

## FRANKPLEDGE LISTS AS INDICES OF MIGRATION AND MORTALITY: SOME EVIDENCE FROM ESSEX LISTS

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Recent work on tithing penny payments as a source for late medieval demography has led historians to the conclusion that, although tithing penny payments may offer a useful index of changing population levels over a number of decades, they provide little or no insight into the reasons for these changes.<sup>1</sup> Although mortality is a vital ingredient, it is, clearly, not the only one and, as Postles notes, 'the unknown variable is the relative level of in-migration and out-migration'.<sup>2</sup> However, it is possible that a detailed examination of tithing lists can shed some light on 'the unknown variable'.

Tithing lists were lists of all males over the age of twelve living within a vill – that is, the administrative unit which could be more or less than a single village in its geographical extent – and thereby required to be members of tithing groups; wealthy freemen and clergy were exempt. Each tithing group was overseen by one or more chief pledges. The lists provided the lord of the franchise with invaluable information on the resident population, information which could be used when collecting taxes and rents.<sup>3</sup> The lists were corrected from time to time to take account of 'exits', caused by death, by change of tithing group or by emigration, and of 'entries', caused by boys attaining the age of twelve or by immigration.<sup>4</sup> L.R. Poos has attempted to use tithing lists to estimate the relative levels of migration and mortality in a number of later medieval Essex communities.<sup>5</sup> Poos suggests that demographic patterns discernible in the frankpledge lists from before 1350 closely resemble those to be found in 1600. He argues that early fourteenth century Essex society was extremely mobile and that attempts in the later fourteenth century to curb this mobility were doomed to failure because it was 'entrenched'. The Black Death, in his view, is not to be seen as a prime mover but as an added stimulus to migration which, even before 1349, had a key role to play in medieval rural demographic developments.<sup>6</sup>

Using two consecutive tithing lists, Poos counts the number of individuals named in the first list but not in the second as 'exits' and the number of individuals named in the second list but not in the first as 'entries'. However Poos makes no use of the corrections and later additions to the lists, since he considers that names added to the tithing lists after the date of original compilation cannot be accurately dated.<sup>7</sup> He concludes that the frankpledge lists do not 'permit any conclusions about the relative importance of migration and of biological or intrinsic demographic factors – death among 'exits', birth and

eventual attainment of age twelve among 'entries' – contributing to turnover among tithing members'. He therefore uses model life tables in their stead.<sup>8</sup> Furthermore, he insists that the supporting manorial material necessary to estimate the impact of intrinsic demographic factors does not exist for the Essex vill studied.<sup>9</sup> Despite Poos' reservations, it has proved possible to use frankpledge lists and court rolls to estimate the relative importance of migration and biological/intrinsic demographic factors in determining population turnover. This essay offers an examination of the tithing lists for one of the Essex manors studied by Poos: the manor of Birdbrook.

Birdbrook is situated in north-west Essex just to the south of the River Stour and the Suffolk border.<sup>10</sup> Much of the land was given over to cereal production in the middle ages, as it is today, with pasturage largely confined to the Stour valley. In the second half of the fourteenth century the north-west of Essex was the centre of the developing cloth-industry and served the cloth towns of Suffolk and the important Essex emporium of Colchester. From the late thirteenth century until the Dissolution, the manor of Birdbrook and the neighbouring 'sub-manors' of Hempstead Hall and Herkstead Hall, were held by Westminster Abbey. The Abbey worked the demesne directly throughout the fourteenth century but leased it early in the fifteenth. It was the Abbey's interest which ensured that a variety of muniments survive from the fourteenth century including a fragmentary series of court rolls, three rentals and a near intact series of ministers' accounts.<sup>11</sup> The most important demographic sources surviving for Birdbrook are three frankpledge lists.<sup>12</sup>

The three frankpledge lists are undated but, by cross-referencing information on the lists with that contained in the court rolls, their respective dates of original drafting can be quite accurately placed at c.1332, c.1340 and c.1350/60.<sup>13</sup> Hereafter, we shall refer to the lists as lists I, II and III. Each list was corrected and updated many times during its 'life' as an administrative document until it was replaced by a new list. The corrections on list I were mostly made during the 1330s, whilst list II's corrections date from the 1340s and certainly include deletions made as a result of plague mortality in 1349. List III was effectively compiled from the names of individuals not deleted on list II, suggesting that it was originally drafted soon after 1349 and recorded the survivors of the first outbreak of plague. Corrections to list III indicate that it was used into the 1380s but that by the early 1390s it was obsolete. List III is a problematic source because, although deletions were made to show who had died or left the vill, little or no effort was made to update the list with the names of new arrivals. Only a handful of new names have been added to list III, suggesting that the tithing system had suffered a dramatic collapse in the second half of the fourteenth century. Most attention will therefore be given to lists I and II.

