 29, 14 Dec. 1411; C11/2/6, m. 50, 20 June 1455; C11/3/10, m. 15, 14 July 1500.

⁴¹ Bailey, *English Manor*, p. 176; S. Gibbs, 'Lords, Tenants and Attitudes to Manorial Officeholding, c.1300–c.1600', *Agricultural History Review*, lxxvii (2019), pp. 155–74, at 165.

moribund by the early modern period on account of the decline of serfdom and the end of direct management of demesne farms.⁴²

However, recent revisionist interpretations have suggested that manor courts were still significant in the economic and social life of villages in the fifteenth century and beyond.⁴³ Marjorie McIntosh has highlighted the use of manorial courts by local elites to control ‘misbehaviour’, prefiguring the role of parochial institutions around 1600.⁴⁴ Tom Johnson has emphasised the part that manor courts played in community-building through meeting villagers’ aims of fostering ‘peace’, ‘repair’ and ‘ordaining’ in social relations between rural inhabitants.⁴⁵ Other studies have emphasised the importance of courts in managing common lands and communal infrastructure in the early modern period, leading to a new interpretation that gives courts a central place in the politics of village communities up to at least the Interregnum.⁴⁶ This rehabilitation of the manor court suggests that presentment jurors had a significant role in governing the community across the late medieval and early modern eras, alongside the parochial officers who have been the focus of previous studies by early modernists. There were undoubtedly significant differences between manorial and parochial officers, in terms of both institutional structure and their varying levels of involvement with the burgeoning state, which require more attention than this limited discussion allows. The salient point is that both types of office gave an individual authority within the community and thus the motivations of potential ‘chief inhabitants’ for holding these two types of office were similar. Therefore, in the context of the central role of manorial courts in community life across the medieval/early modern

⁴² C.C. Dyer and R.W. Hoyle, ‘Britain, 1000–1750’, in B. van Bavel and R.W. Hoyle, eds, *Social Relations: Property and Power* (Turnhout, 2010), pp. 51–80, at 67; Beckerman, ‘Procedural Innovation’, p. 200; Bailey, *English Manor*, pp. 186–7.

⁴³ C. Harrison, ‘Manor Courts and the Governance of Tudor England’, in C.W. Brooks and M. Lobban, eds, *Communities and Courts in Britain, 1150–1900* (London, 1997), pp. 43–60; Sharpe, *Crime in Early Modern England*, pp. 84–5.

⁴⁴ M.K. McIntosh, *Controlling Misbehavior in England, 1370–1600* (Cambridge, 1998), pp. 43–5.

⁴⁵ Johnson, *Law in Common*, pp. 22–3, 45–54.

⁴⁶ L. Shaw-Taylor, ‘The Management of Common Land in the Lowlands of Southern England, c.1500–c.1850’, in P. Warde, L. Shaw-Taylor and M. de Moor, eds, *The Management of Common Land in North West Europe, c.1500–1850* (Turnhout, 2002), pp. 59–85, at 63–8; A.J.L. Winchester, *The Harvest of the Hills: Rural Life in Northern England and the Scottish Borders, 1400–1700* (Edinburgh, 2000), pp. 148–51; B. Waddell, ‘Governing England through the Manor Courts, 1550–1850’, *Historical Journal*, lv (2012), pp. 279–315.

divide, the membership of presentment juries provides an ideal dataset for examining the degree of participation in village governance over a long time frame.

Presentment jurors were powerful figures in their communities who had the ability to exert considerable authority over their neighbours. Their power was certainly not absolute, being constrained by ethical expectations and the role of non-jurors in certain legal procedures, but, through acting as intermediaries between the lord and local community, jurors had significant political power.⁴⁷ Although their role undoubtedly changed over time, the continuing importance of manorial courts suggests that serving as a presentment juror would have remained desirable to those tenants who wanted to govern communities according to their own agendas.

II

This article does not focus on assessing the economic and social characteristics of individuals who served as jurors, but instead tries to examine how far juries themselves were open or closed institutions. However, some idea of the relative wealth of jurors within their communities is useful to contextualise what follows. Table 1 compares the taxable wealth of individuals who served as capital pledges/jurors leet and jurors baron with the wealth of all taxpayers in the villages in which these individuals lived. Taxation data is drawn from the 1327 and 1524 lay subsidies.⁴⁸ For 1327, it is possible to examine tax assessments against Worfield's jurors leet and Downham's capital pledges. In 1524 tax assessments can be compared to both of Worfield's and Horstead's juries. In each case, all individuals recorded as serving as jurors in the five years either side of the tax year were identified. These individuals were then compared to the list of assessed taxpayers in the primary taxpaying vill

⁴⁷ Larson, 'Village Voice or Village Oligarchy?', pp. 687–8, 705; C.D. Briggs, 'Monitoring Demesne Managers through the Manor Court before and after the Black Death', in J. Langdon, R. Goddard and M. Müller, eds, *Survival and Discord in Medieval Society: Essays in Honour of Christopher Dyer* (Turnhout, 2010), pp. 179–95; Gibbs, 'Lords, Tenants and Attitudes', p. 173; P.R. Hyams, 'What did Edwardian Villagers Understand by "Law"?', in Razi and Smith, eds, *Medieval Society*, pp. 69–102, at 84. For a recent argument for the limitations of presentment jurors' power, see Johnson, *Law in Common*, pp. 33–45.

⁴⁸ Unfortunately, between 1334 and 1523 all lay subsidies were paid by communities as a collective and provide no nominal data. See J.F. Willard, *Parliamentary Taxes on Personal Property, 1290–1334: A Study in Mediaeval Financial Administration* (Cambridge, MA, 1934), pp. 4–5; R.W. Hoyle, 'Crown, Parliament and Taxation in Sixteenth Century-England', *English Historical Review*, cix (1994), pp. 1174–96, at 1175–9.

encompassed by the manor in order to find matches. The mean wealth of all the matched jurors can then be compared to the mean wealth of all taxpayers in the vill.⁴⁹

It was only possible to match a third to three-quarters of jurors to taxpayers. This was a result of difficulties in matching cross-sectional taxation records with continuous court roll series,⁵⁰ differences between the boundaries of manors and taxation vills,⁵¹ and the fact that not all of the population had sufficient wealth to be liable for taxation.⁵² This last issue raises the possibility that some of the individuals who served as jurors may have not had enough wealth to be taxable, in turn implying that the recorded average wealth of jurors may be overestimated. For all these reasons, the evidence must be treated as a suggestive but certainly not infallible guide to the economic status of jurors within their communities.

Table 1 suggests that jurors were on average drawn from the wealthier inhabitants of the manors studied but that there was not a wide gulf between them and other taxpayers. One exception is seen for Worfield's jurors leet in 1327, who on average paid around twice the mean amount paid by the whole population of taxpayers. However, this scale of difference is not seen at Downham for the early fourteenth century, where capital pledges only paid around a fifth more than the average taxpayer. By 1524, Worfield looks more like Downham: jurors leet were only assessed at around a third more, and jurors baron at a fifth more, than all taxpayers. At Horstead, there was no difference in wealth as both capital pledges and jurors baron were assessed on average at the same rate or even

⁴⁹ Differences in mean wealth are presented in the table—examining differences in median wealth provided very similar patterns.

⁵⁰ Some jurors recorded in the years before or after tax years were probably never assessed, although they would have been eligible to pay the subsidies. This is either because they died or migrated from the manor before these assessments or because they migrated to the manor or inherited sufficient wealth only after the assessments had been made.

⁵¹ The boundaries of manors and taxpaying vills were not necessarily coterminous, meaning that jurors who lived outside the vill were not assessed.

⁵² Paying taxes already marked an individual as relatively wealthy. In 1327, it is generally argued that only between a quarter and a third of all household heads were assessed; see B.M.S. Campbell and K. Bartley, *England on the Eve of the Black Death: An Atlas of Lay Lordship, Land and Wealth, 1300–49* (Manchester, 2006), p. 329. In 1524, a far higher proportion of the population was assessed, with around 85 per cent of men liable to pay the tax; see B.M.S. Campbell, 'The Population of Early Tudor England: A Re-evaluation of the 1522 Muster Returns and 1524 and 1525 Lay Subsidies', *Journal of Historical Geography*, vii (1981), pp. 145–54, at 146.

slightly lower than all taxpayers. However, this last finding must be treated with caution as the match rate for Horstead's officials is very low, at less than 50 per cent. This reflects the fact that manorial structures were very fragmented in Norfolk, so the manor does not map precisely onto the taxpaying vill.⁵³

This analysis suggests that jurors were drawn from the economic elite of village taxpayers but were generally only the marginally richer individuals within this elite. The following sections move away from assessing the wealth of jurors, instead examining how far juries were open or closed based on the four separate measures.

III

The first measure, 'Number Serving', answers a simple question: did the number of people serving as jurors, and the number of families from which they were drawn, increase or decrease between 1300 and 1600? For this measure, individuals serving across both types of jury were identified.⁵⁴ The sample was restricted to years that contained at least two lists in order to ensure that the information about individuals serving as jurors was largely complete. Values for the total number of individuals serving were then calculated for two periods: annually and over five years. From these individuals, values for the total number of families they represented were also calculated for the same periods.⁵⁵

The results of this analysis for individuals are summarised as a time-series graph in Figure 1. This illustrates significant variation, but two clear trends can be discerned.⁵⁶ At Worfield and Downham, there is an increase in the number of individuals serving. At Downham, this trend can be observed over three periods. Firstly, the 1460s to 1500s saw a sharp increase in numbers serving

⁵³ W.J. Blake, 'Norfolk Manorial Lords in 1316: Part II,' *Norfolk Archaeology*, xxx (1952), pp. 263–86, at 280.

⁵⁴ While only results for individuals and families serving across both juries are presented, the trends for numbers of individuals serving and families they represented for each type of jury (jurors baron and capital pledges/jurors leet) were generally similar.

⁵⁵ Calculations for a three-year period are unreported but showed similar trends.

⁵⁶ The step changes at the beginning of each series are an artefact of modifications in the recording procedure. The large jumps in 1363 at Downham, 1410 at Horstead, and 1393 at Worfield are a result of the poor recording of jurors baron prior to this point. Similarly, the modest jump after 1447 at Downham represents the return to regularly recording the names of capital pledges.

compared to the 1360s, with the number of individuals serving climbing from *c.*17 to *c.*25 annually and from *c.*25 to *c.*35 over a five-year period. A second shift occurred in the later sixteenth century. Although the range of individuals serving annually remained similar to the late fifteenth century, at *c.*27, the numbers serving over a five-year period increased dramatically to *c.*47.

At Worfield, the change looks more gradual, in part due to better record survival. Interestingly, there was an initial spike in numbers serving in the 1390s, which appears to have been linked to a few years when an exceptional number of sessions were held. However, beyond this point there was a significant increase from *c.*25 serving annually for the 1400s to 1450s to *c.*37 for the 1510s to 1560s. A similar jump is also seen for those serving over a five-year period between these two periods.

Horstead, demonstrates the opposite trend, with a clear decrease in the number of individuals serving. This trend appeared over three periods. Between the 1410s and 1480s, numbers remained stable, with *c.*26 individuals serving annually and *c.*41 serving over a five-year period. Between the 1490s to the 1530s numbers serving fell, to *c.*21 annually and *c.*35 over a five-year period. The decline intensified between the 1540s and 1590s, with numbers serving falling to *c.*16 annually and *c.*24 over a five-year period.

