

THE CHANGING ROLE OF MANORIAL OFFICERS AND MANOR COURTS

Historians investigating manorial officeholding and manor courts currently present two very different pictures for the medieval and early modern eras. For many medievalists, focused on the period before the Black Death, manor courts were primarily an instrument for the lord to control his tenants and extract rents and services from them, allowing lords to dramatically increase their incomes over the thirteenth century.¹ This is particularly true of manorial officers; while tenants did use courts for their own non-seigniorial functions in terms of interpersonal business, the role of officials is seen as having been mainly to the benefit of the lord.² Although the device of presentment (where sworn jurors had to return information about offences committed within the manor) was first used for public business in leets, most interpretations agree that it was co-opted by seigniorial administrators to provide a more effective way of managing seigniorial rights. While acknowledging some successful resistance, Ralph Evans notes that at Thorncroft ‘the manorial court . . . consistently secured eventual compliance’ to the desires of the lord.³ Officers acting in the court were used to monitor lords’ rights over unfree

- ¹ R.H. Hilton, ‘Peasant movements in England before 1381’, *ECHR*, 2 (1949), 117–36, at 121; Hilton, *The English Peasantry in the Later Middle Ages: the Ford Lectures for 1937 and Related Studies* (Oxford, 1975), 231–4; Hilton, *Decline of Serfdom*, 18–19; Dyer, *Age of Transition*, 86–9; Dyer, *Lords and Peasants*, 52, 265; R. Faith, *The English Peasantry and the Growth of Lordship* (London, 1997), 256; Beckerman, ‘Procedural innovation’, 199–200; R. Evans, ‘Whose was the manorial court?’ in Evans (ed.), *Lordship and Learning*, 155–68, at 155–8; Bolton, *Medieval English Economy*, 20, 112–13; Rigby, *English Society*, 25–8; Briggs, ‘Availability of credit’, 14; Briggs, *Credit*, 13; J. Whittle and S.H. Rigby, ‘England: popular politics and social conflict’ in Rigby (ed.), *Companion to Britain*, 65–86, at 75; M. Bailey, ‘Peasant welfare in England, 1290–1348’, *ECHR*, 51 (1998), 223–51, at 224; P.V. Hargreaves, ‘Seigniorial reaction and peasant responses: Worcester Priory and its peasants after the Black Death’, *Midland History*, 24 (1999), 53–78, at 54.
- ² Bailey, *English Manor*, 169–74; Schofield, *Peasant and Community*, 48; Z. Razi, ‘Serfdom and freedom in medieval England: a reply to the revisionists’ in Coss and Wickham (eds.), *Rodney Hilton’s Middle Ages*, 182–7, at 186.
- ³ Evans, ‘Merton College’s control of its tenants’, 254.

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tenants, protect seigniorial property, manage customary land and ensure suitors attended the court. Although nearly all modern scholars note the flexibility in application of these obligations occasioned by the fact that officers were drawn from the tenants and so could protect their interests, and that sometimes lords and tenants' interests could be aligned, this does not detract from the fact that the role of officials was in essence to enforce the lord's rights.⁴

This view of courts as largely seigniorial institutions has been questioned and modified by various arguments but has not yet been overturned. The Toronto School provided a more positive picture, with its depiction of the court and its officers as primarily working to regulate the village in a quasi-democratic way. However, later work has challenged the Toronto view owing to issues of both evidence and interpretation, meaning that this community-focused view of manorial courts has had limited traction within more recent scholarship of the manor court.⁵ Revisionism in the understanding of medieval serfdom has similarly questioned the rapaciousness of lords, emphasising that their power over their tenants was bounded by custom, and that prevailing economic conditions led to lords commuting labour services in favour of waged labour.⁶ Such approaches have also emphasised the facilitative role of courts for peasant agriculture and commerce, with lords providing legal services in return for the fees these generated.⁷ Yet, even if lords were not incentivised to squeeze tenants, their courts and officers were still utilised to meet seigniorial interests, and were fundamentally structured around the relationship between lord and tenants.⁸

A second part of the established narrative is that a change occurred after the demographic collapse of the Black Death and further resurgences of plague. This led, after an 'Indian summer' of high prices, to the increasing unprofitability of demesne farming, triggering a shift in seigniorial policy from direct management to the leasing of agricultural land, meaning that lords sought less control over their tenants through courts and officers.⁹ Simultaneously, serfdom declined and then disappeared across England, meaning that manor courts were no longer required to monitor personal

⁴ Schofield, *Peasant and Community*, 42–4, 168; Evans, 'Merton College's control of its tenants'; Briggs, 'Monitoring demesne managers', 180; C.C. Dyer, 'The ineffectiveness of lordship in England, 1200–1400' in Coss and Wickham (eds.), *Rodney Hilton's Middle Ages*, 69–86, at 77.

⁵ See pp. 7–8. ⁶ For a detailed discussion, see p. 118.

⁷ Bailey, *After the Black Death*, 44–6; J. Claridge and S. Gibbs, 'Waifs and strays: property rights in late medieval England', *JBS*, 61 (2022), 50–82, at 54–6, 76–7.

⁸ Evans, 'Whose was the manorial court?', 168.

⁹ Harvey, *Westminster Abbey*, 148–51; Bailey, 'Rural Society', 152–4; Hilton, *Decline of Serfdom*, 33; Bolton, *Medieval English Economy*, 214; Dyer, *Age of Transition*, 96–7; Dyer, 'Political life', 144–6; Dyer, *Lords and Peasants*, 113; Rigby, *English Society*, 84–5; Campbell, 'Land and people', 17.

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unfreedom.¹⁰ These changes have led many medievalists to suggest that manor courts, and thus manorial officeholding, were in terminal decline by the sixteenth century and increasingly became simply fora to register the transfer of copyhold land.¹¹

The early modern reinterpretation of the vitality of manorial courts provides a very different picture. These studies have emphasised the role of courts in fulfilling a wide range of community functions, including maintaining law and order, controlling misbehaviour, managing common land and maintaining communal infrastructure.¹² The role of manorial lords is almost entirely absent in these accounts, and the picture edges towards a view of courts similar to that of the Toronto School.¹³ So, the early modern interpretation differs from that typical of the medieval, in that courts appear as 'little commonwealths', with officers acting to govern their local community, rather than a tool largely for enforcing the rights of a powerful lord over their tenantry. Where early modernists have focused on the functions of courts in meeting the needs of external authorities, they have emphasised courts' role in meeting the needs of the crown. Hindle has highlighted that studies have 'associated the late Elizabethan period not so much with a decline but with a flourishing of the activity of manorial courts leet' as 'Tudor parliaments increased rather than diminished' leets' powers.¹⁴ Therefore, early modern accounts describe the success of the development of manorial courts as public bodies without the perspective of decline from a fourteenth-century, seigniorially focused high-point.

Clearly a change occurred at some point between 1270–1350 and 1550–1850, with a shift from manorial officers being focused on seigniorial concerns, to a new focus on community and law and order concerns. However, the nature and timing of this shift has been subject to little attention. Few works have explored the intermediate fifteenth- and

¹⁰ Larson, *Conflict and Compromise*, 235–50; Bailey, *Decline of Serfdom*, 326–9; Briggs, 'Availability of credit', 14.

¹¹ Dyer and Hoyle, 'Britain, 1000–1750', 67; Beckerman, 'Procedural innovation', 200; C.D. Briggs and P.R. Schofield, 'The evolution of manor courts in medieval England: the evidence of personal actions', *Journal of Legal History*, 41 (2020), 1–28, at 23–4.

¹² M. Griffiths, 'Kirtlington manor court, 1500–1650', *Oxoniensia*, 45 (1980), 260–83; Whittle, *Agrarian Capitalism*, 28–84; J. Healey, 'The northern manor court and the politics of neighbourhood: Dilston, Northumberland, 1558–1640', *Northern History*, 51 (2014), 221–41; P. Sharpe, *Population and Society in an East Devon Parish: Reproducing Colyton, 1540–1840* (Exeter, 2002), 211–12; Watson, 'Towne harmles', 119–35.

¹³ Hoyle and French's sceptical view on early modern manor courts provides an exception to this, in that they argue the manor court of Earls Colne declined precisely because of its limited use to the manor's lord: H. French and R. W. Hoyle, *The Character of English Rural Society: Earls Colne, 1550–1750* (Manchester, 2007), 165–71, 295.

¹⁴ Hindle, *State and Social Change*, 207.

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sixteenth-century period in detail and specifically looked at change using the same methodologies applied to the same places over time, partly due to the decreasing detail in many fifteenth-century court rolls.¹⁵

This chapter applies a quantitative methodology to examine the changing work of officials through categorising various presentments made by manorial officials and then seeing how the share of these various categories changed over the period under study and between the case-study manors. This demonstrates that the role of manorial officers went through two transitions between *c.*1300 and *c.*1650. Firstly, there was a change from a seigniorially and royally focused manorial court, with officers acting primarily as the lord's and crown's servants, to a community-focused 'little commonwealth', with officers acting as community elites to maintain structures and keep order. A further change occurred later, with officials increasingly not meeting public-order requirements but simply helping to monitor the transfer of land. However, these changes occurred within the context of significant variation between manors, and a wider East Anglian versus western/south-western divide. These changes in the foci of officials' work show the flexibility of manorial structures, which allowed manor courts to be put to different uses over time and space in a period of political, economic and social change. In turn, this reveals the sustained importance of manorial officers in governing the late medieval and early modern English countryside.

The first section of the chapter explains the process by which jurors made presentments to demonstrate their value as a metric for the changing functions of manorial officials. The following section examines the overall patterns of presentments, while the subsequent section explores categories of presentment to analyse the changes behind the wider patterns. The final section looks at the relatively few presentments made by officials other than jurors.

CATEGORISING PRESENTMENTS

This chapter adopts a statistical approach to measure evolutions in the work of manorial officials over time, utilising the presentments made by the full complement of officers which are recorded in the court rolls of each manor. Presentments were made by several different types of officers, but overwhelmingly came from the two types of jury for the courts leet and baron seen at all the manors.¹⁶ Thus, the analysis of presentments is better at tracking the role of juries than other officials, presumably

¹⁵ Dyer, 'Political life', 139.

¹⁶ See Appendix 1 for a fuller discussion of the officials presenting at each manor.

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capturing the totality of their role within the manorial system, as the office expressly existed to meet the need of presenting infractions. Even though the work of some other officials is not necessarily perfectly recorded in presentments, counting them remains the best way of tracking change in officials' function over time. This is partly owing to their consistency, but also because they were exactly the type of officers' business that the surviving records of court rolls were designed to capture.

The presentment procedure was driven by lists of articles that would be delivered to the jury by the steward at the court session preceding that at which the presentments would be made.¹⁷ The jury would then investigate and present all breaches of the articles at the following session, where they are recorded in the surviving rolls.¹⁸ Aspects of this process are occasionally glimpsed in the records of the case-study manors. At Downham, in 1410, John Deye and Simon Cok as jurors were amerced for 'not coming at the appointed time to receive their charge', presumably an order to respond to the articles, as was a capital pledge in 1411.¹⁹ Worfield's jury in 1430 was described as having been 'charged and sworn to examine and return'.²⁰ In 1502 the jury of the same manor asked for a delay until the next session 'of all matters touching or pertaining to the lord', making no presentments.²¹

The method by which jurors gathered information to answer the charges is largely invisible in the records. For aspects involving the physical environment, jurors are recorded as going to view specific sites in order to make their judgement. 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 each in default surrendering 12d.²² 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, while jurors at Cratfield in 1548–9 were given until subsequent courts to view various encroachments, hedges and roads.²³ The pains system, by which offenders were ordered to correct faults by a certain date or face an

¹⁷ Lists of articles survive in guidance literature on how to hold a court: Harvey, *Manorial Records*, 48; Bailey, *English Manor*, 193, 223–6. For a summary, see F.J.C. Hearnshaw, *Leet Jurisdiction in England: Especially as Illustrated by the Records of the Court Leet of Southampton* (Southampton, 1908), 43–64. John Beckerman has also identified a list of articles in English from c.1400: J. S. Beckerman, 'The articles of presentment of a court leet and court baron, in English, c.1400', *Bulletin of the Institute of Historical Research*, 47 (1974), 230–4.