The content of the frankpledge lists themselves suggests that the Black Death devastated the vill.<sup>14</sup> The Birdbrook tithing lists from the 1330s and 1340s contained, in their original drafting,<sup>15</sup> sixty-six and eighty-six names respectively whilst the list compiled soon after 1349 contains only fifty-eight names, suggesting something in the region of 30 per cent male mortality. However, it is possible that the reduction in numbers was in part caused by migration away from Birdbrook, perhaps in the wake of the plague. An

**Table 1 The stated cause of deletion of names: lists I and II**

	List I	List II
Death	12	51
Assumption of office	-	14
Emigration*	1	15
Unknown	6	58
<b>Total</b>	<b>19</b>	<b>138</b>

**Notes:** \* This is assumed on the basis that the tithing member has paid a fine to leave his tithing.  
**Source:** ERO D/DU 267/85/86.

examination of the corrections to the pre-and post-Black Death tithing lists can shed some light on the relative importance of migration and mortality in the middle years of the fourteenth century.

### (i). The frankpledge lists as indices of 'exits'

Both of the earliest lists contain a number of alterations, list I having 19 corrections whilst list II has 138. These alterations were employed to show which individuals had died, paid a fine not to be in tithing or become a chief pledge and had thus left the view of frankpledge, by one means or another, or changed their position within it.<sup>16</sup>

#### List I: corrections

Of the nineteen corrected names on list I, twelve have had the words 'mortuus est' [he is dead] added above, six are crossed out without explanation and one has the phrase 'fine fecit (ut amoveatur)' [makes fine (in order to leave)] written above it. Of those twelve names with the added description 'mortuus est', six appear at least once in our court rolls, and for two we know the approximate years of their deaths: 1337 and sometime before 1342.<sup>17</sup> Of the other four, their last court roll appearances are in the years 1331, 1332 (2) and 1337.<sup>18</sup> Finally, we know from the surviving court rolls that the individual who made fine to move away from the view of frankpledge did so in 1338.<sup>19</sup> The court rolls can thus add little to the frankpledge lists here but the lists themselves show that mortality rather than migration determined 'exits' from tithing groups in list I.

#### List II: corrections

Corrections and annotations to list II also suggest that mortality had a greater influence than did migration on the number of 'exits' from the mid-century tithings. Corrections to list II are either annotated as in list I or the names are simply crossed through. Unlike list I where, as we have seen, most of the corrections are annotated, 58 of the 138 corrections to list II are not accompanied by an explanatory notation. If we attempt to relate these fifty-eight names to the court rolls we find that nineteen individuals identifiable within the group of fifty-eight died and that a further ten were last mentioned

in 1349; five of these ten sold or surrendered their land as their last surviving court entry. Ten more individuals, also identifiable as members of the fifty-eight, appeared for the last time before 1349, five appeared later whilst fourteen of the fifty-eight names are mentioned ambiguously, if at all, in the court roll. It may be, therefore, that as many as 80 per cent of these corrections were made in the year of, and probably as a result of, the Black Death. The annotated corrections would seem to support this impression.

As Table 1 shows, the largest number of annotated deletions was for deaths. Of the fifty-one deleted names annotated with the words 'mortuus est' twenty-seven can be linked to individuals appearing in the court rolls. Of these twenty-seven individuals, six died or appeared for the last time in the court rolls in 1349, twenty-one appeared for the last time, none definitely dying, before 1349; none appeared in court rolls later than this year. Court roll material for the other twenty-four names annotated with 'mortuus est' was too confusing to be used or was non-existent. Of those fifteen names whose annotation indicates that a fine was paid to escape tithing membership, four can be linked to individuals who had their last entries in the court rolls of 1349, one of whom sought to leave the manor in 1342, and one to an individual who appeared for the last time later than 1349 (in fact in 1378). Five names cannot be found or clearly recognised in the manorial court records. Finally, fourteen names have been corrected because their owners became chief pledges; of these, three were last mentioned in 1349, one appeared for the last time earlier than this year whilst no less than eight of these fourteen appeared in the court rolls after 1349. For two the court roll evidence was too confusing to be useful.

