



Ensemblement fist l'archevêque
 de Reims. **E**ntre autres seoir
 l'empereur. **E**ntre seoir
 le roy anli roine ou milieu
 du front de la sale. **E**ntre
 le roy de france seoir le roy

des romains. Et avoit tant de distance
 du. Roy au Roy des romains come du
 roy a l'empereur. Et avoient l'empereur
 le Roy et le Roy des romains chascun se
 parement un ciel de drap dor borde de velin
 au aus armes de france. et par dessus ceulx

*On the instructions of a Crown Charity, the Royal Foundation of St Katherine,
members of the Aristocracy, and others*

*A
Private Treaty
Sale
of Lordships of the
Manor*

Catalogue: £15.00 or U.S.A \$40.00

All prices are subject to a buyer's premium plus VAT:
please see "conduct of the sale", infra

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CONDUCT OF THE SALE

Conduct of the Sale

This will be broadly in accordance with the Standard Conditions of Sale (4th Edition), except as varied by the Special Conditions of Sale. Special Conditions of Sale, Draft Conveyance, and Title to the Lordships being offered may be inspected at the offices of the Auctioneers.

Making an Offer (Deposits)

This can be done, initially, on the Form of Offer provided with the Catalogue, or over the telephone, or by letter, or fax, or email. We shall put the offer to the seller and if it is accepted we shall let you know as quickly as possible, and then write to you requesting a 20% (twenty per cent) deposit and part payment of the agreed price. The deposit will be paid to Manorial Auctioneers Ltd as Agent to the Vendor and on receipt will form the Contract to sell and to buy.

Making an Offer (Buyer's Premium) and Seller's commission

At the same time as making the deposit and part-payment, the purchaser shall also pay to the Agents a premium of 20% of the price, upto £10,000, and 15% of the price over £10,000 together with value added tax (VAT) at the prevailing rate. Each Lordship or Barony is zero-rated for VAT, therefore, VAT does not apply to the actual price of the property acquired.

On payment of the deposit and buyer's premium, the Lordship or Barony will be withdrawn from sale and reserved for the intending purchaser.

The vendors have also agreed to pay the Agents a commission of 15% of the selling price.

Credit Cards

The following cards may be used: Access, American Express, EuroCard, MasterCard, and Visa. The Agents will charge a handling fee which shall not be more than the commission deducted by the credit card company.

Other payments

Payment may be made by personal cheque (or building society cheque), or company cheque, or solicitors' client account cheque; bank transfer; and cash. Overseas cheques may take several weeks to clear.

Currency Conversion

The Agents will credit foreign monies at the prevailing rate on the day that they are converted into sterling. Any shortfall shall be paid to the Agents on demand, and any excess will be applied to the purchaser's account of the Lot bid for.

Solicitors

All intending purchasers are advised to consult a solicitor. If you do not use a solicitor regularly, or would like to consult a

solicitor well-versed in the law as it applies to Lordships of the Manor and Manorial Rights, the Agents can advise. As a general guide, *Halsbury's Laws of England*, vol 8, title *Copyholds*, glosses the subject well.

The Catalogue

The Agents have gone to some lengths to ensure accuracy in the Particulars of the Lots that follow, but even so no responsibility can be accepted by the Agents, the Vendors, or the Vendors' Solicitors for any errors that may have inadvertently occurred. The statements and descriptions contained in these Particulars are given in good faith and as a general outline only for guidance of intending purchasers, and do not constitute any part of an offer or contract and, while they are believed to be correct, any intending purchasers should not rely on them as statements or representations of fact, and their accuracy is not guaranteed. Intending purchasers should satisfy themselves by their own investigations, inspections, searches, and otherwise as to the correctness of each of them. References in these Particulars as to the geographical extent of a Lot is given for historical interest. Any rights referred to in these Particulars being part of or any rights which may be associated with these Lordships are to be taken as historical. The operable historic rights associated with their purchase must be established by each new owner.

Manorial Documents

The Lots in this Catalogue are offered for sale subject to the Manorial Documents Rules 1959 (No 1399); the Manorial Documents (Amendment) Rules 1963 (No 976), and the Manorial Documents (Amendment) Rules 1967 (No 963), copies of which may be applied for from the Auctioneers in return for a self-addressed and stamped envelope. These Rules, made by Statutory Instrument, are mainly concerned with the safe custody of the documents. Where documents are associated with Lots, their location and where they may be inspected by appointment, are given after the Particulars for further historical research. Most archives have photocopying and facsimile facilities, which are available at the expense of purchasers or intending purchasers. While there is no ban on foreign ownership of Manorial Documents, overseas purchasers should note that such documents cannot be removed from Great Britain without the consent of the Master of the Rolls.

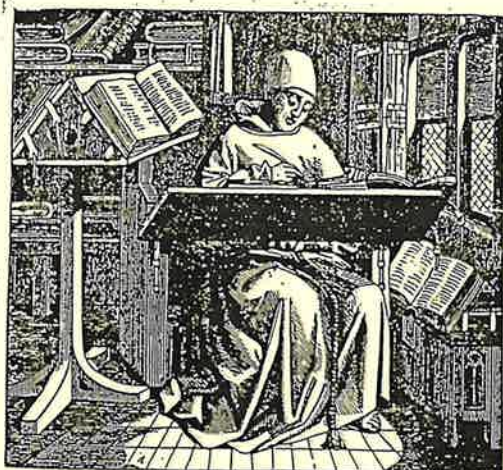
A Note on Boldon Book 1183

The following is a paraphrase from the Introduction to the 1982 Phillimore publication, 'Domesday Book, Supplementary Volume - Boldon Book, Northumberland and Durham,' available from good booksellers or direct from the publishers, Phillimore & Co Ltd, Shopwycke Hall, Chichester, West Sussex.

Bishop Hugh de Puiset or Pudsey reigned over the See of St Cuthbert - based on the Saint's cathedral church in the City of Durham - for more than 40 years, from 1153 to 1195. Whether it was compiled, like Domesday Book almost a century before, by episcopal officials visiting the places mentioned; or compiled from records already in the cathedral's possession is unknown. The latter seems more likely. The places in Boldon Book are not mentioned in Domesday Book, and Boldon Book is an account of the liabilities owed by its tenants to the bishopric. There is no mention of the geld (or land tax) due to the King which must have been one of the primary aims of William I's commissioners in making Domesday Book in 1086.

King William's commissioners must have had authority to go up to the border with Scotland. After all, Northumberland and Durham were part of the kingdom of England. There was the Norman Earldom of Northumberland but insofar as the royal officials made any inquiries north of the Tees for Domesday Book these entries appear under other counties, mostly Yorkshire.

The north-east, initially as the kingdoms of Deira and Bernicia, later as Northumbria, had been subjected to the fullest force of the Viking descents on England from Scandinavia from the beginning of the ninth century. King Harold II had faced Duke William of Normandy at the battle of Hastings on 23 October 1066, having force-marched only part of his army south from having defeated a Viking invasion at Stamfordbridge, York, on 25 September. This invasion had been led by Harald Sigurdson Hardrada, King of Norway, one of the most formidable warrior-kings of Scandinavia, who had brought his men in 300 ships and sailed up the River Ouse. There were several other descents on the north-east coast by the Vikings whom even William the Conqueror had found it prudent to pay off with gold. There had been a northern rising against him in 1069-70 and again in 1070 under Earl Waltheof.



In any case, Northumbria had a long tradition of independence as a kingdom, some of whose rulers had been recognized as Bretwalda, a kind of Anglo-Saxon overlord of England, which overlordship was pretty nominal. The north-east was not absorbed in the kingdom of England until the middle of the 10th century, but still enjoyed much local autonomy, and was often willing to join the enemy when a King of England did not appear to cut the mustard - particularly Eathelraed the Unraed, whose disastrous reign led to the Danish Cnut becoming King of England in 1016.

It is not unreasonable to suppose that by the time of the Domesday Survey, most of the lands and honours, such as the Mowbray Earldom, were putative and waiting to be made effectual by the Normans. Doubtless, William's Domesday commissioners, had authority to cover the whole realm, but they were unlikely to risk life and limb crossing the River Tees to assess Durham and Northumberland for geld, a tax that had never been imposed on the north-east by the strongest Anglo-Saxon and Danish kings.

Bishop Hugh was consolidating his legal authority with Boldon Book by identifying the see's estates and the revenues expected. He and his successors also sought to prescribe the rights in the north-east of kings of England, making Durham a county palatine under a prince-bishop. Bishops of Durham were able to exclude the king's itinerant judges and appoint their own, a situation that lasted until 1835 when the Municipal Corporations Act ended such anomalies, leaving only the title 'county palatine' and 'prince bishops', and for the addressing of letters, 'Co Durham', the only county in England and Wales to be preceded by 'County'. The similarity with Domesday ends here, for Boldon Book was a custumal, a record by holding of the labour and money dues owed by custom to the bishops. Also, unlike Domesday, freemen do not figure in it. Nor does the geld, as we have seen.

Nor are both counties surveyed in their entirety. The entries are confined to the bishopric's land and the dues owed, although later bishops claimed all royal rights in Co Durham and Northumberland. In the case of Co Durham, Barnard Castle and Hartness are excluded. In Northumberland, the bishop's land were in two main blocks. On the Tweed, from Norham to Berwick; and in the south, on the coast inland to Morpeth. The explanation for this can be found in the prologue of Boldon Book itself:

'In the one thousand one hundred and eighty-third year of the Incarnation of our Lord at the Feast of St Cuthbert in Lent, Lord Hugh, Bishop of Durham, caused to be written down in his and in his men's presence all the returns of his whole Bishopric, fixed rents and customs as they were then and had been before.'

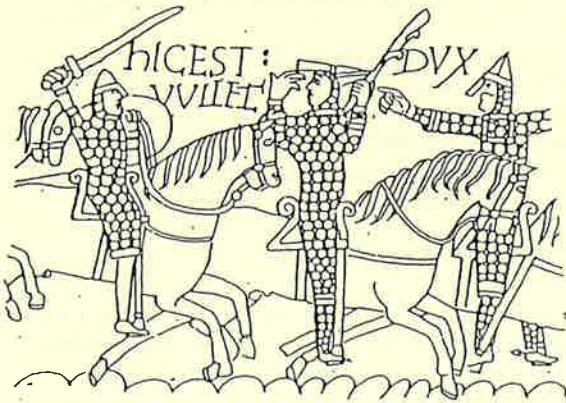
- Robert Smith

LORDSHIPS OF THE MANOR

LORDSHIPS of the Manor are the oldest land titles in England and pre-date the Norman Conquest, begun by William I at the Battle of Hastings in 1066.

Historians are not agreed on how the word Manor originated. It has been suggested that it was a French import, *manoir*, or perhaps even older, from the Latin, *manerium*. Nor are historians sure whether it was a purely Saxon concept, its origins lying in the need for self-defence down the east coast particularly against succeeding incursions by Germanic tribes and later Vikings.

They are agreed, however, that the Manor was the pivot of the Feudal System, "by certain ecclesiastics who propounded the theory that human society was divided into three orders, the *oratores*, the *bellatores*, and the *laboratores*: those who protected it with their prayers and their swords, and those who tilled the earth to support the other two classes" (Dr A P M Wright, Senior Assistant Editor, VCH writing in the Bulletin of the *Manorial Society of Great Britain*, 1981).



By the reign of Edward the Confessor (1042-66), the Lord of the Manor, be he the local leader, or some great suzerain, such as Earl Godwinson of Mercia, was the most important person in village or regional affairs, whether it be collecting taxes for the King or dispensing "high justice", the power to inflict death in his courts.

Historians are also agreed that the Normans institutionalized the Manorial System and set down its landed and service components in Domesday Book, compiled for William the Conqueror in 1086 and listing 13,418 Manors and their owners. It was an inventory of the wealth of the new kingdom and, as such, is still a Government document, housed at the National Archives where it is known as Public Record No 1. The conquerors also introduced the word *feudum*, from *feuum* (the Latin form of the Old English *feoh*, cattle, money, possessions in general); either a landholder's holding, or lands held under the terms of a specific grant.

It took the 18th century, however, to come up with the expression "Feudal System" which is made to have uniform operation in the High Middle Ages. Few things could be further from the truth. The Feudal System was versatile and diverse, which is why its form of landholding survived in many parts of England and Wales until the 1920s, and many rights survive in the 21st century.

In return for his protection and the land he gave them, the people on the Manor, from slaves to freemen, owed their Lord certain

services, ranging from money rents to working so many days a week on the Lord's "home farm", or *demesne*, without pay (week-work).

In theory, most men held their land "at pleasure", though in practice the "customary tenants", or villeins, were fairly secure, provided they undertook their services: week-work, the harvest boon (*precaria*) when they helped the Lord get his corn in, used the Lord's mill to grind their corn and his fold for their animals so that he might benefit from the manure on his land.

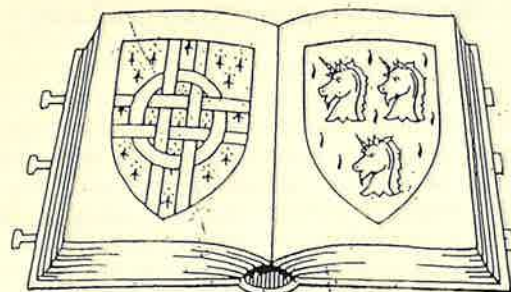
If the tenants of the Manor disagreed, they went before the manorial court, presided over by one of the Lord's officers, usually the Bailiff, who decided and imposed fines often called "arbitrary" though, in fact, usually determined by custom. If there were some crime committed, the Lord could arrest, try, and punish upto "pit and gallows", gibbet, and mutilation.

In the High Middle Ages of the 12th century, a Lord could simply say: "it is my will" and there is surely no better basis for prestige than this. Indeed, the great "nobles" of the period expressed their power through the number of Manors they held, many becoming barons by tenure and, by the reign of Edward I, barons by writ of summons to Parliament.

Throughout the Middle Ages, the English nobility was a caste whose power was based on the ownership of land through the Manor. Their peerages, unlike those on the continent, were purely honorific and they lost them if they lost their landed status.

Nothing is immutable and in time the powers of the Lord were diminished. For example, no self-respecting King of England could permit any other than his own appointed officials to have power of life and death over the King's subjects. From the reign of Henry II, the royal itinerant justices began a long battle with the Lord of the Manor over his powers of criminal jurisdiction. Of course, the kings eventually won, but when Henry III instituted justices of the peace, it was the Lord of the Manor to whom he looked to fill this post as they had the status and local knowledge necessary to win respect. Manorial Lords are by no means missing from the lists of justices, deputy lieutenants, or even lords lieutenant today.

At the economic level, the medieval period saw changes. A substantial increase in the population in the 13th century meant that the irksome duty of week-work from a reluctant peasantry became increasingly unproductive. Agricultural science did not improve much until the 18th century so that land that had been waste at Domesday was being taken under the plough by the 14th century.



The result was the evolution of paid labourers (men no longer tied to the land through the Lordship and, importantly, free to move around) and the reclamation (*assarting*) of waste which was granted out by Lords on very favourable terms to people who became copyholders, effectively freeholders who held title to their land by copy of the manorial court roll in return for a half-yearly rent payable at the Lord's court. The customary tenants gradually benefitted from this process too and became copyholders. Land tenure became more secure as services were commuted for fixed money, or money-equivalent, fines. Although the process accelerated after the Black Death in the middle of the 14th century, commutation of services is found in Domesday Book.

Although frequently strict in the application of their manorial rights, the Church, the largest landowner, tended to be a revolutionizing institution, its priesthood, right up to the highest prelates, originating in the vast majority of cases from the peasantry.

Lords would often apply to the King for special rights within the Manor. The most valuable of these was the monopoly to hold a market and fair in the Manor and these are the most common among Royal Charters to Manorial Lords: there were virtually no shops as we know them, apart from London, Norwich, and York, and retailing was done at markets, the Lord usually being granted in his Charter a Pie Powder Court by which he regulated the activities of buyers and sellers. He derived a financial benefit, first, from letting booths and stalls, and, second, from the profits of the justice his officers meted out.

There are charters for foreshore rights, rights of wreck, treasure trove, free warren (sporting rights), riparian and piscaries rights (river banks and fishing). These are special rights.

Droit de seigneur, or *jus primae noctis*, the right to have the bride on her wedding night, is a fiction. It was an alleged right of feudal lords in medieval Europe to sleep the first night with the bride of any of his vassals. There is some evidence of such a right in some primitive societies. 'The only evidence of its existence in Europe is of payments by a vassal in lieu of enforcement of the right, and it is probable that it was merely a kind of tax like the avail or redemption payment in lieu of the lord's right to select a bride for his vassal.' (*The Oxford Companion to Law*, ed. David M Walker). The myth has perhaps been perpetuated in the novels of Jane Austen and Anthony Trollope. The technical term for licence to marry was a fine of Merchet.

General rights were the copyhold income from the tenantry, manorial waste, common land, the profits of justice in the manorial court, *heriots* (payment of 'the best beast or chattel') on death and inheritance, *murage* and *scutage* (a 'tax' for self-defence), *pontage* (a 'tax' for bridge repair), mineral excavation rights, and many others.

It is easy to judge, from this plethora rights, how important the Lord of the Manor was, not only socially, but economically.

LAW OF PROPERTY ACT (1922)

In 1922, the Government of the day enacted the most thoroughgoing legislation touching property in England and Wales. So far as the Lord of the Manor was concerned, the Law of Property Act abolished copyhold tenure, taking away his right to be Lord of the soil save that which he owned directly. He was compensated and the copyholds were converted on 1 January 1926 into freehold, or 999-year leasehold.



But the Act went on to confirm many of the historic rights long enjoyed by the Lord of the Manor: the right to market and fair, mineral excavation (subject to the enfranchisement of the copyhold, the subsoil still belongs to the Lord of the Manor), fishing rights, sporting rights, manorial waste (principally the verges of the road and those areas in rural Manors which do not appear to belong to anyone), common land rights (subject to the Common Land Registration Act 1965), even the village green.

Some Lords today charge a manorial wayleave and are paid by British Telecom annually for every telegraph pole planted in the roadside verges. Others operate markets which require planning consent. Still others, in conjunction with the freeholder, employ mineral excavation companies to take out gravel, or sand if the subsoil contains a commercially exploitable deposit.

LAND REGISTRATION ACT (2002)

The Land Registration Act (2002) has implications for Lords of Manors and the MSGB held a conference at Merton College, Oxford, in 2005, and published the verbatim *Proceedings* in a report. One lecture is given in this Catalogue at page 21, together with further information about this conference. Intending purchasers are urged to read this section.

The operable historic rights associated with their Manor must be legally established by each purchaser. Those relating to Manors in the past included:

The right to hold market and fairs

The right to common land and manorial waste

The right to all the usual manorial incidents such as merchets, heriots, wardships, tolls, and escheats, pickage, stallage, turbary, and pannage

The rights to mines and quarries within the Manor

Fishing rights

Rights of free warren, free chase, and free forest

Timber rights

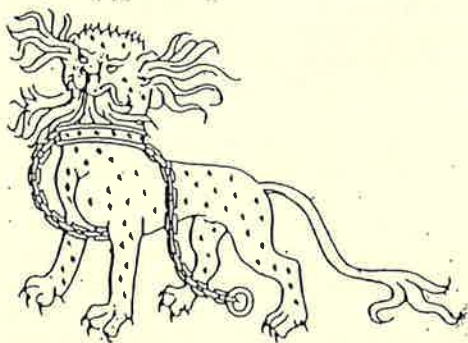
Rights over rivers and foreshore.

STATUS

The essence of a Baron's status, according to Professor Sir Frank Stenton (*The First Century of English Feudalism*, Oxford University Press, 1932), was his direct personal relationship with

his Lord, and there can be no closer relationship in medieval society than the swearing of fealty to the King himself. The Lords of Manors, or "mesne tenants", as Professor Stenton describes them, 'appear as a body of very important people' in the 12th century. 'There can be no doubt of their identity, as a class, with the honorial barons of 12th century charters... It is an important element in... the Anglo-Norman state'. Such mesne tenants who held Manors in the 12th century were honorial barons, or territorial peers. Professor Stenton adds that these early references to a lord's barons 'are valuable; historically, for they show that the barons who appear at a later time in Shropshire, Cheshire, Lancashire, and Durham did not owe their style to a near analogy between their position and that of a tenant-in-chief of the Crown, but that they were representatives of men regarded as barons already in the Norman period. Their titles come, in fact, before the conception of baronage was specialized... a specialization that was not to begin to take shape until the late 13th century with barons by writ and, much later still, by letters patent'.

Many of England's most ancient titles of what we are now pleased to call nobility are based on baronies by tenure: eg Earl Ranulph de Meschines grants the Barony of Greystock, Cumbria, to Lyulph, and Henry I confirms this landholding. Lyulph, whose ancestors are completely unknown, is ancestor to eight generations of feudal Barons of Greystock, before the ninth generation, in Ralph, is summoned to Parliament as a baron by writ in 1295. The difference between the baron by writ, or patent, and the honorial baron, or baron by tenure was that the latter would not expect to sit in the councils of the realm unless summoned beyond the reign of Henry III; 92 of the former can now sit in the House of Lords as of right.



The present Duke of Norfolk, is feudal Earl of Arundel (besides being parliamentary earl), a feudal title which, like Lord of the Manor, is protected in the 1922 Property Act. The Duke's ancestor, William de Albini (Albany), married Adeliza, widow of Henry I and daughter of Godfrey Duke of Lorraine. Adeliza had in dower Arundel Castle, Sussex, and William became Earl of Arundel in 1139 by this marriage. The feudal Earldom of Arundel came into the Howard family in 1480, but it was not until the passing of an Act of Parliament in 1628 that Thomas FitzAlan-Howard, 20th feudal Earl of Arundel, also became parliamentary Earl of Arundel. The Duke's feudal Earldom, like a Manor title, is vested in property. The parliamentary earldom would descend to the Duke's successors as specified in the Act and subsequent Acts and patents; but, presumably, were the family to part with Arundel Castle, there would be a feudal Earl of Arundel in addition to a parliamentary earl of the same name.

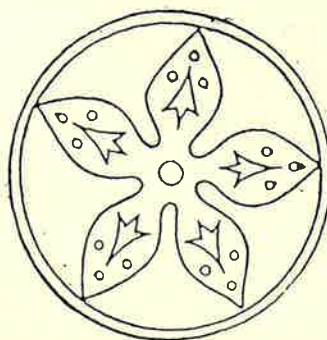
Helen Cam, in her Introduction to *Law-Finders and Law-Makers in Medieval England* (Merlin Press, London), says: 'Whilst the King's vassals fulfilled their responsibilities and vindicated their rights in his courts, all over England, their own sub-vassals, the baron's barons, were acting as judges in their Lords'

courts, and helping to adjust the conflicting claims of the old and new tenants of the honour and the manor.'

In describing thegnship, that Saxon Lordship with which Domesday is scattered, Professor F.W. Maitland (*Domesday Book and Beyond*, Cambridge University Press, 1897), calls wealthy thegns *barones maiores* and "less-thegns" *barones minores*. 'The household of a great man, but more especially the King's household, is the cradle of thegnship... Then the King... begins to give land to his thegns; and thus the nature of thegnship is modified. The thegn no longer lives in his lord's court; he is a warrior endowed with land. Then the thegnship becomes more than a relationship; it becomes a status.'

Right into the early Angevin period (*circa* 1160), the King's barons, Professor Stenton writes (*op cit*), 'remained a large and indeterminate body, defined by a rough equality of rank and a general similarity of territorial position, but by nothing that even approximated to any rule of law'. The word Baron is used by historians and writers today in a way that it is safe to assume that the author is thinking of a tenant-in-chief of the King. 'In a general survey of constitutional history,' Professor Maitland remarks, 'it is convenient to use the term in this limited sense. But the usage receives no support from the private charters of the Norman period, in which earls, bishops, and many lords of lesser status continually speak of their own tenants as *barones*.'

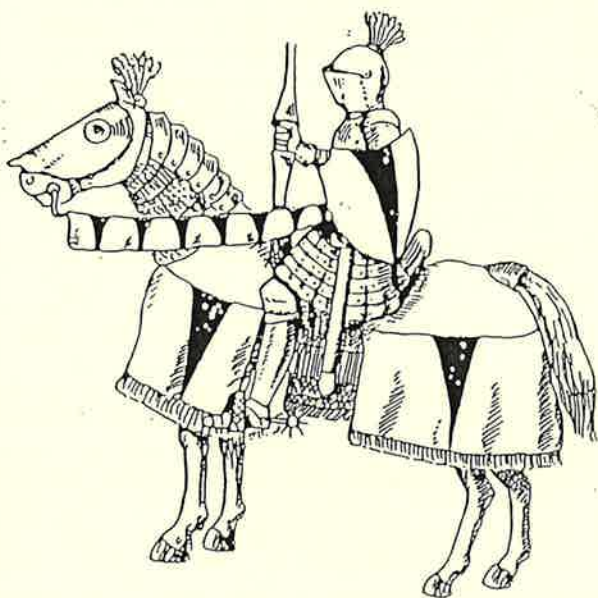
'Dark as is the early history of the manor,' Professor Maitland writes in *The Constitutional History of England* (Cambridge University Press, 1926), 'we can see that before the Conquest England is covered by what in all substantive points are manors, though the term manor is brought hither by the Normans.' Since this is so and since, as already observed, there can be no surer basis of prestige than to say, 'it is my will', the status conveyed by Manorial Lordship, or Feudal Barony pre-dates the peerage of England, as it is understood today, by at least 200 years. The former is vested in jurisdiction over land, the second in the will of the sovereign and is purely honorific.



The military aristocracy of the early 12th century would, probably laugh at the later concept of nobility through pedigree. Most would probably not have known who their grand parents were. Nothing is known of the family of Hugh the Great, Duke of France, who ruled that cradle of the chivalric ideal in the 10th century. William the Conqueror's principal followers were opportunistic thugs, most of whom are never heard of again after Domesday Book; while even of those who went on to become earls and bishops later, we know virtually nothing of their antecedents. Early pedigree charts are fragmentary. The Anglo-Norman period was one of great rises to, and falls from, fortune. There was no time to consider such niceties as "nobility", or pedigree. A great family is suddenly there: take the celebrated house of Bellême, who rise to instant prominence; their "ancestor" of one generation seems to have been a crossbowman. He becomes a Lord of Manors and, being practical, it was this wealth that was all that mattered. The Anglo-Norman and early Angevin monarchs were only interested in a man's

landholding and territorial power, and the money and services they could extract.

In the French or German sense of the word, medieval England had no nobility; that is to say that among the freemen there was no intrinsically superior class enjoying a privileged *legal* status of its own, transmitted by descent. In appearance, English society was an astonishingly egalitarian structure. That said, essentially, it was based on the existence of an extremely rigid hierarchic division, though the line was drawn at a lower level than elsewhere in Europe. It meant that on English soil, the freeman was in law scarcely less distinguishable from the nobleman. But the freemen themselves were an oligarchy. Yet England had an aristocracy as powerful as any in Europe - more powerful perhaps because the land of the peasants, through the Manor, was still more at its mercy. It was a class of Manorial Lords, of warrior chieftains, of royal officials, and of knights of the shire - all of them men whose mode of life differed greatly and consciously from that of the common run of freemen. At the top was the narrow circle of earls and barons. During the 13th century, this highest group began to be endowed with fairly definite privileges, but these were almost exclusively political and honorific in nature; and, above all, being attached to the *fief de dignité*, to the Honour, they were transmissible only to the eldest son. In short, the class of noblemen in England remained as a whole more a social than a legal class.



Naturally, although power and revenues were as a rule inherited, and although, as on the continent, the prestige of birth was greatly prized, this group was too ill-defined not to remain largely open. In the 13th century, the possession of landed wealth was sufficient to authorize the assumption of knighthood, in fact made it obligatory. Something like a century and a half later, it officially confirmed the right (always restricted by the characteristic rule to free tenure) to elect in the shires the representatives of the Commons of the land. And, although in theory, these same representatives - they were known by the significant name of knights of the shire and had originally, in fact, to be chosen from among the dubbed knights - were required to furnish proof of hereditary armorial bearings, it does not appear that in practice any family of solid wealth and social distinction ever encountered much difficulty in obtaining permission to use such emblems. There were no 'letters of nobility' among the English at this period - the creation of baronets by the needy House

of Stewart was only a belated imitation of French practices. There was no need for them. The actual situation was enough.