¹⁸ Beckerman, 'Procedural innovation', 228–50; Evans, 'Whose was the manorial court?', 164.

¹⁹ CUL, EDR, C111/2/4, m.24, 5 Mar. 1410, m.27, 15 Jul. 1411.

²⁰ SA, P314/W/1/1/275, 25 Jan. 1430. ²¹ SA, P314/W/1/1/501, 7 Nov. 1502.

²² CUL, EDR, C111/3/10, m.20, 31 Jan. 1503.

²³ KCAR/6/2/87/1/1/HOR/37, 11 Jun. 1423, 23 Sep. 1423, 11 Jan. 1424, 24 Mar. 1424, 11 Jun. 1424; CUL, Vanneck Box 3, Roll of Edward VI and Mary I, m.1, 13 Sep. 1548; m.3, 25 Nov. 1549.

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amercement, must have also guided information gathering, with jurors presumably either going to view the fault or inquiring about it on the deadline set by the court when the pain was given. Other information was clearly given by the victims of the wrongs presented, although how jurors evaluated the veracity of this is unclear.²⁴

How jurors themselves retained the articles they received and the information they gathered and then organised this into presentments is also obscure. Presumably the list of articles to which officials responded at any court were familiar to at least some of the jurors in any panel, who may have heard them many times as they served at multiple sessions.²⁵ The slim evidence of the commonplace book of Robert Reynes and the *Book of Brome* suggests that by the later fifteenth century, prominent jurors may have possessed written copies of articles which they could perhaps consult and share with their fellows.²⁶ Amercements of jurors for failure to keep deliberations secret show that presentment juries clearly met at some point either before or during the court session, presumably to discuss the information they had gathered and turn this into a set of presentments.²⁷ Writing likely had a role in this process. Michael Clanchy has emphasised that many medieval villagers even by 1300 were 'pragmatically literate', while Johnson has emphasised a 'documentary revolution' in the fifteenth century as written materials became deeply entrenched in the legal culture of the commons.²⁸ In the St Albans *Modus Tenendi Curias*, the capital pledges are specifically directed 'to inquire among yourselves [about the articles] and if you wish for a clerk you shall have one', suggesting the possibility of making notes of offences, or combining information from various jurors into a common set of presentments.²⁹ The survival of a written set of presentments in English along with a Latin fair copy for the court leet at Peterborough may be an example of this process.³⁰

An illuminating case seen at Horstead in 1492, where the jury asked to change their presentment of a deathbed land transfer, shows how the information used to create a presentment could be later deemed

²⁴ Beckerman, 'Procedural innovation', 247–8.

²⁵ See Gibbs, "'Open" or "closed"? Participation in English manorial presentment juries, c.1310–c.1600: a quantitative approach', *EHR*, 137 (2022), 1003–52, for the large numbers of jurors serving session-on-session.

²⁶ *The Commonplace Book of Robert Reynes of Ayle: an Edition of Tanner MS 407*, ed. C. Louis, Garland Medieval Texts, 1 (London, 1980); 144–5; Yale University Library, Beinecke MS 365, ff.51–9.

²⁷ S. Gibbs, 'Lords, tenants and attitudes to manorial officeholding, c.1300–c.1600', *AgHR*, 62 (2019), 155–74, at 164–5; Johnson, 'Soothsayers', 442.

²⁸ M. Clanchy, *From Memory to Written Record: England, 1066–1307*, 3rd edn (Chichester, 2013), 48–54; Johnson, *Law in Common*, 243–54.

²⁹ Bailey, *English Manor*, 226.

³⁰ M. Bateson, ed., 'The English and Latin versions of a Peterborough court leet, 1461', *EHR*, 75 (1904), 526–8.

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incorrect. The jury had presented in a June court of the previous year that Katherine Dalgate had surrendered her land in favour of two executors from Beeston and Norwich who did not come to take the land, meaning it was seized into the lord's hand. However, they now said that the truth 'without fraud or evil contrivance' was that Katherine had surrendered the land in favour of Nicholas Kempe, who proceeded to take on the land.³¹ Why the jury received imperfect information in the first place is unclear, although in the case of a deathbed transfer, the jurors were entirely dependent on the account of the witnesses at the tenant's demise, while in other instances it was presumably easier to gather other accounts or see offences in person. A similar case of incorrect information occurred at the manor in 1526. At the previous leet the capital pledges had presented Thomas Rede, a mercer of Norwich, and therefore likely not in attendance at the session, for obstructing a common path with a new watercourse. However, Thomas appeared in the court with charters, which, being read to the capital pledges and homage, proved the path lay on his land. This led to the previous presentment being nullified, although this was explicitly done with the consent of the capital pledges, suggesting that written evidence alone was not sufficient to overturn the jury's decision, and that the officers had to confirm what the written evidence claimed.³² Generally, however, a presentment acted as a summary judgement, and the information occasioning it was undisputed, a process which unfortunately obscures how jurors operated.³³

The structure of the presentment system meant that juries were restricted in what they could present. The first bound was that created by 'reality', the actual activity occurring within the manor. While jurors' judgements were sometimes challenged and called false, it is unlikely that officials completely fabricated presentments on a regular basis, and their presentments likely accorded with the real actions of the individuals they presented.³⁴ A second, concentric bound was placed by the articles to which jurors responded, which were delivered by the steward. Occasionally, specific areas of inquiry related to particular cases are recorded. Typical examples include viewing seigniorial property, inquiring into heirs of dead tenants and whether they died seised, establishing boundaries, and deciding matters of custom in response to particular disputes.³⁵ However, no records of the general

³¹ KCAR/6/2/87/1/1/HOR/41, m.8, 7 May 1492.

³² KCAR/6/2/87/1/1/HOR/45, m.20, 30 Oct. 1526.

³³ Beckerman outlines the high threshold of proof needed to challenge a presentment, which in practical terms required documentary evidence and thus was clearly inappropriate for the vast majority of presentments made: 'Procedural innovation', 237–40.

³⁴ For protests against juries' presentments, see Gibbs, 'Lords, tenants and attitudes', 171–2.

³⁵ See, for example, SA, P314/W/1/1/1, 1 May 1327; P314/W/1/822, 5 Oct. 1592; KCAR/6/2/87/1/1/HOR/36, 10 Aug. 1407; KCAR/6/2/87/1/1/HOR/37, 11 Jun. 1424; KCAR/6/2/87/1/

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articles, which guided the vast majority of presentments, are available for the case-study manors. Within these articles, jurors were able to exercise some discretion over what business they focused on. Evidence of amercements for concealment display that jurors did not automatically present all offences against the articles they were given.³⁶ At the same time, however, they reveal these men did not have free rein, with the fear of punishment by stewards again influencing their choice over what to present.³⁷

Changes in presentments as a subset of 'real' activities could therefore be affected by both the lord's representative and manorial officers. The former could potentially choose to formally add or remove articles, or perhaps informally stress or relax to which articles he directed juries to respond. Officials could exercise a constrained choice in which real incidents to report according to the articles. They could also perhaps interpret articles either narrowly or broadly. This makes interpretation difficult. For instance, the disappearance of a form of presentment may have been driven by the ceasing of that activity on the manor, the steward choosing to remove a specific article of inquiry, or the jurors illicitly choosing not to respond to an article. However, even if it is impossible to assign agency for the appearance and disappearance of specific presentment types, the involvement of both lord and officials means changing patterns can be used as an index both of who was using manorial structures and of the priorities of the tenants who filled manorial offices.

OVERALL PATTERN

For each manor, all surviving presentments made by all types of officer can be organised into five key categories:³⁸

- 1 'Lord', which contains all business directly pertinent to the lord and his authority on the manor;
- 2 'Royal', which contains all business related to the leet functions of the court that met the needs of the crown;
- 3 'Community', which contains all presentments concerned with the maintenance and protection of communal infrastructure;

1/HOR/49, m.9, 24 Mar. 1533; TNA, SC 2/170/8, m.6, 3 Mar. 1573; CUL, Vanneck Box/3, Henry VII roll, m.24, 13 Jun. 1508; Henry VIII roll, m.24, 19 May 1535; Vanneck Box/4, James I (2) roll, m.7, 8 Jun. 1625.

³⁶ Gibbs, 'Lords, tenants and attitudes', 165.

³⁷ How a steward would discover concealment is unfortunately largely unclear. Evans plausibly suggests that stewards relied on aggrieved tenants who may not have benefited from a concealment or had a pre-existing score to settle with a neighbour: Evans, 'Whose was the manorial court?', 164.

³⁸ See Appendix 1 for a detailed description of the procedure by which presentments are categorised and examples of the type of business in each category.

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- 4 'Land', which contains all presentments relating to tenants' management of land; and
- 5 'Misconduct', which contains petty misbehaviour not covered by the royal category.

There are also two smaller categories: 'monitor', where jurors leet confirmed the presentments of other officials, and 'nothing', where officials explicitly said they had no business to present. The results of this analysis, exploring changes by decade, are shown in Figures 1.1–1.6. Figure 1.1 shows the average percentage of business in each of the four largest categories across all manors, while the subsequent figures show changes in the proportion of presentments by each manor.

Five central patterns emerge from this analysis. Firstly, there was a significant diversity between different manors. One obvious contrast is the difference in the pattern of community presentments between Downham and Horstead, on the one hand, and Cratfield, Fordington



Figure 1.1 Average presentments per category across all manors, 1320–1649
Notes: The graph displays an average of the proportion of each type of business seen at each manor individually by decade. Not all manors provide data for each decade.

Sources: See Figures 1.2–1.6.

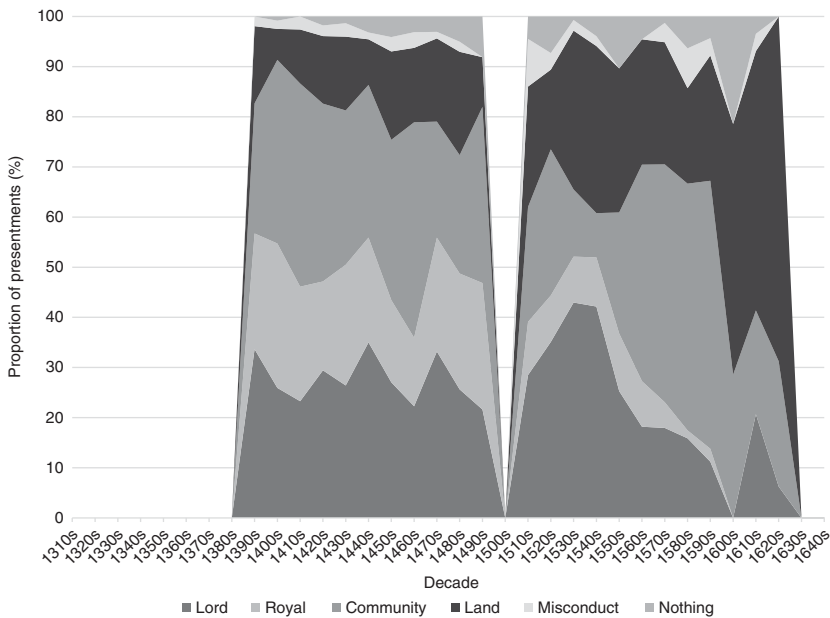


Figure 1.2 Presentments per category at Horstead, 1392–1628

Notes: Officials presenting: ale tasters, jurors baron for Horstead, jurors baron for Coltishall fee and capital pledges. Number of presentments: 3,441.