The number of distinct families these individuals represent is summarised in Figure 2. These results, in conjunction with the patterns for individuals, support two key points. Firstly, they demonstrate that the number of families represented in any given period generally moved in step with changes in the number of individuals serving. At Downham the number of families represented annually grew from *c.*14 for the 1360s to *c.*22 for the late sixteenth century. At Worfield growth was more modest, with the number of families represented annually increasing from *c.*22 for the 1400s to 1450s to *c.*28 for the 1510s to 1560s, but with the spike in the 1390s being even more prominent. Horstead saw a pattern of decline matching that for its individuals serving, with the number of families represented annually falling from *c.*20 for the 1410s to 1480s to *c.*13 for the 1540s to 1590s. The number of families represented over a five-year period at each manor followed the same trends.

Secondly, a comparison of the numbers of individuals serving and the number of families from which they were drawn demonstrates that most jurors in any given period were from different families. The majority of families only provided one juror per period, and, while some families did provide up to three, juries were never dominated by a few families who each produced a large number of jurors. This is significant, as it demonstrates that individuals who served on juries were drawn from a wide range of families who lived on the manor.

Overall, measure one provides two contrasting stories. At two manors, Downham and Worfield, the numbers of individuals serving, and the families these represented, increased, reaching a peak in the mid-to-late sixteenth century, suggesting that juries were becoming more open over time. Horstead saw the opposite trend, with a decline over the sixteenth century in the numbers of individuals serving, and the families they represented, that reached its nadir in the mid-to-late sixteenth century, suggesting that juries were increasingly closed.

IV

The second measure, ‘Proportion’, contextualises the results seen in measure one. It answers the question: what share of a manor’s population participated in juries? This measure relies on a set of estimates of the total and adult male populations of each manor, which are seen in Table 2. It is important to note two potential limitations of this approach. Firstly, these figures are based on extrapolations made from various returns any one of which is potentially subject to error.⁵⁷ Therefore they are indicative at best, better reflecting trends than absolutes. They do confirm national and regional patterns, with all manors seeing a dramatic decline in the wake of the Black Death. However, Downham and Horstead then diverge, with the latter mirroring the national trend of a further population decline through the fifteenth century.⁵⁸ At Downham recovery had occurred by 1524, a pattern that fits with the general buoyancy of fen-edge settlements in Cambridgeshire over the

⁵⁷ See Appendix C for the methodology behind the estimates.

⁵⁸ S. Broadberry, B.M.S. Campbell, A. Klein, M. Overton and B. van Leeuwen, *British Economic Growth, 1270–1870* (Cambridge, 2015), pp. 20–22.

fifteenth century.⁵⁹ Population levels at Downham then remained static, probably because of the severe impact of the mid-Tudor population crisis, while Horstead and Worfield saw a sustained increase in the sixteenth century, again matching national trends.

Secondly, changes in resident population did not necessarily follow changes in numbers of resident tenants over the fifteenth and sixteenth centuries. The late thirteenth and fourteenth centuries were characterised by a high degree of land ownership of often very small holdings across England's rural population.⁶⁰ The depopulation of the post-Black Death period led to the rise of engrossment, as richer tenants took advantage of recently vacated holdings to accumulate larger farms.⁶¹ Instead of being direct tenants, an increasing proportion of the rural population were either landless waged labourers working on larger enterprises or subtenants who rented their land from direct tenants rather than the lord.⁶² A further trend was for an increasing number of direct tenants to be non-resident investors, as the removal of the stigma of villeinage made these lands an attractive asset.⁶³ This is significant because only manorial tenants could serve in juries baron, as this court was designed to monitor the lord's rights over his tenants. For capital pledges/jurors leet this may not have been the case, with leets enforcing aspects of the royal law over a geographical area, rather than a set of dependant tenants, but it is still likely that many of these officials were *de facto* drawn from seignorial tenants.⁶⁴ Population provides an estimate of the group subject to the authority of officials, and therefore whether rural governing institutions were open or closed. However, it does not equate to the

⁵⁹ J.S. Lee, 'Tracing Regional and Local Changes in Population and Wealth during the Later Middle Ages Using Taxation Records: Cambridgeshire, 1334–1563', *Local Population Studies*, no. 69 (2002), pp. 32–50, at 48.

⁶⁰ B.M.S. Campbell, 'The Agrarian Problem in the Early Fourteenth Century', *Past and Present*, no. 188 (2005), pp. 3–70, at 50–70; Campbell, 'Population Pressure, Inheritance and the Land Market', pp. 102–7.

⁶¹ Campbell, 'Extent and Layout of Commonfields', pp. 10–29; J. Whittle, *The Development of Agrarian Capitalism: Land and Labour in Norfolk, 1440–1580* (Oxford, 2000), pp. 196–203.

⁶² K. Wrightson, *Earthly Necessities: Economic Lives in Early Modern Britain* (New Haven, CT, 2000), pp. 132–41; P.R. Schofield, 'Extranei and the Market for Customary Land on a Westminster Abbey Manor in the Fifteenth Century', *Agricultural History Review*, xlix (2001), pp. 1–16; J. Whittle, 'Land and People', in Wrightson, ed., *Social History*, pp. 152–73, at 156–68.

⁶³ J. Whittle, 'Introduction: Tawney's Agrarian Problem Revisited', in ead., ed., *Landlords and Tenants in Britain, 1440–1660: Tawney's Agrarian Problem Revisited* (Woodbridge, 2013), p. 16; ead., *Development of Agrarian Capitalism*, pp. 110–19, 200–203.

⁶⁴ Schofield finds that at Birdbrook all capital pledges were tenants, as the obligation of suit of court and serving as a capital pledge were the same: Schofield, 'View of Frankpledge', pp. 427–8.

‘candidate pool’ of potential jurors, with tenancy itself acting as a potential criterion which acted to exclude parts of the population.

Measure two compares the mean number of individuals serving annually, over three years, and over five years, for date ranges close to the independent population estimates given in Table 2.⁶⁵ The results of this analysis are given in Table 3.⁶⁶ The first point of note is the widely differing magnitude of proportions serving between Downham and Worfield on the one hand, and Horstead on the other. While at the former two manors no more than a sixth at most of the total population served as a juror even over a five-year window, at Horstead, it is possible that more than a third of the population did so.

There are also significant changes over time. Firstly, there was an increase in the proportion of the population serving as jurors between the pre- and post-Black Death periods. Some care must be taken, as at both Downham and Worfield only data for capital pledges/jurors leet is available for *c.* 1327. In the former case, this is a result of recording, with the names of jurors baron not provided until the 1360s. This means that the earlier figures for numbers serving are too low, although it is unlikely that they were so much higher that there was not a significant increase in the proportion serving after the demographic collapse caused by the Plague. At Worfield, the absence of jurors baron was because this presentment body was an innovation of the post-Black Death period. Therefore, the increase in the proportion serving at Worfield was a reflection not only of decreased population following the Black Death but also of greater opportunities to serve created by an expanded use of impanelled juries at the manor.

The post-Black Death period provides a significantly more robust set of data. It reveals two diverging patterns of change in the proportion of the population serving. At Downham, there was a slight decline over the fifteenth century. However, this decline needs to be set against dramatic demographic increase, with the total population perhaps doubling in this period. That this twofold

⁶⁵ Unfortunately, due to the broken court roll series, the periods do not always precisely match up to the benchmark years. However, the evidence still allows for reasonable estimates to be made.

⁶⁶ As for measure one, results are only presented for individuals serving across both types of jury, but proportions were similar, if slightly lower, when both types of jury were examined individually.

increase only resulted in a modest reduction in the proportion serving is due to the corresponding increase in numbers serving. This meant that even in the late fifteenth and early sixteenth centuries around a fifth of the adult male population served yearly and a quarter to a third of the adult male population may have served over a five-year period.

At Horstead, the proportion of the population serving actually increased over the fifteenth century, despite the sharp fall in numbers serving. This was because population also fell, meaning that by the early sixteenth century it can be estimated that nearly all adult males may have served within a five-year period, perhaps indicating that it was difficult to fill all the jury roles required on the manor at that time.

The sixteenth century again reveals differing patterns, this time between Horstead and Worfield, on the one hand, and Downham, on the other. At Downham, proportions serving annually remained stable up to the mid-sixteenth century because there was relatively little change in population across the two estimates. However, the proportion of adult men serving over five years increased dramatically, rising from 25–34 per cent to 41–3 per cent, a result of the dramatic increase in numbers serving (Table 3 Panel C). The other two manors show a decline in proportions serving. In both cases this is at least in part due to population increase. At Worfield, numbers serving remained static from the early to the mid-sixteenth century and thus the proportion serving fell, as the population grew by more than a third in this period. At Horstead, population growth, combined with a further reduction in numbers serving, acted to decrease the proportion of the village inhabitants who served.

Overall, this measure recasts the results of measure one to help contextualise the changes in numbers serving. There is some evidence to support a modest decrease in participation in the sixteenth century: numbers serving at Worfield and Horstead remained flat or even fell as population began to increase. However, stagnation in Downham's population combined with an increase in numbers serving suggests that this was not a uniform picture. Generally, the post-Plague period saw a high rate of participation in juries among adult males within these three communities. The limited pre-

Black Death evidence suggests that it was the early fourteenth century, rather than the early modern period, which saw the smallest proportion of the population serving.

V

The third measure, ‘Turnover’, answers the question of whether the same set of individuals served year on year, or whether there was significant changeover in those serving. The measure records how many individuals in a given year had not served in a previous period, expressing this as a proportion between zero (no ‘new’ individuals) and one (all ‘new’ individuals). A second stage uses the presumptive family data to show how many individuals in a given year had neither served in a previous period nor were related to someone who had served in a previous period, expressing this proportion in the same way.⁶⁷ This measure has been calculated for two periods: firstly for all those serving in a year who had not served in the previous year or were not related to someone who served in the previous year, and secondly for all those serving in a year who had not served in the previous three years or were not related to someone who had served in the previous three years.⁶⁸

Table 4 summaries this data for individuals. It provides averages and ranges of turnover rates for select periods at the beginning, middle and end of each century, as well as for the whole period under investigation. The first point that emerges is that there was a large amount of variation in turnover rates, both over the entire period and within the select periods. For the one-year measure, at Horstead and Worfield rates over the whole period ranged from 0 to 0.56. At Downham, values ranged even more, from 0 to 0.61. Looking at ranges for the three-year measure, a similar pattern of wide variation is visible. At Worfield, values ranged from 0 to 0.38, at Downham from 0 to 0.41, and at Horstead from 0 to 0.48. These wide ranges are also seen within the shorter select periods, showing

⁶⁷ As for measures one and two, results are presented for those serving across both types of jury. However, turnover rates were similar for each type of jury when analysed individually.

⁶⁸ The measure is restricted to only those years with sufficient runs of preceding years containing at least two lists. Unfortunately, this leaves a relatively small sample of appropriate years, meaning that any conclusions drawn must be tentative as differences in averages are not statistically significant.

that this was not a result of any particular trend upwards or downwards in turnover. The pattern is instead one of intense year-on-year variation.⁶⁹

However, within this wide variation, at the aggregate level turnover rates are remarkably stable across manors.⁷⁰ This holds true especially for the three-year measure, for which the average rate of turnover was 0.12 for all manors. For the one-year measure, average rates were also clustered at a range of 0.2 to 0.24. Average rates fluctuated a little more between time periods at the same manor, but again the pattern revealed is largely one of stability rather than change. This is particularly true for Horstead and Worfield, where the mean rates across the time periods varied within relatively narrow windows for the one-year and three-year measure. Downham saw more drastic fluctuation over time, with turnover rates reaching an average of 0.3 in the late fourteenth and mid-sixteenth centuries and falling to an average of 0.14 for the early sixteenth century for the one-year measure. The three-year measure saw an average of 0.22 for the mid-sixteenth century fall to an average of 0.08 for the late sixteenth century. However, these averages are based on very small samples, and the changes in averages at all three manors are not statistically significant. Beyond this, there is no clear overall trend in the movement of participation rates over time, meaning that it cannot easily be attributed to anything more than random fluctuations.