We must wait until the 14th century, or possibly the very late 13th, before the idea of chivalry, or *prudhommie*, or pedigree begin to become important in England as concepts, setting some men apart from others, and reflecting, among other things, a more settled state in society. Edward III inaugurates the 'Round Table' in the Order of the Garter. Parliament, in 1351, in the Statute of Labourers, attempts for the first time to restrict the acquisition of land and Manors by wealthy merchants from impoverished 'old money'. Parliament tries again and again in the 14th and throughout the 15th centuries to stop commercial new money from wearing certain furs and velvets, or owning more than 40 acres in the country.

Such efforts were thwarted by economic realities and the Kings of England themselves, the Tudors particularly, preferring new wealth and the cleverness that spawned it, to the old wealth and jealousies that sustained it.



Badges, banners, flags, seals were originally intended as means by which a man might be identified in time of battle, perhaps, or on papers which the illiterate, many of whom included the nobility, could recognize. Henry V established something approximating to a formalization of these devices. Richard III in 1484 established the College of Arms which contains a number of Household officers: the three Kings of Arms, Garter, Clarenceux, and Norroy and Ulster; a number of Officers in Ordinary (Heralds); and Pursuivants and Officers Extraordinary. They have granted arms to men and women of virtue for more than 500 years, despite conceits, which have appeared in every generation since 1484 - even to this day - which would ossify the institution.

It has been mainly by keeping close to the practical things which give real power, and avoiding the paralysis that overtakes social classes, which are too sharply divided and too dependent on birth, that the English aristocracy acquired the dominant position it retained for centuries, and to some extent still does socially.

In purchasing a Manor, therefore, one inherits the status that this form of tenure implies and becomes the successor in title to a line of men and women, many of whom have had a pronounced influence on the history of the British Isles.

Robert Smith OStJ BA

Chairman

The Manorial Society of Great Britain

The Origin and Evolution of English Manors

by A P M Wright

IN THE early 11th century, certain ecclesiastics, unwitting precursors of functionalist sociology, propounded the theory that human society was divided into three orders: the *oratores*, *bellatores*, and *laboratores*: those who protected it with their prayers and their swords, and those who tilled the earth to support the other two classes. When the Manor was first recorded by that name in England, in 1086 in the pages of Domesday Book, social developments, including the revival of commerce and town life, were already beginning to make such a classification inadequate, though it applied fairly well to Western Europe over the previous half millennium.

During that period, the poor state of communications made it difficult to transport what small surplus the primitive and inefficient agricultural techniques in use produced, and made self-sufficiency in each locality necessary. The same difficulty obliged rulers to delegate their powers to local potentates who found it only too easy to convert such authority into hereditary, private possession. Money was in use, but it was rather a measure of value than a regular means of exchange. The silver penny introduced by the Carolingians (Kings of France in the ninth century) was of quite high value in terms of corn and livestock. The Manor, therefore, proved the most convenient institution for obtaining from the peasantry the resources needed to maintain the higher orders of clergy and warriors. Just as men of the warrior order held land in return for fighting for their king or lord, so the peasants paid for the land which the wealthy and powerful gave them, or allowed them to keep, with their labour in cultivating the fields or carrying the produce to palace or monastery. Some of the men subject to such obligations were probably descended from bondmen whom their masters had settled on small holdings, to make them self-supporting in food, while retaining their services. Others, legally free, had surrendered their holdings to a powerful neighbour, to receive them back burdened with services, in return for assistance in times of scarcity and protection from oppression by others than himself.

Although England during the Anglo-Saxon period is poorly documented for economic history, glimpses can be obtained of the development of Manors there also. It has been suggested that the medieval England Manor was directly derived from the Roman-British villa, English chieftains taking over ownership, as Frankish and Gothic invaders did from Roman landowners elsewhere, while their serfs were thought to descend from a subjugated British peasantry. Such a transfer of lordship could have occurred in regions where Romano-British society survived relatively intact at the moment when the English overran it. In other parts, where the population consisted mainly of English settlers, a social hierarchy existed which could involve dependent landholding on a manorial system.

Apart from slaves and surviving Welshmen, free men were differentiated *eorls* of noble rank, and *ceorls*, or peasant husbandmen. Many villages names, in which an Anglo-Saxon personal name is combined with "tun" or "ham" probably indicate places where leaders of tribes settled, surrounded by followers whose subjection to them, expressed through yielding produce or services, could be made progressively more burdensome. By 700, thegns in Wessex, who had settled men on newly cultivated land, could make them in return work on the donor's land. If the thegn provided a house as well, the recipient was bound for life to his service.

Manorialism also spread through the alienation of the English kings' rights over land and its inhabitants. Scattered over the various Anglo-Saxon Kingdoms during the Heptarchy (see map) were "king's tuns", to which the men of the surrounding district customarily delivered amounts of bread and ale, meat and poultry, butter, cheese, and honey, sufficient to provision the king for a day and a night as he journeyed around his realm. They might also come in for a few days each year to plough and harvest any farmland that the king had there. His reeve might also collect there the sums due to him upon breaches of the law.

From the 7th century, for the safety of their souls and their kingdoms, kings steadily gave away such estates, or fractions of them, often comprising whole villages, to their bishops, abbots, and nobles in perpetuity. Each such grant implied the right to draw revenues and services from the husbandmen there and often to exercise jurisdiction over them for the grantee's profit. By the 10th century a great mass of the peasantry, even apart from the numerous serfs, was mostly still tied. On many estates their obligations included, besides for various renders in kind and the ploughing of a portion of their lord's lands, working for him every week, as villein, did later, in whatever way they were commanded. In much of eastern England, however, where Danish invasion and settlement had disrupted the old English social structure, the cultivators were less subject to Manorial lordship. Those regions contained until after 1066 many sokemen, whose main duty to their lord was to "seek" the jurisdiction of his court. In many villages there, no substantial landowner had any large area in hand, the land being divided among the resident peasants.

In organization of lordships, as in other fields, the Norman Conquest produced, despite the forcible dispossession of the English aristocracy, not so much a cataclysmic transformation, but a sharper and more systematic development of existing institutions. The name of the Manor, from the lord's manoir, or residence, was indeed an innovation. The parcelling out of the land into Manors, where they did not already exist, was moreover required by the enforcement of feudal tenure, as the Conqueror and his barons distributed land to their vassals, to be held by providing knights. The Manor became the economic unit supplying the knight with the income to maintain him and to pay for his arms and horse. Since Manors varied in size and value there was no correlation between them and the knight's fee, the amount of land theoretically sufficient for the support of a knight. The new Norman lords did perhaps make use of the villagers on their Manors somewhat more than their predecessors had done: Domesday Book sometimes indicates that the amount of income obtained was higher than those paying it could comfortably yield. Manorialization was extended in areas, as in the east, where it had been weak in 1066. Many free men and sokemen were degraded from their previous partial independence to the status of the villani, ordinary villagers, and may have incurred more obligations as a result.

It is in the records from the early 12th century, after those changes, that the "classic" type of English Manor becomes clearly visible. The land within it fell into two portions: the lord's mesne under his immediate control, whose produce was for the support of him and his household; and the tenanted land, from which services were provided to cultivate the demesne. In 1086, many Manors had had serfs who probably worked con



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tinuously on the demesne, but chattel slavery died out soon. Thereafter, the lords drew the necessary labour, partly from their tenants, partly from a small group of permanently hired men, some specially skilled as ploughmen or shepherds. Such farm workers received, besides a small money wage, yearly payments in corn. The demesne usually included a Manor house or farmstead, where some permanent agent, if not the lord himself, lived, surrounded by enclosures of meadow and pasture larger than those of other landholders on the Manor. In the arable open fields too the lord had much of his land lying together in largish blocks, saving him the trouble of moving his ploughs about the fields as frequently as the peasants had to, with their small strips of an acre or less.

The tenanted land was usually held partly freely, partly in villeinage. The freeholders paid their dues to the lord mainly in money rents, but might owe some labour services at special times of year, often of a more honourable kind, such as supervizing other workers in harvest. The villein tenements were less secure and more heavily burdened. Legally, they were held entirely at the lord's will. In practice, they passed from father to son, for such land was unprofitable without men to farm it. But a villein tenant ejected or denied succession by the lord had no legal redress. Most villein holdings owed some money rents, perhaps a commutation of ancient renders in kind, or a continuation of a yearly levy, called before the Conquest *gafol*, perhaps once due to the king. Each holding sent a man to work on the demesne for two or three days a week, and at the relevant seasons to plough and harrow so many acres of it, and to mow the lord's meadows. The tenant also had to use his cart and draught beasts to carry the lord's crops to his house or to neighbouring markets. During the harvest, villein tenants had to come once or twice with several men, or with their whole households, to reap and carry the lord's crops, to get them while favourable weather lasted. The name *precaria*, or harvest boon, given to that service, probably recalls a long distant past when men had voluntarily given their lords and neighbours such assistance from goodwill. Such tenants also had to send their sheep to the lord's fold, giving him the advantage of their manure, and to grind his corn at the lord's mill: the toll went to the lord through the miller's rent. The lord in his turn in times of bad harvest, would subsidize the poor from his barn.

The distinction between freemen and villeinage holding was not based on the tenant's personal status. Free men could hold land in villeinage, performing the labour due from it, without necessary forfeiting their freedom, although a family once free whose members did so for several generations risked losing its free status. A freeman's children born on such a holding to a villeinage woman, perhaps its heiress, were moreover reckoned as unfree. Over those who were villeins by birth, also styled *nativi*, the lord had even greater authority. He might, and sometimes did, sell or give away a villein and his offspring, though usually only with the land they occupied. Villeins might not depart from the Manor without their lord's leave. If, at a price, he allowed them to live elsewhere, they must still pay every year chevage, head money, as evidence of their continuing in bondage. Villeins had to pay the lord "merchet" on giving their daughters in marriage. Their personal goods were supposed to be his and at his will he might exact from them as much as he chose, as *tallage*. In practice, however, *tallage* was often taken from villeins as a group as an annual payment, not varying greatly in amount. When a villein died, the lord took his best beast as a heriot. The term had once referred to a thegn's arms returned at his death to the lord who had given them. Its use among the peasantry perhaps recalls a period at which a lord, when giving land, had also supplied the livestock to work it.

The divergence in standing which thus gave the Manorial lord far more power over some of his men than over others was probably in some cases caused by some families retaining an ancestral freedom from before 1066. Elsewhere, descendants of some of the undifferentiated *villani* of 1086 had acquired by prescription a freedom of tenure and status in time to be protected by the developing Common Law; while many others, of similar origins, saw themselves subjected more firmly to their lords, as the king's judges established clearer definitions of freedom and serfdom, and declined to extend to more than a minority of the peasantry that protection from arbitrary treatment by their lords which the Common Law offered to acknowledged freeholders. In doing so, the courts were influenced partly by Roman Law doctrines about slavery, partly perhaps by unwillingness to determine every petty dispute between lord and tenant throughout England. The tests adopted for deciding whether a peasant held freely or in villeinage were not clear cut. Liability to merchet and tallage were considered strong evidence of villeinage, although free men also occasionally owed them. The most important criterion was not simply the type of render due to the lord, money or labour. Although most freeholders paid the money rents, considered more honourable, some owed not inconsiderable works. The issue turned rather on the certainty or otherwise of the services rendered. To hold freely a man must only have to do yearly a fixed amount of work. If a lord were entitled to demand as much work for a holding as he chose, the courts reckoned that it was villein land. In practice, indeed, the level of labour services imposed was regulated by tradition on each Manor; but the courts would not protect admitted villein tenants from attempts by their lords to increase it.

Some villeins sought to escape their disabilities by buying from their lords charters of enfranchisement. Such purchases were not very frequent, for the line between freedom and villeinage was one of legal status, not of material well-being. Some freeholders owned more land than most villeins, but many others had only minute holdings: free hand was often divisible between heirs. The lords usually insisted that the villeins' holdings, typically full, half, and quarter yardlands, of 30, 15, or 7.5 customary acres, be preserved as units, so that the services due from them in proportion to their size could be more easily exacted. Many free men, therefore, were no better off than at lowest stratum of Manorial tenants, the cottager. They probably derived from the bordars and cottagers, holding five acres or less each, recorded in 1086. Mostly unfree personally, they usually owned only their cottage and the croft around it, sometimes a few open-field acres. Being hardly able to live by cultivating their own land, they furnished a reserve of labour for hiring by those more prosperous peasants who had holdings too large to be worked solely by their family, and in particular by the lord. He had naturally an advantage in bargaining over wages with men who could not easily seek work elsewhere without his leave.

Such was the organization of the Manor, as it was recorded on the estates of the large Benedictine monasteries and some other great landowners. But it was not typical of all Manors, the extent to which that model prevailed varying in space and time. There were parts of England where villeinage was of little importance. In Kent, the peasantry were almost all personally free, and owed only money rents and some seasonal services. Over much of East Anglia, besides a class of full freeholders already flourishing in the 12th century, there were many molemen, who, although personally unfree, held their land for permanently fixed rents. In the pastoral uplands of the North, much peasant tenure involved mainly renders of cattle and a form of military service to repel raids across the Scottish border. In Cornwall, by 1300, much land was held on a purely contractual basis: men took it

up from the lord for terms of years at rents partly determined by market forces. Even in the Midlands and the South of England, the heartland of the "model" Manor, there were exceptions to its dominance. Many villages contained several Manors so that no single lord had exclusive control of the peasants. The smaller Manors belonging to knights and franklins often also differed from the model just described. On many of them, week work was not customary, and their villein tenants performed only the seasonal tasks of ploughing, haymaking, and harvesting. Some Manors had, besides their demesne, only free tenants; others only a few villeins, whose services would not be sufficient to work the demesne. A few Manors contained no demesne at all, but only rights of lordship over freeholders and villeins, so that their revenue could only be received in cash.

From the 11th century, moreover, the Manor was placed in a changed economic environment. Coinage was becoming relatively plentiful, witness the thousands of silver pennies exacted from England as Danegeld, a fraction of which has been discovered in buried hoards in Scandinavia. The lords thus had the option of drawing their income from the peasantry, not in kind or labour, but mainly in cash. In Domesday Book, most Manors have a money value on them, which probably represents the sum obtainable by renting them out. On many estates, lay and ecclesiastical, they were by 1100 leased to middlemen as *firmarii*, farmers, who undertook their management, for a fixed or "farm" rent. Such leases then usually included the stock and seed needed to cultivate the demesne, with the right to call on the tenants' labour services, but lords often reserved their money rents to themselves. The convenience of farming out Manors was balanced by risks. Leases were usually made for life and, if allowed to pass in the same family, might easily become *de facto* hereditary, making it hard for the lord to regain possession at their expiry. Farmers, too, were often willing to connive with a preference from the peasantry for paying their dues in money rather than by labour, and thus achieving a tenure that could be claimed as freehold, and for those remaining in villeinage, knowledge of what works they owed might be obscured.

The practice of farming Manors was eventually abandoned when in the 12th century, England was afflicted with its first serious recorded inflation. The farmers could take the profit from rising prices, while the unchanged rents which they paid yielded many lords too small an income to meet the increasing expense of a noble or knightly lifestyle. By 1200, many lords were responding by taking their Manors back under their personal control. They were then run, sometimes by reeves drawn from the unfree tenants, sometimes by salaried bailiffs, who might have professional experience of farm management. The monasteries, whose exemption from military pursuits gave their rulers more leisure for supervising their estates, were especially prominent in undertaking such direct management of their demense. For almost 200 years, landlords continued to develop their Manors intensively themselves, aiming no longer simply at subsistence, although some produce was often delivered to their households, but at financial profit by selling corn, wool, and cattle on the market. Their seignorial rights over their tenants were revived for the purpose. Freeholders, whose rents were fixed, escaped the heaviest pressure, but villeins were often faced with demands for their performing anew traditional labour-services, which their lords might try to increase, under the guise of defining them. The peasants naturally resisted, sometimes by passive noncooperation, sometimes by lawsuits. Before the king's judges, they often claimed to belong to the ancient demesne of the Crown; the privileged villein tenants on it were entitled to royal protection in holding their land securely and in rendering only fixed customary services. The courts, however, decided that only those Manors named as the king's in Domesday Book could claim

those privileges, and the villeins' lawsuits usually failed, leaving them to the uncertain protection of a Manorial custom that the lord might well override.

Some lords met peasant resistance with open force, exercising their admitted right to imprison their villeins, confiscating their land, or fining them to the uttermost for their defiance. Such repression was assisted by the economic situation. Until the early 14th century, the population was steadily rising, and even land on the margin of profitable cultivation had to be brought under the plough to feed the growing numbers. There was, therefore, a strong demand for villein land, even on burdensome terms, while the competition of many labourers, landless or nearly so, kept down agricultural wage rates. A man who, finding his lord's demand too heavy, fled from the Manor without leave, must leave behind the land and cattle which had been his livelihood; and even if he escaped recapture, and in some distant borough or village achieved a *de facto* freedom, he was likely, lacking training in a craft, to be reduced to penury. So it did not matter too much to lords that the legal burden of proving that a man, ostensibly free, was really their villein, came to rest on them. Most villeins perforce stayed on their holdings, though no doubt grumbling and sometimes, at the risk of occasional fines, shirking as much of the labour imposed on them as they could.

The lords did not, in any case, invariably demand that such services be performed in full. Besides being perhaps aware of the relative inefficiency of forced labour, they might find that the value of a particular work was less than the return customarily expected for it in food or other perquisites; especially the hearty meals due to harvesters. Lords were often therefore ready to "sell" or commute works for cash payments, usually 1/2d. to 2d. for ordinary week work, double for the especially useful harvest works. The figure chosen was probably originally equivalent to the cost of hiring substitute labour. Lord and villein might agree to commute a whole year's work in advance, making the villein temporarily a near rent payer. More often, perhaps, only those individual works not required on the demesne were commuted one by one. The choice whether to commute rested with the lord and the process was not entirely to the villein's advantage. Although spared the indignity of compulsory labour and able to devote more time to his own land, he had to raise the necessary cash by selling a larger proportion of the crops of a holding that might even in good years be barely sufficient to support himself and his family.

By such exactions, the lords substantially increased their real incomes over the 13th century at the expense of the peasantry. On many Manors, half or more of that income came not from demesne farming, whether using villeins' works or hired labour, but immediately in money, from rents, including some for leasing out small pieces of demesne, commutation of works, mills, "sales" of the right to use the lord's grass and woodland, and the profits of his courts. The increasing intensity with which lords exploited their rights is reflected by changes in the type of records concerned with Manorial management. In the 12th century, when economic change was slow and hardly noticed or expected, the lords had surveys made at long intervals, showing the extent of the demesne, the amount of stock employed on it, and the numbers and size of the tenants' holdings with the services they owed. William the Conqueror had had Domesday Book compiled as a once-for-all record of the wealth and landholding in his new kingdom. By the mid 13th century, such surveys were supplemented by new kinds of document, the account and the court roll. The account, which enumerated in detail all receipts and expenditure, was designed less to help the lord estimate the profitability of his demesne farming, although some landowners

came to use it for that purpose, than to ensure that his agent running the Manor answered for every penny due. Court rolls enabled a lord to check the occasional income arising from his men's land dealings and law breaking, besides providing a record of proceedings in his court.

A Manorial court was, in theory, held every three weeks, and usually met frequently until the 15th century when its business was often concentrated into two sittings in spring and autumn. Although it was held in the lord's name by his steward, he was not, formally at least, judge in his own cause. The court's judgments were made by the assembled body of tenants, styled the homage, or a jury drawn from them. Such juries also, when necessary, swore that the special customs of that Manor were, whether over their obligations to the lord or the rules for inheritance of unfree holdings. The authority of those courts derived from several origins. Before the Conquest, kings had allowed landowners a wide jurisdiction over their peasants, reserving only serious cases of robbery and violence. Feudal custom gave any lord the right to try, in a court composed of his tenants, disputes arising between them. So the peasants regularly sued one another in the Manor court in minor cases of debt and contract, assault and trespass. The court also enforced the lord's rights against those neglecting to render their dues to him or encroaching on his property, and recorded his admission of men to holdings and the "fine" exacted for their entry upon them. Lawyers later styled courts handling such business customary courts or courts baron: only the latter were supposed to have authority over freeholders. But such distinctions were not made in medieval times.

Many Manorial lords also had higher rights of jurisdiction, which became those of courts leet. The king's lawyers held that they were possessed by delegation of royal authority, but in practice they were admittedly enjoyed by long established custom "from a time beyond human memory". The principal jurisdiction was view of frankpledge. It entitled a lord to check that his unfree tenants, freemen being exempt, all belonged to the groups, called tithings, into which the peasantry was divided to help maintain public order: tithings were collectively liable to be fined for their individual member's offences. Courts leet had, too, a form of police jurisdiction, with the power to punish bloodshed, scolding, and similar breaches of the peace. From the 14th century they usually named the constables responsible for leading the villagers in repressing crime. Most lords also had the right to enforce the assize of bread and of ale, by which the price, measure, and quality of those basic foods, when produced for sale, were controlled. The courts regularly appointed ale-tasters to do so in practice, the lord simply took the fines imposed on the villages ale wives and bakers, as a kind of licensing fee, without trying to make them mend their ways. To some Manors also belonged the right to take the forfeited goods of tenants convicted of felony, or that of infangthief. The latter entitled a lord to hang thieves caught red-handed on his land. The Manorial gallows was, however, rather a token of its owner's standing than a frequently used instrument of justice.

The decline of the Manor as an economic institution began with economic changes in the late 14th century. The slow fall in population resulting from the Black Death and the recurrent plagues that followed reduced the pressure that lords could exert upon their tenants. Prices fell, and wage-rates, despite attempts to hold them down by legislation, slowly but steadily increased, doubling by the end of the 14th century. There was reduced demand for villein holdings from a less numerous peasantry, who could more easily find land or employment elsewhere. The demands put forward during the Peasants' Revolt for personal freedom for all and the right to hold land solely for rent reveal the under-

lying resentment still felt against villeinage and compulsory labour. Lords found that men would not accept holdings liable to such burdens. If they were not to be left vacant, such tenements had to be let out at rent. At first, such leases were for short periods, the lords still hoping eventually to restore the old order. From the 15th century, however, the renting out of former villein land became permanent and its tenure hereditary: and the rents as fixed as those for freeholds had been since the 12th century. The class of customary tenants was gradually transformed into one of copyholders, so named from their receiving as title deeds copies of the court roll entries recording their admission. The inferior status of their tenure, the freehold of it remaining with the lord, was marked by the ceremony used in transferring it. Heirs or purchasers of copyhold must come into the court and receive possession from the steward "to hold at the will of the lord, according to the custom of the Manor". Villein status as such, however, was never formally abolished. In 1381, the landowners when asked in Parliament, emphatically repudiated the proposal that they should free their bondmen. Even in the 16th century, wealthy townsmen of unfree ancestry might be coerced by a lord under colour of his right to confiscate or tallage their goods. The Crown, too, raised small sums by granting commissions for the compulsory enfranchisement, at a price, of bondmen on royal Manors. But for the great majority of the peasantry, custom assisted by a more rapid turnover of village populations and the dying out of known villein families had lifted the ignominy of servitude by 1500.

Higher wages and the loss of villein works also helped to end the lord's farming their demense themselves. Between the 1380s and the 1420s most landlords, to stem the decline in farming profits, turned to leasing them out at rents which, fixed at least for a time, would protect their incomes. A few kept some demense as home farms to supply their households. Some demenses were leased to the body of villagers who would probably share them out in proportion to their previous land holdings. Mostly, however, they were let as units, at first often to prosperous villagers, drawn from the class of men who had run them for the lord as reeve or bailiff. From the late 15th century, demense leases were more often acquired by neighbouring small gentry or merchants from nearby towns. Such men, by close personal supervision or specialization, might make demense farms pay, where more remote owners could not. The lord usually reserved to himself the cash income from tenants' rents and his courts. So the English aristocracy and gentry finally withdrew from the direct exploitation of their lands, becoming, as it remained later, primarily rentiers.

Manorial Lordships still, however, gave a landowner certain advantages over his tenants. Copyholders were forbidden to impair the value of their holdings by letting buildings there fall into disrepair, to cut down trees, or to let their land for more than a year without their lord's leave. If they did, the tenement was formally forfeited, though usually restored on payment of a fine. More important was the copyholder's relatively precarious right of succession. By the late 15th century, the king's courts were indeed willing if a copyholder could afford to appeal to them, to protect him against outright eviction by his lord, but a son was often vulnerable when his father died. In the West of England copyholds were commonly held for the lives of two or three named members of the tenant's family. In the East, they were usually heritable like freehold. In either case, the lord was entitled to an entry fine from heirs seeking admission. On some Manors that fine was fixed by custom, often at a year's rent. On most its amount was arbitrary, at the lord's discretion, and was steadily increased throughout the 16th century. By setting it too high for the heir to afford to pay, the lord could in effect frustrate his claim to inherit. Many copyholders, especially those

for lives, were thus compelled to renounce hereditary right in their ancestral lands, though sometimes they received leaseholds for lives instead. By 1600, however, the royal courts had largely blocked that loophole. They decided that a fine must be 'reasonable', which was defined as not being more than two year's real value of the property. Thereafter, copyhold tenure, though still subject to special rules and practices, was nearly as secure as freehold.

Until the 17th century, the Manor also remained important in village life through the activity of its court. During the 15th century, its police jurisdiction and later its hearing of ordinary lawsuits over money gradually fell into disuse. But much business remained. Since the 14th century, the court had regularly noted and published breaches of the customary practices of open-field husbandry, especially those related to common pasturage. It appointed haywards and common herdsmen to enforce those rules. It also dealt with the many small nuisances, digging up roads for clay, not scouring watercourses, or fouling streams and streets with domestic refuse, with which villagers might incommode their neighbours. The frequent repetition of orders and punishments in such matters suggests that the court's efforts were more persistent than successful. By the 15th century, such rules were regularly recorded on the roll as "bylaws" or ordinances, made in legislative style "by the assent of the lord and the tenants, for the common weal of the township". In villages containing more than one Manor, it was usually through the court of the largest, sometimes styled the chief manor, that the villagers thus managed their communal business.

From the mid-17th century, however, the courts mostly ceased to concern themselves with such matters. The country lawyers who ran them as stewards confined the recorded business mostly to reciting, in formalized detail, successions to, and transfers of, copyhold land: it was only in that that the lord had a financial interest. Agrarian bylaw were still occasionally repeated in stereotyped form, but any attempt to enforce them apparently ceased. Where once the whole body of tenants had been expected to attend, on pain of fines, one or two farmers represented them. Control of villages passed to other bodies, such as the parish vestry.

Such courts saw, however, their activity revived through special circumstances in certain of the new industrial towns which grew up in the 18th century, such as Birmingham and Manchester. Despite their increasing population, they had not obtained a chartered corporation, but remained legally mere townships. There courts baron might provide a forum conveniently close at hand for litigation over small sums. The process of the court leet to repress public nuisances were the only ones available to preserve a minimum level of urban decency. So shopkeepers and manufactures took up ancient offices as bailiffs, constables, and headboroughs to help manage their new cities. If, as often happens, the right to hold a weekly market belonged to the Lord of a Manor, the manor's court appointment of searchers of food and other goods offered for sale provided a means to ensure trading standards.