Sources: KCAR/6/2/87/1/1/HOR/26-41, 45, 48-58; KCAR/6/2/38/1/1/COL/376.

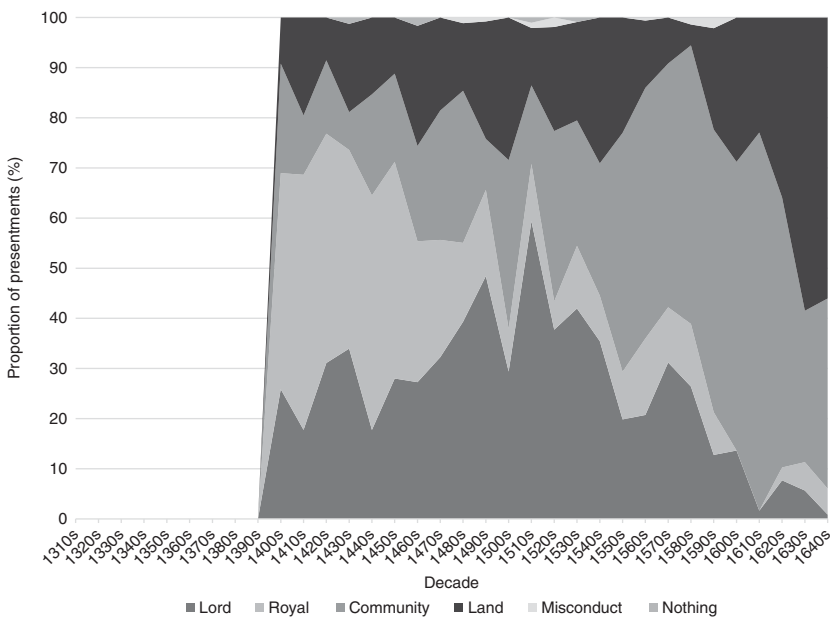


Figure 1.3 Presentments per category at Cratfield, 1401–1649

Notes: Officials presenting: ale tasters, jurors baron and capital pledges. Number of presentments: 3,004.

Sources: CUL, Vanneck Box/3-4.

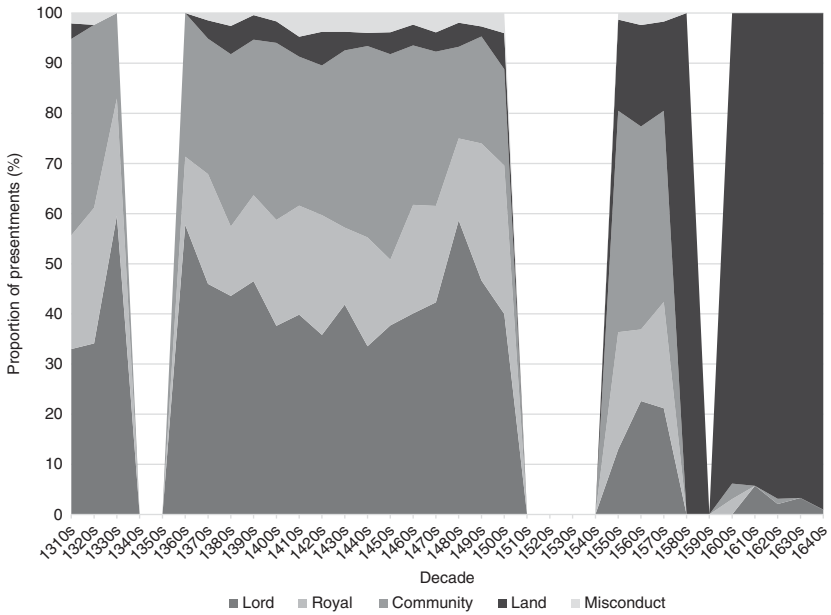


Figure 1.4 Presentments per category at Little Downham, 1310–1649
Notes: Officials presenting: reeves, messors, bylawmen, fenreeves, jurors baron and capital pledges. Number of presentments: 3,882.
Sources: CUL, EDR, CII/1/1–3, CII/2/4–6, CII/3/7–11, CII/8–10.

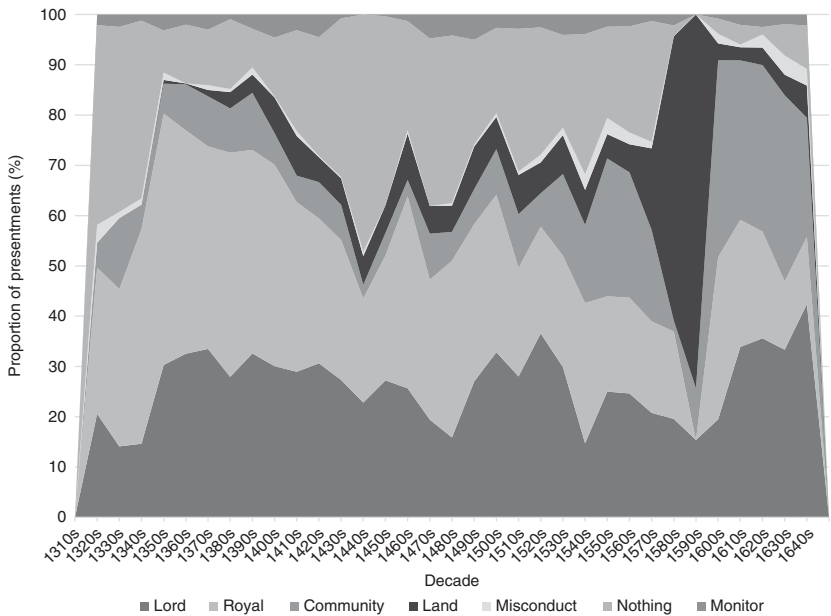


Figure 1.5 Presentments per category at Worfield, 1327–1649
Notes: Officials presenting: reeves, beadles, ale tasters, jurors baron, jurors leet and townships. Number of presentments: 12,505.
Sources: SA, P 314/w/1/1/1–838, 5586/1/257–306.

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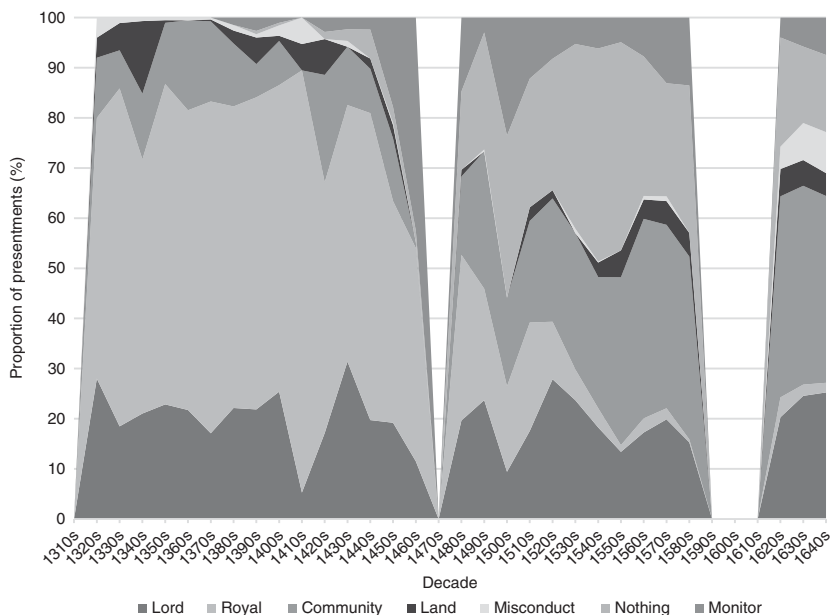


Figure 1.6 Presentments per category at Fordington, 1328–1649

Notes: Officials Presenting: messors, fieldreeves, hermitage representatives, jurors baron, jurors leet and tithingmen. Number of presentments: 6,626.

Sources: TNA, SC 2/169/25–47, SC 2/170/1–16.

and Worfield, on the other. While community management always constituted a significant category at the former manors, at the latter three this category was initially a lot smaller. At Cratfield and Fordington, community presentments only began to rival seigniorial and royal presentments from the 1490s onwards, and at Worfield from the 1550s onwards. Another obvious area of difference is the land category. This type of business was almost never presented at Fordington across the whole period examined, and was also not seen at pre-Plague Downham and Worfield, even though land transfers were, of course, made and recorded by other means.³⁹ Land presentments grew at Worfield to account for a regular amount of business from the 1380s but remained a relatively minor category. Similarly, at fifteenth-century Downham, while the number of land presentments had grown, they represented a relatively small proportion in comparison with other types of business. At Cratfield and Horstead, by contrast, land

³⁹ It is essential to note that presentments only represent a subset of all land transactions and therefore cannot be used as an index of the land market at these manors. See Appendix 1 for more detail.

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business accounted for a substantial part of the total presentments throughout the period, driven by East Anglia's developed market in customary land.⁴⁰ These differences reveal the large extent to which the role of manorial officials was driven by the specific regional situation of the community.

Secondly, the late sixteenth and seventeenth century did see the work of manorial officials converge towards a focus on land transfers at the three East Anglian manors. After the gap in court records for the early sixteenth century, Downham's presentments for the 1550s–1570s show land presentments, while still the smallest category other than nuisance, accounting for a higher proportion of total presentments. From the 1580s onwards, they accounted for almost all presentments. This brings Downham closer to the situation seen at Horstead and Cratfield. At the former manor, land was the second highest category for nearly all decades of the sixteenth century and was the highest category from 1600 onwards. Similarly, at Cratfield, land became the second highest category from the 1590s and the highest category in the 1630s and 1640s. This picture of an increasingly myopic focus on land transfers accords well with the view that copyhold was the main vestige of the manorial system that survived into the early modern period. However, Fordington and Worfield show a different trend. At the Dorset manor, even by the seventeenth century land presentments were a relatively small category of business, while at Worfield, a growth in the proportion of land presentments in the 1580s and 1590s was not sustained into the seventeenth century when this again became a minor category of presentment. Therefore, it is clear that at least some manorial courts and their officers had functions beyond simply monitoring landholding even after 1600.

Thirdly, seigniorial presentments continued to be significant beyond the late Middle Ages. They remained important up to the mid-sixteenth century at all manors, with 'lord' being one of the top two categories of business. Similarly, an ultimate decline in the proportion of seigniorial presentments only occurred in the mid- to late sixteenth century at the three East Anglian manors, with presentments at a far smaller proportion from the 1550s at Downham and Cratfield and from the 1560s at Horstead. At Worfield and Fordington, seigniorial presentments remained important even up to the 1640s.

Fourthly, there was a more universal decline in royal presentments. These declined as a proportion at Cratfield from the 1480s, at Fordington

⁴⁰ Whittle, *Agrarian Capitalism*, 173–7; 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), 87–134, at 120–6; Bailey, *Medieval Suffolk*, 55, 230–1; C.C. Dyer, 'A Suffolk farmer in the fifteenth century', *AgHR*, 55 (2010), 1–22, at 11.

Overall Pattern

from the 1490s, at Horstead from the 1510s and at Downham from the 1550s (and especially 1600s). Worfield saw decline in the late sixteenth century, but interestingly this trend was then reversed in the seventeenth century, suggesting royal presentments remained important across the period under study at this manor.