This analysis seems to suggest a pattern of corrections. In the years prior to the crisis of 1349 it seems that superscriptions were added to any alterations or crossings out; those who died in 1349, however, simply had their names crossed through without explanation. Those in list II who are described as 'mortuus' generally died before the year of the Black Death; none can be shown to have died or appeared in the court rolls later than this. Further, almost 60 per cent of those who, according to list II, became chief pledges were alive later than 1349.

## **(ii) The frankpledge lists as indices of 'entries'**

As Poos noted, a number of names were added to lists I and II.<sup>20</sup> Changes in handwriting and also case endings<sup>21</sup> allow the additions to be distinguished from the original names. List I contains twenty-nine such additions and list II has seventy-five.

In certain cases it has proved possible to link the names of individuals added to the lists with orders recorded in the court rolls to enrol the individual as a member of tithing. For example, in the leet of 1342 John Fuller was described as resident within the leet and not in tithing and an order was made for his distraint.<sup>22</sup> The distraint or its threat proved successful since the name of John Fuller was added to a tithing group of list II. For the most part, however, it has proved difficult to distinguish between immigrants and individuals native to the vill attaining the age of 12, but in attempting to do so the following simple

**Table 2. Number of names added to tithing lists I and II\***

	List I	List II
Immigration	4	33
Attainment of the age of twelve	25	42
Total	29	75

**Notes:** \* Includes names appearing as an original entry in list II but not appearing in list I.

**Source:** ERO D/DU 267/85/86.

guidelines have been adopted. Where the individual added to the list has a surname frequently found in the rolls or is described as the son of a tithing member or chief pledge, the individual has been counted as a native of the vill. Where, on the other hand, the individual added to the list has a surname new to the manorial records, he has been counted as an adult immigrant. This is clearly an extremely rough method of estimating the relative importance of migration as against birth and attainment of the age of twelve in providing new tithing members and, given the problems inherent in dealing with medieval surnames, is most likely to overestimate the number of immigrants.

That there are more additions to list II, which was compiled c.1340 and used throughout the 1340s, must be a product of the outbreak of plague which may have brought outsiders to the vill in search of newly available land. Although Poos is correct when he writes that alterations to the frankpledge lists cannot be accurately dated, it is of some interest that of the thirty-three individuals categorised as immigrants in list II, twenty-one survived the plague and were recorded in list III whereas only fifteen of the forty-two native villagers were recorded in this latter list.<sup>23</sup> Therefore it may be that the majority of these immigrants arrived in the wake of the plague and were amongst the last to be recorded on list II before that document was replaced by tithing list III. In fact, if one examines the survivors of list II, that is those whose names have not been deleted and have been subsequently recorded on list III, one discovers that the majority of such names are amongst the last to be added to a tithing group. Thus, material from the Birdbrook frankpledge lists would appear to suggest that the traditional model of heightened migration in the wake of the plague with relatively little migration before 1349 should not be discarded.

Although this conclusion is apparently supported by an examination of the Birdbrook court rolls, where references to the departure of villeins increase in the second half of the century, there are other possible reasons for this increase. Arguments for heightened levels of mobility based solely upon court roll evidence must take account of changes in court roll content as dictated, for example, by the vagaries of seigneurial policy.<sup>24</sup> What is clear is that the number of individuals recorded as fugitive neifs – or villeins by blood – and the number recorded in the annual court leet as out of tithing increased in the second half of the fourteenth century. These developments were not reflected in

tithing list III because the list was not maintained as an accurate register of the male population in the post-Black Death decades. However, for the middle years of the fourteenth century, the Birdbrook tithing lists do provide a limited source for the study of the relative impact of migration and mortality on the population of the village community.