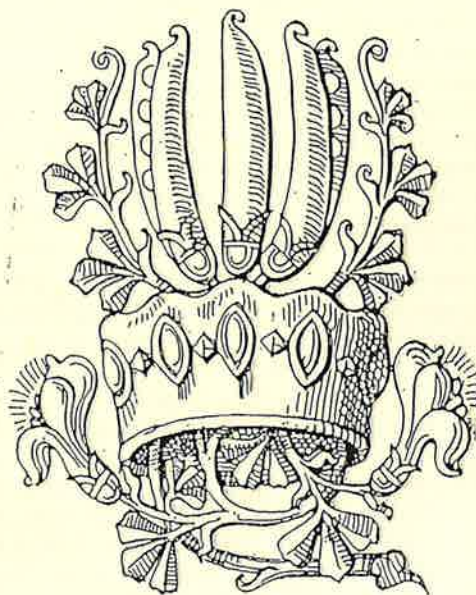
Over most of rural England, however, the Manor had declined by 1800. Its remaining rights of supervizing open-field farming vanished with the steady enclosure of open-fields and commons in the 18th and the early 19th centuries. In those wider regions, where extensive common land survived, the court might still be occasionally called formally into action. The enfranchisement of copyhold into freehold, the lord taking a capital sum for renouncing his right to rents and entry fines, proceeded steadily encouraged by a series of statutes, from the mid-19th century. From 1926, copyhold tenure itself was abolished. There-

after, the only potentially profitable right attached to a manorial lordship was that over minerals under remaining commons, and in some cases under former copyhold lands, and manorial wastes. The name of the Manor, in common usage, often come to refer to the complex belonging to a landed estate, so that appointing a gamekeeper over sporting rights was the lord's most obvious activity.

The surviving substances of the Manor, the leased demesne farm, however, continued from the 16th century to the early 20th, as a principal support of the landed classes: Historians trying to discover the proportion of land owned by different sections of those classes, peerage, gentry, and yeomanry, have found it convenient to count the number of Manors held at different periods by such groups. The ties between landlord and leasee, moreover, long remained not simply commercial. It retained traces of that seigniorial systems, involving authority and protection on one side, respect and service on the other, which had been more clearly shown in the medieval Manor. In the 16th century, landowners fully expected their dependants' backing in feud with neighbouring gentry, in the 18th and 19th century their support at parliamentary elections. Just as customary tenements had in practice been heritable, so leasehold might remain for generations in the same family. Until the mid 17th century, most leases of demesne or former copyhold were made for two or three lives at relatively low rents, seldom changed, but subjected to high "fines" when they fell due for renewal.

Within the village, too, the demesne, where it survived undivided, gave the lord who owned it the opportunity to dominate local life. Some lords might be descended from medieval knights, others the successors of merchants or lawyers or rising yeoman who had bought the manor in Tudor or Stuart times. In either case, they were well placed to buy up smaller landholdings. In those villages where, in the 19th century, most of the farmland was in the hands of one or two families, they will usually be found to be the heirs in title of the medieval Lords of the Manor. It was not until after the First World War that the flood of land sales converted much of England from a regime of landlord and tenant to one of owner-occupation.

This essay was first published in 1981 in the Bulletin of the Manorial Society of Great Britain. Dr Wright was at the time, Senior Research Assistant at the Victoria History of the Counties of England, University of London Institute of Historical Research.



LAND AND POWER: THE NORMAN CONQUEST TO THE LAW OF PROPERTY ACTS (1925)

by John S. Moore BA FRHistS, formerly Bristol University.

We begin in 1066, not because the previous six centuries of English history are unimportant, but because the Norman Conquest introduced some radical changes into England - and, subsequently, into Wales, Scotland, and Ireland - which particularly affected the ownership and control of land.

First, we must ask ourselves why land was so important to contemporaries. In the pre-industrial period in England, until the 18th century, land was the ultimate source of wealth, political power, and social prestige. For the peasantry - the bulk of the population - access to land determined whether one had food. Without land, or paid work on it, one starved.

In 1086, Domesday Book primarily assessed the capacity of Lords' and peasants' land by the number of ploughteams: how much land could be ploughed and how much corn it could produce. The clergy's income was also partly derived from land - parochial glebes, episcopal and monastic Manors - and partly from tithes on agricultural produce. Land supplied the Lords with food from their demesnes - home farms - rents and labour services on those demesnes from their peasants and, not least, men: military manpower ranging from knightly sub-tenants to household knights, archers, men-at-arms, and skilled craftsmen to build castles, to make and service arms and armour, and to care for horses.

On the quantum of noble power depended social prestige and access to the ultimate source of honour, the Crown. Not all of that changed or appeared suddenly after 1066. As George Orwell observed, the division of society into high, middle, and low was as old as recorded history. The Godwineson earls in 1065 were richer and more powerful than all but a handful of the Norman barons in 1086.

What changed after 1066 were the relationships between freemen and the Crown, and between their land and the Crown. In the Anglo-Saxon realm, the basic relationship between monarch and people was one of King and subject. Only the tenants of Crown land and those who had chosen to 'commend' themselves to the King had an additional nexus binding them directly to him. Other freemen might be independent or tenants of, or commended to, another Lord. The plentiful slaves were simply property owned by their Lords. Land that was not part of the royal estate was independent of Crown control.

As Domesday Book sometimes put it, such land was held as 'an alod' - in absolute freehold - by men 'who could go with their land where they would'. The only powers that old English Kings had over their subjects' land fell into three categories, all of which depended on the royal prerogative. First, they could assess taxes on all land - the 'geld'. Secondly, they could order land to be forfeit for certain serious crimes. Thirdly, they could convert 'folkland' held according to local custom - the later custom of the Manor - into 'bookland': land held by charter which could be bequeathed by will, given or sold away from one's heirs or kin, particularly to the Church.

By 1086, the revolutionaries of 1066 might have remarked, as their successors of 1789 did, *nous changerons tout cela*. The King was the only independent freeholder at the apex of the feudal pyramid and the ultimate Lord - from whom every other Lord held his land either directly of the Crown as a 'tenant-in-chief'

or as a tenant from the tenants-in-chief or as their sub-(sub-sub) tenants. At the lowest level, all peasants held their land from a Lord of one of the Manors into which Domesday Book divided all of England.

In addition, modes of succession to land had radically changed. The normal inheritance pattern before 1066 was partible tenure - 'in parage' (equally). So, Domesday frequently records land held by brothers in 1066. Thereafter, partible tenure at higher social levels was confined to the least important members of societywomen. At lower levels it survived among the peasantry in Kent and Wales. All land at manorial level or above descended on death to the eldest son alone. We call such a system primogeniture or impartible tenure. The only exception to that rule, which was confined to the Crown and its tenants-in-chief and lasted from 1066 to the final loss of Normandy in 1204, was that the patrimony descended to the eldest son and acquired lands to the next younger son.

Lords, ranging from the King down to the local Lord of a Manor, exercised considerable control over their tenants' land dealings. If tenants wished to give, transfer or sell part of their land to someone else or to the Church, they had to obtain their Lords' permission normally on payment of money - for what later became a 'licence to alienate'. On death their heirs had to pay a 'heriot', commonly the 'best beast', as well as a graduated money payment, which was called a relief, when they succeeded if they were already aged 21. If they bought or were given land, they had to pay their Lord an entry-fine to succeed to it. If the heir, or the co-heiresses, if there was no male heir, was under 21, their persons and estates were in 'wardship' to their Lord, who could run the estates for his own benefit during the heirs' minority or who could give or sell the wardship to another.

If the minor heir or heiresses were unmarried, their marriage and that of their widowed mother could be controlled or sold by the Lord. The only check on that was the legal convention of *nulle disparagement*, whereby a woman could not be forced to marry a man of lower social rank since, as a woman, her status naturally depended on that of her husband. Women did not matter in the feudal age. They were merely the means through which land passed to their heirs. Even their ancestral land belonged to their husbands during marriage. The freedom to buy, sell, give and bequeath land enjoyed by the Anglo-Saxon freewoman was regained by her descendants only after the married women's property Acts in the later 19th century.

To provide for widows, the system of 'dower' was introduced whereby a husband, on marriage, nominated a third of his land to be held by a widow for her lifetime. To compensate for that, a wife on marriage brought to her husband a dowry in land or cash. Similar arrangements obtained at sub-manorial level. Tenants could only transfer, receive or inherit land in the manorial court before the Lords' steward.

As the medieval period progressed, the Norman rule of inheritance by the eldest son increasingly prevailed over gavelkind - partible inheritance - and 'borough English', which was inheritance by the youngest son. From the 13th century onwards, Kentish Lords obtained royal licences to disgavel their lands so that their eldest sons alone would succeed them. By the 17th

century, primogeniture had triumphed as the customary mode of inheritance in most manorial courts, as it had among all the tenants Lords.

The importance of primogeniture as the standard form of inheritance was emphasized by an important evolutionary development in English feudalism. Originally, in France and Germany, the grant of a fief or knights fee - *beneficium* or *feudum* in medieval Latin - was precarious; it was a grant for a lifetime only. By the time feudalism arrived in England, the grant of a knights fee was hereditary. Henry I (1100-35) was the last English King to interfere with what was already becoming the natural inheritance; he directed that Geoffrey de Mandevilles Barony of Marshwood in Dorset should pass to his son Ralph by his second wife rather than to his son Robert by his first wife because the King considered Ralph to be the better knight.

The sine qua non of the feudal structure was personal military service as knights, which clearly women could not perform. That did not prevent them from being, on occasion, notable generals or from commanding besieged castles with success. For example, Empress Matilda and Stephens Queen Matilda commanded armies in the mid-12th century civil war, and Nichola de la Hay was hereditary castellan of Lincoln in King Johns reign. In addition, women were not the only victims of feudal service. The system, which emphasized personal military service, also penalized male weakness. A man who was too young, ill, weak, feeble-minded or old to perform such a service was in the same position as a woman.

By the reign of Henry I, personal service was supplemented by a cash payment in lieu - scutage. From the time of Henry II (1154-89), the Crown often preferred to take the scutage and hire mercenary troops to do the fighting. Although the feudal structure had a logic to it based on the render of military service for land which reinforced the unity of estates, hence primogeniture, the system necessarily incurred costs that many members of the lordly class found increasingly unacceptable.

As a result, the history of the law of property from the 12th to the 20th century is one of increasing attempts to modify the original stringency of the system created in the aftermath of the Norman Conquest to meet human problems that had not been envisaged or properly thought through by government. The situation was due partly to an historical accident: the transfer to King William of the royal lands and the estates of the Godwinesons and of most of the English thegnly class was the largest shift in landed power in England until the dissolution of the monasteries in the 1530s. It gave the Crown a commanding position in the landed economy, as well as permitting the creation of a new, almost entirely foreign landed aristocracy, which was a situation never to be repeated in English history.

Thereafter, Crown and nobility had to adjust their inheritance to take account of changing circumstances, not least the changing attitude of the western Church to marriage. The post-Roman Church had tolerated divorce and remarriage, particularly for monarchs and nobles, precisely because of the importance of succession by male heirs. The Western Church decisively turned against both; marriage was to be indissoluble except by death, unless the Papacy decided that a particular marriage was invalid.

There was an important corollary to that decision: the essential basis for marriage was declared to be free consent of both parties. That drove a potential horse and cart through the feudal institution of 'wardship and marriage', because refusal of consent by either party automatically invalidated a marriage. Ward-

ship and marriage continued in England and Wales until the Crowns feudal rights were abrogated by the Civil War in the 1640s, but such arranged marriages after the 1150s had to take account of the wishes of grooms and brides. By the end of the 12th century, aristocratic widows in England were paying the Crown 'not to be married or remarried against their will'.

As time went on, new circumstances produced new problems that required new solutions. Kings and nobles wished to be able to reward men of talent. That required either the grant of a portion of the existing estate as a new holding the lawyers called that 'subinfeudation' - or the grant of the marriage of an heiress with her land. Thus, even by 1086, much of the holdings of tenants-in-chief had been granted to sub-tenants, and the process of subinfeudation continued for another two centuries until it was prohibited by the statute Quia emptores in 1290. By then, feudal service had been so fragmented that it could no longer be demanded with any hope of success. How could one render or demand the service from one-fortieth of a knights fee?

After 1290, land could still be transferred by outright sale, gift or trust, but the transfer would not create a new feudal sub-tenancy. Lawyers thus held that no new Manor could be created after 1290 - but legal doctrine did not always align with territorial fact. By the 1270s, the Crown and nobility were also getting seriously worried about the amount of land in the 'dead hand' of the Church as the result of previous generations piety. Such land could not be transferred back into lay ownership, although it could, and was, leased into it. In consequence the Statute of Mortmain in 1279 prevented further transfers of land to the Church unless a fee was paid to the Crown. Because of the statute and the increasing shortage of land caused first by continued population growth until the mid 14th century and secondly by the continued growth of the size of large estates as their number fell, much less land was given - certainly in larger amounts - to the Church between 1300 and 1530.

Again to avoid dissipating landed patrimonies, the use of heiresses' marriages to reward new men became increasingly common. The classic instance of that is Isabella de Clare, the daughter of Earl Richard 'Strongbow', who died in 1176. She was given in marriage by Richard the Lionheart to the notable soldier William Marshal in 1189. He thereupon succeeded in right of his wife to his father-in-laws vast estates in England, Wales, and Ireland, and to his title as Earl of Pembroke. There were two reasons why that strategy became increasingly popular. The first was that it was relatively painless to the arranger, because the estates covered by the marriage were not his by right, but were only a temporary addition to his lands. The second was the biological probability that at least one in five of all families at any social level will fail in the male line within a century. That meant that there would inevitably be a continuing supply of marriageable heiresses with their lands to be disposed of by feudal superiors.

In certain circumstances, the percentage could be higher. If it became the custom to marry heiresses in order to acquire their share of their family lands, which was the case in medieval England as the size of the nobility fell, the genetic combination predisposing the female rather than male births will be passed onto future generations, thus explaining successive failures in the male line. I will give two examples. After the death in 1107 of Robert Fitz Hamon, who had conquered Netherwent in south-east Wales in the reign of William Rufus, Henry I gave Roberts daughter Maud in marriage to one of his own bastard sons, Robert de Caen, who was created Earl of Gloucester in 1122 and died in 1147. When his son, Earl William, died in 1183, his heirs were his three daughters, Mabel, Isabel, and

Amice - two female successions inside a century! That was hardly exceptional.

Robert Fitz Hamons neighbour to the north was Bernard of Neufmarché, who died in 1125 after conquering Brychan and Brycheiniog in east Wales. His heir was his daughter Sybil, whom Henry I gave in marriage in 1121 to his constable and household steward, Miles of Gloucester, who was created Earl of Hereford in 1141. By 1166, Earl Miles' four sons had died childless, leaving their three sisters, Margaret, Bertha and Lucy as heirs. In this case, we are talking about two female successions in 40 years. Margaret's third descended to the Bohuns and Lucys third to the Fitzherberts, but Bertha's share was further divided in 1230 between her four de Braose great-granddaughters, Maud, Isabel, Eleanor, and Eve - three female successions in 110 years. Numerous other examples could be given from Sanders' English Baronies and the serried green volumes of *Complete Peerage*.

I mentioned two medieval statutes, *Quia emptores* and Mortmain. Such statutes originated in the process of consultation between the King and his barons in the Great Council, which had led to Magna Carta in 1215 and which continued in the reigns of Henry III and Edward I, widening to include representatives of the great towns - 'burgesses' - and of the counties - 'knights of the shires' - which coalesced as the House of Commons. The Great Council broadened to include all landed nobles, not just great tenants-in-chief, in the future House of Lords.

The evolution of Parliament was slow, haphazard, and often faltering, as major crises such as the Barons War in the 1260s, the revolt of the 'contrarians' in the 1320s, the struggles of the Appellants under Richard II, and the Wars of the Roses in the 1450s temporarily disrupted good relations between Crown, nobility, and Commons. However, the evolution embodied the developing political consciousness of upper and middling orders as articulate parts of national society, so that law ceased to be if it ever had been simply the will of a King who had not consulted his natural advisers. *Magna Carta* notoriously was the outcome of bargaining between King John and his rebellious barons which, although mainly dealing with aristocratic concerns, also guaranteed to all freemen liberty from arbitrary arrest and imprisonment and to all countrymen immunity from confiscation of their ploughteams (their lands - livelihoods).

Henceforth, the making of law - above all, land law - reflected the desires of the landed aristocracy as much as those of the Crown. Rising population during the 13th century put great pressure on land that was either uncultivated or on which there were restrictions on cultivation. In the first category came common land: the Statute of Merton in 1235 directed that commons could be enclosed only with the consent of all Lords and freemen who had rights of commonage. Thereafter, the growing numbers of Acts passed by medieval and later Parliaments - 'stacks of statutes', according to a 16th century lawyer - usually reflected the consensus agreed by the various sectional interests in Parliament that had become an essential part of government under Henry VIII's reign. (See *The House of Lords* and *The House of Commons*, edited by Robert Smith and myself).

Consensus and cooperation between the landed nobility and the lower orders had become apparent in another aspect in the reigns of King John and his son Henry III. By 1199, about a quarter of the area of England was subject to forest law. Regardless of who held the land, the Kings forest officials controlled the hunting of the beasts of the chase, notably red deer and wild boar. They forbade the use of dogs with unclipped - 'unlawed' - claws that could be used to bring down deer. They prevented the break-

ing up of new ground - 'assarting' - and the erection of mills and other buildings - 'purprestures' - that might injure the beasts of the chase. They prohibited the cutting of timber that sheltered them - offences against 'vert' - and opposed all unauthorized hunting - offences against 'venison'.

The end result was to sterilize hundreds of thousands of acres that could be used productively. But the Crowns need for money and the nobility's desire to lead the local population, most of whom were its tenants and dependents; led between 1200 and 1272 to widespread disafforestation, in the legal sense. Entire counties such as Devon, and large parts of others, such as Gloucestershire, east of the River Severn, were 'taken out of the forest' and made available for expanding agriculture, a movement led by the local landholders such as the 'knights and free men of the seven hundreds of Grumbalds Ash', who procured the freeing of South Gloucestershire in 1228. Without the radical reduction in the royal forest, the agricultural expansion of the 13th century would have been curtailed considerably.

Besides female succession, other human circumstances created problems that were impossible to solve under strict feudal law. Very few families in England at any social level in the past tried to limit the number of children born because nature was more than capable of doing the job itself. Infant and child mortality levels were high in all social groups until the 19th century. Usually, in addition to the eldest son, there would be younger sons and daughters, all of whom needed to be brought up and suitably provided for. Clever or clearly unmilitary sons could be directed towards the Church, but that increasingly required education if one was aiming higher than a parson for a local parish church. Gerald of Wales, for example, spent at least 10 years in the 'schools' of France before becoming an archdeacon in Wales. Even if the evolving secular 'common law' or the expanding royal bureaucracy were seen as good avenues for advancement, which they often were, that again necessitated expensive training and the judicious greasing of palms.

Younger sons, even if fit for military service, required lengthy training and equipping with arms, armour, and horses, the cost of which rose continuously between the 12th and 16th centuries. Moreover, war was a chancy business. Success could bring ransoms and booty sufficient to found a new landed family. Failure could mean ruinous ransoms, bringing a family to the brink of bankruptcy. Increasingly, and hardly surprisingly, many of the gentry preferred to keep out of war and become local magistrates, administrators, and estate owners. If younger sons were a problem, daughters were even worse. If they were not to suffer 'disparagement', be forced into a mésalliance with a lawyer or merchant or be consigned to a nunnery, a sufficient 'jointure' or 'portion' had to be found to attract the right class of future husband who would respond with an appropriate dowry. Physically or temperamentally unattractive daughters would require correspondingly higher dowries.

A landed family, therefore, always needed some available hard cash; yet from the 13th to 19th century an average landed estate was thought to be doing well if it yielded a net return of 5 per cent. It was perfectly possible for a landed family to be rich on parchment and yet have little liquid cash available. Much of its regular landed income went on maintaining the noble household and its estates, hospitality, and necessary display. A fortunate marriage to an heiress could radically alter the situation though it could have long-term dangers, as we have just seen.

Equally, a series of widows in succeeding generations or long-lived spinsters could be disastrous - two-thirds left after one widow and 4/9ths left after two widows. In the short run, re

course would be necessary to the Jews until they were expelled from England in 1290 or to English or foreign bankers, but since such loans could not formally be secured on land until the later medieval and early modern period, the interest rate, however disguised, would be high. In default of all else, land sales would be necessary.

Later, medieval lawyers sought means to alleviate such crises, in particular by creating the device known as the 'use'. That was essentially a trust created by agentslawyers; estate officials or relatives to assume control of certain lands as free tenants in place of the estate owner for the benefit of stated purposesuses dictated by the estate owner. Such uses often took the form of entails to specified groups of people: heirs male; heirs female; or heirs general. The problem with the use was that the feudal superior was likely to lose out by the creation of a long-running use there would be no reliefs, no heriots, no entry fines and no licences to alienate unless he was suitably placated. Of course, the biggest loser was the largest feudal superior, the Crown itself. Once the Crown had recovered from its weakness in the 15th century, the Statute of Uses in 1536 severely restricted the application of the use and the utilisation of the conveyance that set it up - the 'bargain and sale' - and both fell into disfavour as a result.

A further problem arose from the coexistence of Church and State with two separate law codes: the secular common law and the ecclesiastical 'canon law'. While land and 'real property' - rights attached to land such as minerals, growing crops and timber, common rights, fairs and markets and ecclesiastical patronage - came under the former, 'moveable property' - goods and chattels, leasehold rights, debts and probate - were under the purview of canon law administered by church courts whose powers were curtailed only in the 1850s. There were two obvious areas where clashes could occur: tithes were subject in practice to both legal systems, often competing against each other; and wills, though administered by Church courts, nevertheless usually contained the testators directions regarding disposal of his land and other real property. Again, the medieval nobility was trying to get back to the situation of freedom of bequest enjoyed by its Anglo-Saxon predecessors and frequently uses were being employed to set up post-mortem trusts.

Finally, in 1540 the Statute of Wills recognized the right of testators to bequeath 'socage' land - land not held by military service - together with two thirds of land held by knight service. The Crown's potential losses were offset by the creation the same year of a Court of Wards and Liveries designed to maximise the Crown's 'feudal' income, a project that succeeded in the short term, but at the cost of alienating many members of the landed classes in the run up to the Civil War in the 1640s.

The 16th century also saw a radical diminution in the types of tenure: petty serjeantry had already largely disappeared during the 13th century and grand serjeantry was an honorific survival of little significance. Frankalmoign - free alms - tenure, on which much, though not all, monastic land had been held in the Middle Ages, was largely attenuated by the Dissolution of the Monasteries between 1536 and 1540, but was to survive for the lands of bishops and cathedral chapters until the 19th century and for local parish glebe lands until the 20th century.

What remained after 1540 was knight service in an entirely nominal form, socage tenure - free tenure, sometimes with ground rent - and copyhold tenure within Manors, which had been recognized by the royal courts at Westminster in the later 15th century. Knight service lasted until the Civil War because of its financial value to the Crown which, increasingly short of money

in a period of inflation, ever more vigorously exploited its rights of wardship and marriage in a programme dubbed 'fiscal feudalism' by historians. That, because it relied on the royal prerogative, was abrogated during the Civil War and was formally abolished by the Restoration Parliament in 1660. Land held by knight service was merged with socage tenure; copyhold was the only other heritable tenure, frankalmoign - what was left of it - being restricted to official successors in post.

Meanwhile, the rise of the common lawyers produced change in the procedure of the land law itself. English law had never favoured perpetual entails and the later medieval 'use' could be broken by a fictitious suit utilizing 'fine and recovery'. Mortgages had been introduced by 1500, but were short-term - six to 12 months - involving the entire debt and accrued interest that had to be repaid and renegotiated. If there was any default in repayment, however small, the entire property held as security was forfeited to the lenders. Not surprisingly, most borrowers preferred to rely on family, friends or unsecured loans.

By 1600, however, conveyancing lawyers had evolved the doctrine of the 'equity of redemption', so that borrowers were liable only for an outstanding debt with any accrued interest, but retained the surplus amount between the sale value of the land on which the loan had been secured and the debt owed. Mortgages became much safer and more popular, even more so as interest rates on secured loans fell in the late 17th century and remained at low levels until World War Two. London goldsmiths evolved into bankers and stockbrokers willing to lend on security and, given rates of about 5 per cent, it made economic sense for landlords to borrow to finance not only exceptional family expenditure, but estate improvement on a growing scale.

The burgeoning agricultural revolution facilitated the digging of canals and river-navigation schemes, land drainage and diversification into industrial enterprises, especially mining coal and iron, and the construction of ports. However, despite the simplification of land law, with socage and former knight service land becoming absolute freehold, some causes of family insecurity still remained to be addressed. In particular, even if a landowner no longer had to cope with capricious and grasping feudal superiors, how did he guard against capricious, lazy, incompetent or uncaring successors? How could he ensure the transmission of his estate as a functioning unity to his posterity?

The answer to that question was produced by a great conveyancing lawyer, Sir Orlando Bridgeman, during the years of the Cromwellian Protectorate. Effectively, he revived the medieval use and entail in a new form, the strict settlement, which was to dominate the administration of English landed estates until World War One. The landowner created a trust usually comprising himself, his eldest son if of age and of good character, other family members as necessary, the estate lawyer, the estate steward, often his banker, and such others as he chose, who were to hold specified lands on specified trusts with specified powers. That usually included the raising of loans on mortgage, expenditure on specified matters, such as estate administration and improvement, the payment of dower to daughters and widows, and the education of younger sons.

By the 18th century, trustees usually had powers to invest in Bank of England or East India stock. Such a settlement would usually remain in being until the death of the last 'remainderman' or 'remainderwoman', when it would be wound up by consent of the surviving trustees. It was fairly rare and not thought advisable for a settlement to cover a whole estate. Usually, there would be more than one settlement in being at any one time, raised on different parts of an estate usually with

beneficiaries of different generations, even if the general purposes were the same.

By the end of the 18th century, it was thought that two thirds of Englands land was 'under settlement' at any one time. It was good practice to have some 'unsettled' land available to meet sudden, unforeseen emergencies or, indeed, unexpected opportunities. Certainly, the system minimized risk and a properly drawn settlement could not usually be broken during its period of operation except by a private Act of Parliament. Since most settlements made alternative arrangements in lieu of the customary dower or 'thirds', dower in its original form became obsolete and was abolished by statute in 1833.

Furthermore, Lord Broughams Act that year abolished the 'final concords', which had existed since Henry IIs reign, and the 'recoveries', which had evolved in the later medieval period to arrange and to abolish simple entails, substituting simpler disentailing deeds. Historians believe that the adoption of the strict settlement system was an important factor in re-establishing the ascendancy of the landed aristocracy after the Civil War and ensuring the continuance of the great landed estates during the next two and a half centuries.

Sir Orlando Bridgemans innovation was fortunate in the timing of its appearance: feudal superiority had been in abeyance in England and Wales since the start of the Civil War in 1642 and was, as we have already seen, formally abolished by the Restoration Parliament in 1660. Provided the settlement was within the common law, no superior power could intervene except, as we have noted, Parliament - and then only exceptionally. A new type of conveyance was employed, the 'lease and release', which avoided the restrictions placed on the 'bargain and sale' by the Statute of Uses.

We have all, I suppose, met peers who are selfish, bloody minded, ill-mannered, and anti-social although, in my experience, they are a small minority. I shall not pretend that the actions of the landed aristocracy in the past were never actuated by naked class interest, when they sometimes clearly were. The most obvious example of 'class' legislation were the measures designed to protect private hunting preserves in the 17th and 18th centuries. Until the recent prohibition of fox hunting, the arrogant disregard too often shown by hunters for other peoples property rights - such as following foxes on to private land, destroying fences, damaging crops and livestock in areas where they had no legal right to be - was a flashpoint in rural social relations, even where hunting as such was approved or at least tolerated.

However, in general, the law of property was accepted by most people, propertied or unpropertied, because it was the law. It had been enacted by their representatives in Parliament, and it benefited all. The same law of property was part of a law that protected dukes and dustmen. As William Pitt the Elder stated in a debate in 1763, The poorest man may in his cottage bid defiance to all the force of the Crown. It may be frail; its roof may shake; the wind may blow through it; the rain may enterbut the King of England cannot enter; all his forces dare not cross the threshold of the ruined tenement. The law, including the law of property, that protected the landed aristocracy against Stuart absolutism, also guarded the poor against arbitrary interference by their so-called betters.