Using the family-linked data, it is possible to explore how far new individuals also represented new family groups serving as jurors or were related to those who had served previously. This is significant as it examines whether the role of juror was frequently inherited and new individuals represent the maintenance of family dynasties, or whether the role of juror was open to individuals whose families had not previously served as jurors, suggesting a less closed institution.

Table 5 shows the rate of individuals who both had not served previously and did not share a surname with any individual who had served previously. The overall pattern is very similar to that seen for turnover of individuals. Again there is significant variation in turnover rates both over the entire period and in the sub-periods, presenting a pattern of intense year-on-year variation, but in the

⁶⁹ Large standard deviations are unreported but also revealed significant year-on-year variation.

⁷⁰ While only mean rates are reported, medians revealed the same trends.

aggregate average rates are very similar between manors. However, accounting for family connections significantly reduces these average rates. For the one-year measure, they vary from 0.14 to 0.16 and for the three-year measure from 0.06 to 0.08. While at Horstead average rates seemingly fluctuated randomly over time, at Worfield and Downham there is some evidence for a reduction in average turnover rates between the fifteenth and sixteenth centuries for the three-year measure, falling from a range of 0.05–0.11 to 0.04–0.06 at Worfield and from a range of 0.08–0.13 to 0.03–0.07 at Downham. Again, these changes over time need to be treated with significant caution because of the relatively small samples and high level of year-to-year variation, and they do not represent a convincing trend.

Overall, the turnover measure reveals significant variations in jury participation in the short run but a relatively static institution over the *longue durée*. Although some years did see juries composed of a large number of persons who had not served in the previous year or three-year period, on average around four in five individuals serving in a jury in a given year had served in the year before, and this rises to seven in eight individuals if the previous three years are considered. Even in the years which saw the greatest turnover in individuals, around two-fifths had served in the previous year and more than half in the previous three years. When considering family connections in addition to previously serving individuals, the institution looks even more rigid. On average around six in seven individuals serving in a jury in a given year had served the previous year or were related to someone who had served the previous year. This increases to around thirteen in fourteen individuals if the previous three years are considered. Even in years which saw the greatest proportion of individuals without family connections, around three-fifths of jurors had either served in the previous three years or were related to someone who had. Thus, juries saw significant consistency in personnel, with new individuals generally being ‘drip-fed’ into panels which were largely made up of previous servers. Moreover, many families were represented year after year, either by the same individual serving successively or through the inheritance of the position of juror between family members. New individuals without such family ties made up only a small proportion of jurors in any year.

VI

The final measure, ‘Concentration’, is the most complex. It is designed to examine how opportunities to serve in juries were distributed among individuals. While measures one and two examined the numbers of individuals acting as jurors, they cannot show how service was distributed among this group, as a person serving once and a person serving multiple times are treated as equals. Therefore, this measure answers the question: were juries characterised either by a polarised system, in which a dominant core group of often-serving individuals was accompanied by a marginal mass of once-serving individuals, or, alternatively, by a more equitable system, in which each individual served a similar number of times?

For this measure, each type of jury is examined separately so that for each manor there is one set of values for capital pledges/jurors leet and one for jurors baron. This is to prevent the latter type of jury, which was empanelled more frequently, from driving the results as it would in a combined measure. For each of these juries, the level of equality in service between individuals serving was calculated for five-year periods. The measure is expressed by a ratio between zero (which represents a situation of near perfect equality in service) and one (which represents a situation of maximum possible inequality in service).⁷¹ The measure is restricted to five-year periods where at least 80 per cent of capital pledge/juror leet lists survive and eight jury baron lists survive.⁷² This leads to some significant gaps in the data, especially at Downham, but trends can still be observed.

The values generated by this measure are plotted in Figure 3. The lines show the three-year moving average. Overall, juries were characterised by a relatively high level of inequality in service. The vast majority of values are over 0.5, with the exception of a few values at Downham and

⁷¹ Appendix D lays out this ‘modified Gini’ methodology and the underlying assumptions in detail.

⁷² The threshold is set differently for the two types of juries because of variations in how often these bodies were empanelled. Capital pledges and jurors leet were listed regularly as courts leet were held a specified number of times per year, meaning it is possible to judge what proportion of lists survive for a given period. However, courts baron varied significantly in how often they sat over time, meaning that it is impossible to establish how many lists survive for a given period. Therefore, a threshold of eight lists is set as it provides a large enough set of data to perform the analysis.

Horstead. This suggests that juries were almost invariably dominated by a few individuals who served consistently session on session.

Beyond this, two chronological shifts can be detected. At Downham and Worfield there is a reduction in the level of concentration ratios over time. At Worfield, this trend was of a small magnitude. For jurors leet, ratios fell from *c.*0.80 for the late fourteenth and fifteenth centuries to *c.*0.66 for the early sixteenth century. Concentration ratios did climb a little in the late sixteenth century but still remained below their late medieval levels. For jurors baron, the fall in ratios occurred earlier, with a decline from *c.*0.77 for the early fifteenth century to *c.*0.64 for the rest of the period under study, barring an exceptionally high value of 0.78 for 1490–94. Therefore, at Worfield there was a modest decline in inequality in service, seen from the early fifteenth century for jurors baron but not until the start of the sixteenth century for jurors leet.

At Downham, the evidence is significantly patchier but suggests a downward trend in concentration for jurors baron. For the well-evidenced period of the late fourteenth and early fifteenth centuries, concentration ratios were *c.*0.80 and looked similar to those found for late fourteenth- and early fifteenth-century Worfield. However, the three values generated for the rest of the fifteenth century fell to *c.*0.58, suggesting a significant decline in inequality of service. The only sixteenth-century observation, at 0.59, provides some evidence that this transition to lower concentration persisted into the early modern period. For Downham's capital pledges, most ratios suggest a static picture of high concentration, at *c.*0.83. However, the value of 0.4 for 1465–9 and 1570–74 makes these periods stand out as exceptions from this trend. Therefore, at Downham, the overall pattern was a mixture of persistency and dramatic reduction in inequality in jury service, the latter trend occurring from the early fifteenth century for jurors baron.

Horstead, on the other hand, saw an increase in concentration ratios over time. Echoing Downham, ratios for capital pledges at Horstead present a static pattern. However, the range of values is very wide, at 0.56–0.91, painting a picture of a more equal pattern of service in some five-year periods than seen at Downham. Jurors baron at Horstead, however, went through a transition to greater concentration. Ratios rose across the fifteenth century from *c.*0.57 to *c.*0.66. In the early

sixteenth century, concentration ratios fell again to *c.*0.53. However, this was a deviation from a longer-term trend of increase; after 1525 ratios again grew to *c.*0.69 and may have risen even further in the late sixteenth century, as indicated by the sole available late sixteenth-century value of 0.84 for 1590–94. Thus, Horstead saw the opposite trend to Downham. While, as at Downham, its capital pledges saw a static picture of limited equality, its jurors baron saw an increase in concentration which became a sustained trend from the early sixteenth century.

Overall, this measure mirrors that for numbers serving in demonstrating two different trends. At Downham and Worfield, service in manorial juries became more equal. This occurred at a similar juncture at both manors for jurors baron, with the key transition to a lesser level of concentration occurring in the 1430s, but did not occur for Worfield's jurors leet until 1500. Horstead's capital pledges mirror Downham's in that there was no obvious change in levels of concentration across the three centuries studied. However, its jurors baron exhibited the opposite trend to the other two manors, with an increase in concentration which became sustained after the first quarter of the sixteenth century. These changes, however, occurred within a general pattern of high inequality of service with nearly all concentration ratios having values over 0.5.

VII

Each measure provides a different angle from which to explore participation in manorial juries. This section draws these together to reach some general conclusions concerning the pattern of jury service, revealing a hybrid picture with elements of openness and closure.

The first clear characteristic of the post-Black Death period up to the end of the sixteenth century was that a relatively large cross-section of the male population acted as manorial jurors. At a minimum, within the space of a year, one in six men could expect to serve as a juror. This rose to at least one in five within three years and to one in four within five years. While these patterns can hardly be called democratic, especially with the exclusion of women (even if they were property holders), it is not a picture of strict restriction to a limited coterie.

Moreover, the continuous turnover in individuals serving points to a relatively open institution. The fact that on average at least 20 per cent of jurors in any year had not served in the preceding year and at least 12 per cent had not served in the preceding three years reveals a slow but continuous turnover in the personnel serving as jurors. This suggests that a large proportion of men living within a manor could expect to serve on its juries. The constant churn was, however, probably more a consequence of the demographic context than a man-made institutional choice. The fifteenth century was characterised by a high-mortality demographic regime caused chiefly by recurrences of plague.⁷³ Even in the sixteenth century, when the population began to grow, there were many epidemics of infectious disease leading to continually high rates of adult mortality which were exceptional for the post-medieval period.⁷⁴ This may help to explain the consistent turnover in individuals serving in juries; it was necessary to replenish the stock of jurors in a period of population attrition.

Therefore, manorial juries were characterised by wide participation among the inhabitants of the villages encompassed by the manors, with new individuals regularly being empanelled. However, while juror service may have been a common experience, juries were also characterised by rigidity and could be controlled by dominant groups. Although there was constant turnover, rates were, in the long term, very low. New individuals were essentially ‘drip-fed’ into panels largely constituted of established jurors.

This pattern was probably linked to the role of jurors in governing the manor. Although their membership changed across court sessions, juries had responsibilities which stretched across multiple sittings and presumably fostered a form of corporate identity. This is particularly true of the rise of orders under pain as a mechanism to enforce jury presentments. These ordered a specific offender to rectify an issue before a fixed future date or face a fine. To ensure compliance, juries were required to

⁷³ The exact population dynamics of the fifteenth century remain the subject of debate. See Broadberry et al., *British Economic Growth*, pp. 15–17; R.M. Smith, ‘Measuring Adult Mortality in an Age of Plague: England, 1349–1540’, in R.M. Smith, M. Bailey and S.H. Rigby, eds, *Town and Countryside in the Age of the Black Death: Essays in Honour of John Hatcher* (Turnhout, 2012), pp. 43–85.

⁷⁴ M. Bailey, ‘Demographic Decline in Late Medieval England: Some Thoughts on Recent Research’, *Economic History Review*, xlix (1996), pp. 1–19, at 15–17.

track the offence across sessions. Juries might be instructed to report back on specific environmental issues and boundary disputes between sessions by going to view the relevant physical feature.⁷⁵ For instance, at Downham in 1503 an ordinance was made that each capital pledge would view a common drain on St Blaise's day, with those in default surrendering 12*d* each.⁷⁶ At Horstead in the 1420s the capital pledges were ordered to measure the depth of the water in the common river to see if it was at the customary level.⁷⁷ More broadly, customary law relied heavily on the collective memory of the jury to decide the legitimacy of particular practices and behaviours. This was also an important way that tenants could mediate their relationship with the lord and protect themselves against arbitrary exactions.⁷⁸ While juries could utilise the written record of the court to establish previous presentments and customs, they still required individuals who served from one year to the next to ensure the session-on-session continuance of business, and the ability to draw on a pool of experienced jurors who could claim knowledge of custom.