Finally, the lack of presentments of nothing, or *omne bene* (all well), is testament to the sustained importance of manorial officers. While these presentments did rise at both Worfield and Horstead around the turn of the sixteenth century, both manors saw them decline from this point onwards. Moreover, at the former manor, this pattern is slightly misleading as it includes vills that presented nothing, within sessions where other townships may have presented. At Fordington, these presentments became more common over the sixteenth and seventeenth centuries, but officials continued to make similar numbers of presentments in other categories. Even when officials made these reports, they may well have been deliberate choices to conceal information for officers' own purposes, rather than literal reports that nothing had happened.⁴¹ Therefore, a straight line cannot be drawn between *omne bene* and official irrelevance: officers may have seen periods when they had less to present, but ultimately this was not a one-way process towards redundancy.

Overall, the analysis of officer presentments demonstrates that manorial officers' functions remained relatively static for much of the fifteenth and early sixteenth century. While patterns of presentments varied locally, and there were some changes after the Black Death as land presentments grew in significance at Downham and Worfield, broadly the mix of presentments at any manor in c.1500 is similar to that of c.1400, and for Fordington, even as far back as the early fourteenth century. Changes begin to occur at the three East Anglian manors in the sixteenth century, with officers at several manors being divested of presentments in the royal and lord categories and eventually becoming focused largely on tenurial issues. At Horstead this involved a terminal decline in royal presentments from the 1510s onwards followed by lord presentments from the 1560s, leaving officers focused on community and land presentments. Community presentments then declined in the seventeenth century, leaving officials to focus on land. At Downham, a similar pattern occurred, with a decline in royal and lord presentments by the 1550s in favour of community and land presentments, followed by a virtually sole focus on land presentments in the seventeenth century. At Cratfield, royal presentments declined even earlier, in the 1490s, followed by lord presentments

⁴¹ Johnson, *Law in Common*, 208–9.

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in the 1550s. Land presentments also began to predominate from the 1630s, although here community presentments remained more important.

At Fordington and Worfield there was less change over time. Fordington did see a dramatic decline in royal presentments from the 1490s, and a rise in community presentments from the 1540s, although officials continued to present low levels of lord presentments as they had in the fourteenth century. At Worfield, a brief period when officials largely concentrated on land presentments in the late sixteenth century was replaced by a return to significant numbers of lord and royal presentments in the seventeenth century. However, there was a more sustained rise in community presentments from the 1550s.

CHANGES IN CATEGORIES: PRESENTMENT JURIES, TITHINGMEN, VILLS AND TASTERS

Breaking down the macro-categories outlined above allows for the exploration of what drove these significant changes across time in the focuses of manorial officials. For the following sections, only the presentments of capital pledges, jurors leet and baron, tithingmen, vills and tasters have been examined, with other officers' presentments considered collectively afterwards.

Lord Presentments

Quantitative analysis reveals that seigniorial concerns were still drivers of manorial jurors' presentments up until the last decades of the sixteenth century. However, examining the business making up this macro-category allows for consideration of which seigniorially directed functions would set officers against the interests of the community of tenants at large, and which functions would be less divisive. Methodological problems mean that this evidence must be treated carefully. Officers could only present an infraction if it had been made by an offender. Therefore periods of relatively few presentments can represent either lack of seigniorial pressure on officers to present infractions or, alternatively, a high level of conformity by the tenant body at large, meaning there were no offences to present.⁴²

Despite these concerns, it is clear that the majority of seigniorial presentments made by jurors do not seem to have had a particularly

⁴² Presentments concerning personal servility are treated separately in Chapter 3 owing to their ability to provide insights into the relationship between officeholding and unfreedom. However, quantitatively these presentments were a small category even of seigniorial business across all manors, with presentments per decade rarely rising above ten.

negative impact on the community of tenants. There are three areas which are exceptions to this. The first was the role of capital pledges and tithingmen at Cratfield, Downham and Fordington in presenting collective annual payments to lords at each leet. This payment was fixed at 6s 8d at Cratfield, 6s at Downham and 5s at Fordington.⁴³ Tenants at Downham also paid an additional recognition on the establishment of a new bishop as lord.⁴⁴ However, while these payments may have been onerous, much like tallage they were at least routine and fixed and thus a predictable levy for the tenants.⁴⁵

More significant is the second area, the regular presentment of customary tenants for having dilapidated tenements, and the frequent imposition of pains or even orders to seize which accompanied these. Presentments and orders to repair property accounted for approximately 15–57% of seigniorial presentments from the 1400s to 1570s at Cratfield.⁴⁶ Similarly, these presentments accounted for around 10–26% of seigniorial presentments at Downham from the 1380s to 1570s.⁴⁷ The frequency of these presentments is testament to their ineffectiveness, yet they also show jurors acting to at least attempt to control landholding and presumably prevent engrossment, therefore acting directly against the desires of elite tenants and engaging in one of the few areas where lords attempted to increase the costs of customary tenure.⁴⁸ However, these presentments should also be seen in the context of negotiation with the lord, and by the seventeenth century tenants at Cratfield appear to have frequently been able to pull down property in exchange for paying the lord a licence fee.⁴⁹ Similarly, Johnson has argued that repairing property, while seigniorially directed, was part of the wider aims of maintaining community and thus may have met the objectives of tenants holding office alongside those of the lord.⁵⁰

The third issue was the role of officials in ensuring tenants paid fines to the lord for transferring their land. This was particularly prominent at Horstead and Cratfield, where active land markets led to a large

⁴³ CUL, Vanneck Box/3–4; CUL, EDR, C11/1/1–3, C11/2/4–6, C11/3/7–11; TNA, SC 2/169/25–47, SC 2/170/1–16.

⁴⁴ CUL, EDR, C11/1/2, m.11, 16 Mar. 1362; C11/2/6, m.9, 19 Jul. 1426, m.30, 17 Jul. 1438, m.36, 1 Apr. 1444, m.50, 4 Mar. 1455.

⁴⁵ M. Bailey, 'Tallage-at-will in later medieval England', *EHR*, 134 (2019), 25–58, at 31–2.

⁴⁶ CUL, Vanneck Box/3. ⁴⁷ CUL, EDR, C11/1/3, C11/2/4–6, C11/3/7–11, C11/8–10

⁴⁸ E.N. McGibbon Smith, 'Reflections of reality in the manor court: Sutton-in-the-Isle, 1308–1391', unpublished Ph.D. thesis, University of Cambridge (2006), 149–50; Hargreaves, 'Seigniorial reaction', 63–5; Whittle and Yates, 'Pays reel', 9; Harvey, *Manorial Records*, 52; Bailey, *After the Black Death*, 88.

⁴⁹ CUL, Vanneck Box/4, James I roll (1), m.3, 30 May 1604; James I roll (2), m.5, 23 May 1621, m.8, 17 May 1627, m.9, 4 Jun. 1628.

⁵⁰ Johnson, *Law in Common*, 48–9, 172.

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proportion of seigniorial presentments being focused on the illicit alienation, demising and occupation of land without the court's licence. These accounted for a mean of 37% of seigniorial presentments per decade at Horstead and 15% at Cratfield.⁵¹ In comparison, at Worfield and Fordington only eleven and seven cases were recorded respectively, while at Downham these presentments rose from 1–4 in the 1370s–1450s to 4–11 in the 1460s–1500s, before falling to 1–2 in the 1550s and 1560s.⁵² Such payments to transfer property were presumably onerous to tenants and worked to reduce their flexibility in the land market, although correct transfer through the court did ensure ownership could be demonstrated.

Nearly all other aspects of the work of officials was less obviously disadvantageous to tenants. For instance, juries had a consistent role in monitoring non-agricultural seigniorial resources at each manor. At Worfield, juries monitored trespasses and foraging in the lord's woodland, waste and fishing places. These accounted for a substantial 41–48% per decade of the admittedly few recorded pre-Plague seigniorial presentments, before dropping to a modest but consistent 1–12% of presentments down to the 1570s, although rising slightly in the 1580s to 1640s, in part thanks to new concerns about squatter settlement.⁵³ Fordington saw similar patterns, with monitoring of seigniorial pasture, woodland and fishing places accounting for a consistent 3–24% of seigniorial presentments from the 1320s to 1640s.⁵⁴ Downham's function as a hunting estate with a 250-acre deer park drove 1–16% of lord presentments for the 1430s onwards, with offenders presented for hedgebreaking and poaching, along with trespasses in the lord's fen and fishing places.⁵⁵ At Horstead, the existence of a rabbit warren and private fishing places accounted for some lord presentments, but at the relatively low level of 0–8% from the 1420s onwards, while at Cratfield a rabbit warren led to only ten presentments across the period studied.⁵⁶ While such presentments do represent the lord using officers to guard resources from local inhabitants, these presentments differ from those of collective fines, ruined tenements and illicit land transfers. The latter were directly linked to the status of inhabitants as tenants, requiring them to pay fines and controlling their

⁵¹ KCAR/6/2/87/1/1/HOR/26–41, KCAR/6/2/87/1/1/HOR/45, KCAR/6/2/87/1/1/HOR/48–54, KCAR/6/2/38/1/1/COL/376; CUL, Vanneck Box/3.

⁵² SA, P314/W/1/1/118, 13 Jul. 1379; P314/W/1/1/119, 14 Sep. 1379; P314/W/1/1/121, 22 Mar. 1380; P314/W/1/1/274, 1 Apr. 1429; CUL, EDR, C11/1/3, C11/2/4–6, C11/3/7–11.

⁵³ SA, P314/W/1/1/4–822; 5586/1/257–306. ⁵⁴ TNA, SC 2/169/25–47; SC 2/170/1–10

⁵⁵ CUL, EDR, C11/1/1–3, C11/2/4–6, C11/3/7–11; Coleman, *Downham*, 4.

⁵⁶ KCAR/6/2/87/1/1/HOR/26–41, KCAR/6/2/87/1/1/HOR/45, KCAR/6/2/87/1/1/HOR/48–58, KCAR/6/2/38/1/1/COL/376; CUL, Vanneck Box/3–4.

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ability to accumulate and dispose of their land freely, whereas resource presentments focused on the lord's separately held property.

Even less disadvantageous was jurors' continued role in monitoring the lord's rights to stray animals, found items and goods forfeited by felons as part of all manors' leet jurisdictions.⁵⁷ These generally accounted for 1–25% of seigniorial presentments at Cratfield, Horstead, Downham and Fordington, but were significantly more important at Worfield, accounting for a mean 50% of all seigniorial presentments from the 1350s to 1640s.⁵⁸ This was a result of the large size of the manor, giving the lord extensive rights to strays, along with the decentralised leet structure which led to every hamlet presenting stray animals and found items separately. This in turn led to this type of presentment being the core driver of seigniorial presentments at Worfield, with low numbers leading to low numbers of seigniorial presentments overall.

At Downham and Horstead, jurors had a further role in monitoring seigniorial livestock, with jurors at Horstead for 1412–40 and at Downham from the 1360s to 1420s routinely presenting if animals had died due to defect of custody of officials.⁵⁹ However, on no occasion did either jury actually present an offender, even though at Horstead presentments were very detailed, describing deaths by common murrain, dogs and even a storm of 22 June 1412.⁶⁰ At Downham, jurors also presented the names of those who owed agistment for pasturing their animals on seigniorial land.⁶¹ At Horstead, the monitoring role of jurors was sometimes even more significant, with jurors providing detailed reports on farmers of the manor on two occasions.⁶² Officials at other manors also presented misuse of seigniorial resources by officials.⁶³ These monitoring roles show manorial officers still serving the lord, but in a way unlikely to directly conflict with the tenants' interests.