As we have seen, the abolition of feudal tenure in 1660 left absolute freehold as the only system of permanent land law for the upper and middle classes in England and Wales. Leasehold continued, but as a necessarily time-limited form of tenure. The freedoms to settle land and to bequeath land meant that primo-

geniture no longer needed to be a necessary rule of descent: its function to ensure the passing of landed estates as intact units could be attained by other means. Equally, means were then available to meet the problems posed by those who had been excluded by primogeniture, especially younger sons and daughters.

At lower social levels, however, copyhold tenure remained and was administered in thousands of manorial courts that still survived. Despite its antique language, tenure 'at the will of the Lord', for example, in the last resort was protected by royal courts as it had been since the later 15th century. Effectively, it was freehold in all but name. Copyhold land could be bought, sold, given, bequeathed or held in trust. It was subject to the payment of rent - at levels fixed mostly in the 13th century and not capable of being increased - to heriots on death, and to reliefs on succession or entry fines on purchase or bequest, again at levels long fixed by custom. Other services, apart from serving on manorial juries, had withered away. Its main disadvantage was that any transfer of tenure usually had to take place in a manorial court, which effectively acted as a local land registration system, although even that requirement could be circumvented.

Finally, after an incomplete Act in 1922, the Law of Property Act 1925 arranged for copyhold tenure to be enfranchised, compensation being paid to manorial Lords for the ending of money rents over time. Because of the onset of World War Two, copyhold was finally extinguished in 1950. Nine centuries after the Norman Conquest, the revolution of 1066, the legal wheel had turned full circle: absolute freehold was again the rule.

John Moore is a member of the Governing Council of the Manorial Society with oversight of academic affairs.



A CASE STUDY OF MANORIAL RIGHTS

by Jeremy Ackroyd FRICS

Jeremy Ackroyd FRICS (Ackroyd and Harrison, Chartered Surveyors and Land Agents): I am afraid the subject title of 'Severed manorial minerals in Cumbria' is a bit of a mouthful, but it involves some rich and interesting historical research. There is also a real possibility of making some money. For those who want to go to sleep now, I will bang the table when it is time to talk about the money side—it will be towards the end.

There is quite a lot to get through, so I will take questions at the end if I may. I speak as a chartered surveyor and not as a lawyer. I am certainly not a retired Law Lord. The reason why I am doing this talk is that about 18 months or two years ago my firm was instructed by four Cumbrian landowners who were becoming increasingly concerned about their severed minerals miles away from their landed estates. What should they do now with the proposed changes in the law, they asked? Between them, my clients own about 70 Manors scattered throughout the county and North Yorkshire. This talk is based on the review and what we found, and what my clients are doing now after the challenges in the Land Registration Act 2002.

Some landowners have hundreds of Manors within their estates, but my talk is primarily aimed at those members who have just one or two Manors with minerals attached. What is the definition of 'severed'? 'Severed' just has the ordinary meaning: that the surface land and the underlying minerals are in separate ownerships. The law is complex and that is because over the years the Courts have tried hard to balance the directly competing interests of the mineral owner and the surface owner. Members can imagine the conflict.

The surface owner wants to retain whatever is on the surface and the mineral owner wants to quarry the minerals and thereby destroy the surface. The situation could be no more black and white than that. The Courts over the years have tried to be fair to both parties.

I will discuss the following: why the review has been undertaken; where the legal interest in severed minerals originates; what has been found in the review to date; the research and the historical researchers, who are all working hard; Counsel's advice on the Enclosure Acts and awards; Counsel's advice on the research we have done in respect of copyhold minerals; an update on the mineral disputes with a cost-benefit analysis; and a summary for members undertaking research into severed minerals for the first time.

Why are the reviews being undertaken by my four clients in Cumbria? The medium-term aim is for the clients to register all their landed estates and the severed minerals with the Land Registry. They are doing so for cheaper conveyancing—my lawyer friends tell me that if one has a registered estate and sells it, the conveyancing costs could be 35 to 40 per cent cheaper than if it were unregistered—to stop claims for adverse possession; and to stop others from interfering with our severed minerals.

The Land Registration Act 2002 was the catalyst for the four clients coming to my firm for advice. As we all know, unless the severed minerals are registered by 13 October 2013 registration will not be possible thereafter.

Another reason for this work was the increasing number of developments in the semi-uplands throughout Cumbria since the 1990s, which required reasonably deep foundations and site levelling within the severed minerals. Such developments consist of telecommunication aerials, wind farms, and small landfill sites. We have always had telecommunication aerials in Cumbria, but there was a big surge in their number from the mid-1990s onwards. The question is whether the developments are interfering with my clients' minerals.

The starting point was where does the legal interest originate for the minerals? In Cumbria there are three main sources. The first is enclosed common land—minerals reserved to the Lord in enabling Acts and enclosure awards during the period of the statutory enclosures. In Cumbria these started in the 1760s and the latest one I have seen was from about 1864. The enclosure movement came quite late to the semi-uplands in Cumbria due to the generally poor quality farming land. That had advantages, because by 1820 the lawyers were more up to speed and the legalese is easier to understand. Enabling Acts also tended to be printed as opposed to being in script. The whole exercise is a lot easier compared with examining documents before the mid-1700s.

Secondly there are severed minerals reserved to the Lord in private agreements to enclose common land. In my experience, such agreements date from about the 1500s and continue until the 1870s.

Thirdly, there are minerals under former copyhold land which are reserved to the Lord in an enfranchisement agreement with the copyholder or under the Law of Property Act 1922.

I have recently seen, for the first time, an actual agreement between the Lord and 14 commoners to enclose part of the common land. It is dated 1686. It is on vellum and the 14 commoners put their cross on the tags at the bottom. Their initials were on the tags, they crossed the appropriate tag and the minerals were reserved. The agreement related to the common land in a Manor south of Carlisle: it gave consent to the commoners to enclose the land which was then leased from the Lord. That is the first such agreement that I have seen, and the researcher said that it has hardly ever been opened and is as good as new.



As we have heard, there are problems for the Lord in entering and working minerals under former copyhold land. By about 1500, almost all villein land had been turned into copyhold, and tenants had pretty secure tenure as long as they paid the periodic fines to the Lord of the Manor. Those fines were mostly fixed by 'custom' as the late medieval mind had not grasped the concept of inflation. As time passed, the fine became proportionately smaller in real terms. The expression 'copyhold' originates from the tenant's attendance at the manorial court, and receiving confirmation of his tenancy by copy of the court roll from the Lord of the Manor or his stewards.

From about this time, the Lord had no automatic right to enter the copyhold tenement and work the minerals as the copyholder possessed the land. The Lord had the legal interest in the minerals, but he could not enter without the copyholder's consent. However, in some West Cumbrian Manors it was the custom of the Manor—in this part of Cumbria there are a lot of mineral rights with minerals near the surface—for the Lord to enter the copyholders' land, dig up the minerals, and restore the surface without requiring the consent of the copyholder. In my experience, proving a custom of the Manor is difficult, but a custom of the Manor is established law with the appropriate evidence.

The documentary evidence of custom does not seem to exist for my clients' Manors; I have carried out this review over the last 18 months and have come across little. The trouble is that all the 'old boys' who used to be able to remember the custom of the Manor are long since dead. But Mike Westcott-Rudd told me after his talk that he has seen custom recited in indentures (old conveyances) and enfranchisement agreements.

With the creation of copyhold tenements in the early 1500s, Lords and copyholders have been agreeing terms for copyholders to enfranchise their land by paying a capital sum to the Lord, copyholders rid themselves of the manorial dues and liabilities. But in Cumbria, it is common that these new 'freemen' continued to pay one shilling a year to the Lord, and we have found this very helpful in proving title to land and minerals which were previously under copyhold tenure.

In enfranchisement agreements, it was normal for the Lord to reserve the minerals and, sometimes, the specific right to work them, though not always.

The Law of Property Act 1922 did not give any additional rights to the Lord for access to work minerals through statutory enfranchisement. However, we have many compensation agreements under this Act where the agent, probably out of deference from the ex-copyholder, managed to have the right to work included. In a standard compensation agreement of this

sort the agent has included the words 'reserving the Mines and Minerals with power to work and remove the same and subject to the Exceptions and Reservations contained in any Enfranchisement or Grant affecting the said premises'.

This agent wrote to the client's London solicitors on 22 January 1926—22 days after the statutory provision came into force. He said, 'We have been in the habit of reserving the power to work in our compensation agreements where the landowner did not object. But some wide awake owners have objected, and we could not insist on the reservation.' I have seen hundreds of standard printed compensation agreement forms under Section 138 of the Law of Property Act 1922. I understand that ex-copyholders had to have a receipt from the Lord before they could sell their land as freehold.

For those interested in the history of villeinage and how villeins obtained 'security of tenure' and became copyholders, I can recommend a book called *Copyhold Equity and the Common Law* by Charles Montgomery Gray (Harvard University Press 1963). If a modern-day politician tells you, 'We invented security of tenure for all those poor tenants at the top of those tower blocks', don't believe him. According to Charles Montgomery Gray's book, security for copyholders commenced in the latter part of Henry VII's reign, with many successful cases in the Tudor Chancery Court.

In the two-year review, we have found numerous reservations of minerals in Enclosure Acts and awards in south Cumbria. We also found a strong mineral reservation/exception in the enabling Acts that granted the bedrock and the stone within the subsoil to the Lord. In addition, there was a full right to work. This means that the surface owners' rights are limited to the turf and the topsoil, together with the right to remove stone for agricultural buildings and walls. All this was found in family estate documents and in county record offices.

We went on to identify various surface developments directly affecting the reserved minerals which is where things became interesting. We found an unlawful greenfield quarry excavating grit stone, which was reserved to one of my clients in an Enabling Act dated 1837. It was leased to a national quarry company and the surface owner was doing well from the royalty payments. We also found three unlawful telecommunication aerials penetrating the minerals, and a wind farm.

In South Cumbria, there is a large mast, used by three telecommunication companies. A security fence is in place, and there are blocks of limestone which must have been removed during construction. The important point is that the tower has been constructed with no authority to disturb the minerals. A landowner can only disturb minerals for agricultural purposes. We shall have an interesting time attempting to resolve this interference and I think that the evidence is quite strong in our favour.

I am aware that a huge wind farm is being constructed in North Wales. The turbines will be 350 metres high. I do not know who owns the subsoil or the minerals, but *prima facie* if they are severed from the surface someone should be able to sustain a claim for interference—if



they have not already done so. If members find that sort of thing on their Manors, I suggest they do something about it.

To prove our claims, much depends on historical researchers. I have two employed on a part-time basis. There are about 70 Manors to assess. The first task was to produce a composite Manors plan, so that we knew exactly where they all are and how they fit in with each Lord/landowner. Fortunately, my clients possess numerous old estate plans, which include the manorial boundaries, so there is no need to start at the beginning by producing manorial boundary plans from the original descriptions of the boundaries/perambulations of each Manor.

In extracts from the composite Manors' plan, we have numbered all the Manors. Once the plan was produced, the researchers' job was to go to the Cumbria Record Offices—there is one in Kendal and another in Carlisle. They studied the Enabling Acts and awards, and transcribed the boundary information onto Ordnance Survey maps.

The job of transcribing the inclosed common land on to a 1:25000 Ordnance Survey map is not the most difficult of tasks and such a person will cost about £12 to £14 an hour.

One researcher is in charge of looking at the minerals under former copyhold land. She is highly qualified with an MA in museum studies and understands the law. Her first task was to research copyhold minerals adjacent to existing quarries, on the basis that these may be expanded in the short term. Once that is under way, her second task will be to research title to copyhold minerals in Manors where there are existing commercial minerals, and where there is potential in the next 100 years or so for quarrying to take place (planning policies permitting).

Researching title to minerals under former copyhold land can be expensive and we were selective. If we had 10 researchers looking at copyhold title in 70 Manors for the next 10 years, I do not think that we would get to the bottom of it. It is a massive task and we have only eight years remaining in which to register.

An interesting point is that from a parliamentary inquiry in the 1780s, it was estimated that about 60 per cent of lowlands and semi-uplands were in copyhold tenure. We had a geological report prepared by local geologists. In Cumbria, Solway Firth is sandstone; and limestone and grit stone are found in mid and south Cumbria. There are quite a lot of quarries there. The grit stone runs north-east to south-west, but it is variable in quality. At the moment, we are not going to research my clients' minerals within the national park.

We have to take a decision on whether the shale and sandstone between the coal seams will be registered. It is worth going to look at an open-cast coal mine if you get the opportunity—there are not many left in Cumbria; unlike chalk, coal does not come in a 100-foot-tall seam but in narrow bands, and between them there is shale and sandstone. When coal was nationalized by the Government in 1947 the other minerals between the coal seams were not normally included, unless they were part of a coal mining lease which was also acquired at vesting.

Since the semi-privatization of the working of coal, the new Coal Authority now says, 'Fine, here is the licence Mr Operator. You can dig that coal up but you

have to treat with the owner of the 'severed' minerals within the coal'. A more open market has now developed, and five years ago some of my clients were receiving royalty payments of £2 to £4 a tonne of coal mined in consideration of the destruction of my clients' 'severed' minerals within the coal seams. Such a royalty is quite useful for estate finances, but it cannot be obtained at the moment because the world price of coal is relatively low, although it is increasing. In Cumbria, where the coal is high in sulphur, I cannot see the market paying that royalty again for some time.

Having carried out all the research and gaining all this information, it was time to obtain opinions from Counsel. He advised that the Enclosure Acts clearly awarded the minerals to the Lord, my clients, and the reservations included the minerals in the subsoil plus the right to work. This means that any surface development that is not simply *de minimis*, but relatively substantial, and which is not for agricultural purposes on inclosed common land, is a trespass for which damages are recoverable. That is based on the same principle that applies to trespass of air space, which is actionable without proof of damage—see *Anchor Brewhouse Development Ltd v. Berkeley House (Docklands Developments) Ltd* 1987; and, for those who read the *Estates Gazette*, the same principles were applied in a similar case in the High Court in Leeds in June 2004: *Laiqat v. Majid and others*.

The level of damages should be assessed on the user or 'way leave' principle. A person who has wrongfully used another's property is liable to pay as damages a reasonable sum for the wrongful use, as in the Court of Appeal case: *Stoke-on-Trent City Council v. W & J Wass Ltd* 1988.

Counsel thought that the open market rent or royalty for the telecommunications aerial, wind farm or other development should be split 50/50 between the surface owner and the mineral owner where substantial interference could be shown. I think that the development in Case Law over the past 15 to 20 years has been extremely helpful to owners of 'severed' minerals who suffer interference from unlawful developments on the surface.

We have also been busy looking at potential copyhold minerals, especially under land adjacent to a sand and gravel quarry in north Cumbria. We searched dozens of boxes of documents to prove title, at a cost of £6,500, and she produced a report, with all the relevant documents attached. Counsel believes that a case based on this work is likely to succeed in Court.

I now have some very interesting negotiations with a national quarry company currently working the sand and gravel quarry. Most of the national quarry companies will take such claims 'on the chin', but I find telecommunication aerial companies are not at all happy at receiving a claim informing them that they do not have the required permission from my clients for the foundations of their masts to interfere with the 'severed' minerals.

You will need to produce documents showing title the reserved assets, such as minerals, under copyhold land. In the case of a quarry, we have been able to demonstrate this from 1587 by searching through the estate papers. None of the copyholds had been enfranchised at any time, including at the time of the

statutory enfranchisements—1 January 1926, when the Lords could—some did—agree to enfranchise their minerals, selling their mineral rights to the copyholders.

We went through grants and re-grants of the copyhold land from 1672 to 1938. That was a serious detective exercise. Very helpful as a starting point was a book *A Perambulation of Cumberland* by Thomas Denton, first published in 1688, and republished in 2004 by the Surtees Society. It is well worth checking at the county record office, or at the British Library, for such books before you start on the old documents. They can give useful pointers and save much time.

We worked through a long series of rental and call books, the earliest dating from 1587. In 1672, the enfranchisement agreements show that the copyholders purchased many of the feudal liabilities, but that the minerals were reserved to the Lord of the Manor. Although the copyholders were now free from the payment of feudal dues and liabilities under the 1672 agreement, they remained freemen in the Manor and liable to the shilling-a-year fine. This was important, as with this fine, we were able to trace the names in the books all the way through to 1939 when the final entry showed the now ex-copyholders had paid the required compensation to the Lord on the abolition of copyhold tenure under the 1922 Act.

You must be prepared to pay your researcher and be patient. They sit in county record offices and look through box after box, knowing that their fees are mounting, but find nothing for their client. Then, finally, they find the right document which leads to a breakthrough.

The principles of adverse possession do not apply where the minerals are severed from the ownership of the surface land. But the Courts do apply these principles where a trespasser works a quarry for 12 years: he will gain possessory title to the minerals which he has occupied and worked over this period. This can sometimes entail the trespasser gaining a valuable 'ransom strip' to the remainder of the Lord's mineral reserve.

The right of the surface owner of former copyhold land to interfere with the Lord's minerals is found in Schedule 12(6) of the Law of Property Act 1922. It gives the current surface owner the right to disturb the Lord's minerals as is 'necessary or convenient' for the purposes of making roads or drains, erecting buildings and obtaining water on the land. Buildings, in my view, do not include wind farms or telecommunications aerials. But what you can claim from surface development on copyhold land is obviously limited.

Three of my clients use Dickinson Dees, solicitors of Newcastle, for advice on landed property. The firm is highly experienced in advising on rural estate matters and is one of few firms who are experienced in manorial mineral law. The firm has now made three applications to the Land Registry for registration of 'severed' minerals under enclosed common lands in nine Manors. Again, that is all now subject to Counsel's opinion being obtained by the Land Registry, to which Mike Westcott-Rudd referred yesterday.

We have sent Counsel's opinion to three unlawful developers seeking to agree terms for them to retain their apparatus within the severed minerals or to remove it. One operator has removed an aerial.

We are obviously trying to obtain repossession of the 'greenfield' quarry. That case may be heard in the High Court; writs have been served but the good news is that, in September 2005, we heard that the surface owner may not put in a defence to the action. If he confirms this position we will need to sort out the compensation and royalty payments for the past six years.

My overall advice depends on whether the opinion sought by the Land Registry on mineral registration is favourable and if so I would encourage you to register your 'severed' minerals with the Land Registry. You must know what you own before any surface development commences. Negotiating to right the wrong after the development has started is time-consuming, costly, and frustrating for everyone.

The cost of the research and negotiations: surveyors and legal fees for the 'greenfield' quarry on inclosed common land are about £16,000, but we should have royalties of £75,000 a year. I reckon that we have spent £5,000 on the wind farm, but we should receive about £9,000 a year. We have spent £5,000 on three telecommunication aerials, and we should achieve rental payments in the region of about £9,500 a year.

The mineral rights under the former copyhold land in north Cumbria have been expensive to research and deal with: £15,000 has been spent to date, but as my client has no working rights we will need to do a deal with the surface owner. The royalties will be in the region of £60,000 a year, but we will have to go 50/50 with the surface owner, so that takes it down to £30,000 a year. For the four clients, that is a total of about £125,000 a year and very roughly a total value of about £1.1 million.

Those figures are quite encouraging, but it all depends on the wording in the Enabling Acts reserving the minerals in the first instance. The evidence has to be strong; if not, the Court will throw it out. Always remember the Court has to balance the interests of the mineral owner and the surface owner.

For those who have to carry out research into their Manors for the first time, my overall advice is to start your research now. You do need strong documentary evidence; if you do not have it, you will not get anywhere. You certainly will not win much against the telecommunication aerial people; they will just politely tell you to go away.

You will require a map of the Manor. If you do not have one, you will need to find an historical description of the boundary of the Manor. We have all learned at this conference that there should be plenty of documentary evidence available, and from this evidence you may be able to find enough evidence to prepare a map. My advice is that if there is no map or historical description, you will probably be wasting your money. If you can obtain a map showing minerals in your Manor, or you have one made, find out whether the minerals have a commercial value and whether they are relatively near the surface and near a road. Ask a local geologist. If you wanted to do it absolutely free of charge, you could talk to your county mineral planning officer: they are often very helpful.

You may want to hire a competent researcher to do the initial research. One of the problems that I found is that there is a dearth of good historical researchers in the

north. If anyone is thinking of a new career, this could be it. Historical researchers will soon be in great demand. If you are successful with your research, register with the Land Registry.

A point about the physical extent of enclosed land in England: first, I refer to a map that comes from Professor H C Darby's book published in 1938, *The Historical Geography of England before 1800*. He took the map from Dr G Slater's paper 'The English Peasantry and the Enclosure of Common Fields' of 1907. The map shows the vast extent of common fields that were enclosed from the start of statutory enclosure movement in the mid 1700s. My view is that, for 90 per cent of the land, the minerals will have been reserved the Lord of the Manor. That does not include common land which was also enclosed, so there is a lot to go for.

If you get to know where your minerals are and get them registered, you can be even more proactive. To protect your minerals, send your manorial map to the local planning authority and the county mineral people. I have done that for clients. The local authority will be pleased to receive your manorial map because if it receives a planning application for a new quarry, officials will check the map and inform you and the potential developers of your interest in the subsoil.

Planning committee agendas can now be viewed on the internet. Planning applications for minerals tend to be on the agenda for six or seven months, if not longer and there is time to make your objections and signal your rights.

How do you know if the proposed or existing surface development will prejudice or is prejudicing your 'severed' minerals? The easiest way is to go to the site and, if it is not obvious, get a spade and dig a hole. If it is more than 2 feet deep, get a JCB. If you own the severed minerals, you should have the right of search, but if you are going to use a JCB, do inform the surface owner. I have found that surface owners are not unhappy if you do not do much damage; just carefully scrape away the grass and put it to one side, dig the hole and take a photograph. And get a local geologist to accompany you and to write up a geological description.

Enfranchisement agreements freeing copyholders of manorial liabilities exist in their thousands in the Cumbria Record Offices. They were neatly written from about 1770 in copperplate script, but very few such agreements have a plan attached showing the land. Your researcher will need to transcribe the description of the copyhold property onto a modern Ordnance Survey map.

I am continually surprised by the wealth and extent of documents that have been deposited in the county record offices over the years. There is a reasonable chance of finding historical records for your Manor. Remember that in 1900, 90 per cent of all agricultural land in England and Wales was tenanted and formed part of a small or large agricultural estate. Many estate documents will have survived.

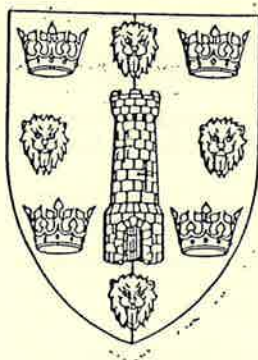
The Chairman: Jeremy Ackroyd's instructive talk concludes another Annual Conference. In acting for a number of Cumbria clients, he has brought home to us, at the practical level, the crucial importance of doing your research first, the principal theme throughout all the papers this weekend. It is no use saying, 'Well, I am



HOW TO WRITE A DESCENT OF A MANORIAL LORD

The following is a descent of a Manorial Lord, whose title has been thoroughly researched and recorded.

Rand of Lynford



RAND Gerald Frederick

b 10 November 1926 s of William Frederick Rand (d 1960) of Herts and Elsie Mary White (d 1926). Educated Merchant Taylor's. Married 1stly 13 July 1949 Eileen Margaret, dau of William Alexandra Wilson (d 1975) of Herts 1 son Steven born 1953. 2ndly 1 November 1972 Clarissa Elizabeth, dau of Thomas William Barker (d 1956) of Hull. Landowner and master builder, ret; Chairman Rand Contractors Ltd 1952-68, MD Power Plant Int 1962-71, Chmn Manor Minerals (UK) Ltd 1985; elected to Société Jersaise 1967, member governing council The Manorial Society of Great Britain 1985, regional Chairman Domesday National Committee 1986, member of Country Landowners Association; owner of the Lynford Hall Estate Norfolk; Lord of the Manor of: Lynford, Mundford, Cranwich Norfolk. Mr Rand bought Lynford Hall in 1970 and five years later bought the Lordship of the Manor of Lynford and the adjoining Manors of Mundford, Cranwich, and West Tofts. Mr Rand has carefully restored the house which he now runs as an hotel and country club. Lynford Hall is also the setting for the television series 'Allo 'Allo.

One of the most engaging of Mr Rand's predecessors at Lynford was George Osbaldeston, nominated informally by Queen Victoria as "Squire of all England". Squire Osbaldeston was Master of the Burton Hunt and became the mentor of Sir Richard Sutton (3rd Bt) in 1809 when Sutton was a mere lad of 10 years. Sir Richard was heir to vast estates throughout Britain and after he inherited the Pultney Estates in London and Bath in 1812 from his step-father Sir James Murray Pultney, became one of the richest men in England next to the King. Upon his coming-of-age in 1820 he also inherited the family estates in Nottinghamshire, Leicestershire, Lincolnshire, Yorkshire, and various properties in London. Sutton became Master of the Burton, The Quorn, The Cottessmore Hunts and followed in the steps of Osbaldeston to be one of the finest shots in the kingdom. In 1824, Sutton founded the Great Lynford Hall Estate (7,718a 2r 37p) and the Estate became one of the finest sporting estates in England. He had purchased Lynford Hall (1717-1863) and in the same year purchased Mundford, Cranwich, and West Tofts and part of Colveston. Osbaldeston made Lynford his "second home" where he

Walter Rand, b 21 Nov 1855 = Clara Preston, b 6 Nov 1876
died 10 March 1915

William Frederick Rand of Hertfordshire = Elsie Mary White, died 1926

Gerald Frederick Rand of Lynford = (1) Eileen Margaret, daughter of William Alexander Winson of Hertfordshire (d 1975)
(2) Clarissa Elizabeth, daughter of Thomas William Barker of Hull

(1)
Stephen William Rand, b 29 January 1953

entertained shooting parties each season until his death on 22 November 1855. An extract from Sir Richard's Game Book (now in the possession of Commander Jack Sutton) for 13 August 1832 on the Lynford Estate includes the following guns: Sir R Sutton, Sir Philip Musgrave, Mr Osbaldeston, Mr C Chaplin, The Duke of Rutland who shot 309 pheasants, 104 hares, 62 rabbits, and seven woodcocks. Lynford was Sutton's favourite Estate and he is buried in a Tomb in St Marys Church, West Tofts, which would do justice to a Monarch. The Lynford Hall Estate was purchased by Stephen Lyne-Stephens in 1856 from Sir Richard's executors and William Burn was commissioned to design and build the present Hall in July 1857. In 1862, the house was completed and Madame Lyne-Stephens (Pauline Duvernay) moved in. The old mansion was demolished in 1863. Osbaldeston having established a connection with Pauline (Yolande Marie Louise) continued to visit Lynford as her guest (her husband Stephen Lyne-Stephens died in 1860) until his death in 1866. A suite in the present Hall bears his name to this day. History repeated itself at Lynford when in 1905 Frederick James Osbaldeston Montague of Ingmanthorpe bought the Lynford Hall Estate from Henry Alexandra Campbell Esq of Grantully Castle, Perthshire, and Penninghame House, Newton Stewart. Montagu's father married into the Osbaldeston family and Ben Marshall's famous portrait of George Osbaldeston "A First Rate Shot" took pride of place hung in the central archway of the grand stair case until 1925, when Montagu sold the Estate. The portrait is now in the possession of George Montagu Esq, Cannes, South of France, and has been restored in recent years. In 1990, history repeated itself at Lynford when a descendant to the great Squire stayed at Lynford and a "Mr Osbaldeston" was once again in residence!