Yet persistency in service was undoubtedly also linked to the domination of jury service by a smaller elite of more dominant jurors. This is revealed in the significant inequality in service found in the measure of jury concentration. In nearly all available periods values were higher than 0.5 in a scale of 0–1. Many men may have served as jurors, but a large proportion of these are only recorded as serving in a single court session. At all manors, between 24 per cent and 36 per cent of individuals who served in each type of presentment jury appeared only once.⁷⁹ Imperfections in record survival undoubtedly mean that, in reality, some of these men served more times. However, they still stand in stark contrast to individuals such as Stephen Bradeney, who between 1393 and 1431 served as a juror

⁷⁵ Larson, 'Village Voice or Village Oligarchy?', p. 681; Johnson, *Law in Context*, pp. 38, 158.

⁷⁶ CUL, EDR, C11/3/10, m. 20, 31 Jan. 1503.

⁷⁷ Cambridge, King's College Archives [hereafter KCA], HOR/37, 11 June 1423; 23 Sept. 1423; 11 Jan. 1424; 24 Mar. 1424; 11 June 1424.

⁷⁸ Bailey, *English Manor*, p. 174; Johnson, *Law in Context*, pp. 196, 206; J. Birrell, 'Manorial Customals Reconsidered', *Past and Present*, no. 224 (2014), pp. 3–37; Gibbs, 'Lords, Tenants and Attitudes', pp. 165–6.

⁷⁹ Exact percentages: Horstead, 29 per cent for capital pledges and 35 per cent for jurors baron; Downham, 26 per cent for capital pledges and 24 per cent for jurors baron; Worfield, 36 per cent for jurors leet and 31 per cent for jurors baron. This analysis ignores a period of poor capital pledge list recording at Downham. Source: KCA, HOR/26–41, HOR/45, HOR/48–54, COL/376; CUL, EDR, C11/1/1–3, C11/3/7–11; Shrewsbury, Shropshire Archives [hereafter SA], P314/W/1/1/1–837.

leet fifty-five times and as a juror baron 134 times at Worfield; Thomas Colleson, who between 1384 and 1435 served as a juror baron ninety-four times at Downham; and Henry Bird, who between 1510 and 1561 served as a capital pledge forty-six times and as a juror baron forty times at Horstead.⁸⁰

This type of domination can also be seen to some degree at the family level. On average only 16 per cent of jurors in any year were not from families who had provided jurors in the previous year and only 8 per cent from families who had not provided jurors in the previous three years. This low turnover allowed certain family groups to act as ‘juror dynasties’ through a combination of long-serving individuals and the inheritance of jury positions. For instance, forty-five individuals from the Rowley family served near continuously as jurors at Worfield between 1393 and 1599; eighteen individuals from the Sparke family served near continuously as jurors at Horstead between 1400 and 1479, and another four individuals from the same family between 1512 and 1588; and six individuals from the Cok family served near continuously as jurors at Downham between 1362 and 1508.⁸¹

However, to see a few families as therefore persistently controlling manorial juries would ignore significant evidence of openness in terms of new jurors. Replacement of a juror with an individual from one of the families who had served previously does not appear to have happened in the majority of cases. At all manors, on average only between 33 and 48 per cent of individuals who appeared as jurors after not having appeared in the previous three years shared a surname with someone who had served in the previous three years.⁸² This falls to between 26 and 42 per cent if only the previous one year is considered.⁸³ This suggests that the role of juror was not inevitably inherited by a male relative of a previously serving juror but was often filled by someone unrelated through the male line to the current pool of serving jurors.

⁸⁰ CUL, EDR, C11/1/3, C11/2/4–6; SA, P314/W1/1/186–279; KCA, HOR/45, HOR/48–51.

⁸¹ CUL, EDR, C11/1/2–3, C11/2/4–6, C11/3/7–10; SA, P314/W1/1/187–837; KCA, HOR/30–39; HOR/45, HOR/48–53.

⁸² Exact percentages: Horstead, 39 per cent; Downham, 33 per cent; Worfield, 48 per cent. Sources: CUL, EDR, C11/1/1–3, C11/2/4–6, C11/3/7–11; KCA, HOR/26–41, HOR/45, HOR/48–54, COL/376; SA, P314/W1/1/1–840.

⁸³ Exact percentages: Horstead, 33 per cent; Downham, 26 per cent; Worfield, 42 per cent. For sources, see n. 82 above.

Moreover, while many jurors with no family ties only served once, other individuals without any male family connections had long careers. At Downham, Geoffrey Bradweye served seventy-two times as juror baron between 1384 and 1420; at Horstead, Robert New served twenty-five times as capital pledge and thirty-three times as juror baron between 1520 and 1548; and at Worfield, Thomas Valance served twenty-four times as juror leet and fifty-four times as juror baron between 1488 and 1530.⁸⁴ No other individuals with the same surnames were recorded as serving before or after them. These examples demonstrate that individuals could be long-term jurors even if they were not male descendants of an established jury family, as well as the failure of some individuals with long careers to pass their position onto a direct male relative. This openness to new families was again probably a necessity of demographic conditions. Individuals from families whose members had either not previously served as jurors, or who had immigrated to the manor, were needed to restock juries. At the same time, many jurors are likely to have died without producing male issue, meaning that individuals from new families were needed alongside those who inherited office.

The number of distinct families providing jurors simultaneously provides further evidence against a picture in which juries were controlled by a few dominant families. In any given year or five-year period, only a minority of jurors were related to each other through the male line as most families provided only one juror. This is an inevitable corollary to the relatively high proportions of the adult male population of each community who served, which required the drawing of men from a large range of families living on the manor.

Participation in manorial juries was characterised by a two-tier system. Serving as a juror was a common experience for many males living within the community governed by the manor and these men were drawn from numerous different families. There was a constant low-level turnover of personnel which ensured that new individuals were always replacing deceased former jurors. Many of these new individuals were drawn from families which had not served previously. However, within this relatively large pool of serving jurors and families from which they were drawn, there was a

⁸⁴ CUL, EDR, C11/1/3, C11/2/4–6; SA, P314/W/1/1/475–637; KCA, HOR/45, HOR/48–9.

division between a sizeable group who only served once or twice and a smaller group who each served a large number of times.⁸⁵ Juries were open in that a large number of male community members drawn from a wide array of families were involved, but closed in that a subset of men and successful families exerted significantly more influence over this institution and so the manor court.

VIII

The four measures reveal significant differences across time and between manors. This suggests that a nuanced picture of local difference rather than a single pattern of growth of oligarchy across the medieval/early modern divide is appropriate for presentment juries. A summary of changes in each measure by century is given in Table 6. The most significant temporal shift occurred between the pre- and post-Black Death eras. While the pre-Black Death records are unfortunately very patchy, the proportion of the population serving indicates that this was the most restrictive period in the three centuries analysed and that the post-Black Death period saw a dramatic increase in the openness of office-holding. This was in part due to the scale of demographic collapse due to the Plague, which simply meant that jury panels of similar numbers were being filled from a far smaller pool of eligible men, so that the proportion of the population who served was necessarily greater. Moreover, the Black Death may help explain the adoption of jury barons at Worfield, an institutional change which had the effect of increasing the number of men serving as jurors.

More easily comparable are the figures for the fifteenth and sixteenth centuries. The fifteenth century saw two different trends, one characterising Downham and Worfield and the other characterising Horstead. At the former manors, the fifteenth century saw an increase in the number of men serving (and the families from which they were drawn), which helped prevent a significant decline in the proportion of men serving as population levels began to climb again in the late fifteenth and early sixteenth centuries. Similarly, at both manors there was greater equality in service between individuals serving as jurors baron as the numbers of men serving expanded. At Horstead, conversely, there was a reduction in the number of men serving (and the families from which they were drawn)

⁸⁵ This inequality in service mirrors Larson's findings for Durham's hallmote courts, although he does not find that the same large proportion of the population served in office: Larson, 'Village Voice or Village Oligarchy?'

into the early sixteenth century and a fall in equality in service, although the manor still saw an increase in the proportion of the male population serving because it experienced an even higher rate of population decline.

The sixteenth century again saw a different set of patterns. At Downham there was further growth in the number of men serving (and the families they represented), which, combined with a flat population level, increased the proportion of the male population serving. Worfield saw numbers serving flatten out, which, in combination with a rising population, led to a decline in the proportion of men serving. There was also a small decline in the number of different families represented in juries. However, the manor saw a further decline in inequality of service, as juror leet concentration ratios fell in the early sixteenth century, before increasing to a slightly higher level in the late sixteenth century. Finally, Horstead demonstrates a clear pattern of closure in office-holding, with a further decline in numbers serving (and the families they represented) despite an increase in population, which was combined with a rise in inequality of service within juries.

Fully understanding the causes behind this variation in patterns is difficult with the evidence available. However, two factors are likely to have led to local and chronological differences. The first is the inflexibility built into the manorial jury system. Even though there were clear differences in the role of presentment jurors and the number of panels called *per annum* between manors, all three case-studies shared the requirement that a minimum of twelve men needed to sit on every panel. This practice followed the legal principle that twelve men were required to make a lawful judgment.⁸⁶ The rigidity of this requirement meant that jury sizes remained the same despite large differences in the size of the communities governed between manors. For instance, although Downham in 1524 had a population more than three times greater than Horstead, both needed to staff one panel of twelve capital pledges and several panels of twelve jurors baron in any year, leading to radically different proportions of the population serving. Juridical institutions were characterised by minimum fixed

⁸⁶ F.W. Maitland, 'Leet and Tourn', in *Selected Essays of F.W. Maitland, Chosen and Introduced by Helen Cam* (Cambridge, 1957), pp. 41–51, at 48–9; Beckerman, 'Procedural Innovation', p. 228 n. 138; Bailey, *English Manor*, p. 183; Schofield, 'View of Frankpledge', p. 432; Larson, 'Village Voice or Village Oligarchy?', p. 685.

requirements for numbers of men serving, and on one level participation simply reflects how population numbers moved around these requirements.

Similarly, institutional differences could have a significant impact on participation. For example, while the twelve-man minimum requirement found at these three manors was the norm across much of England, the five-man juries found in Durham's hallmote courts created a significantly more socially selective body in that county.⁸⁷ Legal requirements and customs surrounding the number of men required in a jury, which did not adapt to changing local demographic circumstances, could have substantial effects in creating different levels of participation across time and between manors.

A further explanation is required to explain why manors experienced different responses to the same changes in underlying demographic trends (Table 6). While Downham and Worfield saw an increase in numbers serving and a rise in equality in service between jurors during the demographic revival of the fifteenth and early sixteenth centuries, at Horstead there was a further decrease in numbers serving and a decline in equality of service even when the population of the manor was increasing in the sixteenth century. In the later sixteenth century, Worfield saw a flattening-off in numbers serving combined with a small decrease in equality in jury leet service as its population increased, but Downham saw a further increase in numbers serving despite stagnation in population growth.

How can these different responses to population expansion be explained? The most obvious explanation lies in differences in tenurial changes in the post-Black Death period. Population and tenant numbers did not necessarily move in tandem, as the shift towards enclosure and capitalist farming created a tiered system of large-scale tenants and landless waged labourers.⁸⁸ Importantly, this

⁸⁷ Larson, 'Village Voice or Village Oligarchy?'