Officials consistently made presentments of non-attendance at court and licence for freedom from suit of court, with virtually all decades

⁵⁷ For a detailed discussion of the benefits to tenants of lords' franchisal rights to felony forfeiture and stray livestock, see Gibbs, 'Felony forfeiture', 77; Claridge and Gibbs, 'Waifs and strays'.

⁵⁸ CUL, Vanneck Box/3; CUL, EDR, C11/1/1–3, C11/2/4–6, C11/3/7–11; KCAR/6/2/87/1/1/HOR/34–41, KCAR/6/2/87/1/1/HOR/45, KCAR/6/2/87/1/1/HOR/48–57; TNA, SC 2/169/25–47; SC 2/170/1–10; SA, P 314/W/1/1/34–838; 5586/1/257–306.

⁵⁹ CUL, EDR, C11/1/2–3, C11/2/4–6; KCAR/6/2/87/1/1/HOR/33–36.

⁶⁰ KCAR/6/2/87/1/1/HOR/33, m.9, 23 Sep. 1412; KCAR/6/2/87/1/1/HOR/34, 30 Dec. 1419; KCAR/6/2/87/1/1/HOR/37, 9 Sep. 1427.

⁶¹ CUL, EDR, C11/1/2, m.12, 8 Sep. 1362; C11/1/3, m.5, 13 Feb. 1380; C11/2/4, m.32, 11 Apr. 1413; C11/2/6, m.49, 24 May 1452; C11/3/10, m.5, 23 Aug. 1491.

⁶² KCAR/6/2/87/1/1/HOR/26, 29 Oct. 1393; KCAR/6/2/87/1/1/HOR/39, m.10, 9 Oct. 1465.

⁶³ CUL, Vanneck Box/3, Henry IV roll, m.2, 16 May 1402; TNA, SC 2/170/14, m.16, 27 Oct. 1634.

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seeing at least one presentment on each manor. Suit-related presentments are difficult to interpret. Although theoretically suit of court could be a liability for tenants, the fact that licences could be purchased to avoid ameracements presumably lessened any disability, while sometimes presentments for non-attendance look more like a way to generate regular small payments as a source of income for the lord rather than actual efforts to enforce suit.⁶⁴ For example, at Downham the fact that both the Prior of Ely and the Master of St John's hospital held land meant that they frequently appeared in default of suit.⁶⁵ At several manors, the proportion of suit-related presentments rose as the diversity of seigniorially driven business declined. At Worfield, the proportion of suit presentments grew across the period, from a mean of 16% for the 1370s–1490s, to 52% for the 1500s–1640s.⁶⁶ Horstead and Cratfield followed a very similar trend to Worfield, transitioning from suit presentments averaging 13% and 8% respectively for the 1390s–1490s, to 41% and 26% in the sixteenth century.⁶⁷ From the 1580s, suit presentments were the crucial driver of the few seigniorial presentments at the Norfolk manor, accounting for more than half of the total lord category.⁶⁸

A second observation further reinforces the case that generally the work of officials did not act against the objectives of the wider tenantry. This is that over time there was a reduction in the amount of seigniorial business presented by jurors, due to changes in the way lords exploited their manors. One clear pattern seen at both Downham and Horstead was the reduction in presentments for damaging and trespassing in the lord's crops.⁶⁹ These fell from around 6–12% of lord presentments at Horstead for the 1390s to 1400s, to only being presented once, in 1439, and at Downham falling from approximately 9–15% for the 1360s–1390s, to around 1–4% for the 1400s–1420s before disappearing completely.⁷⁰ This reflects the move away from direct management to leasing, which at Downham occurred from the accounting year 1430/1.⁷¹

⁶⁴ M.K. McIntosh, *Autonomy and Community: the Royal Manor of Havering, 1200–1500* (Cambridge, 1986), 188–9.

⁶⁵ *VCH Cambs.*, 90–5. ⁶⁶ SA, P 314/W/1/1/75–838, 5586/1/257–306.

⁶⁷ KCAR/6/2/87/1/1/HOR/26–41, KCAR/6/2/87/1/1/HOR/45, KCAR/6/2/87/1/1/HOR/48–54, KCAR/6/2/38/1/1/COL/376.

⁶⁸ KCAR/6/2/87/1/1/HOR/53–7, KCAR/6/2/38/1/1/COL/376.

⁶⁹ This does not include presentments discussing damage to both seigniorial and tenant crops, which have been categorised as community.

⁷⁰ KCAR/6/2/87/1/1/HOR/26–33, KCAR/6/2/87/1/1/HOR/36, KCAR/6/2/87/1/1/HOR/37, 11 Jun. 1439; CUL, EDR, C11/1/2–3; C11/2/4–6.

⁷¹ CUL, EDR, D10/3, m.9, 1430–1.

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This trend also appears for presentments which potentially conflicted with the tenants' interests. Presentments concerning illicit transfers disappeared at all manors between the 1570s and 1590s while land presentments remained high. This may suggest a withdrawal of seigniorial interest in using jurors to monitor illicit transfers in the late sixteenth century, but also a general acceptance by tenants of using the manor court to exchange land. At Downham, presentments surrounding dilapidated tenements disappear after 1576, while at Cratfield numbers fell from the 1570s until they disappeared after 1637, suggesting gradual seigniorial disengagement from this issue.⁷² Interestingly, Fordington sees the opposite trend, with an absolute increase of presentments for having ruined tenements between the 1560s and 1640s, which accounted for around a third of all seigniorial presentments in these decades. Similarly, suit presentments declined and disappeared at several manors. At Fordington, these declined absolutely and proportionally in the sixteenth and seventeenth centuries, as presentments about dilapidated tenements began to account for a larger share of the lord category. At Downham, no presentments in this category were made from the 1580s.⁷³ At Cratfield, suit presentments disappeared in the 1630s.⁷⁴

The overall pattern of lord presentments suggests that lords remained invested in manorial officeholding and the functions of officers long after the Black Death. Sometimes this does seem to have been prejudicial to tenants' interests, suggesting seigniorial demands guided officers' presentments, as seen in the routine presentment of collective fines, dilapidated tenements and alienating land without licence down to the late sixteenth century and beyond. However, much other work for the lord was relatively unobtrusive, focused on maintaining lords' non-agricultural property and ensuring they profited from franchisal rights. Moreover, two phases of disengagement can be seen. The first was the disappearance of presentments concerning seigniorial agriculture due to the end of direct management by *c.* 1440 at Downham and Horstead, with the second being the wider reduction (and in some cases disappearance) of presentments concerning dilapidated property, illicit alienation of land and suit of court at Downham, Cratfield and Horstead by *c.* 1600. It is this gradual winnowing of the variety of seigniorial presentments that explains the decline seen at the macro-category level. This reflects a wider transition from courts as an active tool to manage seigniorial land and resources to a more passive source of routine revenues.

⁷² CUL, Vanneck Box/3-4; Vanneck Box/4, Charles I roll, m.3, 31 May 1637; CUL, EDR, C11/3/11, 29 Mar. 1576.

⁷³ CUL, EDR, C11/1/1-3, C11/2/4-6, C11/3/7-11, C11/8-10. ⁷⁴ CUL, Vanneck Box/4.

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Royal Presentments

The overall decline of royal presentments at most manors was due to the gradual reduction and disappearance of certain types of business within this category, as officials simply stopped punishing offenders for certain activities in manorial courts. Moreover, even though many sixteenth- and seventeenth-century statutes allowed for new types of offence to be punished within leets, on the ground prosecution was very sporadic, meaning that new categories of offence never emerged. These changes presumably occurred as other royal jurisdictions, such as the quarter sessions, increasingly became the forums where these offences were monitored. Worfield, however, stands out as an exception to these trends, as it witnessed continued attention to royal issues across the period studied, and a new focus on maintaining archery practice in the seventeenth century.

Two areas of activity dominated the presentment of royal business by manorial jurors in the late Middle Ages. The first of these was peacekeeping, incorporating presentments about petty theft, using the hue and cry, housebreaking and nuisances, but overwhelmingly concerning interpersonal violence. These accounted for around 15–43% of presentments at Horstead, 20–60% at Downham, 6–40% at Cratfield and 12–51% at Fordington throughout the fourteenth and fifteenth centuries.⁷⁵ At all these manors there was an absolute decline in peace-breaking presentments in the sixteenth century which drove a decline in royal presentments. At Cratfield, they fell to 0–4 a decade in the 1480s to 1570s before disappearing, while at Horstead they fell to 0–1 a decade in the 1550s to 1590s before disappearing.⁷⁶ Downham saw a less drastic decline to 2–9 presentments per decade for the 1550s–1600s, suggesting officers still had an important role in keeping order, although from the 1610s these presentments disappear.⁷⁷ Fordington's officials also presented infrequently in the 1520s to 1640s, making 0–6 presentments per decade.⁷⁸ An exception to this trend was at Worfield, where peacekeeping remained a focus of manorial juries into the seventeenth century, helping explain the persistently high level of royal presentments at this manor.⁷⁹

Enforcing the assize of bread and ale was the other dominant driver of royal presentments at all manors. At Horstead, Cratfield and Downham, presentments concerning the assize, which included naming brewers, bakers and regrators who broke the assize, fining tasters for not performing

⁷⁵ KCAR/6/2/87/1/1/HOR/26–41; CUL, EDR, C11/1/1–3, C11/2/4–6, C11/3/7–10; CUL, Vanneck Box/3; TNA, SC 2/169/25–47.

⁷⁶ CUL, Vanneck Box/3–4; KCAR/6/2/87/1/1/HOR/51–57, KCAR/6/2/38/1/1/COL/376.

⁷⁷ CUL, EDR, C11/3/10–11, C11/8–11. ⁷⁸ TNA, SC 2/170/1–16.

⁷⁹ SA, P 3 14/W/1/1/1–838; 5586/1/257–306.

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their office and monitoring measures, accounted for approximately 33–92% of presentments in the fourteenth and fifteenth centuries, showing persistent enforcement of this aspect of royal legislation.⁸⁰ In the sixteenth century, several manors began to see less enforcement of the assize. At Cratfield, presentments against the assize fell to 3–5 per decade in the 1500s and 1510s, before disappearing in 1517, while at Horstead, presentments fell to 3–7 a decade for the 1510s to 1540s, and then disappeared entirely after the last presentment in 1545.⁸¹ At both these manors, the trigger for this decline was justified by lack of necessity, as the capital pledges did not choose tasters because there were no brewers inside the precincts of the leet.⁸² At Downham, presentments concerning the assize disappeared from the 1580s onwards.⁸³ Fordington saw continued enforcement surrounding the sale of alcohol down to the mid-seventeenth century. However, the number of presentments fell from 13–148 for the 1330s–1500s, to 0–14 for the 1510s–1640s, and this was accompanied by a qualitative change in the seventeenth century, as offenders were amerced for ‘serving beer without licence’ rather than ‘against the assize’.⁸⁴ Much of this decline was likely due to wider changes in the organisation of brewing, as a large number of small-scale rural ale producers were replaced by larger-scale urban producers of hopped beer. This meant there were simply fewer brewers to monitor within these villages.⁸⁵

Worfield’s enforcement of the assize differed in that ale tasters presented directly in court rather than through other officials, although the vills and jury leet did present a significant number of offenders alongside the tasters in the late fourteenth century. Moreover, from 1457 onwards the tasters also began to monitor the pricing of meat and fish.⁸⁶ This seems likely to have been a result of local impetus, mirroring policies seen in the leets of small market towns.⁸⁷ Worfield’s assize presentments did decline in the sixteenth century, falling from a range of 13–95 per decade for the 1350s–1500s, to a range of 0–13 for the 1510s–1570s.⁸⁸ However, the seventeenth

⁸⁰ KCAR/6/2/87/1/1/HOR/26–41; CUL, EDR, C11/1/1–3, C11/2/4–6, C11/3/7–10.