LORDS OF THE MANOR OF LYNFORD, NORFOLK - 1064 to the Present

The first Molety (Bigods Manor)

Alstan the Saxon - 1064

Richard de Rising - 1080 (Overlord, Roger Bigod or Bigot, Earl of Norfolk)

Alstan the Son - 1092

Stanart - 1133

Stanart the Son - 1177

John Cosyn - 1218

Thomas de Lynford - 1222

Margaret Cosyn - 1270

Stephen de Lynford - 1285

Amlsius son of Roger of Cressingham Magna - 1305

John de Cressingham and Maud his wife - 1310

Walter Gyzun and Catherine his wife - 1318

Walter de Constantinople alias le Goldsmith and Catherine his wife in tail - 1330

Will Longstaff - 1347

Thomas de Cressingham - 1372

William Gossen - 1386

Sir John Clifton Kt, of Buckenham Castle - 1412

Thomas Mowbray, Duke of Norfolk - 1429

John Briggs of Quldenham - 1450

The Prior and Convent of St Mary in Thetford - (vide infra) 1460

The Second Molety (Gliffards Manor)

Alstan the Saxon - 1064

Richard de Rising - 1080 (Overlord, Walter Gliffard, Earl of Buckingham)

Alstan the Son - 1092

Jeffry de Lynford - 1133

John Thomas de Lynford - 1180

John Thomas de Lynford - 1222

Richard de Clare, 6th Earl of Hertford and 2nd Earl of Gloucester, Lord of Clare who was a



George Osbaldeston of Lynford

direct descendant of Geoffrey, natural son of Richard I, Duke of Normandy - 1260

Jordan Foliot - 1287

Hugh de Audley, Baron Audley, married Margaret, daughter and co-heir of Gilbert de Clare, Earl of Gloucester, and widow of Piers Gaveston, Earl of Cornwall, favourite of Edward II. He was created Earl of Gloucester in 1337 by Edward III - 1320

John le Spicer - 1347

Stephen Baldwyn - 1360

John le Camoys - 1380

William Baldwyn, Lord of the Manor of Clare - 1391

Richard Gegge - 1402

Richard Gegge the Son - 1431

The Prior and Convent of St Mary in Thetford - 1460. By whom the two moieties were purchased for Eight Score Marks

Thomas, Duke of Norfolk (*vide* Norfolk, Dukedom) - 1541

King Edward VI - 1547

Richard Fulmerston - 1549

Sir Edward Clere, who was knighted by Queen Elizabeth during a Royal progress to Norwich; was father of Henry, 1st Baronet of Ormesby, Norfolk (*exti*) - 1570

Phillip, Earl of Arundel (*vide* Norfolk, Dukedom) - 1581

Francis Moundeford of Feltwell - 1594

Sir Edward Moundeford, 1st of Lynford Hall - 1603

Sir Edward Moundeford, 2nd of Lynford Hall - 1640

Dame Abigail Steward of Morley and Elizabeth Hobart of 3rd Lynford Hall - 1643

Sir John Manwood (26 May for £1,500) 4th of Lynford Hall and Harlington, Kent - 1652

Dorothy Lady Manwood (née Moundeford) 5th of Lynford Hall - 1653

Charles Turner, Attorney-at-Law, 6th of Lynford Hall - 1671

Charles Turner 7th of Lynford Hall, created a Baronet (1727 as Turner of Warham, *exti*) married Mary, sister of Sir Robert Walpole KG, 1st Prime Minister - 1690

James Nelthorpe Esquire 8th of Lynford Hall, married Anne, daughter of James Hoste of Sandringham, 1741 - 1717

James Nelthorpe Esquire, 9th of Lynford Hall - 1760

George Nelthorpe Esquire, 10th of Lynford Hall - 1775

George Robert Eyres Esquire, 11th of Lynford Hall - 1805

John William Drage Merest Esquire, 12th of Lynford Hall - 1811

Sir Richard Sutton Bt, 13th of Lynford Hall - 1824

Stephen Lyne-Stephens Esquire, 14th of Lynford Hall - 1856

Madame Yolande Marie Louise Lyne-

Stephens, 15th of Lynford Hall - 1860

Henry Alexander Campbell Esquire, 16th of Lynford Hall and Grandtully Castle, Scotland - 1899

Capt Frederick James Osbaldeston Montagu MC JP, 17th of Lynford Hall - 1905

William Abel Towler Esquire of Littleport, Cambridgeshire, 18th of Lynford Hall - 1924

Henry William Game Esquire of Burwell, Cambridgeshire, 19th of Lynford Hall - 1925

Robert Holmes Edleston and Sarah Alice Cumming Edleston of Gainford, Co Durham, 20th of Lynford Hall - 1925

Richard John Hanby-Holmes Esquire of London, Lord of Lynford, but not owner of the Hall - 1969

Gerald Frederick Rand Esquire, 21st of Lynford Hall, the present Lord

Arms: Per pale gules and azure in orle four crowns and as many leopards' heads alternating or within the same a tower argent masoned proper in its portal a door opening inwards gold

Crest: A helm with a wreath or gules and azure a crown issuing therefrom and supported between two mall gauntlets argent a boars head erect gules muzzled and tusked or in the mouth an oak sprig fructed gold

Motto: Fortiter et Recte

Style: Gerald Rand Esquire, Lord of Lynford

A note on Coinage

IN THE following Particulars will be found numerous references to coins and monetary values. Apart from the pound sterling, which survives, all other names and values have disappeared, particularly since Britain adopted the decimal system in 1971. Domesday in particular is full of monetary terms now unknown, such as shillings, pence, marks and so forth. Because of this and also in response to requests from some clients, we give a summary of British coinage from the earliest times. This information is extracted from the Catalogue to the V&A Gothic Exhibition and the *Encyclopaedia Britannica*.

Ancient Britain: *circa* 2nd century BC - small pieces of bronze alloy with 20% tin, circulating in southern England. These coins copied the bronze Massilia (Marseille) from Gaul (modern France). Gold coins, based on the *stater* of Philip II, King of Macedonia - father of Alexander the Great - in the 4th century BC, have also been found by archaeologists and originated with the Gaulish Bellovaci, a tribe at Beauvais, Normandy. These must have been used for trade. After the raid by Julius Caesar in 55-54BC, English coins were minted by British chiefs on the Roman model. Even after the Claudian conquest of AD43, English 'mints' continued long under Roman rule in the West Country.

Anglo-Saxon (*circa* 450-1066): Trade with France in the 6th century prompted the issue of Anglo-Saxon 'thirds' in the 7th century. The principal mints were at London and Canterbury, capital of the kingdom of Kent. Christian influence and conversion of pagan kings and their subjects, besides bringing the written word - and with it the first written laws, thus beginning to make permanent the English 'state' - came many Roman conceptions of government and civilization, including coinage which begins to reflect royal authority with the 'king's head' on the obverse side. Gold coinage was expensive and gave way to silver *circa* 650. At the same time, Anglo-Saxon chiefs set themselves up as kings in different parts of England, especially Wessex, Mercia, and Northumbria, all with their own mints. By the reign of Athelstan (924-39), King of (most of) England, there were about 30 mints, although the Danes, who settled in the North also minted coins. By the beginning of the 11th century, there were 70 mints, main ones being London, Winchester, Lincoln, and York, who produced uniform coins: obverse, king's head; reverse: some cruciform design.

Gold and silver coins were not in general circulation and Offa's gold ryal was possibly minted to pay Romescot (the tax payable to the pope). Gold and silver were required in great quantity in the ninth and tenth centuries to pay off the Danish invaders, and an indication of England's wealth is that such large sums were available and the kings of England's authority great enough that amounts as large as £30,000 were collected. Most people on the Manor would probably have never seen any kind of coin, and certainly not have owned one, and their 'buying and selling' would have been of goods and labour. The amounts given in Domesday Book are units of account, probably based on produce, not on actual money, a situation that probably obtained in the country until the 17th century when James I minted the first copper penny, half-penny, and farthing (a quarter of a penny) and which latter existed until 1948. Forgery was a constant problem, as was coin-clipping, shaving edges of gold and silver coins. Henry I maimed and executed fraudulent moneyers, we learn from the first Pipe Roll of 1122. Counterfeiting still car-

ries one of the heaviest sentences that English courts can impose. Not only is it dishonest, but an affront to the State. The cross on the reverse was extended to the edge to discourage clipping, but the matter was not finally dealt with until the reign of Queen Anne at the beginning of the 18th century when milled coin edges were inset with the words *decus et tutamen* (for decoration and security) which was revived in the 1980s when the pound sterling ceased to be paper and became a base metal coin.

Post Conquest: William I made little change to these Saxon arrangements

Penny: The first English penny so called was made of silver and minted by King Offa of Mercia (central England, see map on page xxiv) in about 790 and carrying the legend *Rex Merciorum*. It contained twenty-two and a half grains of silver, equal to 240 to the Tower pound (see *Avoir du poids* below) until 1526, when silver and gold purity by the troy pound was adopted and troy weight is still used for specie on the international markets (it was so named from Troyes, eastern France). Coins at this time were not just issued by kings, but also by archbishops of Canterbury and other prelates, although the king's name was carried. Offa also minted gold coins based on the Muslim dinar of 744 of Caliph al-Mansûr of Morocco, and was called the 'ryal', a name still much used in the Middle East. Until decimalization in 1971, there were 240 copper pennies to the pound sterling. See *Shilling* below.

Henry III struck a gold penny in 1257 which was meant to be worth 20 pence of silver, but making an equal comparison was notoriously difficult in these 'pre-economic' days when inflation was unknown to the medieval mind.

Florin: A coin by this name was first minted by Edward III in 1344 in fine gold, together with a leopard (half a florin) and a helm (quarter), but this attempt failed, the problem being its value against other kings' precious metal currencies. The florin was not revived until 1848 when it was struck in silver and was worth two shillings (qv), and proved very popular. An attempt at a double florin in 1887 was not popular, rather like the modern £2 coin, and it was withdrawn. From 1920, Britain's silver currency was devalued by the addition of 50% base metal, and all silver and gold coins, except ceremonial ones, such as the sovereign or crown (qv), were discontinued in 1947 when they all became cupro-nickel.

Shilling: Although long known as a unit of account, the shilling coin was not minted until the reign of Henry VII (1485-1509) and was of silver. In the following particulars, it is abbreviated as 's' or /-, in the case of the latter 7/6: ie seven shillings and sixpence, which we spoke of until decimalization as 'seven and six'; or 9/11 ie: nine shillings and eleven pence, or spoken, 'nine and eleven'. The word seems to derive from Anglo-Saxon, *scilling*. Its silver content was the same as the florin (qv). In medieval MSS, the shilling is known as *solidus*, the oblique stroke, eg in 7/6 immediately above. From the 14th century, the Byzantine Emperor at Constantinople minted a *solidus nummus*, and the expression for cash until decimalization generally was LSD, *pron* 'el ess dee' (ie £ = livre, s = solidus, d = *denarius*, penny)

Pound: In fact a measure by weight (*avoir du poids*) of a substance which monetarily became known as the pound sterling. As a measure of weight, the 'pound' is still used as such in the United States, being divided into 16 ounces, and used conjointly with decimal weights, such as kilograms. A troy unit of weight (for precious metal) divides into 12 ounces, a troy ounce being divided into grains and drams, one sixteenth of a troy ounce. The £ or 'L' symbol derives from the Roman pound, known as *libra*, the French using the 'livre' until the Napoleon I. Anglo-Saxon pund, Latin pondo.

Sterling: Originated in the 13th century and meant a very high quality of silver or gold content, which English coins contained, enjoying a reputation of great fineness throughout Europe until the devaluation of Henry VIII (see below). Sterling is still a benchmark for silver fineness, being of a quality of not less than 92.5%. 'Solid' silver decorative objects and cutlery are still hallmarked at Assay Offices in England: ie guaranteeing their silver content.

In European terms, English coinage was distinctive. It was relatively simple, consisting of gold and fine silver, with no base-metal element. Its system of account was straightforward, using pounds, shillings and pence, plus the mark, which had a fixed relationship to £ s d: 1 mark = 2/3 pound. It had a reputation for stability and fine standards, and it made systematic use of the royal image in its designs.

In 1544 Henry VIII discarded the ancient English policy of a stable coinage of fine standards, by resorting to debasement for profit, making the coinage a vast fraud on the public. Henry's reputation suffered as a result of this disastrous policy (disastrous for the public, he made a huge short-term profit, to be spent on his last French war). Henry had inherited probably the most attractive and best-regarded coinage in Europe, but he left a currency in chaos and the most disreputable-looking money in English history.

Noble: (6s 8d) First introduced by Edward III in 1351, the first successful gold coin which weighed 120 grains, being divided in half- and quarter-nobles. Henry V's (1413-22) noble showed: Obv: king standing, facing, in ship; crowned and armoured, with sword in right hand and shield, quartered with arms of England and France, in left. *HENRIC DI GRA REX ANGL & FRANC DNS HYB* (Henry by the grace of God King of England and France Lord of Ireland). Edward IV increased its value to 10 shillings. Rev: floriated cross with lis at end of limbs, central apartment containing initial H; lion and crown in each quarter, all within tressure of eight arches. *IHC AUTEM TRANSIENS PER MEDIUM ILLORUM IBAT* (But Jesus, passing through the midst of them, went his way [Luke iv 30]). Half-noble 3 shillings; quarter 1s 6d. Henry VIII introduced the George noble in 1544 - so called from George and the Dragon - which replaced the angel (qv).

Groat: (4d) which were minted as silver four-penny pieces until 1920, although the groat, as such, was withdrawn in the 17th century. Edward I (1272-1307) introduced the silver coin, together with pennies, half-pennies, and farthings, and subordinated all the provincial mints to that at the Tower in London. These smaller denominations of pennies (there were 480 half-pennies in a £, and 960 farthings), and one remembers in the 1950s, as a child, being able to buy a bubble-gum for a half-penny (pron 'ha'penny'). A Henry VI groat showed: Obv: the King crowned, beardless bust facing, within tressure of arches. *HENRIC DI GRA REX ANGL & FRANC* (Henry by the grace of God king of England and France). Rev: legends in two concentric circles divided by long cross pattée, three pellets in each angle. *POSUI DEUM ADIUTORE MEUM* (I have made

God my Helper [CF Psalms liv 4]). Groat Market is fairly common as an area in the centre of market towns in England, probably where the groat was used as currency for the first time - possibly a way of telling people that currency was used in that town's market.

Rose noble, or ryal (10s), of Edward IV, first reign (1461-70), light coinage, initial mark: Obv: similar to the noble, with the King standing, facing in ship, but with a rose on the ship's side, banner-inscribed E at the stern; and, in the temporary recoinage mints. *EDWARD DI GRA REX ANGL & FRANC DNS HYB* (Edward by the grace of God King of England and France, Lord of Ireland). Rev: design similar to the noble, but with a rose upon radiate sun over the centre of a cross. *IHC AUT TRANSIENS PER MEDIUM ILLORUM IBAT* (But Jesus, passing through the midst of them, went his way [Luke iv 30]).

Angel: (6s 8d) Introduced by Edward IV in 1472-3. Obv: the Archangel Michael, piercing the devil as a dragon with his spear (from the Book of Revelations), hence the name 'angel'. *EDWARD DEI GRA REX ANGLIS & FRANC* (Edward by the grace of God King of England and France). Rev: a ship at sea, with a large cross as a mast, from which hand royal shield, letter E to left of cross, and rose to right *PER CRUCEM TUA SALVA NOS XPC REDEMPTOR*. (By thy cross save us, O Christ our redeemer). Often called the rose angel.

Sovereign: (£1 or 20s) Introduced by Henry VII in 1489 and is perhaps the most splendid coin, still minted, like gold dollars and krugerrands, though not circulated since the First World War. *HENRICUS DEI GRACIA REX ANGLIE ET FRANC DNS HIB* (Henry by the grace of God King of England and France, Lord of Ireland). Rev: a royal shield in the centre of a Tudor Rose. *IHC AUTEM TRANSIENS PER MEDIUM ILLORUM IBAT* (But Jesus, passing through the midst of them, went his way [Luke iv 30]).

Testoon (shilling, or 12d) k)

Crown of the double rose (5s) of Henry VIII, but a devalued silver content, corrected by his son Edward VI which was dated for the first time in Arabic numerals and known simply as the crown. Commemorative crowns are still minted. It was not popular, but the half-crown (2/6) was and widely used until decimalization in 1971, when you could easily buy a pint of beer for this amount. Edward also introduced the sixpenny piece and the threepenny bit (pron 'thra-pennyc'), which included the Portcull

is for the first time on the reverse.

By the reign of James I (1603-25) money as currency for circulation was necessary, as the economy became more complex and barter was failing, especially in the large commercial centres, and as noted under Penny he introduced the first copper currency. Until then, currency was silver or gold and confined to the well off.

Henry V and France With the catastrophic French defeat at Agincourt in 1415 and the Peace of Troyes, by which Henry V married the King of France's daughter Katherine and was recognized as his heir to the Crown, Henry and his son, Henry VI, minted coins in France. These included and occasionally appear in particulars:

Salut (=22 1/2 sous tournois) of Henry VI, Rouen Mint, issued 1423-1449 Grand blanc au écus (= 10 deniers tournois) of Henry VI, Paris mint.

GLOSSARY

Abbey: monastery or nunnery

Agistment: Feeding livestock, a tax on land used for livestock

Amercement: to be amerced; literally "to be in mercy" - a fine levied in the Manorial Court for some minor infringement of other tenants' property rights. Court Rolls and Books are littered with such fines payable to the Lord

Athwart: Old English, "across the line or path of something". Often used in manorial extents and surveys

Ancient Demesne: MANORS held by the King in 1086, the VILLAGERS of which later successfully asserted the right to special protection and privileges.

Arrayer: royal official responsible in later medieval and early modern England for assembling military forces.

Baron: a Lord, especially in the 11th and 12th centuries, a TENANT-IN-CHIEF holding an HONOR or capital manor in return for military service, later a peer called to Parliament by a WRIT OF SUMMONS.

Bastard feudalism: later medieval version of the FEUDAL SYSTEM in which the LORD rewarded his VASSAL with a money payment rather than a grant of land.

Bend: broad diagonal line in HERALDRY

Boldon Book: compiled in 1183 for the Bishop of Durham.

Bookland: Anglo-Saxon, land "booked" (recorded in writing) by a king to such a person

Bordar: SMALLHOLDER, usually holding between five and fifteen acres in a MANOR, but sometimes identical with a COTTAGER.

Borough English: succession by the youngest (son)

Bovate: same as yardland.

Breviate: a 13th-century summary of DOMESDAY BOOK, usually containing only the names of the landholder and his tenant (if any) for each MANOR, and its assessment to the DANGELD in terms of a CARUCATE, HIDE or SULONG.

Byzantine: relating to the Byzantine (earlier the Eastern Roman) Empire ruled from Byzantium (Istanbul).

Cadet Line: junior branch of a family.

Canon Law: law of medieval Catholic Church.

Capital Manor: one held direct of the King with no mesne Lord

Carolingian: relating to the Empire ruled by Charlemagne and his successors.

Carolingian Renaissance: intellectual and cultural revival of the CAROLINGIAN period.

Carucate: the equivalent of the HIDE, both as a unit of 120 acres for assessing DANGELD in DOMESDAY BOOK and as a real land measure, in the DANELAW; also used elsewhere in ENGLAND in DOMESDAY BOOK as a real measure of land exempt from DANEGELD

Chancery: royal secretariat of late Anglo-Saxon and subsequent medieval kings.

Charter: a formal document witnessing the grant of land or of special privileges by a LORD, especially the King to a VASSAL.

Chausses: legging made of MAIL

Chief point: a location in the upper third of a shield of HERALDRY.

Circuit: a group of three to six counties surveyed by one set of COMMISSIONERS in the DOMESDAY INQUEST.

Coats armour, coats of arms: insignia in HERALDRY, relating to a specific family or branch of a family, borne on shields or standards.

Coif: cap or under-helmet made of MAIL

Colibert: West Country: freeman

Commot: A Welsh landholding, a division of a cantrefi (hundred), implying a superiority, but less institutionalised than those Manors or Lordships along the southern coast of Wales which were occupied by the Normans at an early date.

Commendation: the act by which a VASSAL acknowledged the superiority of his LORD in Anglo-Saxon times; the equivalent of FEALTY in Norman times.

Commissioners: groups of BARONS and royal officials sent to survey the CIRCUITS and to check the returns made by manorial officials and the juries of each HUNDRED or WAPENTAKE.

Common Land Act: Act of Parliament, 1965, under which all those with an interest in Common Land, mainly LORDS, should register

Comptot: accounts

Coombe: sometimes spelt Coomb or Combe - a short valley or or deep hollow - mainly West Country and Brittany, probably Celtic

Consanguinity: close family relationship forming the "forbidden degrees" within which marriage was forbidden without special permission from the Pope.

Copyhold: holding land by title of copy of COURT ROLL

Cotise: a narrow diagonal line in HERALDRY.

Cottager: person normally holding a cottage and four acres or less in a MANOR.

Counties of the Empire: provinces of the CAROLINGIAN Empire, usually larger than many English counties.

Court Books, or Rolls: lists of the proceedings at the Manorial Court

Courts: LEET and BARON, CUSTOMARY COURTS: Courts of the Manor presided over by the Steward or Bailiff. The Leet was the determination of minor crimes and civil affairs within the Manor. The Court Baron was the Court of the freeholders of the Manor. Many Courts are still held for traditional purposes today: eg Henley-in-Arden, Altrincham, Heaton, Alcester, Bromsgrove, Langport, Warwick.

Crucks: curved vertical roof-timbers joining at the ridge of a roof.

Curia Regis: Royal Court; the royal household in its capacity as the administrative and especially judicial machinery of Anglo-Norman central government.

Custom, customary: traditional landholdings, rights, and rents on a MANOR which were invariable

Danegeld: a land tax levied on the CARUCATE, HIDE or SULONG, originally to buy off Danish attacks on late Anglo-Saxon England; in Norman times a normal peace-time tax raised almost every year.

Danelaw: East Anglia, the East, North Midland, Yorkshire, Cheshire, and Lancashire: the areas settled by Danes or Norsemen and under Danish law rather than the laws of Wessex or Mercia.

Demesne: the land in a MANOR held by its LORD and worked by his men for his benefit, or held on lease from him: the later "home farm".

Dissolution: Henry VIII's abolition of Roman Catholicism and the taking of Church land into the Crown.

Domesday Book: strictly speaking, only the EXCHEQUER DOMESDAY OR GREAT DOMESDAY, but this is often termed Volume I, LITTLE DOMESDAY being Volume II; the final product of the DOMESDAY INQUEST.

Domesday inquest: the inquiry started in January 1086, in which England was divided into CIRCUITS surveyed by sets of COMMISSIONERS whose returns, after checking and at least

two stages of abbreviation, became the EXCHEQUER DOMESDAY.

Earldom: the territory administered by an earl, normally comprising several counties, often previously an ancient kingdom, eg Mercia, Northumbria or Wessex.

Enfeoffment: a grant of land, forming a FIEF or HONOR according to its size by a LORD to his VASSAL to be held in return for FEUDAL SERVICE.

Engrailed: with an indented edge in HERALDRY.

Entail: system of fixed succession to land which cannot be altered by a will.

Escallop: scallop-shell ornament in HERALDRY.

Escheator: a royal official administering the lands of any TENANT-IN-CHIEF which were in royal custody because he was a minor.

Estovers: necessities allowed to tenants from the common land, especially wood for fuel and repairs

Estreat: an exact copy.

Exchequer: financial accounting department of Anglo-Norman central government from Henry I's reign.

Exchequer Domesday (also GREAT DOMESDAY or DOMESDAY BOOK, Volume I): the final summary of the results of the DOMESDAY INQUEST, compiled at Winchester probably under the direction of Samson, later Bishop of Worcester, probably in 1086-7.

Exemplification: an official copy or extract by royal officials of another document, eg DOMESDAY BOOK.

Fealty: oath of loyalty sworn by a VASSAL to his LORD after the LORD had accepted the VASSAL's HOMAGE.

Feudalization: the process by which the personal links of LORDSHIP became the territorial links of the FEUDAL SYSTEM and TENURE.

Feudal Baron: an 18th century concept of historians and lawyers, like FEUDAL SYSTEM to differentiate between Barons of Parliament and holders of Baronies not entitling their owners to a seat in Parliament. Baronies were originally a landholding, but have now been severed from the land and can be transmitted by gift, bequest, and conveyance as incorporeal hereditaments.

Feudal service: duties rendered by a VASSAL to his LORD in return for the land granted by means of ENFEOFFMENT, which could be military (knight service), administrative (serjeanty) or ecclesiastical (frankalmoign or free alms).

Feudal system: the reconstruction by historians of the links between LORD and VASSAL, begun by HOMAGE and FEALTY, followed by ENFEOFFMENT, continued by FEUDAL SERVICE subject to the INCIDENTS of TENURE; expression first coined in C18th

Fief: a MANOR or Manors granted to a VASSAL by his LORD by means of ENFEOFFMENT to be held in return for FEUDAL SERVICE.

Folio: a sheet of parchment, folded in two or four before being sewn into a GATHERING.

Folkland: Anglo-Saxon, roughly common land

Fran(c)(k)marriage: freehold land given in marriage to the husband of a daughter, sister &c on her marriage - a form of dowry

Frankalmoign: land held by the Church, usually not for payment in money, but for praying for the dead, often for a family or benefactor

Franklin: a freeman or yeoman in later medieval England.

Frankpledge, View of: Assembly of the tenants of the Manor at which they swore to uphold the custom of the Manor

Freebord: to plant and cut timber on one's own lands freely, noticed in East Anglia

Freeman: before the Norman Conquest, a man who could transfer himself and his land from one LORD to another by COM-

MENDATION: after the Norman Conquest, a man holding lands

within a MANOR in return for rent and very light services, unlike the VILLAGER who owed regular labour services on the DEMESNE, with access to the protection of the royal courts.

Free warren: charter of sporting rights.

Frenchmen: superior manorial tenants of French origin in DOMESDAY BOOK.

Gathering: a group of FOLIOS sewn together before binding.

Gavelkind: Payment of a money rent to the Lord instead of SERVICE. Peculiar to Kent.

Geld: see DANEGELD.

Gonfalon: banner or standard.

Gothic Revival: the period of fashionable building in REVIVAL GOTHIC, mainly in the 19th century.

Great Domesday: see EXCHEQUER DOMESDAY.

Gules: red in HERALDRY.

Halimote: Court of FREEHOLDERS of a Manor, presided over by the Lord's steward.

Halley's Comet: a COMET named after Edmond Halley, d. 1742, who observed it in 1682 and calculated its orbit round the Sun to be approximately every 76 years: illustrated in the Bayeux Tapestry

Homage: in the Manorial Court, the 12 men who formed the jury

Hauberk: knee-length tunic made of MAIL.

Heraldry: system of personal identification of knights by means of insignia (COAT ARMOUR, COATS OF ARMS) on shields or standards.

Heriot: due to Lord on death of a tenant - usually his best beast.

Hide: originally a unit, varying between 40 and 1000 acres, thought sufficient to support one family. In DOMESDAY BOOK a fiscal unit on which DANEGELD was levied, and generally assumed to contain 120 acres.

High Justice: power to inflict death.

Homage: act of submission by a new VASSAL to his LORD.

Honor: land, normally comprising MANORS in several counties, held by a BARON or TENANT-IN-CHIEF.

Housecarl: a member of an élite 'Guards' infantry unit serving a King or Earl in Anglo-Saxon England.

Hundred: a unit of fiscal assessment and local government outside the DANELAW, originally containing 100 HIDES, intermediate between the county and the MANOR, roughly equivalent in size to the modern District; cantrefi in Wales

Hussett: Unclear, but possibly a fishery

Incidents: the payments and services to be rendered by a VASSAL to his LORD in addition to regular rent and FEUDAL SERVICE: these usually included an inheritance tax (relief) and a death duty (heriot).

Infangenthef: the power of a LORD to inflict capital punishment on his tenants, OUTFANGENTHEF

Keep: central tower of a Norman castle.

League/leuga: approx a mile and a half in length

Letters patent: royal letters conferring a privilege on an individual or corporate body, sent open with a visible seal.

Lineage: authenticated genealogy or pedigree.

Lion rampant: a lion standing on its hind-quarters with its front legs in the air, in HERALDRY.

Little Domesday (also DOMESDAY BOOK, Volume II): the final CIRCUIT return for East Anglia (Essex, Norfolk, Suffolk), never summarized for inclusion in the EXCHEQUER DOMESDAY.