⁸⁸ Whittle, *Development of Agrarian Capitalism*, pp. 192–8, 312; Campbell, 'Extent and Layout of Commonfields', pp. 18–26; M. Overton, *Agricultural Revolution in England: The Transformation of the Agrarian Economy, 1500–1850* (Cambridge, 1996), pp. 147–92.

process advanced differently across various manors within agricultural regions.⁸⁹ Many parts of Norfolk, which had long been characterised by remarkably commercialised agriculture and a large degree of freedom in land transfers between tenants, saw the development of socio-economic polarisation between commercial farmers and landless labourers even by the sixteenth century. This process began in the mid-fifteenth century as tenants began to accumulate large landholdings, leading to the emergence of a class of ‘proto-yeomen’.⁹⁰ Evidence from Horstead suggests that this manor saw the same trends. Tenant numbers declined from fifty in 1461 to twenty-eight in 1511, a figure that remained flat over the sixteenth century with tenants numbering twenty-nine in 1586.⁹¹ At the same time, population appears to have grown by perhaps two-thirds at sixteenth-century Horstead. Moreover, in 1566 the manor saw an agreement between lords and tenants to allow enclosure of arable land held by the latter and by 1586 closes accounted for 42 per cent of farmland within the parish.⁹²

Unfortunately, no direct listings of tenant numbers are available for the other two manors. However, what is known about the general history of land-use and tenancy in Shropshire and Cambridgeshire suggests that these manors probably did not see a dramatic decline in tenant numbers. Worfield was situated in the wood-pasture landscape of Shropshire. This region did see significant enclosure in the late medieval period, which created some inequality in landholding between peasants. Yet this was probably to a lesser degree than at Horstead, especially in the fifteenth century. Shropshire had never been an area of classic open-field farming, and greater access to waste lands and the Forest of Morfe at Worfield meant that this manor probably also did not see the same socio-economic polarisation as Horstead. However, a sixteenth-century shift towards more commercialised agriculture and a consequent erosion of common rights may have reduced the position of a growing

⁸⁹ J. Whittle and M. Yates, “‘Pays Réel or Pays Légal’? Contrasting Patterns of Land Tenure and Social Structure in Eastern Norfolk and Western Berkshire, 1450–1600”, *Agricultural History Review*, xlviii (2000), pp. 1–26, at 24.

⁹⁰ Whittle, *Development of Agrarian Capitalism*, pp. 216–24, 306–7; Campbell, ‘Population Pressure, Inheritance and the Land Market’, pp. 126–7.

⁹¹ KCA, HOR/39, 19 Mar. 1461; HOR/45, m. 3, 25 Aug. 1511. Campbell, ‘Extent and Layout of Commonfields’, p. 15, Table 4.

⁹² KCA, HOR/52, m. 4, 19 Apr. 1566; Campbell, ‘Extent and Layout of Commonfields’, pp. 10–11.

population of smallholders while a greater proportion of the population became made up of immigrant cottagers and squatters.⁹³

Downham, conversely, probably did not see such an advanced shift towards socio-economic polarisation by 1600. Downham's court rolls do provide some qualitative evidence for an increase in subtenancy, or at least in concern about this, in the sixteenth century. In 1552, a by-law was issued aimed at restricting subtenants' access to common resources and in 1554 the manor saw a ban on non-familial subtenants, although presentments for receiving subtenants in 1571 suggest this was limited in its effectiveness.⁹⁴ However, the role of a relatively conservative landlord combined with the important role of fen commons in the local economy worked to prevent large-scale engrossment and enclosure and the open-field system persisted into the nineteenth century.⁹⁵

This rapid change to a very different social structure suggests an explanation for the different trends seen at Horstead, Worfield and Downham. At the latter two manors, population recovery and numbers of men serving as jurors moved together for the fifteenth and sixteenth centuries, while at Horstead a dividing line between a subgroup of large-scale proto-yeomen and a group of waged labourers who held little or no land restricted jury service to the elite group even as population recovered in the sixteenth century. At Worfield, greater commercialisation and enclosure may have seen some of these changes occur in the later sixteenth century, again restricting jury service from expanding even as population grew. More evidence is needed to explore fully this relationship between tenancy changes and jury participation, and this should not suggest a mechanical relationship between tenancy and patterns in jury service. Downham also saw enclosure in the fifteenth and sixteenth centuries but witnessed an increase in numbers serving. However, there is a strong

⁹³ D.C. Cox, J.R. Edwards, R.C. Hill et al., 'Domesday Book: 1300–1540', in G.C. Baugh and C.R. Elrington, eds, *A History of the County of Shropshire, IV: Agriculture* (Victoria County History; London, 1989), pp. 72–168; J.P. Bowen, "'Before the Breaking of the Day, in a Riotous Manner and with Great Shouts and Outcries": Disputes over Common Land in Shropshire in the Sixteenth and Seventeenth Centuries', *Rural History*, xxvi (2015), pp. 133–59, at 136–7, 150; J.P. Bowen, 'Cottage and Squatter Settlement and Encroachment on Common Waste in the Sixteenth and Seventeenth Centuries: Some Evidence from Shropshire', *Local Population Studies*, no. 93 (2014), pp. 11–32, at 18–21, 29.

⁹⁴ CUL, EDR, C11/3/10, 8 Oct. 1552; C11/3/10, 22 Oct. 1554; C11/3/11, 9 Mar. 1571.

⁹⁵ C. Taylor, "'A Place there is where Liquid Honey Drops like Dew": The Landscape of Little Downham, Cambridgeshire, in the Twelfth Century', *Landscape History*, xxxi (2010), pp. 5–23 at 12, 19–20.

indication that underlying socio-economic changes around landholding and the shift towards a more capitalist form of agriculture were an important influence on the openness of manorial juries. This belies any single picture of change over time in village governance over the three centuries studied.

IX

This article has attempted to provide a new perspective on whether rural governing institutions were open or closed and how this changed across the late Middle Ages and Tudor period. This has been explored by applying a new set of quantitative measures to previously unused long runs of archival sources. Each of the four measures provides a different angle from which to evaluate the openness of manorial juries. The patterns revealed defy any single characterisation. In general terms, juries on one level appear open in that a high proportion of men acted as jurors and there was a consistent turnover in jurors, ensuring that new men served. Jurors serving at the same time were drawn from a wide range of distinct families and many new men came from families which had not served before. However, within juries there was a clear concentration of service in the hands of a few frequently serving individuals which could allow successful families to create ‘dynasties’ of jurors. There are notable differences between places and across time. Instead of a single pattern, the evidence of long-run changes in manorial juries emphasises the need for a particularistic approach which considers how institutional and underlying socio-economic characteristics affected local governance structures. It is vital to consider how relatively inflexible judicial structures, which varied across regions, were combined with both dramatic swings in the raw population and changes in landholding structure and tenancy.

These complex patterns have important ramifications for the story of growth in oligarchy and the rise of the ‘middling sort’ assigned to the early modern period. Certainly, by the second half of the sixteenth century, some communities were being governed by a narrower proportion of the population, and offices were concentrated in fewer hands, than in *c.* 1500, supporting the Wrightsonian concept of a growth in social differentiation linked to a rise in governance in the early modern era. However, the later sixteenth century followed a period of adjustment in the post-plague period at many manors, as numbers of individuals serving, and of families providing jurors, changed in line

with different patterns of population growth and decline. The diversity of experience reinforces criticisms of the typicality of the picture presented by Terling and the need to examine the effect of local conditions on rural socio-political structures.

Furthermore, it is hard to see the post-1550 period as one of dramatic change. Rather, it was the fifteenth and early sixteenth centuries that saw significant adjustment in office-holding. This seems to have been a product of the impact of the Black Death, which reconfigured the relationship between population and office-holding to create a wider entitlement to service. Before the Plague, a combination of low numbers serving and high population meant that juries in these periods were relatively closed. Institutions seem more restrictive than they were after 1550, suggesting that what is seen in the early modern period is not a new level of exclusiveness. Overall, this supports the significant parallels drawn in a newer literature between the medieval and early modern period.⁹⁶ The village governing structures of the late Middle Ages helped to foster a 'veritable middling sort' akin to their sixteenth-century equivalents.

The evidence provided by three case-studies of one type of village governing body can only go so far in exploring shifts in governance and the representativeness of political institutions over the medieval and early modern periods. The manors chosen here, while encompassing a wide range of institutional forms and different landscapes, hardly represent all manors in England. More studies of individual manors are needed, that examine other regions such as the South-West and central Midlands and include manors held by other types of lords such as religious houses and gentry families. The manorial jurors examined, uniquely useful as they can be compared across time, represent only one type of officer active in this period. Early modernists have tended to concentrate on parochial offices, and these were qualitatively different, exercising power in collaboration with the state, while manorial officers increasingly focused on local community issues alone in the late Middle Ages. Future work is needed to examine the linkage between parochial and manorial office, especially in the key transitional period between 1400 and 1550. New interpretations, however, must engage

⁹⁶ Dyer, 'Political Life', pp. 135–7; Smith, 'Contrasting Susceptibility', p. 44.

with change over time and consider precisely how they measure whether rural political regimes were open or closed, looking at how characteristics of openness and closedness could coexist in the same governance regime. Only then will it be possible to understand the connection between shifts in governance on the one hand, and demographic, social and economic change on the other, and so provide long-run interpretations of participation in the political life of pre-industrial societies.

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SPIKE GIBBS

Table 1 – Relative taxable wealth of jurors

Manor	Number of Taxpayers	Mean Assessment all Taxpayers	Type of Juror (Time Period)	Number of Jurors	Proportion of Jurors Identifiable with Taxpayers	Mean Assessment Jurors (Ratio to Taxpayers)
A. 1327 Lay Subsidy						
Worfield	60	1s 5d	Jurors Leet (1327)	19	63%	2s 7d (1.82)
Little Downham	31	1s 1d	Capital Pledges (1326-32)	17	76%	1s 3d (1.15)
B. 1524 Lay Subsidy						
Worfield	112	£3 3s 8d	Jurors Leet (1519-29)	68	62%	£4 1s 5d (1.28)
			Jurors Baron (1519-29)	55	67%	£3 16s 3d (1.20)
Horstead	27	£2 8s 7d	Capital Pledges (1519-28)	27	48%	£2 (0.82)
			Jurors Baron (1519-29)	42	36%	£2 9s 1d (1.01)

Source: J. Smith, *Worfield: the History of a Shropshire Parish from Earliest Times* (Perton, 2017); *Cambridgeshire and the Isle of Ely: Lay Subsidy for the Year 1327, Names of the Tax-Payers in Every Parish*, tr. J.J. Muskett and ed. C.H. Evelyn White (1900); M.A. Faraday, ed., *Shropshire Taxes in the Reign of Henry VIII: the Lay Subsidy of 1524-7, the Lay Subsidy of 1543-5 and the Benevolence of 1545* (2015); The National Archives [hereafter TNA], E179/150/204; CUL, EDR, C11/1/1; Shropshire Archives [hereafter SA], P314/W/1/1/1-4, 545-635; Cambridge, King's College Archives [hereafter KCA], HOR/45.

Table 2 – Population Estimates

Date	Little Downham		Horstead		Worfield	
	Total Population Estimate	Adult Male Population Estimate	Total Population Estimate	Adult Male Population Estimate	Total Population Estimate	Adult Male Population Estimate
1327	442-589	133-177	727-969	218-291	855-1140	257-342
1377-9	185-204	56-61	127-140	55	-	-
1524	350-472	105-142	94-125	28-38	384-518	116-156
1563	380-400	114-120	-	-	637-670	191-201
1603	-	-	154-200	46-60	-	-

Source: See Appendix C.