⁸¹ CUL, Vanneck Box/3; Vanneck Box/3, Henry VIII roll, m.5, 3 Jun. 1517; KCAR/6/2/87/1/1/HOR/45, KCAR/6/2/87/1/1/HOR/48; KCAR/6/2/87/1/1/HOR/48, m.16, 21 Apr. 1545.

⁸² KCAR/6/2/87/1/1/HOR/41, m.7, 11 Jun. 1492, m.9, 11 Jun. 1493, m.10, 11 Jun. 1494; CUL, Vanneck Box/3, Henry VIII roll, m.5, 3 Jun. 1517, m.6, 26 May 1518.

⁸³ CUL, EDR, C11/3/10–11, C11/8–11.

⁸⁴ TNA, SC 2/169/25–47, SC 2/170/1–16; SC 2/170/8, m.5, 23 Oct. 1572; SC 2/170/16, m.4, 7 Oct. 1641.

⁸⁵ J.M. Bennett, *Ale, Beer and Brewsters in England: Women’s Work in a Changing World, 1300–1600* (New York, 1996), 43–51.

⁸⁶ SA, P 314/W/1/1/311, 21 Apr. 1457.

⁸⁷ J. Davis, *Medieval Market Morality: Life, Law and Ethics in the English Marketplace, 1200–1500* (Cambridge, 2012), 144–52.

⁸⁸ SA, P 314/W/1/1/32–774.

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century saw a resurgence of presentments in this category made by a combination of tasters and vills, suggesting a return to regularly enforcing the assize, which again explains the persistency of royal presentments at Worfield.⁸⁹

Other types of royal presentment were far less significant across all manors. In all cases, presentments concerning royal roads comprised up to 20% of royal presentments in the late fourteenth and fifteenth century.⁹⁰ These presentments then declined or even disappeared during the fifteenth and early sixteenth century, before re-emerging in the final decades of the sixteenth century and the early seventeenth century.⁹¹ This early modern resurgence at some locations may have been driven by new attention to highways in statute legislation.⁹² The tithing system also generated royal presentments. Men over twelve were presented as either being sworn in a tithing or being amerced for remaining in the lordship without being sworn for more than a year, as sometimes were their employers or capital pledges. Officers may have been incentivised to maintain the system even after its peacekeeping role had diminished, as capital pledges paid collective but fixed fines with their tithings. The larger the tithing, the further the burden could be spread.⁹³ Indeed, at Horstead in 1404 and 1426, capital pledges amerced men for refusing to surrender their tithing penny.⁹⁴ At Downham, Cratfield and Fordington, this requirement continued down to the seventeenth century, explaining the continued, if irregular, presentments concerning tithings.⁹⁵ At Horstead, however, where leet-cert of 4s was surrendered directly to the crown, payments ended after 1495.⁹⁶ The fact that at sixteenth-century Horstead capital pledges continued to making tithing presentments, including eight in the 1510s and five in the 1550s, while paying no leet-cert is harder to explain, unless as perhaps a method to control a mobile population.⁹⁷ A similar concern perhaps explains the occasional

⁸⁹ SA, 5586/1/257–306.

⁹⁰ CUL, EDR, C11/1/2–3, C11/2/4–6; KCAR/6/2/87/1/1/HOR/26–39; SA, P314/W/1/1/32–253; TNA, SC 2/169/32–47, SC 2/170/1.

⁹¹ CUL, EDR, C11/3/10, 8 Oct. 1552, 12 Mar. 1554, 2 May 1555, 19 Jun. 1557, 5 Mar. 1558; C11/3/11, 21 Feb. 1572, 24 Mar. 1574; KCAR/6/2/87/1/1/HOR/52, m.4, 24 Apr. 1567; KCAR/6/2/87/1/1/HOR/51, m.7, 12 Apr. 1575; KCAR/6/2/38/1/1/COL/376, m.2, 29 Mar. 1598; TNA, SC 2/170/15, m.8, 3 Mar. 1638, m.15, 31 Mar. 1640; CUL, Vanneck Box/3.

⁹² 2–3 Philip and Mary, c.8, SR, vol. 4 part 1, 284–5; 5 Elizabeth I, c.13, SR, vol. 4 part 1, 441–3; 18 Elizabeth I, c.10, SR, vol. 4 part 1, 620–1.

⁹³ L.R. Poos, 'The rural population of Essex in the later Middle Ages', *EcHR*, 38 (1985), 515–30, at 518–19.

⁹⁴ KCAR/6/2/87/1/1/HOR/36, 6 Aug. 1404; KCAR/6/2/87/1/1/HOR/37, 11 Jun. 1426.

⁹⁵ CUL, EDR, C11/3/10–11; CUL, Vanneck Box/3. ⁹⁶ KCAR/6/2/87/1/1/HOR/26–41.

⁹⁷ KCAR/6/2/87/1/1/HOR/45, m.2, 11 Jun. 1511, m.4, 11 Jun. 1512, m.7, 4 May 1514, m.9, 11 Jun. 1516, m.11, 7 Jul. 1517, m.13, 11 Jun. 1518, m.14, 4 Jul. 1519; KCAR/6/2/87/1/1/

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presentments concerning the maintenance of tithings at Worfield, where a lack of tithing payments means there was never a financial incentive behind this monitoring.

Leets were also given some new responsibilities by the central state via new statutes in the sixteenth and seventeenth centuries. Traces of enforcement of a wide range of legislation can be seen throughout all the court rolls examined, showing that manorial officials were aware of new state initiatives. While delays between promulgation and presentments may suggest that awareness was not immediate, the sheer range of legislation points to relatively high transmission into local courts.⁹⁸ However, this enforcement was generally very short lived, meaning that it did not trigger a renewal in royal presentments in the context of the decline of the more traditional functions of courts leet.

One key area which did see enforcement was periodic gaming legislation. Early presentment can be seen in 1508 at Downham when Robert Leche was amerced 2d as common gamer at cards and tables, presumably under legislation of 1495.⁹⁹ A wider wave of enforcement can be seen between 1566 and 1580, during which men at Worfield, Fordington and Cratfield were all amerced for playing bowls 'against the statute', presumably a reference to the gaming legislation of 1541–2.¹⁰⁰ Another significant area was labour legislation. Several day labourers were presented in a single session of 1384 at Worfield.¹⁰¹ Downham saw irregular presentment between 1420 and 1508.¹⁰² Later enforcement can be seen at Horstead between 1552 and 1554, although this was achieved through special petty sessions where servants were retained for a year and day labourers were admitted to labour within the lordship.¹⁰³ Meanwhile, at Fordington the Statute of Artificers triggered a short period of presentments of bachelors for working in proscribed trades or not having masters in 1566–7.¹⁰⁴ This pattern of short-run enforcement is explained by the fact that manor courts were not the principal forum for prosecution, with the various iterations of the labour legislation being enforced by county

HOR/49, m. 5, 21 Apr. 1550, m.8, 21 Apr. 1552, m.9, 21 Apr. 1553; KCAR/6/2/87/1/1/HOR/50, m.1, 7 Apr. 1554, m.8, 21 Apr. 1557.

⁹⁸ McIntosh, *Controlling Misbehavior*, 40.

⁹⁹ CUL, EDR, C11/3/10, m.24, 20 Mar. 1508; McIntosh, *Controlling Misbehavior*, 99.

¹⁰⁰ SA, P314/W/1/1/763, 26 Sep. 1566; TNA, SC 2/170/9, m.4, 8 Jun. 1574, m.6, c.1574; CUL, Vanneck Box/3, Elizabeth I roll (1), m.17, 19 May 1580; 33 Henry VIII, c.11, SR., vol. 3, 840.

¹⁰¹ SA, P314/W/1/1/142, 24 Apr. 1384.

¹⁰² CUL, EDR, C11/2/5, m.13, 16 Jan. 1420; C11/2/6, m.25, 14 Jan. 1434, m.46, c.10 Jan. 1450, m.52, 10 May 1456, m.56, 3 Jan. 1459; C11/3/10, m.24, 20 Mar. 1508.

¹⁰³ KCAR/6/2/87/1/1/HOR/49, m.8, 21 Apr. 1552; KCAR/6/2/87/1/1/HOR/50, m.1, 21 Apr. 1553, m.2, 7 Apr. 1554.

¹⁰⁴ TNA, SC 2/170/6, m.2, 22 Oct. 1566, m.3, 13 May 1567; 5 Elizabeth I, c.4, SR, vol. 4 part 1, 414–22.

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commissions.¹⁰⁵ A wide variety of other pieces of legislation were also enforced on odd occasions at the manors studied, including requirements about the height of horses, tracing hares in snow, owning handguns, keeping fish, sumptuary regulations, making the oath of allegiance and repairing highways.¹⁰⁶

An exception to the limited enforcement of new statutes is concern over the practice of archery.¹⁰⁷ At Fordington, only very short-lived monitoring of requisite equipment by the jury is seen between 1626 and 1636, with presentments of all the tenants for defect of bows and arrows and shooting butts being in decay.¹⁰⁸ However, Worfield's vills made consistent presentments concerning archery between the 1600s and 1630s, amercing specific individuals for failing to practise and whole vills for failing to maintain shooting butts.¹⁰⁹ This statutory requirement thus had a significant role in maintaining high levels of royal presentments into the seventeenth century on this manor, although these presentments likely represent a regular fine rather than a concerted effort at enforcement, reflecting the national decline of archery practice from the mid-sixteenth century.¹¹⁰

The general pattern is that manorial officials did not respond in a sustained way to new statutes. This was due to lack of investment in statutory enforcement from both officials and crown. McIntosh, discussing misbehaviour specifically, has emphasised that parliamentary legislation largely followed local initiative, explaining why jurors may have felt little compulsion to govern through adherence to statute rather than local custom and bylaws.¹¹¹ From the perspective of government, it is hard to argue that there was significant effort to incorporate leets into royal governance. While several new statutes

¹⁰⁵ B.H. Putnam, *The Enforcement of the Statutes of Labourers during the First Decade after the Black Death, 1349–1359* (New York, 1908), 220–2.

¹⁰⁶ K C A R / 6 / 2 / 8 7 / 1 / 1 / H O R / 5 1, m.3, 23 Apr. 1572; 14–15 Henry VIII, c.10, SR, vol. 3, 217; CUL, EDR, C 1 1 / 3 / 10, 10 Oct. 1556, C 1 1 / 3 / 11, 19 Mar. 1571; 33 Henry VII, c.5, SR, vol. 3, 832–5; 2–3 Philip and Mary, c.8, SR, vol. 4 part 1, 284–5; 5 Elizabeth I, c.13, SR, vol. 4 part 1, 441–3; SA, 5586/1/264, 10 Apr. 1606; 5586/1/268, 8 Apr. 1611; 5586/1/270, 10 Oct. 1611; 5586/1/274, 5 Oct. 1615; 5586/1/275, 10 Oct. 1616; 5586/1/276, 16 Apr. 1618; 5586/1/278, 20 Apr. 1620; 5586/1/279, 2 Oct. 1620, 19 Apr. 1621; 5586/1/282, 8 Apr. 1624; 5586/1/281, 11 Oct. 1624; 5586/1/283, 13 Apr. 1626; 5586/1/285, 18 Apr. 1628; 5586/1/287, 17 Apr. 1629; 5586/1/289, 12 Oct. 1630; 5586/1/290, 7 Oct. 1631; 5586/1/291, 11 Oct. 1632; 5586/1/292, 10 Oct. 1633; 5586/1/296, 13 Apr. 1637; 5586/1/299, 29 Apr. 1641; 32 Henry VIII, c.13, SR, vol. 3, 758–60; 1 Elizabeth I, c.17, SR, vol. 4 part 1, 378–9; CUL, Vanneck Box/3, Elizabeth I roll (1), m.14, 25 May 1575; 24 Henry VIII, c.13, SR, vol. 3, 430–2.