Lord: feudal superior of a VASSAL: always a Manorial Lord

Lordship: the mutual loyalty and support joining LORD and VASSAL.

Mail: flexible armour made of interlocking iron rings.

Mancusa(s): a gold or silver coin worth, respectively 30 pence and half a mark, 3s. 4d; also sometimes used as a liquid and dry measure, though quantity now unknown

Manor: a landed estate, usually comprising a DEMESNE and lands held by VILLAGERS, BORDARS, or COTTAGERS and sometimes also FREE MEN, FRENCHMEN, RIDING MEN etc, which could vary in size from part of one village to several villages over a wide area; power over men (and women), ranging from civil to criminal jurisdiction; an estate in land giving authority and prestige; a land title giving superiority and gentility

Mesne tenant: a VASSAL of a TENANT-IN-CHIEF.

Messuage: a property, especially a house.

Minster: originally a monastery but by late Anglo-Saxon times often simply a large and important church.

Missus Dominicus (plural Missi Dominici): a Minster of the CAROLINGIAN Empire.

Money: d. denarius, an old penny; s. shilling, solidus (5p), both abolished in 1971 when Britain went metric; l. or £. libra or livre, a pound (sterling), probably to be abolished in favour of the euro. Written in manorial documents as eg: £2. 10s. 6d. two pounds, ten shillings, and sixpence

Murage: from mur, a wall, duty to repair or defend a wall, generally incident to a tenement in a Manor with a duty to the local town

Nasal: metal nose-piece attached to a helmet.

Open fields: the major divisions, normally two or three, of the cultivated arable area of a medieval village outside the Highland Zone of England and Wales, in which one field each year in succession was left in rotation-fallow, the other one or two being communally ploughed and sown with winter and spring grains.

Or: gold or yellow in HERALDRY.

Outrun: same as FREEBORD

Outfangenthef: power to inflict capital punishment within the MANOR on non-tenants without recourse to Royal justice

Palisade: fence of pointed stakes firmly fixed in the ground.

Pannage: right to pasture swine.

Pennon: long narrow flag carried on the end of a spear or lance.

Perambulation: a survey made by walking the boundary of the Manor. Still continued in some Manors

Perpendicular: style of Gothic architecture in vogue from the mid-14th to the 16th century.

Pie powder: a court convened on market days by the Lord's Steward to deal with disputes, weights and measures &c

Piscaries: fishing rights.

Plain: blank, uncoloured space in HERALDRY.

Plough (team): a team of six to twelve oxen, yoked in pairs, pulling a plough; in DOMESDAY BOOK usually eight oxen.

Presentment: to introduce into court.

Priory: a monastery or nunnery dependent on an ABBEY or Cathedral.

Proper: natural colours in HERALDRY

Property Act: 1922-5, a series of legislative measures regulating the ownership of land, including MANORS

Quarenta/quarentene: a quarter of a virgate, a furlong

Quota: the number of knights required to serve a LORD on behalf of a VASSAL, especially to serve the King.

Rape: An administration unit unique to Sussex, presumed to have derived from the Anglo-Saxon *rap*, (measuring or delimiting) a rope. Sussex was divided into six rapes, which were divided into hundreds, which constituted the next tier of administration or jurisdiction. Usually, there were 10 hundreds in a rape, but not in the case of Arundel and Chichester rapes where there were 12 hundreds between them, suggesting the two rapes originally were one.

Reformation: the period 1529-59 in which England first rejected the religious authority of the Pope and then changed from Catholic to Protestant doctrine and beliefs.

Revival Gothic: Gothic architecture as revived from the late 18th century onwards.

Revival Norman: Norman architecture as revived in the 19th century.

Riding men: Anglo-Saxon free tenants rendering escort-duty and messenger-service to their LORD.

Rolls of Arms: records of the COATS OF ARMS borne by different families, especially those made by an authority in HERALDRY.

Sable: black in HERALDRY.

Saracenic: relating to the Arabs of Syria or Palestine.

Satellites: records preserving copies of parts of the earlier stages of the DOMESDAY INQUEST.

Scutage: a tax levied in place of personal military service by VASSALS - a cash payment

Secular arm: the Royal criminal jurisdiction to which a heretic or other person guilty of a serious offence under CANON LAW was transferred for serious punishment, especially execution.

Sheriff: principal official administering a shire or county in the Anglo-Saxon and medieval periods for the Crown

Smallholder: see BORDAR.

Soc and Sac: similar to the Frenchoyer and terminer, to hear and decide in OE, usually in the Court of the LORD

Sokemen: free tenants subject to the jurisdiction of the MANOR but owing little or no service to its LORD.

Sub-tenants: tenants holding land from a TENANT-IN-CHIEF or a Manorial Lord

Sulong: the Kentish equivalent of the CARUCATE or HIDE, both as a fiscal unit and as a land measure, but usually double the size of the HIDE.

Survey: a written description of the boundaries of a Manor and the fields and properties within the Manor. It is not a map

Teamland ('land for one plough'): a Norman-French term for the English CARUCATE or HIDE used as a measure of land area of no fixed acreage.

Tenant-in-chief: a LORD holding his land directly from the King.

Tenure: the conditions upon which land was held under the FEUDAL SYSTEM by a VASSAL from a LORD who was a MESNE TENANT, a TENANT-IN-CHIEF or the King.

Terrier: register of landed estate.

Testamentary causes: cases concerning the probate of wills or the administration of the effects of those who died without making a will.

Thegn: a VASSAL, usually a manorial LORD, holding land by military or administrative services in Anglo-Saxon and early Norman England.

Tor: a high hill, especially a bare rocky one - West Country, especially Devon and Cornwall

Treasury: the main financial department of late Anglo-Saxon and early Anglo-Norman government, located at Winchester.

Tun: Anglo-Saxon for town; modern suffixes, "ton" or "don" or "den"

Turbary: The right of commoners to cut and take turf from the common land

Valor: valuation

Vassal: a feudal inferior of tenant or a MESNE TENANT, of a TENANT-IN-CHIEF or of the King.

Vert: green in HERALDRY.

Vill/villa: translation of Anglo-Saxon tun, village or town

Villager: the normal peasant farmer of Anglo-Norman England; usually holding between 1 and 3 YARDLANDs from the LORD of a MANOR in 1086.

Wace, Robert: usually referred to as Wace - born circa 1100, chronicler and poet, Roman de Brut and Roman de Rou

Wapentake: the equivalent of the HUNDRED in parts of the DANIELAW.

Wergild: money-payment in compensation for death, injury or loss, graduated according to the social standing of the victim.

Witan: Anglo-Saxon and early Norman Royal Council.

Withy: West Country, willows, a thicket of willows

Writ: royal letter conveying orders and information in a summary form.

Writ of summons: WRIT addressed to a named recipient to attend Parliament; as such, generally held to confer peerage status.

Yardland: a quarter of a HIDE.

Yoke: Kentish and East Anglia - same as plough.

(From *Domesday, 900 years of England's Norman Heritage*, published by the MSGB in 1986)

ABBREVIATIONS

AO: Archive Office

BL Cat: Catalogue of the British Library

BExtP: Burke's Extinct Peerage

BLG: Burke's Landed Gentry

Bod: Bodleian Library

BRS: British Record Society

Bull IHR: Bulletin of the Institute of Historical Research

Bull MSGB: Bulletin of the Manorial Society of Great Britain

C: century

c: circa

Close R: Letters from the Close Rolls

CR: Charter Rolls

d: died

dau: daughter

dsp: died without issue

dvp: died in life of father

ex: executed

HA: Historical Association

infra: below

k: killed

kn: knighted

m: murdered

NLI: National Library of Ireland

NRA: National Register of Archives

op cit: work cited

PR: Patent Rolls

PRO: Public Record Office, now called the National Archives, located at Kew, London

qv: which see

Rec Com: Record Commission

Rec Soc: Record Society

RO: Record Office

Rot Parl: Rolls of Parliament

RS: Rolls Series

SQE: Statute Quia Emptores Terrarum (1290)

SR: Statutes of the Realm

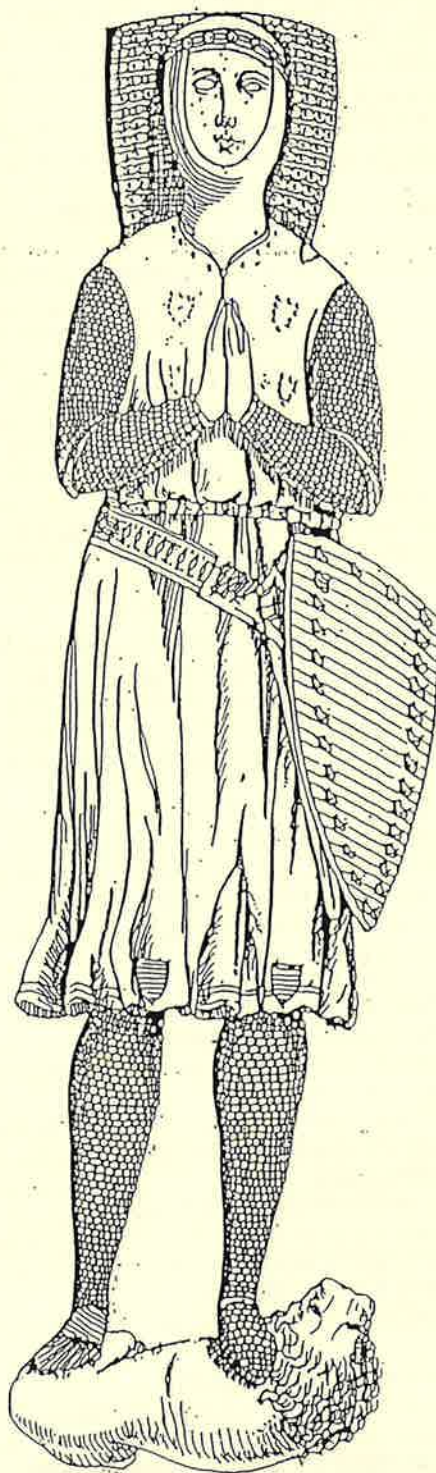
sic: it is

supra: above

temp: in the time of

TRHistS: Transactions of the Royal Historical Society

vide: see



What is a Manorial Lordship?

UNDER the laws of real property in England, Wales, Northern Ireland, and the Irish Republic, Lordships of the manor are known as 'estates in land' and in Courts, where they may crop up in cases to do with real property, they are often simply called 'land'.

They are 'incorporeal hereditaments' (literally, property without body) and are well glossed from the English and Welsh point of view in Halsbury's *Laws of England*, vol viii, title *Copyholds*, which is available in any solicitor's office or central reference library.

Manors cover an immutable area of land and may include rights over and under that land, such as rights to exploit minerals under the soil, manorial waste (eg the verges of roads), commons and greens. While it has always been the case that manorial rights can sometimes have a high value, this is rare because the rights are frequently unknown and unresearched (or are just not commercial). There is no value in owning mineral rights if there are no commercially exploitable minerals, such as granite or aggregate, and purchasers should not expect a manorial Eldorado. If such benefits were routine, then the asking prices would be considerably higher to reflect this*.

We are sometimes asked whether Lordships are a "good investment" to which the answer is, "what goes up can also come down." The average price of a Manor was about £300 in 1955; about £600 in 1976; about £2,000 in 1981; about £10,000 in 1989; about £7,000 in 1992, during the last recession; about £12,000 in 1998, and about £9,000 now. Some Lordships command a premium price because of their names: Stratford Upon Avon and Wimbledon, sold respectively in 1993 and 1996 for £110,000 and £171,000. These are exceptional. At auction and private treaty some Manors will go higher or lower than the average, depending on the competition. If you should enjoy a capital gain, then treat it as serendipity.

Like any other real property (known as real estate in the United States), Manorial Lordships belong to some one and are conveyed in precisely the same way as you would convey a house. Just as you would not contemplate the purchase of a house without legal advice, so you would be unwise to contemplate the purchase of a Manor without legal advice and you should appoint an independent solicitor/attorney. The Auctioneers have a panel of solicitors who are well versed in this arcane area of property law and will advise, but an intending purchaser is free to appoint any solicitor of his or her choice.

Solicitors will be looking principally for one thing: whether the person or company selling is the legal owner. 'Legal owner' is an important expression in law, and is quite different from a similar expression in law 'beneficial owner' (eg such as a beneficiary under a Will where the legal owner is the Executor or Trustee). The solicitor will also make inquiries with the seller's solicitors about any rights that are to be passed. He will also make Land Searches.

Once you have made your offer and it is accepted, your solicitor will ask the vendor's solicitor for what is known as an Epitome of Title: ie proof of ownership over not less than 15 years (20 years in Ireland). Proof of ownership is normally found in family or estate documents: viz Assents, Probates, Wills, Settle-

ments, and often Statutory Declarations, the latter supported by persuasive exhibits from secondary sources.

Your solicitor will check also by Searches that the seller is not a bankrupt or (if a company) where it is incorporated and not struck off or in receivership.

Your solicitor will also check that the Manor is purchased 'unencumbered' (ie that there are no hidden costs, such as the duty to repair the chancel of the local church, known as the 'lay rectorship', or to maintain the village green).

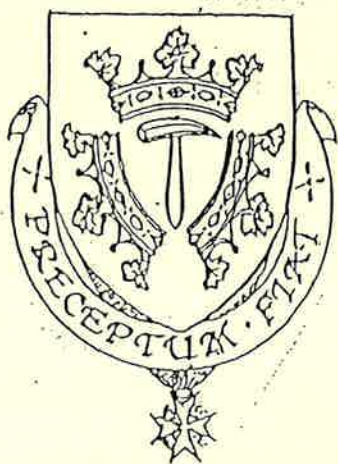
It is not a very complicated job for your solicitor, but it is worth spending a few hundred pounds with him to ask the right questions of the seller's solicitor and to get the correct paperwork. We mentioned commercial rights and capital gains on the asset: do not forget that if by chance there were potentially valuable rights on the Manor, the first thing you need to prove any legal entitlement to them is good title and conveyancing. You also need good title should you ever decide to sell.

Irish property law is similar to mainland UK (two Legal Opinions on Lordships in Ireland by an academic lawyer and a Senior Counsel are available in copy for purchasers' solicitors if requested). The conveyance of Feudal Baronies in England and Ireland works in the same way as for a Manorial Lordship.

Think of the acquisition of a Lordship as the acquisition of a tiny piece of history when you become the latest in a chain of known owners going back many hundreds of years. You may, as the Lord, be asked to take part in local events, such as opening the annual village fete. It is not obligatory, but some Lords feel a sense of duty in accepting these kind of invitations when they arrive. There is no obligation to accept. The Lord of the Manor of Henley-in-Arden, Warwickshire, presides over the Court Leet (Manorial Court) every November. The Lord and Lady of Kettleburgh, Suffolk, inaugurated a new peal of three bells in the Manorial Church. The Lord and Lady of Moulton Bewsolas, Lincolnshire, open the village fete every summer. Such rights are traditional and purely honorific.



The Manorial Society of Great Britain



The Society was founded in 1906 and included among its committee the Archbishop of Canterbury, the Lord Chancellor, and the Master of the Rolls. It was based in Mitre Court, Temple, London, and in origin sought to locate and to protect manorial records which - with the exception of institutions, such as the Ecclesiastical (now Church) Commissioners, the Crown in its several forms, Oxford and Cambridge colleges - were in private hands.

By 1906, the lands of the majority of Manors had been enfranchised and the need to maintain and keep manorial records (such as court rolls) for estate purposes disappeared. We can judge how many of these must have been left lying around an estate office and almost certainly thrown away from the date gaps in the records of some Manors in this Catalogue. Even where copyhold continued into the 20th century, it must have been the case that many medieval and Tudor records, mostly in Latin, were discarded as being of no further use.

The 19th century, however, saw the blossoming of county histories, often in multi-volume sets, many editions of which are at the Society today. These were written by highly educated men, often clergymen with leisure. Men, like Blomefield and Lipscomb (1810 and 1850), then Coppinger (1904-11) produced remarkable histories by Hundreds, then the Manors within each Hundred, using records in private ownership. We can only be amazed at their determination and grasp of palaeography and topography, knowledge of genealogy and national history.

Such records are not only of use in understanding the management of landed estates, but are also records of the names of tenants, many of whom succeeded one another. It became law to register births, marriages, and deaths in England and Wales in 1538, and this was done by the Church. But what of the many people who were never married - there were far more than the modern mind might expect? What of those generations of ordinary folk who were born before 1538? There may be some kind of record in a gravestone, but these are fewer the longer you go back. But there are, in some cases, medieval and early Tudor Court Rolls, listing tenants which can take a family back to the Middle Ages. The growth of interest in family history has grown enormously in the last 40 years, with television

programmes tracing celebrities, descended from 'ordinary folk'. In fact, these do not seem to go back beyond the reign of Queen Victoria, and in that sense the impression may be gained that this is as far as can be attempted. This is not so in many cases. The Society began to publish list of Manors and their documents from such diverse sources as individuals in Surrey or the Manors of New College, Oxford, producing 16 publications. Unsurprisingly, the Great War disrupted this work, but with peace in 1918 the Prime Minister of the day, David Lloyd-George, began to look at the many Acts affecting Manors, copyhold, and real property generally, and it was decided to consolidate them and abolish copyhold in several Property Acts in the 1920s. The important one, so far as records are concerned, was the 1922 Act, subsection (7) of Section 144A(7), which sought to define manorial documents and place them under the protection of the Master of the Rolls. 'Manorial documents', in the meaning of the Act as affected by several Statutory Instruments, have come to be Court Rolls, surveys, maps, terriers, documents and books of every description relating to the boundaries, franchises, wastes, customs, and courts of a Manor, whether in being on 1 January 1926 or obsolete.

County Record Offices were charged with maintaining such documents as these that were donated, and as Manors ceased to enjoy Copyhold income so solicitors, who had often acted as Stewards and kept records at their offices, handed documents over to the local CRO. The British Record Society was formed in 1931 and the publications part of the Society was taken over by this body.

The Society was headed in the late 1920s, until his death in 1945, by Hubert Knocker, a solicitor in Guildford, Surrey, who was Steward to many Manorial Lords in the county, and he was summoning Courts for as late as 1935. The Society has notices of Courts at Otford, for example, which were pinned up on church and other noticeboards. Mr Beaumont, an East Anglia solicitor, did much the same in his area.

Mr Knocker was succeeded by Hubert Hughes, whose committee gave evidence in 1955 to the Common Land Committee of the House of Commons, which translated into the Commons Registration Act of 1965. He was succeeded by his wife, Constance, on his death in 1967, and she handed over to Robert Smith in 1980.

The Society's public face is its social functions and publications, some of the latter of which are given below. But we regularly receive inquiries from government, local authorities, quangos, solicitors, historians, genealogists, and the general public on some manorial aspect, all of which are answered as fully as we can and without charge.

The Society has members who pay a subscription of £50 a year, or £500 for life, and for this they can ask for advice and assistance on manorial matters. They also receive information about social events, the last of which was the Annual Reception at the House of Lords, 8th July. The next dinner will be held at the Carlton Club, London, in honour of Lord Clifford of Chudleigh, on the Tuesday 7th October. The annual carol service on Tuesday 16th December, will be held at the Church of Most Holy Redeemer, Exmouth Market, London. Pictures of past events are on the website: www.msgb.co.uk.

Besides books, which are in print and given below, the Society publishes periodic Proceedings of legal conferences, the most recent of which was on the Land Registration Act (2002) at Merton College, Oxford:

Publications in print:

The Land Registration Act 2002

implications for manorial lords, proceedings of a conference, held at Merton College, Oxford, in 2005. Speakers included barristers, solicitors, land agents, researchers, head of Land Registry legal division, Chief Common Land Commissioner
(£250.00 non-members, £150.00 members)

Manorial Law, by AW & C Barsby, Legal Research & Publishing (£49.95)

Charter and Statutory Markets, proceedings of a Conference on manorial and other market rights (£35.00)

Blood Royal, to mark the Queen's Golden Jubilee in 2002 from the time of Alexander the Great to Queen Elizabeth II (£29.95)

The Monarchy, fifteen hundred years of British tradition (£19.95)

The House of Lords, a thousand years of British tradition (£16.95)

The House of Commons, 700 years of British tradition (£16.95)

The Sudeleys, Lords of Toddington (£16.95)

Royal Armada (£6.00)

Mutiny on the Bounty (£6.00)

Blount's Jocular Tenures (£95.00)

Book prices are post-free British Isles; plus airmail postage all other places

Historical Research

Inevitably, there is much information that we have had to omit from the historical particulars because of the cost of printing and research. This Catalogue was researched and written up by Stephen Johnson MA and if purchasers would like to know more about the Lordships they buy, then Steve would be happy to assist.

His address is: 43 Seabridge Road, Newcastle Under Lyme, Staffs ST5 2HU; email: stevej.historicalresearch@virgin.net; telephone: 01782-613503

Coats of Arms

Coats of arms are personal and heritable, and can be used by your sons, daughters, and grandchildren. Manorial Lords and Ladies have long been identified by their Armorial Bearings (Coats of Arms) - first, on the battlefield, and later in seals, signet rings, and on legal documents, as they can still be used. Arms can be displayed on stationery and visiting cards, silverware and glass.

Arms are a Grant under the Royal Prerogative, exercised by the Kings of Arms, under Warrant of the Earl Marshall, the Duke of Norfolk, at the College of Arms, London, and are a unique distinction.

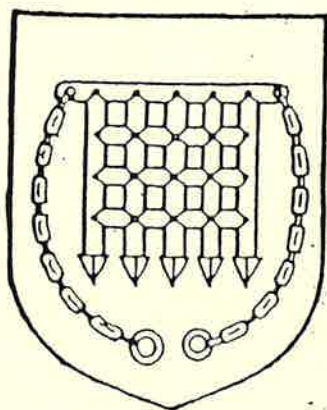
If purchasers do not have Armorial Bearings and are interested in knowing more, they should contact Cecil Humphery-Smith OBE, FSA.

His address is: The Institute of Heraldic and Genealogical Research, Northgate, Canterbury, CT1 1BA; email: cecil.ancestry@gmail.com; telephone: 01227-768554.



BARONIES BY TENURE IN ENGLAND AND IRELAND

FROM THE reign of the Conqueror to the middle of the 13th century at least, the dignity of Baron in England was annexed to territorial possessions *derived* from the Crown, for which the grantee was bound to render homage, fealty, and military or other honourable services. To such possessions was annexed the privilege of holding courts, or civil and criminal jurisdiction as it has been called, which right sometimes passed with the Seignory as an incident without being expressly named: but more generally was specially granted by the words *justitiam, curiam, or socha and sacha, infangenthef and outfangenthef*. The Sheriff could not for the most part enter the Barony or Honour, and the Baron's officers received the King's writs. In such courts, justice was dispensed by the Baron to his tenants and vassals, or those representing him. Besides attending the King in his wars with the number of knights reserved by his tenure to the Crown, the Baron, as its vassal, was bound to attend the King's Court, the *Curia Regis*.



This Court, at first held at stated periods in each year, was afterwards extended to the *Magnum Consilium* (Great Council), to which the King summoned his Barons for their *advice and consent* at such times and on such occasions as his exigencies required. When *extra-feudal* services were agreed by the Barons at this Court, the consent of their tenants and vassals was also sought by the holders of such Seignories in their Courts. In possession of one of these Seignories as a *Feodum Nobile*, with its incident service of attending the *Curia Regis* or *Commune Concilium*, originated the dignity of a 'Feudal Peerage', a Feudal Barony is perhaps a literal Territorial Peerage, as opposed to a nominal one today. After the Barons' War of 1264-5, a change took place in England which affected the rights of the English Baronage, by which it was established that no person should attend Parliament (*Commune Consilium*) without express writs from the King, with a sitting in consequence, and has since been held to have vested in the person so summoned and his heirs lineally an hereditary Barony. Such rules have never applied to the Barony by Tenure, though there are still some Baronies by Writ, whose holders sit in the House of Lords, whose ancestors sold their Baronies by Tenure centuries ago. The most recent example of this is the Parliamentary Barony of Dacre of Gilsland, held by the Earl of Carlisle, who sold the Barony by Tenure of Gilsland without affecting his right to sit in the House of Lords, even if he, or his successors, were to lose their superior Parliamentary titles of Earl of Carlisle and Viscount Howard Morpeth. Indeed, Lord Carlisle in 1990 sold the Barony of Morpeth. In 1992, the Earl of Lonsdale sold the Barony of Burgh, though his ancestor was first summoned to Parliament under the *Parliamentary* Barony of Burgh, no matter that the right of hereditary

peers to sit in the House of Lords has been much curtailed since 1999.

At the College of Arms, London, is a manuscript headed: "There are Barons of three kinds, namely:

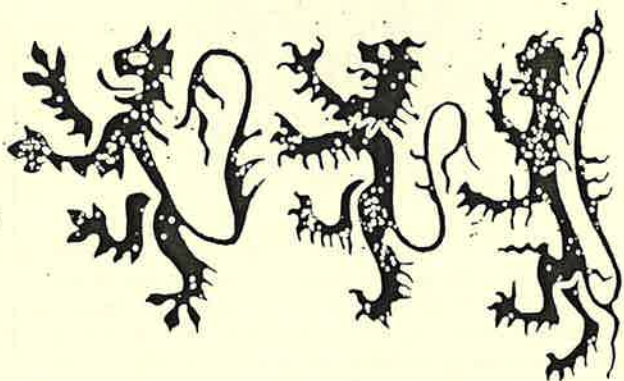
- (1) By Tenure (who, in regard thereof, ought to be summoned to Parliament)
- (2) By Writ of Summons
- (3) By Creation, or Letters Patent



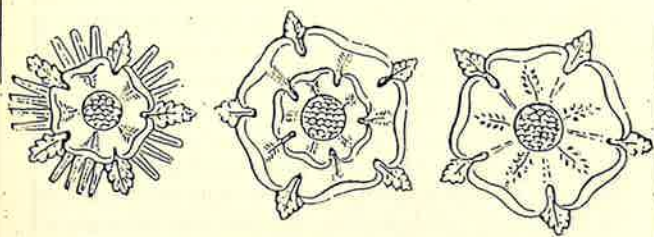
Barons by Tenure were of old the King's principal tenants, who holding an Honour, castle, or group of Manors of the King *in capite* by Barony (*per integram Baroniam*) were called his *Barones majores*, having their titles usually from their principal seats, or heads (*caputs*) of their Baronies, and continued to be the *only* Barons summoned to Parliament until 1265, when Henry III, having overcome Simon de Montfort and the rebellious Barons at the Battle of Evesham, called a Parliament to have such of them as were slain, taken prisoner, or escaped, attainted and disinherited; but the number of his faithful Barons being small, he supplied their number with other persons of known worth, wisdom, and repute who, by means thereof were henceforth Barons by Writ, although they had no possession that was a *Feodum Nobile*, for they were only tenants *in capite*, which were not really Barons at all (though some were, some were restored, and some married ladies - the daughters or widows of Barons - who conferred Baronies, or at least respectability, upon them). Many, however, were not, though they were often called to Great Councils as Barons and Peers. This continued to be the practice until the reign of Richard II who, in 1388, introduced the creation of Barons by Letters Patent, which is now the only method by which a person is summoned as a Peer to Parliament, saving occasionally those people who can demonstrate to the Privileges Committee of the House of Lords that they be entitled to such a summons by descent from a Baron by Writ. The Feudal Baronage in England predates by as much as two centuries the Parliamentary Peerage.



In the reign of King John, an alteration of great importance took place in the rights of the Barons and tenants *in capite*; for only the principal barons, or *barones majores*, were wanted at the Great Council, or prototype parliaments, and then only by royal summons and not, as hitherto, by right. The rest, who acquired the name of *barones minores*, were called by one general summons from the sheriffs of their respective counties. This practice was effectively recognized and legally established by the *Magna Carta* of King John. Selden supposes that in consequence of the quarrels between King John and his Barons, several Baronies had escheated to the Crown, either by attainder, or otherwise, which were partly granted to others, and partly retained as rewards for those who should come over to the King.