Table 3 – Measure Two: Proportion of Population Serving for Select Dates

Year of Population Estimate	Little Downham				Horstead				Worfield			
	Period	Mean Individuals	Proportion of Adult Male Population %	Proportion of Total Population %	Period	Mean Individuals	Proportion of Adult Male Population %	Proportion of Total Population %	Period	Mean Individuals	Proportion of Adult Male Population %	Proportion of Total Population %
A. Mean Individuals serving Annually												
1327	1325-1334	12*	7-9	2-3	-	-	-	-	1327	19*	6-7	2
1377-9	1364-1376	18	29-32	9-10	1408-1417	25	45	18-19	-	-	-	-
	1373-1395	15 ⁺	24-26	7-8								
1524	1494-1508	25	18-24	5-7	1512-1538	21	55-74	17-22	1514-1535	37	24-32	7-10
1563	1554-1577	27	22-23	7	-	-	-	-	1553-1573	36	18-19	5-6
1603	-	-	-	-	1587-1599	17	29-37	9-11	-	-	-	-
B. Mean Individuals serving over 3 years												
1327	1325-1334	14*	8-11	2-3	-	-	-	-	-	-	-	-
1377-9	1384-1395	21 ⁺	34-37	10-11	1412-1417	38	68	27-30	-	-	-	-
1524	1494-1508	31	22-30	7-9	1512-1538	28	73-99	22-29	1514-1535	52	34-45	10-14
1563	1554-1577	39	33-35	10	-	-	-	-	1553-1573	51	25-27	8
1603	-	-	-	-	1587-1599	23	38-49	11-15	-	-	-	-
C. Mean Individuals serving over 5 years												
1327	1325-1330	16*	9-12	3-4	-	-	-	-	-	-	-	-
1377-9	1384-1395	26 ⁺	42-46	13-14	1412-1417	44	79	31-34	-	-	-	-
1524	1494-1503	36	25-34	8-11	1512-1538	33	86-116	26-35	1514-1535	60	39-52	12-16
1563	1554-1577	49	41-43	12-13	-	-	-	-	1561-1573	60	30-32	9
1603	-	-	-	-	1587-1599	27	45-59	14-18	-	-	-	-

Source: Same as Figure 1 and Table 1

Notes: ‘Period’ refers to the span of years for which the average number of jurors serving for each given timespan has been calculated; ‘mean individuals’ refers to the arithmetic mean of individuals serving for each given timespan, calculated using the results for every year for which two or more jury lists survive in the given period; ‘proportion of adult male population’ refers to the ‘mean individuals’ divided by the ‘adult male population’ figures given in table 2; ‘proportion of total population’ refers to the ‘mean individuals’ divided by the ‘total population’ figures given in table 2.

* Period for which only have records for capital pledges/jurors leet

+ Period for which only have records for jurors baron

Table 4 – Measure 3: Turnover of Jurors - Individuals

Period	Little Downham				Horstead				Worfield			
	Period	N	Mean	Range	Period	N	Mean	Range	Period	N	Mean	Range
A. Individuals Not Served in Previous Year												
Mid-14 th century	1363-1369	8	0.2	0-0.38	-	-	-	-	-	-	-	-
Late 14 th century	1385-1395	11	0.3	0.08-0.57	-	-	-	-	1379-1399	15	0.19	0-0.29
Early 15 th century	1399-1418	17	0.15	0-0.31	1413-1434	17	0.25	0-0.48	1400-1435	36	0.23	0-0.5
Mid-15 th century	1462-1470	7	0.24	0-0.48	1437-1470	27	0.23	0-0.48	1436-1466	31	0.25	0.14-0.41
Late 15 th century	-	-	-	-	1471-1494	22	0.17	0-0.38	1473-1502	28	0.23	0.04-0.56
Early 16 th century	1495-1508	11	0.14	0.04-0.26	1512-1538	27	0.2	0.05-0.54	1507-1535	27	0.26	0.06-0.48
Mid-16 th century	1555-1564	6	0.3	0.13-0.59	1541-1570	16	0.18	0-0.56	1538-1570	22	0.27	0.12-0.53
Late 16 th century	1572-1582	9	0.29	0.11-0.61	1573-1599	16	0.18	0.06-0.3	1571-1598	28	0.2	0.08-0.35
Whole Sample	1363-1582	79	0.21	0-0.61	1413-1599	125	0.2	0-0.56	1379-1598	187	0.24	0-0.56
B. Individuals Not Served in Previous 3 Years												
Mid-14 th century	1365-1370	6	0.09	0-0.25	-	-	-	-	-	-	-	-
Late 14 th century	1387-1395	9	0.18	0.08-0.29	-	-	-	-	1384-1399	10	0.15	0-0.24
Early 15 th century	1401-1418	13	0.09	0-0.25	1415-1434	11	0.1	0-0.17	1400-1435	36	0.12	0-0.36
Mid-15 th century	1467-1470	4	0.14	0-0.22	1439-1470	19	0.12	0-0.26	1436-1466	31	0.1	0.04-0.2
Late 15 th century	-	-	-	-	1471-1494	20	0.11	0-0.21	1475-1502	24	0.12	0-0.38
Early 16 th century	1497-1503	7	0.1	0.04-0.26	1514-1538	25	0.13	0-0.42	1509-1535	23	0.13	0.03-0.24
Mid-16 th century	1557-1558	2	0.22	0.04-0.41	1543-1570	8	0.16	0-0.48	1540-1570	16	0.13	0.03-0.3
Late 16 th century	1574-1582	5	0.08	0-0.13	1590-1599	10	0.12	0-0.25	1571-1598	28	0.11	0.02-0.2
Whole Sample	1365-1582	46	0.12	0-0.41	1415-1599	95	0.12	0-0.48	1384-1598	168	0.12	0-0.38

Source: Same as Figure 1.

Notes: ‘Period’ refers to the span of years for which the average and range of turnover has been calculated; ‘N’ refers to the number of years where turnover could be calculated using only years for which two or more jury lists survive in the given period; ‘mean’ refers to the average mean turnover for the period under examination; ‘range’ shows the lowest and highest turnover recorded for the period under examination.

Table 5 – Measure 3: Turnover of Jurors – Presumptive Families

Period	Little Downham				Horstead				Worfield			
	Period	N	Mean	Range	Period	N	Mean	Range	Period	N	Mean	Range
A. Individuals Not Served in Previous Year And Not Related to Someone Who Had Served in Previous Year												
Mid-14 th century	1363-1369	8	0.17	0-0.31	-	-	-	-	-	-	-	-
Late 14 th century	1385-1395	11	0.2	0-0.43	-	-	-	-	1379-1399	15	0.17	0-0.29
Early 15 th century	1399-1418	17	0.13	0-0.27	1413-1434	17	0.14	0-0.35	1400-1435	36	0.16	0-0.39
Mid-15 th century	1462-1470	7	0.17	0-0.39	1437-1470	27	0.17	0-0.37	1436-1466	31	0.14	0.03-0.27
Late 15 th century	-	-	-	-	1471-1494	22	0.1	0-0.26	1473-1502	28	0.11	0-0.33
Early 16 th century	1495-1508	11	0.08	0.04-0.19	1512-1538	27	0.17	0-0.38	1507-1535	27	0.15	0.03-0.31
Mid-16 th century	1555-1564	6	0.24	0.09-0.48	1541-1570	16	0.12	0-0.44	1538-1570	22	0.13	0.04-0.26
Late 16 th century	1572-1582	9	0.23	0.07-0.5	1573-1599	16	0.12	0.06-0.22	1571-1598	28	0.1	0-0.22
Whole Sample	1363-1582	79	0.16	0-0.5	1413-1599	125	0.14	0-0.44	1379-1598	187	0.14	0-0.39
B. Individuals Not Served in Previous 3 Years And Not Related to Someone Who Had Served in Previous 3 Years												
Mid-14 th century	1365-1370	6	0.09	0-0.21	-	-	-	-	-	-	-	-
Late 14 th century	1387-1395	9	0.13	0-0.19	-	-	-	-	1384-1399	10	0.11	0-0.21
Early 15 th century	1401-1418	13	0.08	0-0.17	1415-1434	11	0.06	0-0.12	1400-1435	36	0.07	0-0.22
Mid-15 th century	1467-1470	4	0.1	0-0.13	1439-1470	19	0.07	0-0.18	1436-1466	31	0.07	0-0.16
Late 15 th century	-	-	-	-	1471-1494	20	0.05	0-0.15	1475-1502	24	0.05	0-0.18
Early 16 th century	1497-1503	7	0.07	0-0.19	1514-1538	25	0.09	0-0.28	1509-1535	23	0.05	0-0.14
Mid-16 th century	1557-1558	2	0.07	0-0.15	1543-1570	8	0.08	0-0.37	1540-1570	16	0.06	0-0.15
Late 16 th century	1574-1582	5	0.03	0-0.08	1590-1599	10	0.08	0-0.2	1571-1598	28	0.04	0-0.09
Whole Sample	1365-1582	46	0.08	0-0.21	1415-1599	95	0.07	0-0.37	1384-1598	168	0.06	0-0.22

Source: Same as Figure 1.

Notes: Same as Table 4.

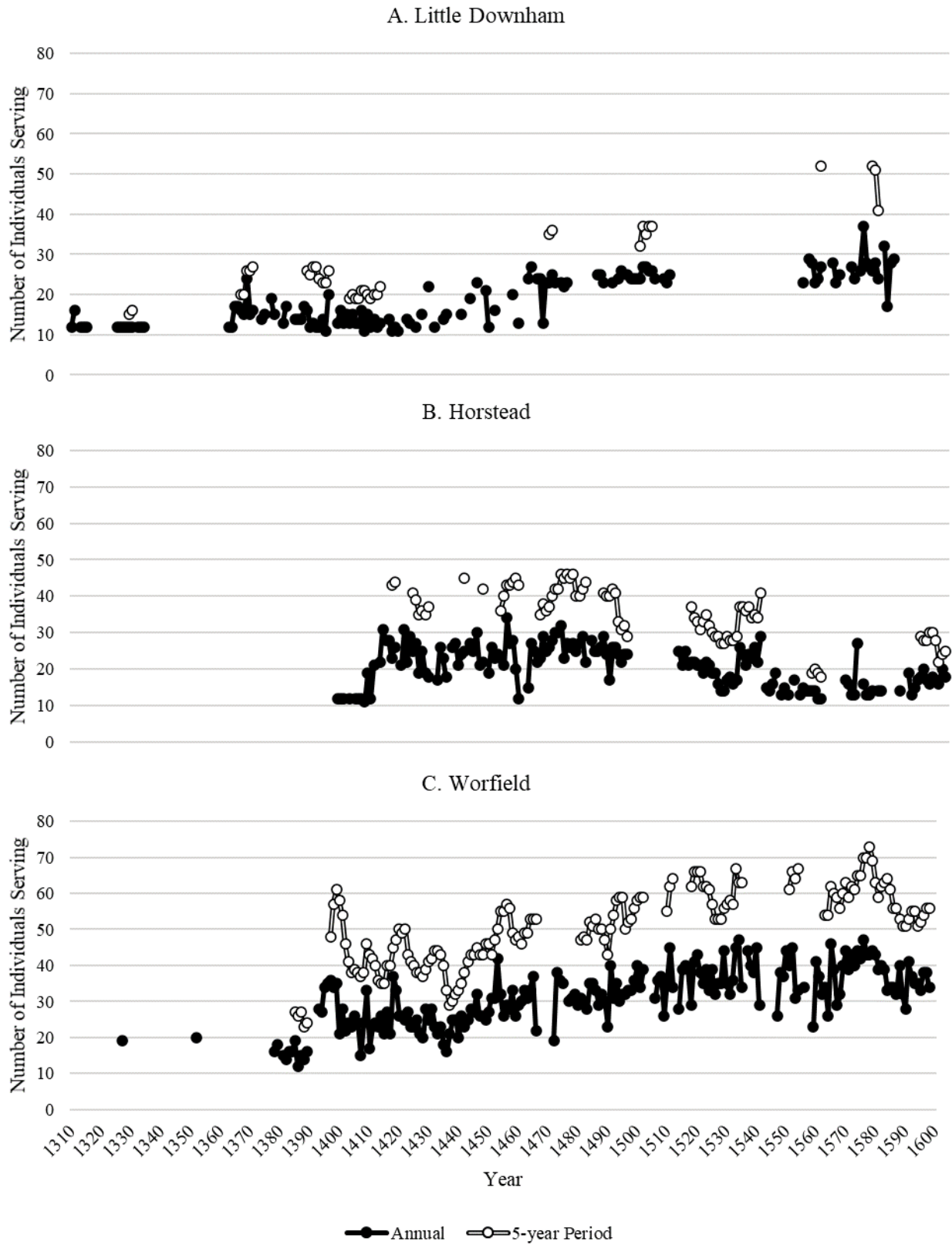
Table 6 – Summary of Changes in Each Measure and Population by Century