#### NOTES

1. cf. L.R. Poos, 'Population turnover in medieval Essex: the evidence of some early fourteenth century tithing lists', in L. Bonfield, R.M. Smith and K. Wrightson eds, **The world we have gained: histories of population and social structure**, (Oxford, 1986), 1-22; L.R. Poos, **A rural society after the Black Death. Essex 1350-1525**, (Cambridge, 1991), 159 ff.; D. Postles, 'Demographic change in Kibworth Harcourt, Leicestershire, in the later middle ages', **Local Population Studies**, 48 (1992), 41-8. An analysis of early modern frankpledge lists from Shrewsbury has shown that population movements discernible from the lists correlate with data drawn from other sources; however, it is acknowledged that the causes of these movements are not always clear: W.A. Champion, 'The Frankpledge population of Shrewsbury 1500-1720', **Local Population Studies**, 41 (1988), 51-60.
2. Postles, 'Demographic change', 46.
3. D.A. Crowley, 'The later history of frankpledge', **Bulletin of the Institute of Historical Research**, xlviii (1975), 15.
4. cf. C. Howell, **Land, family and inheritance in transition. Kibworth Harcourt 1280-1700**, (Cambridge, 1983), 209 ff.; P.R. Schofield, 'The late medieval view of frankpledge and the tithing system: an Essex case study', in Z. Razi and R.M. Smith eds, **Medieval village and small town society: views from manorial and other seigneurial courts** (forthcoming).
5. Poos, **A rural society**, 91-110; Poos, 'Population turnover', 1-22.
6. Poos, **A rural society**, 161-2.
7. Poos, 'Population turnover', 14.
8. Poos, 'Population turnover', 18.
9. Poos, 'Population turnover', 18, '...the tenurial records needed to estimate tenantry numbers have not survived from these particular Essex places'.
10. P.R. Schofield, 'Land, family and inheritance in a later medieval community: Birdbrook, 1292-1412', (unpublished D.Phil., Oxford, 1992), 4-22, 392-412.
11. Court rolls: Westminster Abbey Muniments [hereafter WAM] 25567-9; Essex Record Office [hereafter ERO] D/DU 267/28-31. Ministers' accounts: WAM 25395-25506. Rental: ERO D/DU 267/59-61. cf. Schofield, 'Birdbrook', 30-51.
12. ERO D/DU 267/85/86/87.
13. cf. Schofield, 'View of frankpledge'.
14. Tithing-penny data do not exist for Birdbrook. At some villis in north Essex, as well as other areas of the country, a tithing penny was collected from each male owing attendance at the leet – the annual or bi-annual court which was the outward expression of the lord's franchise and through which the jurisdiction of petty offences was administered. cf. K.C. Newton, 'A source for medieval population statistics', **Journal of the Society of Archivists**, iii, (1969), 543-6; Crowley, 'Frankpledge', 1-15. However, at Birdbrook, instead of a fine levied *per capita*, there was a simple collection of an annual common fine which stood at 4s for Birdbrook and 4d and 3 1/2d for the outlying manors of Herkstead Hall and Hempstead Hall respectively.
15. cf. Schofield, 'Birdbrook', 295 ff. Names which have been added can be identified. Note that the figures which follow in the text are slightly larger than those to be found in Schofield, 'Birdbrook', 70-2 because information from the tithing groups of the 2 outlying manors has been included here but not in my thesis. It should also be noted that 17 corrected entries for list I relating to chief pledges have been ignored because these corrections are, for the most part, copies of corrections made to list II, Schofield, 'Birdbrook', 319-24.
16. Poos, 'Population turnover', 13-14.
17. ERO D/DU 267/29, 13 Sept. 1337, John son of Adam atte Bregge; before 29 Jan. 1342, Stephen Schryve.
18. ERO D/DU 267/29, 18 Oct. 1331, Robert Colne; 20 July 1332, Jordan Woderone; 3 Sept. 1332, Walter Derkyn; 20 July 1337, John son of Simon atte Bregge.
19. ERO D/DU 267/29, 20 July 1338, Geoffrey de Finchingfield.
20. Poos, 'Population turnover', 13-14.
21. Original names were recorded in the accusative as was required by the sentence 'capitales plegii

habent in decennia sua...' [the chief pledges have in their tithing...] whereas later additions tend to be in the nominative suggesting that the scribe adding names to the list paid no heed to this sentence.

22. ERO D/DU 267-29, 20 July 1342, 9 Sept. 1342.
23. Poos, 'Population turnover', 14.
24. Postles, 'Demographic change', 46; Schofield, 'Birdbrook', 30-51.

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