That several Barons were also so decayed in their estates as not to be able to support their rank; and the ancient Barons, or *barones majores*, who retained their possessions, foreseeing that their dignity might be diminished if the new tenants in chief, or grantees of the escheated Baronies, and the decayed Barons, should remain equal to them, procured a law no longer extant, or some understanding, in some of the parliaments preceding the Great Charter, by which they only in future should be styled Barons, and the rest tenants in chief, only, or knights. And because their ancient name could not be wholly taken from them, therefore, the addition of *majores* was given to the ancient and more powerful Barons, and that of *minores* to the others. Barons by Tenure, like Scottish Barons and later Irish Barons, are one of the *minores* sort, but only because they have been unable to sit in Parliament. (The use of the word "Parliament" in this context is not in its specialized sense, but in the sense of a deliberative assembly).

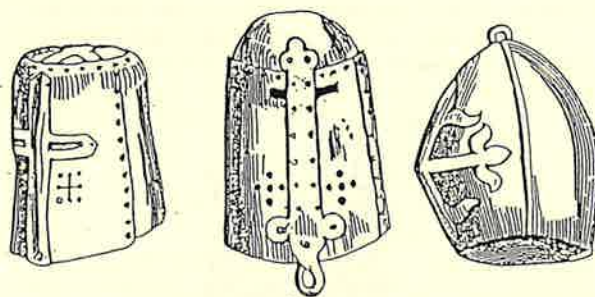


From this period, the right of sitting in Parliament appears to have been confined to those persons who were possessed of entire Baronies. But in the reign of King Henry III, a still greater alteration took place in the rights of the Barons; for whereas, every tenant *in capite* was, before that period, *ipso facto*, a Parliamentary Baron, and entitled to be summoned, either by the King's writ, or by the sheriff of the county, to every parliament that was called: yet, about that time, some new law is said to have been made, by which it was established that no person, though possessed of a Barony, should come to parliament with-

out being expressly and particularly summoned by the King's writ.

This fact is first mentioned by Camden in the Preface to his *Britannia*, who cites an ancient author, without naming him as his authority. *Ad summum honorem pertinet ex quo rex Henricus III ex tanta multitudine quae seditiosa et turbulenta fuit, optimos quosque rescripto ad comitia parlamentaria evocaverit. Ille enim (ex satis antiquo scriptore loquor) post magnas perturbationes et enormes vexationes inter ipsum regem, Simonem de Monteforte, et alios barones, motas et susceptas, statuit et ordinavit quod omnes illi comites et barones Angliae quibus upse rex dignatus est brevia summonitionis dirigere, venirent ad parlamentum suum, et non alii, nisi forte dominus rex alia vel similia brevia eis dirigere voluisset.*

Selden appears to have given but little credit to this narrative; and says, he never could discover who this ancient writer, cited by Camden, was; but thought that, not long after the Great Charter of King John, some law was made that induced the utter exclusion of all tenants in chief from parliament, beside the ancient and greater Barons, and such others as the King should in like manner summon.



In consequence of this law, the practice of summoning the *barones minores*, by the sheriff, ceased, as appears from the *Magna Carta* of 9 Henry III in which the chapter respecting the summoning of the Barons and tenants *in capite*, in the charter of King John, is entirely omitted.

From this period, the dignity of a parliamentary Baron was confined to those who were summoned by the Crown; this appears from the words of the writ, by which the King certifies a person to be a peer, as stated in the *Registerum Brevium*, a book as ancient as the Statute of Westminster, 2 13 Edward I which are, *Quia praedictum G unum baronum regni nostri, ad parlamenta nostra de summonitione regia venientium, recordamur.*

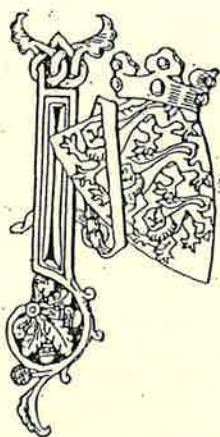
It cannot, however, be supposed, that the Crown ever possessed the prerogative of omitting to summon the principal nobles to every parliament, pursuant to the provisions of the *Magna Carta* of King John; for there is one instance recorded in English history of an omission of this kind, which was immediately noticed in such a manner as to prevent its recurrence.

In the year 1225, King Henry III called a parliament at Westminster, and several of the peers being absent for want of writs of summons, the Barons who attended refused to answer the King's proposals, for this reason, *Quod omnes tunc temporis non fuerunt, juxta tenorem Magnae Chartae vocati; et ideo sine paribus suis tunc absentibus, nullum voluerunt tunc responsum dare, vel auxilium concedere vel prestare.*

With respect to the different orders, and names or titles of nobility and dignity in England, the most ancient are those of Baron and Earl. It has been stated that the word *baro* was originally synonymous with *homo*; that all those persons to whom feuds were granted by Kings and sovereign princes, were called *barones et homines regis, sive qui hominum regi debent*.

Sir Henry Spelman says that the word baron was introduced into England by the Normans: *Ad Anglos autem pervenisse videtur vocabulum baro; vel cum ipsis Normannis, vel cum Edwardus Confessor aures moresque imbibisset Normannicos*. The first mention of the word which we have met with is in Domesday Vol ii 367 where it is said, *Hanc terram invadiavit abbas et barones regis*. And Eadmerus, who lived in the time of King Henry I speaking of William the Conqueror, says: *Nulli episcoporum permittebat ut aliquem de baronibus suis, seu ministris, publice excommunicaret*.

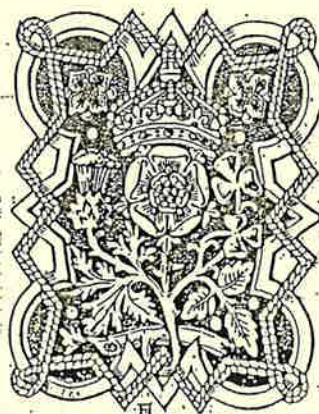
Selden observes that in the extracts from the Inquisitions, taken in the time of King John, the phrases of *tenentes per baroniam et servitia militaria*; and *milites et barones tenentes in capite de rege*, are used for the same persons. In another place he says, *Tenere de rege in capite, habere possessiones sicut baroniam*, and to be a baron, with a right to sit with the rest of the barons in councils or courts of judgment, according to the laws of that time, were synonymous: and Spelman says, *Aevo Henrici Secundi quaevis tenura in capite habebatur pro tenura per baroniam*.



Lord Coke has observed that in ancient records the Barons included the whole nobility of England, because regularly all noblemen were Barons, though they had a higher dignity; and the great council of the nobility were all comprehended under the name of the Council *De Baronage*. This seems to be confirmed by Matthew Paris, in whose history we find the word *baronagium* used as comprehending all the nobility: *Dominus rex de consilio totius baronagii sui*, and Dugdale has transcribed the following writ of King Henry III to the Sheriff of Herefordshire: *Rex Vicecomiti Heref' - Precipimus tibi quod si aliqua gens armata per ballivam tuam, contra provisionem nuper factam apud Gloucestriam, de communi concilio baronagii nostri*.

In consequence of the practice of subinfeudation, the great lords, particularly those who were Earls Palatine, called their immediate tenants or vassals, Barons. Thus the Earls of Chester and the bishops of Durham had their Barons. The City of London and the Cinque Ports also had their Barons. In like manner the parliamentary barons seem gradually to be called *barones regis* or *barones regni*, in order to distinguish them from those inferior Barons.

With respect to the various modes by which dignities may be created, it has been shown that British dignities were originally feudal, and introduced into England, together with the rest of that system, by the Normans, that they were annexed to the possession of certain estates in land, and must have been created by a grant of those estates.



Dignities were created in this manner in France and in Normandy. In Scotland the same practice prevailed. Thus, in the printed case of the Earldom of Sutherland, it is said that the most ancient mode of conferring honours in Scotland was by erecting certain estates into an Earldom, and investing the grantee with those estates, of which several instances are given. And in the return made by the Lords of Sessions of Scotland in 1739 to the House of Lords respecting the state of the Scottish Peerage, it is said that before the reign of King James VI titles of honour and dignity were created by erecting lands into Earldoms and Lordships.

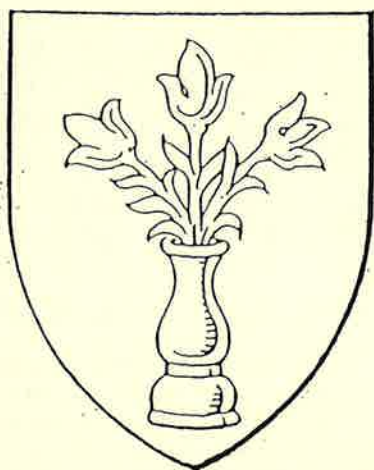
As all the ancient grants of lands made by the Conqueror and his sons to their followers are now lost, there exists no instance of the Crown's erecting an estate into a Barony or Earldom. Lord Coke says "but now the ancient manner of creation is altered; for now, when the King creates a duke, a marquis, an earl, a viscount, or a baron; he seldom creates a dukedom, marquisdome, earldome &c *ad sustinendum nomen et onus*, viz to grant him manours, lands, tenements, &c to hold of him in chiefe; for commonly upon creations the king grants to them created an annuity". And in Lord Gerard's case, Wright, serjeant, says: "The legal constitution of a Barony is, when the king creates certain lands to be a Barony."

It also appears from ancient records that the dignities of Baron and Earl, with a right of sitting in parliament, continued to be annexed to the possession of some feudal seigneuries or lordships for a long time after the Conquest, a fact that is fully admitted by all eminent antiquaries; by Camden, Spelman, Dugdale, and Selden. It will therefore be necessary to inquire into the nature of those Manors, Seigneuries or Lordships, and to state the cases in which dignities have been held to be annexed to the possession of them.

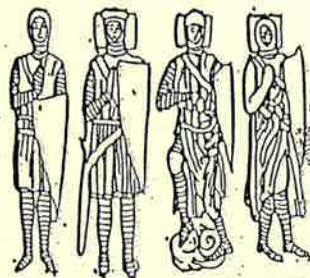


On the establishment of the Normans in England, William the Conqueror conferred or confirmed the estates of many Saxon thanes upon his principal followers, as strict feuds, to be held immediately of himself, by homage fealty, and military or other honourable services. The usual services reserved on these grants were the services of a certain number of knights; and the persons who received them, in order to be able to perform their services, gave out by subinfeudation portions of the lands to their followers, to be held of themselves by knight service; reserving a tract of land round their castle, or mansion house, for the maintenance of their own family; by which means their estates became feudal seigneuries, consisting of demesnes and services.

To every grant of a *feudum nobile* or *feudum dignitatis*, a jurisdiction was always annexed. In conformity to this practice, it may be presumed that in all the grants of lands made by William and his sons, to be held of the Crown *in capite*, a civil and criminal jurisdiction was given. For it appears from Dugdale's *Monasticon*, that in almost all the charters of lands granted by the crown to abbeys, a civil and criminal jurisdiction was expressly given. And we know that from time immemorial every Lord of a Manor has exercised a jurisdiction over his tenants; a franchise which must have been originally derived from the Crown, directly or tacitly.



The court in which the Feudal Lord exercised his jurisdiction was called *curia baronis*, the court baron. And Lord Coke says: "If we labour to search out the antiquity of these courts baron, we shall find them as ancient as manors themselves. For when the ancient kings of this realm, who had all the lands of England in demesne, did confer great quantities of land upon some great personages, with liberty to parcel the lands out to other inferior tenants, reserving such duties and services as they thought convenient; and to keep courts where they might redress misdemeanors, within their precincts, punish offences, committed by their tenants, and decide and debate controversies arising within their jurisdiction, these courts were termed courts baron".



Dugdale says that every estate of this kind had a capital manor on it, as of which the lands granted out to the tenants were held. And being the residence of the Lord, it was called in old French *Manoir*, a *manendo*, from which the whole acquired the name Manor. It is also called, and with more propriety, a lordship, being in fact a feudal seignory or *dominium*, annexed to the possession of the demesnes, over the tenants holding lands by a subinfeudation from the ancient proprietors of such demesnes, by certain services, with a jurisdiction over those persons. And Lord Coke says: "A manor in these days signifieth the jurisdiction and royalty incorporate, rather than the land or scite".

Manerium (says Spelman) *est feudum nobile, partim vassallis, quos tenentes vocamus, ob certa servitia concessum; partim domina in usum familiae suae, cum jurisdictione in vassallos, ob concessa praedia reservatum. Quae vassallis conceduntur, terras dicimus tenementales, quae domino reservantur dominicales. Totum vero feudum dominium appellatur, olim baronia. Unde curia quae huic praeest jurisdictioni, hodie curia baronis nomen retinet.*

The persons to whom the great lords granted lands, to hold of them by knight service, were called *valvasores*, (*vavaseurs*) of whom Spelman gives the following account:—*Sunt ergo valvasores majores, qui non a rege immediate sed secunda vice feuda acceperunt, scilicet a ducibus, marchionibus, vel comitibus; hoc est a regni vel regis capitaneis.* And Bracton says that an estate thus held was called *vasavoria*.

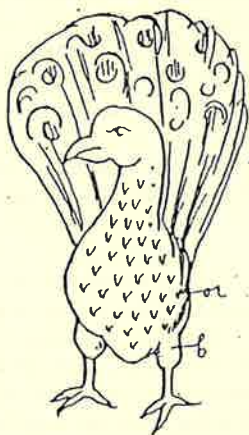
These *valvasores majores* again granted out portions of their lands to free persons, to be held of themselves in socage, who were called *valvasores minores*, by which means the *valvasores majores* created Manors of an inferior kind, whereof they were the immediate lords; and the Baron or King's tenant *in capite* was the lord paramount.

In consequence of this practice, Manors became divided into two sorts, which Bracton calls *maneria capitalia et non capitalia*. *Et sciendum est quod manerium poterit esse per se ex pluribus aedificiis coadjuvatum, sive villis vel hamlettis adjacentibus. Poterit enim esse manerium et per se, et cum pluribus villis, et cum pluribus hamlettis adjacentibus quorum nullum dici potest manerium per se, sed villae sive hamlettae. Poterit enim esse per se manerium capitale, et plura continere sub se maneria non capitalia, et plures villas et plures hamletos, quasi sub uno capite, et dominio uno.*

The practice of creating inferior Manors was effectually prevented in the reign of King Edward I by the statute *Quia Emptores Terrarum*, (1290) which reciting the inconveniences arising from subinfeudations, that is from feoffments of lands to be held of the feoffors, enacted, that upon every future conveyance of lands, the grantee should hold of the chief lord, and not of the grantor. But the provisions not extending to the king's own tenants *in capite*, the law concerning them was declared by the statutes *Prerogativa Regis*, 17 Edw. II c. 6 and 4 Edw. III c. 15 by which last all subinfeudations previous to the reign of

King Edward I were confirmed. But all subsequent to that period were left open to the King's prerogative.

Every Lord of a Manor held immediately of the Crown was during the first century after the Conquest deemed a Baron and his Manor a Barony. Thus Spelman says:- *Maneriorum dominos etiam minores inter barones censi manifestum est, cui fidem facit quod ipsae hae curiae usque hodie curiae baronum nuncupantur. Aevo praeterea Henrici Primi procerum appellatione computari videntur omnes maneriorum domini. Nam quos in epigraphe 25. legum suarum proceres vocat, eosdem mox in capite, barones sochnam suam habentes, exponit.*



But although every Manor held immediately of the Crown, was originally a Barony, and the Lord thereof a member of the *curia regis* and the *magnum consilium*, yet when the Barons were divided into *majores* and *minores*, it is probable that those only who possessed *maneria capitalia* of which inferior Manors were held, were considered as *barones majores* and retained the dignity of Barons; while those who had but a *manerium non capitale* were called *barones minores*.

In the course of time the Manor, or Seignory to which the dignity of a Baron was annexed, acquired the name *baronia*; and it appears from all our 12th and 13th century writers that such estates were not uncommon for some time after the Conquest. Thus we read in Glanville:- *Mortuo enim aliquo capitali barone, statim baroniam in manu suo retinet rex, donec haeres grantum suum fecerit de relevio.* But such Baronies must have some form of Charter of the King, or writ from the King, or some such charter of him for 'livery of his lands that designates the recipient, by virtue of holding such feudum nobile, a Baron.

It is thus enacted by King John's *Magna Carta* c 42,- *Si aliquis tenuerit de aliqua escaeta, sicut de honore de Wallingford, Nottingham Bolon, et de aliis escaetis quae sunt in manu nostra, et sint baroniae; et obierit, haeres ejus non det alium relevium, nec faciet nobis aliud servitium quam faceret baroni, si baronia esset in manu baronis.* Bracton also says:- *Item si dominus rex tenuerit aliquam baroniam, vel terram.* And in another place:- *Ut si fuerit contentio inter partes, in qua baronia, vel in cujus feodo, tenementum fuerit.*

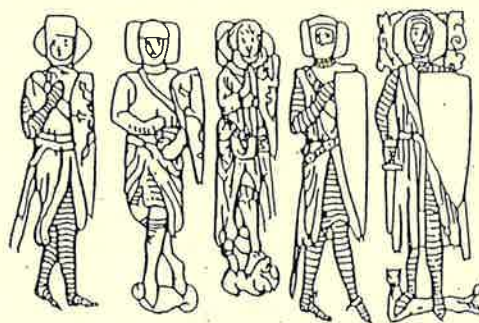


It has been stated that to every Manor was annexed a jurisdiction, and a court, called the court baron, for the exercise of it. The civil jurisdiction was called *soca et sacha*, the criminal *infangthef* and *outfangthef*. These latter words are thus explained by Spelman:-

Significant latronem infra captum, hoc est infra amnerium vel jurisdictionem alicujus, jus habentis de eodem cognoscendi. Regale quidem privilegium, et in antiquis diplomatibus, majoribus regni frequenter concessum: Qui ipso hoc verbo talem assecuti sunt potestem.

By the *Magna Carta* of 9 Hen. III c 17, sheriffs of counties, constables of castles, escheators and coroners were prohibited from holding pleas of the Crown. Lord Coke says- "Albeit the franchises of infangthiefe and outfangthiefe, to be heard and determined within courts-baron belonging to manors, were within the said mischief, yet we find, but not without great inconvenience, that the same had some continuance after this act. But neither this act or *per desuetudinem* for inconvenience these franchises within manors are antiquated and gone".

It appears however from the *Placita de Quo Warranto* that in the reigns of the three first Edwards, a great number of Lords of Manors claimed and established a right to exercise a criminal jurisdiction in their court barons.



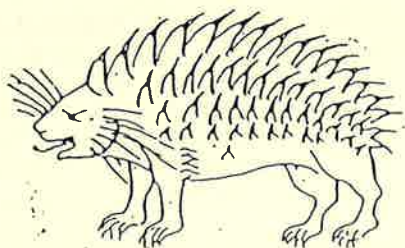
By the feudal law, the lord, upon the death of his tenant, became entitled to a sum of money from the heir, as a fine or composition for the renewal of the investiture, which was called a relief. In Glanville's time, the relief of a knight's fee was fixed at 100 shillings, but that of a Barony was uncertain. *De baronis vero nihil certum statuendum est, quia juxta voluntatem et misericordiam domini regis solent baronie capitales de releviis suis domino regi satisfacere.*

The reliefs of earls and barons were, however, reduced to a certainty before the *Magna Carta* of King John, in which is the following clause:- *Si quis comitum vel baronum nostrorum, sive aliorum tenentium de nobis in capite, per servitium militare mortuus fuerit, et cum decesserit heres suus plenae etatis fuerit, et relevium debeat, habeat hereditatem suam per antiquum relevium. Scilicet heres heredis comitis, de baronia comitis integra, per centum libra. Heres vel heredes baronis de baronia integra, per centum marcas.*



In some ancient copies of the *Magna Carta* of King Henry III, referred to in the folio edition of the Statutes the relief of a Barony is stated to be *centum libras*. But this reading appears erroneous, and *marcas* to be the true one. First, an earldom was always considered, not only on the continent, but also in England, as superior to, and of greater annual value than a Barony; therefore the relief ought to be greater. Second, in the text of the old *Coustumier* of Normandy, c 34, the relief of a Baron is stated to be 100 livres; and in the Glossary the relief of an Earl is said to be 500 livres. By the laws of the Conqueror, the relief of an earl consisted of eight horses, &c and that of a Baron of four horses &c. Third, in Bracton is the following passage:—*Quale sit rationabile relievium antiquum de feodo militari distinguitur in Charta Libertatum, c2. Scil de comitatu intergro dandae sunt c. librae de herede comitis, pro relevio, et de herede baronis pro baronia integra c marcas*. And this is the reading in the copy of *Magna Carta* published by Lord Coke, which is adopted by him, and by all the other writers of that age.

It appears, however, from Madox's History of the Exchequer, that in the reign of King Henry III the sum of one hundred pounds was required for the relief of a Barony. So that it was a matter of considerable importance to ascertain whether a person held his lands *per baronium*, or by the service of a certain number of knights only.



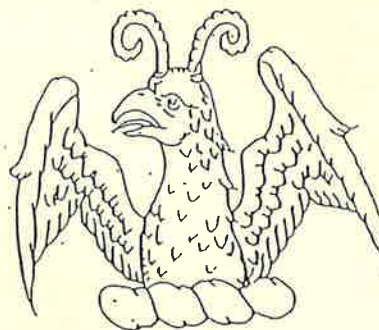
In 9 Henry III, Walter de Clifford was charged with £100 for his relief, as for a Barony. But it being found by inquisition that this Walter held of the King, *in capite*, by one knight's fee, and not by Barony, he was acquitted of £93 and half a mark, and charged for his relief with ten marks only. The words of the record are:—*Quod per inquisitionem quam rex praecepit fieri, idem Walterius tenuit de rege, in capite per feudum militis, et non per baroniam*.

In 40 Henry III, the King took homage of William Longespee, son and heir of Idonea, late wife of William Longespee, for all the lands which were Idonea's. The Abbot of Pershore, the King's escheator, was ordered to take security of William, for 50 shillings for his relief. But afterwards, upon searching the Roll of the Exchequer, it was found that the Idonea held of the King, *in capite*, two Baronies; whereupon it was adjudged by the court of exchequer that William should pay to the King £200 for his relief for the said Baronies.

The different fees payable on doing homage to the King, by persons holding by Barony, and by persons holding by knight service, proves the distinction between several tenures. By the Statute of Westminster 2. Edw. I c.42, in which the fees of the marshal and chamberlain of the King's house are regulated, it is ordered by the King that where a marshal "who asketh a palfrey of earls, Barons and others, holding by a part of a Barony, where they have done homage; nevertheless another palfrey, when they are made Knights; the said marshal, of every Earl and Baron, holding an entire Barony, should be contented with one palfrey, or with the price of it; such as he had used to have of old".

Lord Coke has observed on this passage that the ancient price of the horse of a Baron, holding by an entire Barony, was ten pounds; and that of a knight, having no part of a Barony, was five marks.

With respect to the extent of a Barony, it is said in an ancient manuscript, called *Modus tenendi Parliamentum*, that a Barony consisted of thirteen knight's fees and a quarter. But though this work has been frequently referred to by Lord Coke and some other writers; as a genuine piece of antiquity; yet its authenticity has been questioned by Selden and Prynne; the former of whom supposes it to have been an imposture of the time of King Edward III; and the latter makes it an invention, as late as 31 Hen VI.

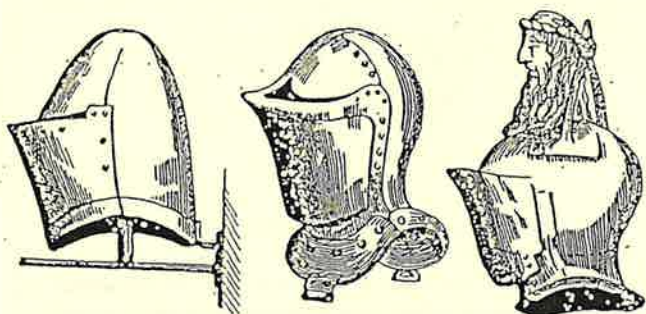


The best ground for presumption about the extent of a Barony is by comparing the relief due for it with the relief due for a knight's fee; for the relief being said to be a fourth part of the annual value of the feud, must have been in proportion to the *quantum* of property that descended to the heir. Now it has been stated that in Glanville's time, the relief of a Knight's Fee was five pounds, and supposing the relief of a Barony to have been a hundred marks, as Bracton and all the writers of that time assert, a Barony would consist of thirteen knight's fees and a quarter, according to the *Modus tenendi Parliamentum*. But if the relief was £100 it would consist of 20 Knights Fees.

Madox observes that the Baronies created by the Conqueror and his sons, were very likely much greater than those that were created after, and consequently contained a greater number of Knight's Fees. A distinction was, therefore, made between the Baronies and Knight's Fees of the older feoffment, that is, those that were created after; which are said to be of the new feoffment.

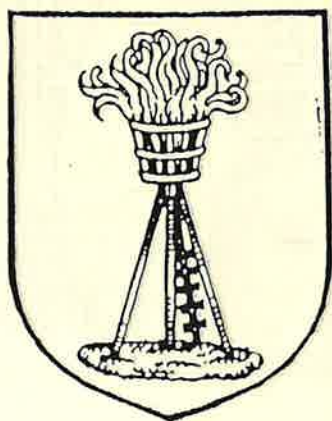


In the reign of Henry VIII, an Honour appears to have been considered as an illustrious Manor or Lordship, or several Manors united, having a capital seat or mansion. Thus certain Manors belonging to the Crown were then created Honours by Act of Parliament; such as the Manors of Hampton Court, Amptill and Grafton. But Madox observes that by those acts Honours were created in name, and those places acquired some of the properties of Honours, but in fact became Honours of a new sort. For the essential property of an Honour vested in the King was to be a Barony escheated. Now if Hampton Court was not an escheat, or a Barony escheated before the making of the Act, it could not become an escheat or Barony escheated by the Act; which could not alter its nature. If a Manor or estate vested in the Crown was a part of the King's original inheritance, if it never was granted to an Earl or Baron, and it did not come to the Crown by escheat, it was not properly an Honour. It might, indeed, be created an Honour, or nominal Honour, but such creation could not alter the nature of it, or make it an Honour in fact, that is, it would not make a Baronial estate, if not so before.



All the proprietors of these Baronial estates, or land Baronies, were entitled to sit in the *Magnum Consilium*, or parliament, till the reign of Henry III, who made a law, which has been already stated, that no person should come to parliament without a writ of summons from the King; and though it does not appear that this law applied to the principal Barons, yet it is probable that the Crown frequently availed itself of it, by omitting to summon the lesser Barons or those who acquired estates held *per baroniam*. For some passages in our ancient records prove that after the reign of Henry III all tenants *per baroniam* were not parliamentary Barons.

Thus in 15 Edw III to a complaint made by the clergy that the King's officers claimed tithes of them, His Majesty answers; "*Que ceux qui teignent du roi per baronie et deyyent venir au parlement per somonse, paient le neofisme.*" And in a petition of the Commons in 28 Edw III it is stated that the tenants of Lords who held by Barony, and were summoned to Parliament claimed to be discharged from contributing to the wages of knights of the shire.



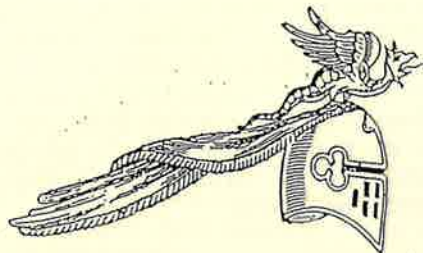
In Lord Coke's comment on *Magna Carta* he says: "It is to be understood that if the king give land to one and his heirs, *tenendum de rege per servitium baroniae* he is no lord of parliament until he is called by writ to parliament. Mr Elsynge, who was clerk of parliament in the reign of King James I, says it appears from the *Inquisitiones post Mortem* in the Tower, that many estates were held *per baroniam* by persons who were not reputed (parliamentary) peers."

The town of Burford, in Shropshire, appears from an inquisition taken in 40 Edw. III to have been held of the King, by the service of finding five men for the army of Wales; *et per servitium baroniae*, whence the proprietors were called Barons of Burford, but were not parliamentary Barons.