¹⁰⁷ S. Gunn, 'Archery practice in early Tudor England', *PE&P*, 209 (2010), 53–81, at 53–4.

¹⁰⁸ TNA, SC 2/170/14, m.2, 7 Apr. 1626, m.9, 28 Mar. 1631, m.12, c.1632; SC, 2/170/15, m.4, 3 Oct. 1636.

¹⁰⁹ SA, 5586/1/257–299. ¹¹⁰ Gunn, 'Archery practice', 68–73, 80–1.

¹¹¹ McIntosh, *Controlling Misbehavior*, 39–40; Watson, 'Towne Harmles', 124, 128, 133.

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were promulgated in the sixteenth century that could explicitly be enforced by stewards in leets, these were normally named alongside other jurisdictions such as the tourn, assizes and, more significantly, the quarter session.¹¹² Thus a relatively wide net was cast, incorporating both royally appointed and seigniorially appointed officials, suggesting that either structure could be used. One act, which did actually in some detail direct how royal law was to be enforced in leets, was the 1559 act laid out to preserve the spawn of fish.¹¹³ This legislation detailed how, if juries leet were suspected of not making presentments about the act, the steward should empanel a second jury to inquire if the first jury were concealing anything. However, this level of detail was exceptional, and largely it was stewards who could be prosecuted in royal courts for not enforcing legislation. This presumably was part of the reason leets were not attractive to royal governments as forums for the enforcement of statutes; using them required relying on the mediating role not only of local jurors themselves, but of the steward as a non-royally commissioned presider over the court.

Overall, the sharp decline in royal presentments seen at all manors bar Worfield was due to the diminution, and in some cases disappearance, of peacekeeping and assize presentments in the sixteenth century. Assize enforcement declined across the late fifteenth and sixteenth century, disappearing in the first half of the sixteenth century at Horstead and Cratfield, and by the end of that century at Downham, while presentments diminished in number at Fordington, leaving the manor to focus specifically on licensing from the 1580s onwards. Similarly, manors increasingly saw a decline in presentments of petty crime over the sixteenth century, and this disappeared as a category of presentment in the three East Anglian manors between the 1570s and 1590s. Thus, much like for seigniorial presentments, a loss of functions explains the overall transition in the role of officials away from meeting obligations to the crown between 1480 and 1600.

¹¹² For example, 14–15 Henry VIII, c.10, *SR*, vol. 3, 217 (Act against tracing of hares); 24 Henry VIII, c.13, *SR*, vol. 3, 430–2 (Act for reformation of excess in apparel); 33 Henry VIII, c.6, *SR*, vol. 3 (Act concerning crossbows and handguns); 33 Henry VIII, c.9, *SR*, vol. 3 (Act for maintenance and debarring of unlawful games); 2–3 Edward VI, c.10, *SR*, vol. 4 part 1, 51–2 (Act for true making of malt); 2–3 Edward VI, c.5, *SR*, vol. 4 part 1, 58–9 (Act touching victuallers and handicraft men); 7 Edward VI, c.5, *SR*, vol. 4 part 1, 168–70 (Act to avoid the great price and excess of wines); 2–3 Philip and Mary, c.8, *SR*, vol. 4 part 1, 320–2 (Act for the taking of musters); 13 Elizabeth I, c.19, *SR*, vol. 4 part 1, 555 (Act for the making of caps); 23 Elizabeth I, c.10, *SR*, vol. 4 part 1, 672–3 (Act for preservation of pheasants and partridges); 31 Elizabeth I, c.7, *SR*, vol. 4 part 2, 804–5 (Act against erecting and maintaining of cottages).

¹¹³ 1 Elizabeth I, c.17, *SR*, vol. 4 part 1, 378–9.

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Community Presentments

The management of communal matters was an important aspect of the work of jurors across the fifteenth and sixteenth centuries. However, in the late sixteenth century, this category of business began to decline at some manors, although it continued to be significant in other localities. At the three East Anglian manors, Horstead, Downham and Cratfield, a range of community matters drove presentments from the fourteenth century onwards. These focused on three key areas. Firstly, the maintenance of infrastructure accounted for between around 13% and 95% of community presentments in the fifteenth and sixteenth centuries.¹¹⁴ Typical concerns included the scouring of ditches, the maintenance of fences and the upkeep of common paths. Secondly, presentments focused on common rights, targeting offenders for overburdening pasture, illicit enclosure or using commons without having tenure.¹¹⁵ Finally, presentments were continually used to identify and punish trespasses in the crops and pastures of the tenants and vill as a collective.¹¹⁶

The years around 1600 saw a withdrawal of officials from monitoring communal matters at Horstead and Downham. For Horstead, this is partly explained by the enclosure of the common in 1598, which led to the disappearance of presentments concerning common rights. However, the end of presentments about common rights at Downham after 1605, despite remaining unenclosed commons, is more difficult to explain. Moreover, the sharp reduction of presentments concerning infrastructure at both Horstead and Downham from the 1600s onwards has no obvious trigger.¹¹⁷ Presumably the underlying problems these presentments were meant to address remained, and therefore village communities must have monitored these concerns in alternative forums.

Community matters remained significant at the other manors studied. At Cratfield, presentments concerning infrastructure and common rights remained important until 1649, reflecting a continued use of manorial structures to manage the local community since the fifteenth century.¹¹⁸ At Worfield and Fordington, moreover, this area of jurors' work actually increased in significance from the mid-sixteenth century onwards, after

¹¹⁴ CUL, Vanneck Box/3-4; CUL, EDR, C11/1/1-3, C11/2/4-6, C11/3/7-11; KCAR/6/2/87/1/1/HOR/26-41, HOR/45, HOR/48-52.

¹¹⁵ KCAR/6/2/87/1/1/HOR/26-41, KCAR/6/2/87/1/1/HOR/45, KCAR/6/2/87/1/1/HOR/48-54, COL376; CUL, Vanneck Box/3; CUL, EDR, C11/1/1-3, C11/2/4-6, C11/3/7-11.

¹¹⁶ See, for example, KCAR/6/2/87/1/1/HOR/29, 11 Jun. 1399; CUL, EDR C11/2/6, m.40, 3 Sep. 1447; CUL, Vanneck Box/3, Henry VII roll, m.2, 5 Jun. 1487.

¹¹⁷ KCAR/6/2/87/1/1/HOR/51, KCAR/6/2/87/1/1/HOR/53-58, KCAR/6/2/38/1/1/COL/376; CUL, C11/8, f.22, 9 Oct. 1607; C11/9, f.122, 13 Oct. 1624.

¹¹⁸ CUL, Vanneck Box/3-4.

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a relative lack of attention in the fourteenth and fifteenth centuries. Community presentments at Worfield were driven mainly by an increase in presentments concerning trespassing animals in tenants' parks and fields and broader concerns around common rights and infrastructure from the 1530s onwards.¹¹⁹ For instance, from the 1600s, offenders were routinely presented for soaking hemp in the river, which accounted for between 26% and 38% of community presentments.¹²⁰ These presentments were typically made by individual vills to police their own concerns over access to commons and pasture rights, which were organised at the sublevel of the individual hamlet rather than the manor.¹²¹ While the jury leet did make some presentments concerning infrastructure, these focused on tasks that required significant coordination such as the repair of bridges which crossed the River Worfe.¹²²

The increase in community presentments at Fordington in the mid-sixteenth century was driven by a combination of an intensification of existing concerns and new categories of business. Officials had long been concerned about common rights, agriculture and infrastructure, but absolute numbers of presentments increased from a range of around 1–52 for the 1320s to 1550s to approximately 12–139 for the 1560s to 1640s.¹²³ More significant were novel concerns. From the 1480s, officials regularly presented offenders for having their animals at large.¹²⁴ In the 1630s and 1640s, juries also began to police concerns about fire, presenting tenants for lighting fires in dwellings without proper chimneys, creating an additional new category of community-focused business.¹²⁵

The make-up of community presentments at Cratfield, Downham and Horstead remained broadly similar over time. Thus, the dominance of community presentments at the close of the sixteenth century was due to a continuation of concerns about infrastructure, commons and protecting crops seen at these manors from their earliest surviving court rolls. Worfield, in contrast, saw a growth of community presentments in the 1530s–1570s due to an innovation in the use of presentments, with vills increasingly using them to police local community concerns. Fordington also saw an intensification of interest, largely through more presentments being made about traditional matters such as encroaching on commons and not scouring ditches, but also by way of new issues such as not

¹¹⁹ SA, P 314/W/1/1/1–275, P 314/W/1/1/642–797. ¹²⁰ SA, 5586/1/257–306.

¹²¹ Smith, *Worfield*, 22.

¹²² SA, P 314/W/1/1/64, 26 Oct. 1366; P 314/W/1/1/67, 25 Oct. 1367; P 314/W/1/1/324, 7 Jun. 1464.

¹²³ TNA, SC 2/169/25–47, SC 2/170/1–16. ¹²⁴ TNA, SC 2/169/47, SC 2/170/1–16.

¹²⁵ SC 2/170/14, m.8, 25 Oct. 1630, m.15, 27 Mar. 1634, 8 Jul. 1634, m.16, 27 Oct. 1634, m.17, 13 Apr. 1635; SC 2/170/15, m.2, 12 Apr. 1636, m.4, 3 Oct. 1636, m.5, 30 Mar. 1637, m.7, 3 Mar. 1638; SC 2/170/16, m.1, 6 Oct. 1640, m.6, 5 Apr. 1642.

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allowing livestock to roam and the risk of fire. This led to greater similarity across all manors in the late sixteenth century. However, in the seventeenth century, officials at Horstead, and especially Downham, withdrew from presenting community concerns, while officials at Cratfield, Fordington and Worfield continued to make these sorts of presentments into the 1640s.

Land Presentments

The majority of presentments concerning land fall into three categories, namely those recording grants of land by the lord to tenants, those detailing the deaths of tenants and the inheritance of their land, and those focusing on *intervivos* transfers between living tenants made outside the court (designated as *extra curia*), remembering that *intervivos* transfers made inside court did not require presentment to be valid so were not in the jury's remit. The last category includes both transfers made by tenants as part of the land market, and those made on deathbeds as part of inheritance strategies.¹²⁶ However, these categories were not presented in the same way in different manors and over time. At both Downham and Worfield no inheritances were presented before the Black Death, with entries concerning inheritance providing no information about how the transfer to an heir was reported to the court. Inheritances appear to have been systematically recorded via the procedure of presentment only from the 1380s onwards. Similarly, while jurors at the other manors routinely presented extra-curial *intervivos* transfers, at Worfield these were virtually never recorded by the jury, but instead, to be valid, had to be made through the reeve and the beadle as seigniorial agents.¹²⁷ At Fordington, there is little evidence of transfers made outside court sessions, meaning that the jury was not required to present and ratify these. Therefore, any treatment of these presentments must be very careful, remembering that they were taking place in a context of other procedures to transfer and inherit land.