Time Period	Measure	Little Downham	Worfield	Horstead
Fourteenth Century	1. Numbers Serving	(Increase)	(Increase)	-
	2. Proportion	Increase	(Increase)	-
	3. Turnover	-	-	-
	4. Concentration	-	-	-
	<i>Population</i>	<i>Decline</i>	<i>(Decline)</i>	<i>Decline</i>
Fifteenth Century	1. Numbers Serving	Increase	Increase	Decline
	2. Proportion	Steady	Steady	Increase
	3. Turnover	Steady	Steady	Steady
	4. Concentration	More Equal	More Equal	Less Equal
	<i>Population</i>	<i>Increase</i>	-	<i>Decline</i>
Sixteenth Century	1. Numbers Serving	Increase	Steady	Decline
	2. Proportion	Increase	Decline	Decline
	3. Turnover	Steady	Steady	Steady
	4. Concentration	(Steady)	Mixed	Less Equal
	<i>Population</i>	<i>Steady</i>	<i>Increase</i>	<i>Increase</i>

Source: Figures 1-3, Tables 2-5.

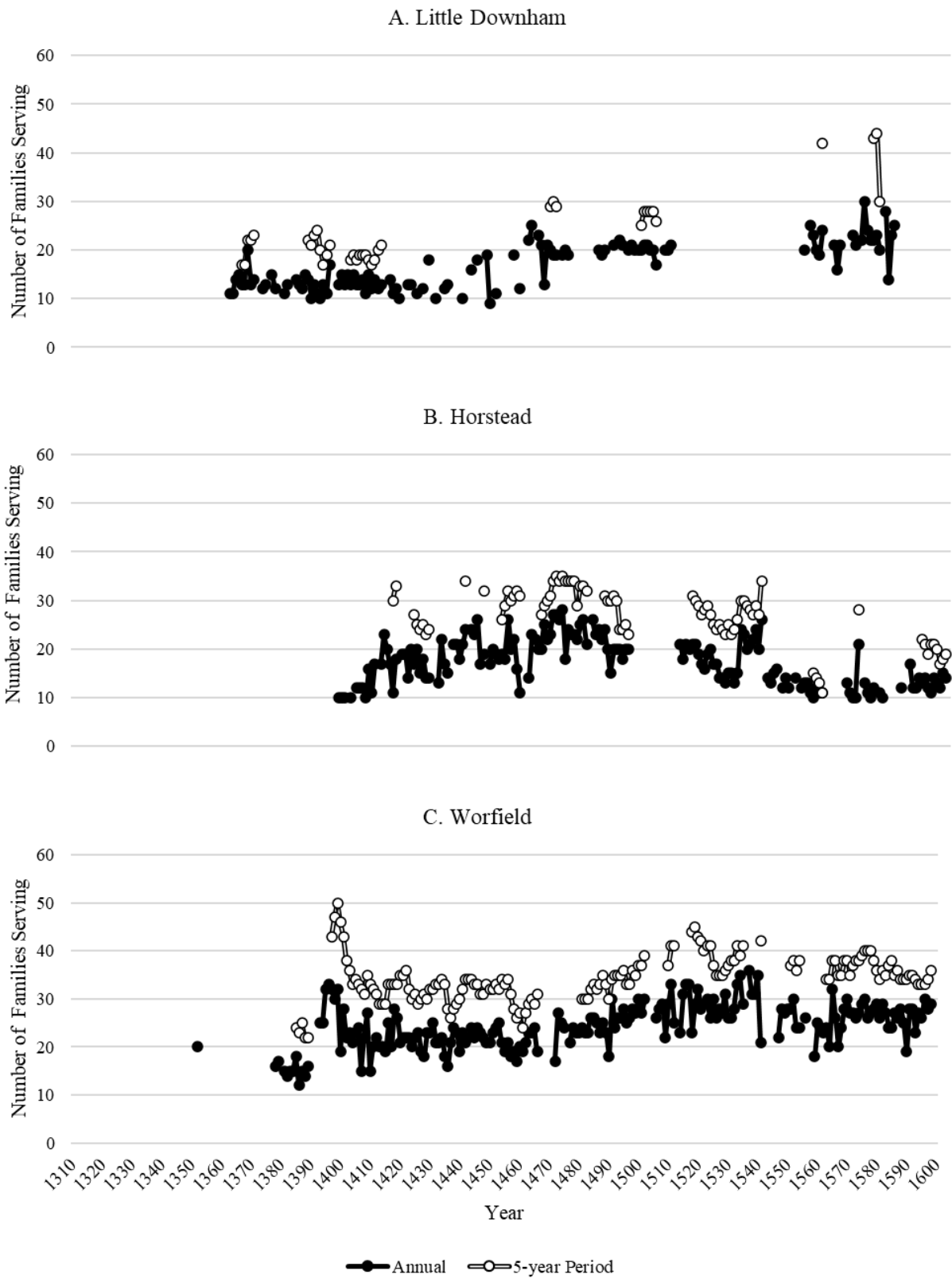
Notes: The use of brackets refers to trends which are obscured by a lack of record survival but seem the most likely scenario with the limited evidence available.

Figure 1 – Measure One: Changes in Numbers Serving - Individuals



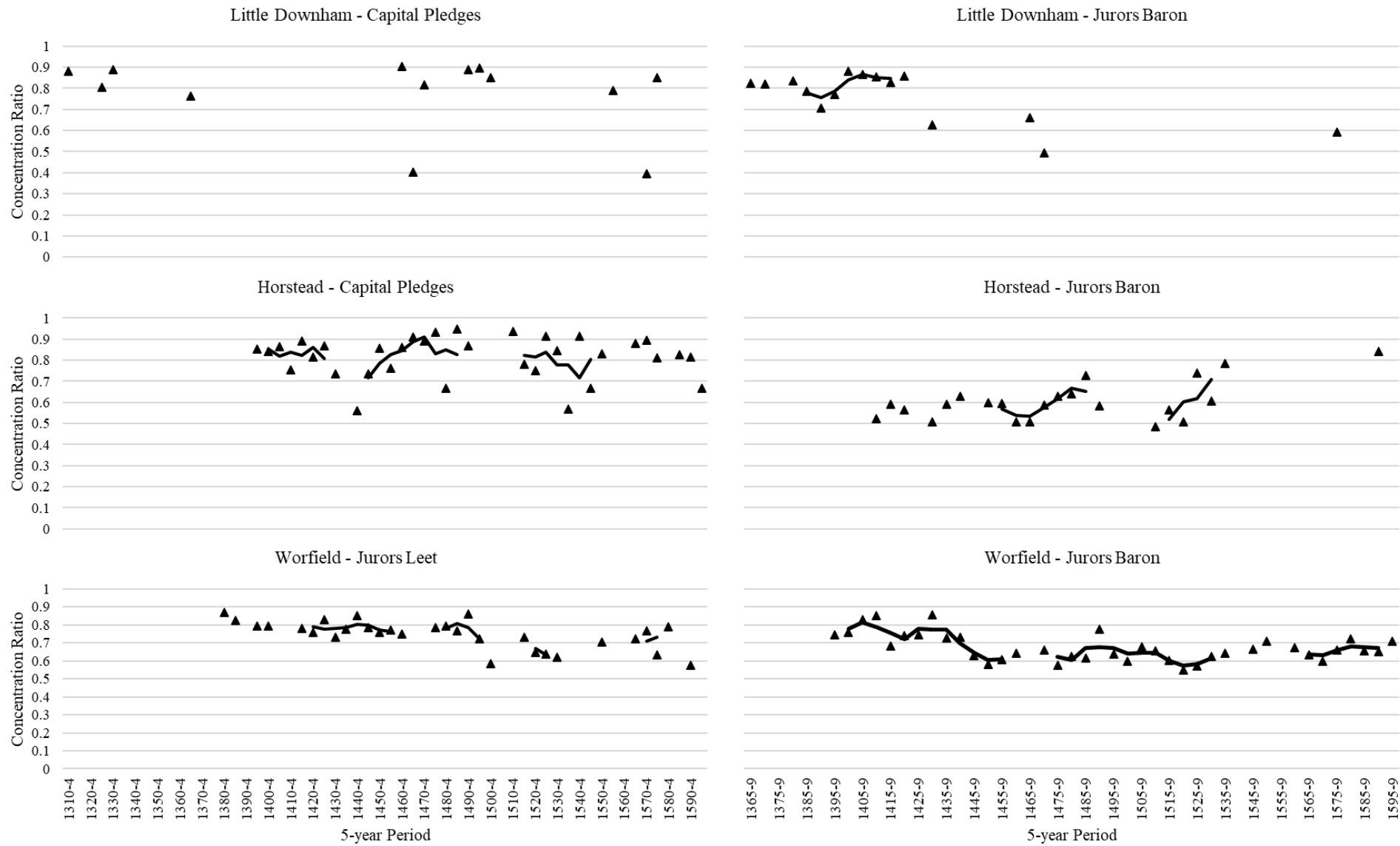
Source: CUL, EDR, C11/1/1-3, C11/2/4-6, C11/3/7-11; KCA, HOR/26-41, HOR/45, HOR/48-54, COL/376; SA, P314/W/1/1/1-840.

Figure 2 – Measure One: Changes in Numbers Serving – Presumptive Families



Source: Same as Figure 1.

Figure 3 – Measure Four: Concentration in Jury Service



Source: Same as Figure 1.

Appendix A

Table A1 provides summary statistics for the data concerning jury membership available for each manor. The records are clearly incomplete, although assessing the degree of incompleteness is simpler for capital pledges/jurors leet than jurors baron. Courts leet were held annually at Downham and Horstead. These manors also sometimes held a ‘residual leet’, as the first court after the annual full leet. This dealt with business which had not been brought to the preceding leet but, barring a couple of occasions, presentments were made by the same capital pledges as in the preceding session, meaning that no new list was made. At Worfield, courts leet were biannual with a separate jury for each session. Therefore, a full decade should include ten lists at Downham and Horstead, and twenty lists at Worfield. Courts baron, on the other hand, varied in the frequency they were held across time. This is clearly seen in Table A1 where, irrespective of record survival, it is possible to see a downward trend in sessions per year at Downham and Horstead, and an upward trend at Worfield. Courts leet typically also dealt with court baron business, and therefore these sessions sometimes included lists for both types of jury.