This concern aside, a pattern does emerge, which is that extra-curial *intervivos* transfers drove increasing land presentments. At Cratfield, this can be seen throughout the surviving records, with transfers on average accounting for two-thirds of land presentments per decade from 1400 to 1650.¹²⁸ This trend is also visible at Horstead from the 1410s onwards,

¹²⁶ P.D.A. Harvey, 'Introduction' in Harvey (ed.), *The Peasant Land Market in Medieval England* (Oxford, 1984), 1–28, at 24–5; Whittle, *Agrarian Capitalism*, 85–177; L. Bonfield and L.R. Poos, 'The development of deathbed transfers in medieval English manor courts' in Razi and Smith (eds.), *Medieval Society*, 117–42, at 134–41.

¹²⁷ This is confirmed in an inquiry of 1405: SA, p 314/w/1/1/232, 6 Apr. 1405.

¹²⁸ CUL, Vanneck Box/3–4.

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when transfers grew from around one to ten per decade, and then became the most dominant type of presentment from the 1430s until the end of the period.¹²⁹ A high number of deathbed transfers partly drove this trend. These allowed tenants to circumvent customary inheritance in favour of greater personal discretion in settling their land on heirs.¹³⁰ An increase in extra-curial transfers also accounts for the increase in land presentments seen for the 1550s–1640s at Downham, suggesting a greater openness in the land market.¹³¹ Certainly, in earlier periods tenants may have been disincentivised to make transfers; in 1328 the jury presented that custom dictated that not only should the lord collect a heriot in cases of inheritance but also in *intervivos* transfers.¹³²

At Worfield, the fact that *intervivos* transfers were generally not made via the presentment procedure, but instead passed through officials' hands, means that the vast majority of land presentments were for inheritance. Similarly, Fordington only saw presentments concerning inheritance which were few in number, barring the exceptional period of the Black Death which led juries to report thirty-seven cases of inheritance within the space of a month.¹³³

Land presentments reveal that officials had an important role in allowing increasing flexibility by tenants to manage their land, especially outside the court.¹³⁴ This can be seen in more unusual presentments showing officials monitoring deathbed transfers and inheritances to ensure the rights of landholders and of those making bequests. For instance, in 1474, the Coltishall jury presented that Idonia Smyth's deathbed request to her executors to sell her land for the betterment of her soul had not been followed. The executors then explained that this was because the land had been unjustly occupied for two years by John Selot, who claimed he had acquired the land from Idonia in her lifetime and held it through his manor of Hakeford in Coltishall. The jury then replied that this was untrue and so ordered the land to be seized into the lord's hand.¹³⁵ While it is unclear whether the lord would then grant the land so it could be sold, fulfilling Idonia's desires, the presentment at least shows the jurors had a role in monitoring the later status of deathbed transfers.

¹²⁹ KCAR/6/2/87/1/1/HOR/33–41, KCAR/6/2/87/1/1/HOR/45, KCAR/6/2/87/1/1/HOR/48–54, KCAR/6/2/38/1/1/COL/376.

¹³⁰ Bonfield and Poos, 'Deathbed transfers', 134. ¹³¹ CUL, EDR, CII/3/10–11.

¹³² CUL, EDR, CII/1/2, m.1, 7 Jul. 1328.

¹³³ TNA, SC 2/169/27, m.12, 22 Oct. 1348, m.13, 18 Nov. 1348.

¹³⁴ For the significance of land transfers made outside the manorial court, see Whittle, *Agrarian Capitalism*, 102.

¹³⁵ KCAR/6/2/87/1/1/HOR/39, m.30, 1 Aug. 1474.

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OTHER OFFICIALS

Reeves, beadles and messors also made a small number of presentments at these manors, which reveals that these officers primarily worked for the lord at Worfield and Downham. Of the fourteen presentments made by Worfield's beadle between 1327 and 1477, all but two concerned seigniorial business, as did all six made by the reeve from 1331 to 1398.¹³⁶ For the beadle, few of these were directly in conflict with the tenants' interests, with three concerning strays and the other nine concerning trespasses on seigniorial property. The pattern for the reeve is slightly different, with two concerning non-performance of labour services, while the other four monitored the management of strays. For the reeve at Downham, fifty-six presentments are recorded stretching from 1330 across the gap in the records to 1412.¹³⁷ Again the emphasis is seigniorial, with all but two presentments being placed in this category. Again, however, most business is non-conflictual, concerning damage to crops and property and managing strays, with only one presentment for the poor performance of a harvesting labour service in 1363.¹³⁸ Similarly, of the sixty presentments made by the messor between 1312 and 1410, all except five concerned seigniorial business.¹³⁹ Of these fifty-five, five were about labour services, while the rest concentrated on damage to the lord's crops and property. Overall, these officials at both manors were seigniorially focused, but they only performed this role in the fourteenth and early fifteenth century, after which seigniorial business was presented by jurors and capital pledges alone.

At Fordington, a more balanced picture is present. Here the reeve only made two presentments. Both of these focused on the lord's interests by monitoring a forfeit piece of cloth and the reeve's seizure of a tenant's goods for failure to pay his rent.¹⁴⁰ However, messors presented over a longer period than at the other manors discussed, making 453 presentments between 1357 and 1648. These primarily focused on business relevant to both the lord and tenants, with messors frequently presenting strays and breaking of the lord's pound, but also commoning animals outside communally mandated places and times.¹⁴¹ Thus the messor at Fordington seems to have been both 'lord's man' and 'community servant', demonstrating the way that manorial officers could be used to meet the needs of lord and tenant in tandem.¹⁴²

¹³⁶ SA, P314/W/1/1/4-384. ¹³⁷ CUL, EDR, C11/1/1-3, C11/2/4.

¹³⁸ CUL, EDR, C11/1/2, m.10, 27 Jul. 1363. ¹³⁹ CUL, EDR, C11/1/1-3, C11/2/4.

¹⁴⁰ TNA, SC 2/169/44, m.13, 19 Sep. 1452; SC 2/170/8, m.4, 23 Oct. 1572.

¹⁴¹ TNA, SC 2/169/30-47, SC 2/170/1-16.

¹⁴² M. Thornton, 'Lord's man or community servant? The role, status, and allegiance of village haywards in fifteenth-century Northamptonshire' in S. Turner and R.J. Silvester (eds.), *Life in*

Conclusion

CONCLUSION

The work of manorial officials as measured by presentments went through two transitions between *c.*1300 and *c.*1650. The first phase of change was occasioned by a reduction in royal presentments in the mid-sixteenth century and in lord presentments in the late sixteenth century. These reduced as the variety of business presented in these categories fell. For royal presentments, the diminished attention paid to the assize of ale from *c.*1500 onwards was key, as was a further decline in attention to peacekeeping from *c.*1550 onwards. While statutes provided new royal offences to present, this never generated numbers of presentments to rival those for the assize and peacekeeping which had been a key category of business in the fourteenth and fifteenth centuries. Similarly, lord presentments diminished as juries stopped making presentments about agricultural resources from *c.*1420 and those around suit of court, dilapidated tenements and illicit alienation of land in the late sixteenth century. These declines were combined with a rise of community-focused presentments on manors where they had previously been presented in smaller numbers, with new focuses on roaming animals and pasturing rights from *c.*1550. This first phase of transition had the effect of making manors broadly more similar in terms of the functions of their manorial officials.

The second phase led to greater dissimilarity as some manors began to focus almost exclusively on matters of land transfer and registration in the seventeenth century. This was occasioned by a diminution, and in some cases virtual disappearance, of functions to do with lord, crown and community between the 1580s and 1620s. These processes occurred according to different chronologies and to different extremes at the manors studied. Manorial officials at Worfield continued to present far more seigniorial and royal business, and those at Fordington more lord and community business, than at the other three case-study manors. Moreover, while officials at Downham almost exclusively presented land business by 1600, those at Cratfield and Horstead continued to present some business in other categories, even though they did become more land focused.

To some extent, therefore, the pessimistic medievalists are right: the work of manorial officers, and the courts that gave them authority, did decline from the heights of *c.*1300. For seigniorial business, officers were likely presenting less owing to an actual withdrawal of direct lordship by *c.*1550 onwards, which meant categories of offence linked to directly managed land, controlling land transfers and dilapidated tenements simply

Medieval Landscapes: People and Places in the Middle Ages. Papers in Memory of H.S.A. Fox (Oxford, 2012), 213–24, at 223.

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ceased to exist. For royal presentments, however, the decline in presentments linked to the assize of ale and peacekeeping likely represents a change in the jurisdictions used to control the sale of alcohol and violence towards the increasingly dominant quarter session, rather than an actual decline in these sorts of offences, meaning that a substantial part of manorial officers' work had likely been lost.¹⁴³ Yet, this view of diminution does not give enough weight to the sustained role of officers in policing communities in the sixteenth century seen at Horstead, Cratfield and Downham, and a new role in this area at Worfield and Fordington which continued into the seventeenth century.

These findings have two wider implications. Firstly, they challenge the decline narrative, which has often been associated with late medieval manorial courts. Johnson has recently highlighted that a narrative of the decline of serfdom has obscured the important roles played by courts in community building in the late Middle Ages.¹⁴⁴ This study strengthens this position and extends it to the realm of royal governance. While officials shed some of their responsibility for enforcing aspects of seigniorial and royal control, this occurred in the sixteenth century rather than in the fifteenth. More importantly, community- and land-focused matters remained a key driver of the work of officials at least until 1600, and in some cases into the seventeenth century. These concerns challenge unidirectional narratives of the decline of the manor court. Instead, courts remained a vital institution thanks to their adaptability, as seen in the variety of local trajectories in terms of the business officials presented in court. This allowed communities to use courts to address a wide range of local concerns, proving their utility to village communities beyond meeting obligations to higher authorities of lord and crown.

Secondly, this picture of local utility and continued usage of manorial courts for community- and land-focused purposes supports a wider reconceptualisation of the role of manorial institutions and their place in relations between lord and tenants. Whatever their initial purpose as tools of lordship, manorial courts were significantly adapted through their usage by officials on the ground, being shaped to meet purposes beyond those of manorial lords.¹⁴⁵ In this way, courts and officialdom acted to create a link between lords and tenants, as they collaborated through courts to create mutually beneficial objectives around community

¹⁴³ Whittle, *Agrarian Capitalism*, 54–7; Sharpe, *Crime*, 24–6; M. Mulholland, 'The jury in English manorial courts' in J.W. Cairns and G. McLeod (eds.), *The Dearest Birth Right of the People: the Jury in the History of the Common Law* (Oxford, 2002), 63–73, at 73.

¹⁴⁴ See p. 11.

¹⁴⁵ For a similar argument for the interpersonal suits made in manorial courts, see Briggs and Schofield, 'Evolution of manor courts', 23–4.

Conclusion

management. Tenants generally do not seem to have resented manorial institutions, as seen through their continued usage of manorial courts even as the amount of business focused on seigniorial requirements declined. Of course, this argument must not be overstated and lords seen as entirely benevolent equals as is sometimes suggested in literature of the Toronto School, but the fact that much of the work performed by officials even for their lords did not conflict with tenants' interests supports this perspective.¹⁴⁶ The focus of manorial courts on the local needs of the community shows that manorial governance was not necessarily a top-down institution. It may even have been this significant degree of latitude available for officials which made courts less unattractive as a tool of state building under Tudor and Stuart monarchs. The sporadic enforcement of new statutes suggests that the state could not rely on courts to routinely enforce its policies. The individuals who made manorial courts work through their role in office were generally doing so because they saw the benefits of functioning manorial institutions for their own purposes.

¹⁴⁶ Olson, *Chronicle of All that Happens*, 21–6, 232.