Incompleteness is due to both loss of court records and the failure of clerks to note the names of jurors.¹ The number of slots in Table A1 refers to the number of total citations of names recorded per decade, which equates to the total opportunities to serve. The number of names per list varies. This is both due to lists being damaged, meaning not all names could be extracted, and because many juries exceeded the minimum requirement of twelve men per panel.

Appendix B

Identifying individuals within the jury lists is made difficult by the small number of forenames used in this period and the fact that officials were drawn from the same families and localities, so often shared surnames. Here, it has been assumed that the same name appearing more than once within five years denotes the same individual. For a few gaps in the record stretching over

¹ See n. 54 in the main text.

five years, it has been assumed that the same name appearing in the final year of records before the break, and the first year of records after the break, denotes the same individual. Other identifiers, such as occupations and terms such as ‘junior’ or ‘senior’, were also considered in order to identify individuals sharing the same name. No reconstructed individual was allowed to serve for any longer than a maximum of sixty-five years.

Individuals were also linked to form ‘presumptive families’. This was done through surnames, with any individuals who shared a common surname assumed to belong to the same family, and the analysis confined to the post-Black Death period when surnames became more stable. While this methodology does not capture connections through marriage, it is sufficient to get an impression of family interconnections between jurors and the scale of inheritance of these positions.

Appendix C

Table A2 provides the methodology used to create the population estimates used in the paper. The first column shows the raw numbers found in the relevant record and the geographical unit to which they pertain. The subsequent columns show how this number was extrapolated into both total and adult male population estimates. The footnotes cite the books and articles from which these methods were drawn. It is worth re-emphasising that these estimates must be treated with care; they rely heavily on a series of returns any of which have the potential to be incorrect.

Appendix D

The fourth measure uses a combination of three Gini coefficients to calculate the concentration ratio, namely the actual or ‘raw’ Gini among the individuals serving, a minimum possible Gini and a maximum possible Gini. Gini coefficients provide simple measures of, typically, wealth inequality by providing a value between zero (equality) and one (inequality). Here, they have been used to measure the cumulative proportion of individuals serving against the cumulative proportion of opportunities to serve.

The raw Gini by itself is not an accurate measure of concentration in jury service because, in reality, inequality between serving jurors could never reach one. This is because of the constraints

imposed by the fact that any individual could only serve once per panel, meaning that any single individual could never hold a majority of opportunities to serve. Therefore, for each five-year period a theoretical maximum Gini was calculated.² This takes the actual number of individuals recorded as serving and the number of opportunities to serve for the given period. It then creates the most unequal possible pattern by allowing every individual to serve once but then allowing a set of elites to serve in every list recorded. Similarly, a theoretical minimum Gini was calculated by dividing opportunities to serve as equally as possible. The three Gini coefficients were then standardised to create a ‘concentration ratio’, with zero representing the most equal distribution Gini and one representing the most unequal distribution Gini. The formula for this calculation is as follows:

$$\textit{Concentration Ratio} = \frac{\textit{Actual Gini} - \textit{Most Equal Distribution Gini}}{\textit{Most Unequal Distribution Gini} - \textit{Most Equal Distribution Gini}}$$

² This methodology draws on that used for comparing wealth inequality in historical societies in B. Milanovic, P.H. Lindert and J.G. Williamson, ‘Pre-Industrial Inequality’, *Economic Journal*, cxxi (2011), pp. 255–72.

Table A1 – List Survival

Decade	Little Downham			Horstead			Worfield		
	Number of leet sessions (including residual leets)	Number of capital pledge lists	Number of capital pledge slots	Number of leet sessions (including residual leets)	Number of capital pledge lists	Number of capital pledge slots	Number of leet sessions	Number of juror leet lists	Number of juror leet slots
1310s	5	5	64	0	-	-	0	-	-
1320s	7	5	60	0	-	-	6	2	24
1330s	5	4	48	0	-	-	7	0	-
1340s	0	-	-	0	-	-	2	2	23
1350s	0	-	-	0	-	-	18	3	37
1360s	7	7	80	0	-	-	16	0	-
1370s	6	4	48	0	-	-	19	4	48
1380s	9	1	12	0	-	-	19	19	228
1390s	8	0	-	4	4	48	15	15	180
1400s	10	0	-	10	10	114	14	14	169
1410s	10	1	12	8	8	96	15	15	180
1420s	10	1	12	11	9	110	19	19	228
1430s	6	0	-	11	7	81	20	20	240
1440s	10	3	21	11	9	106	23	21	252
1450s	8	2	21	9	9	109	19	18	215
1460s	11	10	120	17	10	112	12	12	143
1470s	5	4	41	20	11	134	13	13	155
1480s	4	4	48	18	10	119	19	19	228
1490s	9	9	108	10	5	61	19	19	236
1500s	9	7	85	0	-	-	14	14	178
1510s	0	-	-	16	9	106	17	15	198
1520s	0	-	-	19	9	102	20	20	275
1530s	0	-	-	19	10	132	15	14	187
1540s	0	-	-	20	9	115	6	6	83
1550s	8	6	77	17	9	105	10	10	138
1560s	7	5	62	6	5	59	15	14	186
1570s	12	11	147	16	11	135	21	20	283
1580s	3	3	40	7	7	68	17	17	244
1590s	0	-	-	15	10	137	16	16	217

Decade	Little Downham			Horstead			Worfield		
	Number of leet and baron sessions	Number of juror baron lists	Number of juror baron slots	Number of leet and baron sessions	Number of juror baron lists	Number of juror baron slots	Number of leet and baron sessions	Number of juror baron lists	Number of juror baron slots
1360s	44	24	287	0	-	-	26	0	-
1370s	24	16	187	0	-	-	42	0	-
1380s	34	23	265	0	-	-	60	0	-
1390s	35	22	252	23	3	39	33	31	368
1400s	38	26	298	40	0	-	50	37	443
1410s	32	23	246	31	19	221	59	52	623
1420s	27	16	191	37	22	260	35	35	408
1430s	20	14	153	36	20	233	34	34	408
1440s	25	12	131	33	15	182	35	32	384
1450s	18	8	91	31	20	236	37	35	434
1460s	20	16	190	35	29	344	28	28	336
1470s	10	10	108	38	38	448	32	29	345
1480s	11	11	134	32	28	333	43	41	490
1490s	12	11	141	16	11	124	29	29	334
1500s	13	13	154	0	-	-	33	33	384
1510s	0	-	-	20	20	219	59	49	592
1520s	0	-	-	22	18	185	45	43	519
1530s	0	-	-	22	22	297	64	58	700
1540s	0	-	-	20	11	128	24	24	292
1550s	11	9	112	17	8	83	51	48	577
1560s	10	8	101	10	4	48	88	83	993
1570s	17	15	192	19	7	80	115	102	1225
1580s	7	7	74	11	4	48	127	81	957
1590s	0	-	-	26	15	163	102	76	911

Source: See Figure 1.

Table A2 – Population Estimates

Manor	Date	Type (geographical unit)	Number of Individuals	Method 1	Minimum – Maximum Multiplier Unit	Method 2	Total Population Minimum – Maximum	Method 3	Minimum – Maximum Adult Males
Little Downham	1327	Lay subsidy (vill)	31 taxpayers	Assume covers 25-33% of householders*	93-124 householders	Assume multiplier of 4.75	442-589	Assume adult males 30% of population [†]	133-177
	1377	Poll tax (vill)	267 taxpayers (with Littleport)	Assume ratio of taxpayers the same as 1524 Lay Subsidy (102:93) [‡]	140 adults aged 14 and over	Assume multiplier of 1.323-1.454 [§]	185-204	Assume adult males 30% of population	56-61
	1524	Lay subsidy (vill)	102 taxpayers	Assume covers 72-97% of men**	105-142 men	Assume multiplier of 3.33 ^{††}	350-472	-	105-142
	1563	Diocesan register (parish)	80 householders	-	80 householders	Assume multiplier of 4.75-5 ^{‡‡}	380-400	Assume adult males 30% of population	114-120
Horstead	1327	Lay subsidy (vill)	51 taxpayers	Assume covers 25-33% of householders	153-204 householders	Assume multiplier of 4.75	727-969	Assume adult males 30% of population	218-291

* Following Campbell and Bartley, *Atlas*, p. 329.

† Following Campbell, 'Population of early Tudor England', p. 152.

‡ Unfortunately the returns of the Isle of Ely were given together in the tax (excluding the City of Ely), thus putting Downham and Littleport together. This methodology assumes population decline was similar in these neighbouring communities due to their proximity. Pleasingly, the ratio between the 140 estimate for 1377 and the 31 taxpayers in 1327 of 1:4.52 is very close to that of 1:4.47 calculated for Cambridgeshire as a whole, suggesting a number that is at least plausible.

§ Following L.R. Poos, *A Rural Society after the Black Death: Essex 1350-1525* (Cambridge, 1991), p. 299.

** Following Campbell, 'Population of early Tudor England', p. 152.

†† Following Ibid.

‡‡ Following M. Tompkins, 'Peasant Society in a Midlands Manor: Great Horwood, 1400-1600' (Univ. of Leicester Ph.D. thesis, 2006), p. 190.

	1379	Poll tax (vill)	96 listed (57 taxpayers)	-	96 adults 16 and over	Assume multiplier of 1.323-1.454	127-140	-	57
	1524	Lay subsidy (vill)	27 taxpayers	Assume covers 72-97% of men	28-38 men	Assume multiplier of 3.33	94-125	-	28-38
	1603	Diocesan Register (parish) ^{§§}	c.100 communicants (given as estimate) ^{***}	-	100 communicants	Assume covers 50-65% of population ^{†††}	154-200	Assume adult males 30% of population	46-60
Worfield	1327	Lay subsidy (vill)	60 taxpayers	Assume covers 25-33% of householders	180-240 householders	Assume multiplier of 4.75	855-1140	Assume adult males 30% of population	257-342
	1524	Lay subsidy (vill)	112 taxpayers	Assume covers 72-97% of men	115-156 men	Assume multiplier of 3.33	384-518	-	115-156
	1563	Diocesan register (parish)	134 householders	-	134 householders	Assume multiplier of 4.75-5	637-670	Assume adult males 30% of population	191-201

Source: *Lay Subsidy*, tr. Muskett and ed. Evelyn White; *Poll Taxes of 1377, 1379 and 1381*, ed. C.C. Fenwick, iii vols., (Oxford, 1998-2005); *The Distribution of Regional Wealth in England as Indicated by the Lay Subsidy Returns of 1524/5*, ed. J. Sheail, ii, (Kew, 1998); *The Diocesan Population Returns for 1563 and 1603*, eds. A. Dyer and D.M. Palliser (Oxford, 2005); Smith, *Worfield*; TNA, E179/149/7.

^{§§} This excludes Stanninghall which was part of the civil but not ecclesiastical parish of Horstead: *Diocesan Population Returns*, eds. Dyer and Palliser, p. 411 n.111.

^{***} Unfortunately, the census only states that the number of communicants were 'the like number' to Coltishall, where a number of 100 communicants is given. Therefore, these figures are very much estimates: *Diocesan Population Returns*, eds. Dyer and Palliser, p. 442 n.112.

^{†††} Following Tompkins, 'Peasant Society', p. 190.