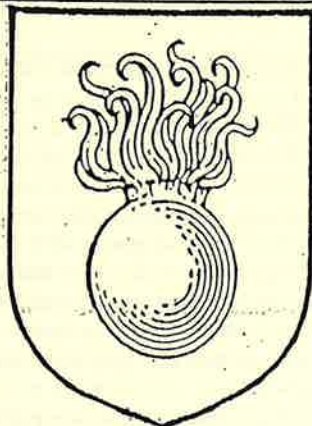
Madox, in a note to the case of Thomas de Furnival, observes that holding by Barony, and being summoned to attend among the Barons of Parliament, were in those days very different things. Selden, in his argument for the Earl of Kent, respecting the Barony of Grey of Ruthyn, says, "it is a rule that an honour or barony, or a tenure by barony, doth not enforce a conclusion that the possessed is a baron of parliament".

West observes that in consequence of the law of Henry III, which has been already stated from Camden, the circumstance of holding *per baroniam* did not make a parliamentary Baron. And though every Lord of parliament was a Baron, yet every Baron was not a Lord of Parliament. He cites the case of Sir Ralph Everden, who was discharged from sitting on juries because he held by a part of a Barony; thought it did not appear from the writs of summons that any man of that name was ever summoned to Parliament; and says this privilege was not peculiar to an attendance on Parliament, but incident to a tenure *per baroniam*. For although no Barons had a right to come to Parliament, but only those to whom writs were sent; yet the lesser Barons did preserve all the other privileges incident to their tenure.



There were, however, some estates to the possession of which the dignity of Baron, with a right to be summoned to, and sit in, Parliament was annexed conformably to the principles of the feudal law, and the usage that then prevailed in France.

Thus the dignity of a parliamentary Baron was formerly annexed to the Manor or Barony of Kingston Lisle in Berkshire, as appears from letters patent under the great seal, made with the authority of Parliament, in 22 Hen. VI, in which it is expressly declared that the possessors of that Manor had been, by reason of that possession, Barons and Lords Lisle, and by that name had place and seat in Parliament from time immemorial.

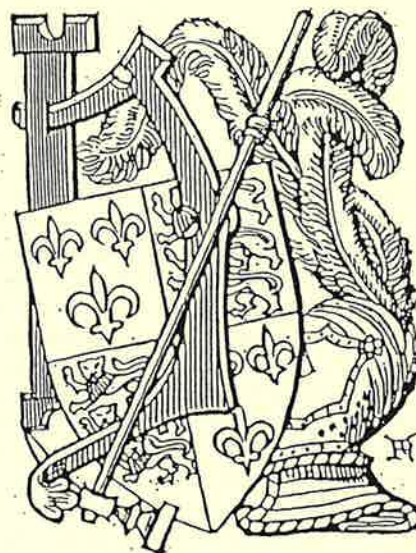


These letters patent, after reciting that Warinus, Lord of Lisle, was seised of the Manor of Kingston Lisle, from whom it descended to John Talbot, as one of his heirs; proceeds in these words:- *Nos nedum praemissa verum etiam qualiter praefatus Warinus et omnes antecessores sui, ratione domini et maner praedictorum nomen et dignitatem baronis et domini de Lisle, a tempore quo memoria hominum non existit obtinuerunt et habuerunt, ipsique et omnes successores sui ab eodem tempore per huiusmodi nomen, loca et sessiones et alias per-eminencias in parlamenti et consiliis regis, ut caeteri barones regni Angliae a toto tempore praedicto habuerunt et obtinuerunt & c & c Volumus et concedimus per praesentes, eidem Johanni, filio Johannis, quod ipse et haeredes sui domini dictorum domini et manerii de Kingston Lisle ex nunc domini et barones de Lisle et barones nobiles et proceres regni nostri habeantur, teneantur et reputentur, habeantque nomen stilum titulum et honorem baronum et dominorum de Lisle, ac sessiones in parlamenti et consiliis nostris et haeredum nostrorum, ac aliis locis quibuscunque inter alios barones regni nostri cum omnibus et omnimodis dignitatibus ac pre-eminentiis statui baronis regni nostri praedicti, et praesertim statui dictae baroniae de Lisle ab antiquo pertinentibus sive spectantibus eisdem modo et forma in omnibus et per omnia tam in huiusmodi sessionibus quam cum omnibus et omnimodis aliis preeminentiis et dignitatibus quibuscunque prout praedictus Warinus seu aliquis aliquis alius baroniam et dominium praedictam ante haec tempora habens et occupans habuit et tenuit. Habendum et tenendum nomen stilum titulum et honorem supradicta, una cum sessionibus supradictis in parlamenti consiliis et locis praedictis, nec non omnibus et omnimodis dignitatibus et pre-eminentiis supradictis eidem Johanni, filio Johannis, haeredibus et assignatis suis imperpetuum &c.*

By other letters patent in 15 Edw IV, reciting, as in the former ones, that Edward Grey was seised in right of Elizabeth, his wife, who was the grand-daughter and heir of John Talbot, of the Lordship and Manor of Kingston Lisle; it is granted that the said Edward and his heirs, of the body of the said Elizabeth, being Lords of the said Lordship and Manor of Kingston Lisle should be Barons Lisle and should sit in parliament with the other Barons of the realm; and the name style, title and honour of Baron Lisle is granted him to hold to him and his heirs on the body of the said Elizabeth begotten. This is an exception to most current Baronies by Tenure in England, the bulk of which are in the Crown by forfeiture.



The Castle and Honour of Berkeley were granted by King Henry II to Robert FitzHarding, to hold to him and his heirs *per baroniam* from whom it descended to Thomas, Lord Berkeley, who died in 5 Hen V and by the inquisition taken at his death it was found that the castle and Manor of Berkeley were entailed by the grandfather of the deceased, by a fine levied in 23 Edward III, on himself and the heirs male of his body, and as the deceased left only a daughter, they descended on James de Berkeley, as cousin and next heir male to the deceased. Dugdale observes that this James by virtue of the entail enjoyed the castle and Barony of Berkeley and was summoned to Parliament as Lord Berkeley in 9 Henry V and to all the Parliaments that were held in the time of King Henry VI.



In the reign of Henry VII, William Lord Berkeley, having no children, covenanted to assure the castle and Manor of Berkeley, for want of issue of his own body, to King Henry VII and the heirs male of his body, and for default of such issue to his own right heirs, and settled the same accordingly. In consequence of this settlement, William Lord Berkeley obtained the office of Earl Marshal and title of Marquess to himself and the heirs male of his body, and dying without issue, the castle and Manor of Berkeley devolved to the Crown.

Maurice de Berkeley, the brother of William never had the dignity of Baron Berkeley, but having recovered several estates belonging to the family, he died in 22 Henry VII leaving Maurice, his eldest son, who was summoned to Parliament in 14 Henry VIII, but did not have the place of his ancestors, in regard that the castle of Berkeley and those Lordships belonging thereto, which originally were the body of that ancient Barony, then remained in the Crown, by virtue of the entail, and therefore he sat in Parliament as a new Baron, in the lowest place; of which, says Dugdale, he had no joy, considering the eminency of his ancestors and the pre-eminency which they ever had. Though in point of prudence he was necessitated to submit. On his death, however, King Edward VI, who was the last heir male of the body of Henry VII, the reversion of Berkeley castle and all the estates limited by William to that King fell into the possession of Henry de Berkeley as the right heir of William Lord and Marquis of Berkeley in consequence of which he was summoned to parliament in 4 & 5 Philip and Mary and was seated in the place of the ancient barons of Berkeley. The Earldom of Berkeley died out in 1945, but Captain John Barclay, as inheritor of Berkeley Lordship is Baron Barclay of Berkeley. Berkeley is the largest Manor in England, covering 28 parishes. Thus at a

much earlier date than in Scotland (*circa* 1596) the Barons by Tenure in England became *barones minores*. The Barons by Tenure in Ireland follow a similar pattern to those in England after 1170, with an exception in the reigns of Elizabeth I and James I, where Baronies were erected with the purpose of local government by the undertakers.

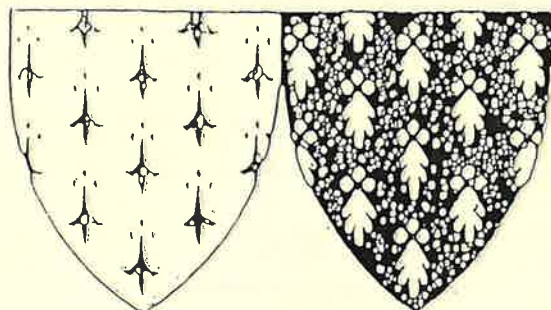


The 12th and 13th centuries were, in a manner of speaking, a baronial or honourial melting pot, some rising to great status and then falling to a manorial holding, as lands and rights were shorn from them, estates divided, or lands escheated and forfeited. A prime example of the land 'peerage', as it were, is the Earldom of Chester which features in the memorial of the Hothfield family in this Catalogue. The Anglo-Norman holders of this Earldom, though sometimes related to the king, were non-royal. The last non-royal holder of the Earldom was John Le Scot by inheritance from his uncle, Ranulph de Meschines, 4th Earl Palatine. The lands of the Earldom were so important that, on the death of John Le Scot in 1244 without issue, King Henry III annexed the Earldom to the Crown, 'lest so fair a dominion should be divided amongst women', bestowing other lands on the late John Le Scot's sister. A similar example in respect of a Barony or an Honour was that of Clare in East Anglia. Ibert de Clare, 7th Earl of Hertford, on his marriage to Joan of Acre, the daughter of King Edward I in 1289, entailed the Honour on the King, and the Honour remains in the Crown. When the Lordship of the Manor of Mitchells, in Essex, was sold about 10 years ago, there was a conveyance dated 1896 and sealed with the seal of the Honour of Clare, setting out that the Queen (Victoria) sitting in her Court of the Honour of Clare, being at Windsor Castle, granted the Lordship or Manor of Mitchells to be held of the Honour by the grantee (the purchaser). William III in 1695 granted (sold) the Honour or Barony of Hastings to Henry Pelham, whose successor, the Earl of Chichester, sold it at auction in 1996. The rights of the Tufton Barons of Westmoreland in that Barony over his mesne Manorial Lords were determined in the Court of Chancery in 1729. George II granted the Honour of Aquila, or the Barony of Pevensey, Sussex, to Earl De La Warr, in 1746, and as late as 1831 the burgesses of Barnstaple gave a fish supper to Sir John Chichester, Baronet, as the holder of that Barony, in return for an indefinite lease of the castle mound in the town. In 1660, Parliament passed an Act bringing to an end the services due to the Crown (and to some other Lords, principally Walsh seignories held by families like the Dukes of Beaufort) from remaining Baronies and some Manors. Most of these dues were purely honorific, such as the provision of a white rose to the king once a year, and they were not exacted, although a few very important services were implicitly preserved, such as that of providing a glove at the coronation when the monarch was invested with the sceptre with the dove, and supporting the king's arm at that point in the ceremony (Manor of Worksop), a right acknowledged by the Court of Claims at all coronations as being apurtenant to the Manor with the exception of the coronation in 1953 when the Manor was held by a divorcee and the office was served by a delegate, Lord Woolton. Most irksome to the holders of Bar-

onies and some Manors were the financial exactions in lieu of knight service and royal wardship of under-age children. Complaints had grown through the 16th century as increasingly needy monarchs had bled these ancient rights for all they were worth. Government was costly, and increasingly so under the Tudors, as society became more complex, but Parliament was seldom willing to acknowledge these expenses in their votes of tax subsidies. Consequently, kings turned to their dubious prerogative powers in an effort to make ends meet. Besides enjoying the estates of minors and demanding sums of money from holders of certain legal forms of land - Baronies and a number of Manors - for the knighting the king's eldest son, or the marriage of his daughter, they turned to the sale of monopolies to individuals and syndicates, granting an exclusive right to import and sell certain goods. Soap and tobacco were the most profitable monopolies, enabling the grantees to charge more or less what they wanted. A crisis was reached during the Personal Government of Charles I when the King ruled without Parliament between 1629 and 1640. With no parliamentary taxation, Charles relied increasingly on the prerogative Court of Star Chamber to extract money from his subjects under numerous feudal rights. A plethora of monopolies was granted and he even levied the prerogative, and legally suspect, tax known as Ship-money by which the country was obliged to pay towards the upkeep of the Navy, a feudal impost last used by Edward III in the 14th century. The former Member of Parliament, John Hampden, brought a test case in the Court of King's Bench against Ship-money in 1637, but as Charles appointed and could dismiss the judges, the Court found against him. When Parliament finally convened for the second time in 1640 - known as the Long Parliament, leading to the English Civil War - monopolies, the royal prerogative in respect of tax, benevolences (forced loans that were not repaid), feudal exactions from Manors and Baronies, and the Court of Star Chamber which enforced the prerogative, were abolished. When Charles's son was restored in 1660, confirmatory Acts were passed in Parliament against these perceived injustices, and similar Acts were passed in the Irish Parliament in the following year.

Some of these ancient traditions are maintained. Worksop has already been mentioned. The Barons of the Cinque Ports still enjoy (ie as at 1953) rights to attend the coronation. The Lord of the Manor of Henley-in-Arden still holds his Courts in the town in November. The Lord of Penrice, South Wales, still gives a pair of silver spurs to his overlord, the Lord of Gower, every two years in a small ceremony, which spurs the Lord of Gower immediately gives back for the next presentation. But insofar as being taxed for the knighting of the monarch's son, or if one leaves an under-age child, Lords need no longer be concerned.

The holder of a (Feudal) Barony would be known as John Smith of X, Baron of X, and his wife, or a woman in her own right, Janet Smith of X, Baroness of X. A Manorial Lord as Mr John Smith, Lord of X, or Lord of the Manor of X, and his wife or a woman in her own right, Mrs Janet Smith, Lady of X, or Lady of the Manor of X.



Three Herefordshire Lordships

THE area of the county in which the Lordships of the Manor and villages of Pipe & Lyde, Much Birch, and Peterstow are located was for centuries a 'march', fought over by Britons (the Welsh) and Anglo-Saxons, in which the latter - after 1066 as the Anglo-Normans - would eventually prevail. They were not the first to attempt an invasion of Cambria (Wales). These were the Romans in the first and second centuries AD, penetrating south-west and establishing 'stations' in Monmouthshire (Gwent) and Carmarthen: Caerleon still retains its Roman name. Under the Emperor Trajan (d AD117), the legions advanced along the north coast of Wales as far as Anglesey, on which island, according to Tacitus, the historian, the Druids were slaughtered during and after a vicious battle, their religious woodlands hewn down in the interests of 'Roman progress.'

In PIPE est una hida . geld . Ibi . i . car . 7 xvi . ac pti . Val . v . sol .

In LEODE sunt . ii . hidæ geld . Ibi . i . car . 7 dimid in dñio

7 iii . uilti cū . iii . car . 7 dimid . Ibi . i . ancilla . 7 adhuc possit
ēē . in dñio dimid car . Ibi . viii . ac pti .

Domesday Book entry, Pipe

When the Roman legions finally left Britannia at the beginning of the fifth century, southern Britain was, so to speak, an open goal to an influx of marauders, and soon to be settlers, from Saxony (then north Germany, just south of the Danish peninsula of Jutland), taking their name, it is thought, from the German Angeln tribe. The story of the invasion is still taught somewhat simplistically, in that the Britons - many of them christianized in the last century of Roman rule - were driven into Wales, as also into modern Cumbria, the Scottish Lowlands, and Devon and Cornwall. One might gain such an impression from St Gildas, probably a British bishop living in Wales, who wrote *The Ruin of Britain* in the mid-fifth century, in which we learn, *inter alia*, that the wealthier Britons left for northern France, colonizing and giving their name to Brittany. In fact, most Britons must have stayed put in England and inter-married with Angles, Saxons, Jutes, and other incomers from continental Europe, according to Charles Mosley, formerly Editor-in-Chief of Debrett, writing in *Blood Royal* (published by the Manorial Society of Great Britain in 2002). There was, according to this author, no apartheid bar or genocide policy towards Britons, and several early West Saxon kings had British names, such as Cerdic, suggesting marriage into a British-Cornish family of high status. Indeed, Wessex and Mercian kings were soon making marriage alliances with daughters of British chieftains, or princes, in Wales. This did not necessarily stop the tension between Saxon and Briton, but such contests for territory were dynastic, not racial, particularly once the incomers had converted to Christianity, which was completed by the mid-eighth century. Indeed, British-Welsh priests served as missionaries to the Anglo-Saxons, and the most famous of all the Welsh-bred evangelists was St Patrick, a Briton, who is credited with converting Ireland in the fifth century. By about 870, there were three great Welsh principalities: Gwynedd in the north, centred on Bangor, Powys in the middle, centred on Welshpool, and Deheubarth in the south, centred on Dinevowr (Dinevor). It is the third which concerns us.

Ist Rog' ten' LVDE . 7 Rad de eo . Bruning tenuit . Ibi . i . hida .

In dñio sunt . ii . car .

Valuit . xl . sol . Modo . lx . sol .

Domesday Book entry, Lyde

There was no county of Hereford in the Middle Ages, and Deheubarth covered roughly east Carmarthen, Gwent, parts of Brecknock, and south-west Herefordshire, an area once called Ewyas, from the British word Gwys or Gwias, implying a battle ground, later to become a hundred (an administrative unit, see Glossary), and now recognized only as a small village. Two other areas, also scarcely suggesting their importance twelve hundred years ago, were Archenfield and Wormelow. Archenfield is now a rural deanery in the Church of England, and Wormelow a village, formerly a hundred.

This division of Wales was made, according to the story, in the late ninth century by Roderick the Great, Prince of all Wales, who gave Gwynedd, Powys, and Deheubarth to his three sons. Deheubarth passed to Anarwd. The territorial name was shortly changed to Dinevowr because the chief of that principality held Dinevowr Castle, whose remains can still be seen. Anarwd's son was Howel Dha, who established a kind of sovereignty over most of Wales. He summoned a meeting of the great in his principality, bishops, local leaders, priests, at Y Tay gwyn ar Taf (his palace called the White House, on the River Taf).

ROGER de Lacj ten' MAINAVRE . Costelin tenuit . T.R.E.

Nē filius ej' ten' de Roger . 7 ibi sunt . iii . car . 7 redd . vi .

sextar' mellis 7 x . solid .

℥ mellis .

Ibi hē Roger unū Walensē . reddtē . v . sol . 7 unū sextar'

Domesday Book entry, Much Birch

The intermixing of English and Welsh land law customs is reflected in names in this part of Herefordshire, and is visible at this meeting, or council in the early 10th century. It appears that the Welsh 'cantref' may approximate to the Anglo-Norman Barony, or sometimes Castlery. Very roughly, to follow John Duncumb (short title, *History of the County of Hereford*, 1812),

four dwellings were to form a rhandir; four rhandirs were known as a Ganell or Garell; four ganells were a township; four townships were a manor; 12 manors were a comot; and two comots were a cantref. Welsh hides appear in Domesday Book under Hereford, and Welsh customs are observed on such matters as their measurement and inheritance. Some of the tributes in Domesday are predominantly Welsh: honey and sheep.

Kings of the English also granted lands in this march to men who were expected to build a castle from which to subdue the Welsh and to bring them into obedience. The last Anglo-Saxon attempt to conquer the Hereford/Welsh march was undertaken successfully in the 1060s by Earl Harold Godwineson, the last Anglo-Saxon king of England, as Harold II. He was defeated and killed at the Battle of Hastings in 1066, his death from being struck in the eye by an arrow being depicted in the Bayeux Tapestry. (Interestingly, the English - whose longbow was to become famous later - had never had archers in Anglo-Saxon armies, or cavalry). Harold brought much of Archenfield, between the rivers Wye and Monnow, under English control, and Ewyas was established by the Earl as a fortification against the Welsh. Under the Conqueror, it became an Honor, held by Roger de Lacy, whose surname is reflected in the village name today as Ewyas Lacy.

The Normans had established an Honor at Wilton, near Ross-on-Wye, by 1100 where Hugh de Longchamp would soon preside from a stone-built castle. Much Birch and Pipe and Lyde were tributary Manors to this Barony.

The Norman Earl of Hereford was William FitzOsbern, who was the king's vicegerent in Herefordshire, handing out lands to Norman families, and running the king's properties there. It was a palatine earldom. Domesday Book hardly notices this important person because it is really only concerned with who the owner of the soil was in 1066 - when the Normans conquered - and 1086, when the Great Survey was undertaken. Earl William ruled in the 'county' from 1067 until his death in battle in 1071. Much of the allocation of lands by FitzOsbern is missed in Domesday, therefore, yet he was the man who enfeoffed the de Lacys who figure prominently in Domesday Book by 1086, and many others. He was married to Adeline, sister of Ralph de Tosny, and his brother was Bishop of Exeter. Earl William was joint regent of the kingdom with the king's half-brother, Odo Bishop of Bayeux, during the Conqueror's first return to Normandy in 1067.

To complete this short introduction to the Herefordshire Lordships, being offered on behalf of Guy's and St Thomas's Charitable Trust, Earl William established what was probably a motte and bailey castle, at Monmouth, built on an artificial mound and surrounded by a wooden palisade. This was designed to advance the Anglo-Norman entry into south Wales, and also to defend Archenfield and Wormelow from Welsh attacks. On the ground, in this march, compromise was key and truces and other arrangements were made by the Normans with the Britons of Wales. The book of *Llan Dâv* tells how Monmouth Castle was built in King William's reign and how Earl William of Hereford gave half of it to three barons, Humphrey, Osbern, and William the Scribe who made up the complement of the garrison. The Norman rebellion against King William, of 1075 - joined by Earl Roger, who had succeeded his father in 1071 as Earl of Hereford - resulted in an accommodation with a Welsh leader, Wihenoc (*gueithenauc*), during whose tenancy Bishop Herwald of Llandaff consecrated a church in the castle in the presence of King Caradoc, son of Gruffydd ap Rhydderch, King of Gwynllwg and Upper Gwent. Wihenoc so far entered an alliance with the Normans that he founded a priory at Monmouth, after 1075, making it a dependency of St Florent of Saumur, Normandy, and became a monk at his new foundation.

The Lordship of Pipe & Lyde



de Lacy

BISHOP Walter of Hereford held this Manor at the Domesday Surevy in 1086, in which is is described:

In Pipe one hide which pays tax. One plough there. Meadow 16 acres. Value five shillings.

In Lyde two hides which pay tax. One and a half ploughs in Lordship; three villagers with three and a half ploughs. One female slave; a further half plough would be possible in lordship. Meadow eight acres. The value is and was 40 shillings. A man-at-arms holds from the Bishop.

A further entry:

Lyde. Ralph holds from him, (Roger de Lacy). Browning held it. One hide. In lordship two ploughs. The value was 40 shillings. Now 60 shillings.

In other words, Lyde was divided between two Lords of the Manor. Roger was the son of Walter de Lacy who, apparently, attended Duke William of Normandy to Hastings in 1066. Ilbert, or Ibert, was another de Lacy, but to what degree these men were related has not been ascertained. His landholdings in Yorkshire at the Domesday Survey were vast, but he was also one of the Norman barons who received lands from Earl William of Hereford in the period 1067-71.. He died in

1084 and was succeeded by his eldest son Roger, who appears in Domesday. He built a castle at Ewyas which became the head of his Barony. We shall come to his second brother Hugh soon, and his third brother Walter was a monk at St Peter's Abbey, Gloucester.



Hugh de Lacy

William I (Conqueror) died in 1087 and he left the kingdom of England to his eldest son who is known as William II Rufus for his red hair, and the duchy of Normandy to his second son, Robert Curthose. Duke Robert wanted to join Pope Urban II's crusade - announced at Clermont Ferrand, southern France, in 1095 - to recapture Jerusalem and the Holy Land from the Muslims. Being short of money, he mortgaged his duchy to his brother, the king of England, and fought valiantly in Palestine, according to John of Huntingdon, writing his *Chronicle* in the 1120s and 1130s. One imagines that he returned to Normandy as a hero, but his brother King William II had grown attached to the Duchy of Normandy and declined to return it. William Rufus stands out as a tyrant in an age of tyranny, and numerous Anglo-Norman barons joined Duke Robert in rebellion, including Roger de Lacy. Roger's lands in Herefordshire and elsewhere in the adjoining counties of Shropshire, Gloucester, and Worcester were forfeited, and King William granted them to Roger's younger brother Hugh.

And it is in this period that the Normans concentrated their efforts in the conquest of south Wales. Sir John Dodderidge - a Justice in King's Bench and antiquary in the 18th century - created the term the Barons Marcher for these leaders. They are sometimes known as Lords Marcher, and one such today is the Duke of Beaufort who is Baron Marcher of the Gower. According to Sir John, these Norman barons enjoyed palatine powers (from the Latin meaning 'of the palace': ie acting very nearly as local kings). They held courts, administered justice to their tenants, and possessed immunities and privileges, most important of which that the king's writs were served on them for execution and not on the sheriff - the valuable profits of justice and taxation, which roughly meant that the 'third penny' (ie a third of money collected) belonged to them.

Hugh established the Priory of Llantony in Wales, but died without issue, leaving his great estate to his sisters, Ermeline, who had no children, and Emma, whose son Gilbert assumed the surname of Lacy when he succeeded. He joined the Knights Templar, a military hospitaller order, based in Paris, but with outposts from London, through Constantinople (Istanbul), to Jerusalem and became very rich as the bankers of the kings, princes, and noblemen of Europe.

He was succeeded in Herefordshire by Hugh (whether brother or son is not known), who took part in the first Anglo-Norman invasion of Ireland by Richard Clare, Earl of Pembroke, known as 'Strongbow'. He was governor of Dublin and married the king of Connacht's daughter, but was murdered in 1181 by Malvo Miedaich, an Irishman. He had two sons - Walter, of whom more in a moment, and Hugh, described by Matthew Paris as a great soldier, and was made Earl of Ulster by King John. His daughter and heir Maud de Lacy married Walter de Burgh, becoming the ancestress of many of the noble families of Ireland to this day.

His elder brother Walter, who also had extensive Irish lands, married Margaret, daughter of William de Braose, Baron of Brecknock. Their daughters and heirs were Maud and Margery, the latter succeeding to the Barony of Ewyas Lacy and Herefordshire Manors. For the record, this branch of the de Lacys terminated in the male line in Hugh de Lacy, Earl of Lincoln and Salisbury, who was succeeded at his death by his daughter Alice, the wife of Thomas Plantagenet, Earl of Lancaster, ancestor of John of Gaunt and King Henry IV (1399-1413).

The Barony of Ewyas Lacy and its Manors eventually passed to Margery, who married John de Verdon, and they were ancestors of John Talbot, 1st Earl of Shrewsbury, created in 1442, and first Earl of Waterford and Hereditary Lord High Steward of Ireland, created in 1446. The family of present Lord Shrewsbury, the 22nd Earl, who is a member of the Governing Council of the Manorial Society, retained some of their Manors in Herefordshire into the 19th century, selling Pipe & Lyde to the Clarks, Thomas Clark being Lord of the Manor in 1851, after which the Lordship was acquired by the Governor of Guy's Hospital.

The church of St Peter is Norman, dating from about 1100, and was very possibly built with assistance from Roger or Hugh de Lacy. The tower, which contains four bells - there used to be six - was added in 1250, and topped with a spire in about 1816. The chancel is early 14th century and there is a stained east window. Near what was the vicarage are two trees, a yew and an ash, both fenced in by iron railings, and there is also a stone tablet, said to commemorate a meeting of the justices of Hereford and Shrewsbury, the importance of which is somewhat opaque. The parish, which seems to be coincident with the Lordship, includes the hamlets of Upper and Lower Lyde, and covers approximately 1,640 acres. It lies about three miles north of Hereford, the county town.



The Lordship of Peterstow

THE *Peterstowe Millennium Book* (2000) mentions that this village was one of three royal Lordships established by King Henry I, in about 1100, under the Honor or Barony of Wilton-on-Wye, which is surveyed in Domesday Book (1086) under the name of Cleeve:



VISCOUNT TREDEGAR.

Cleeve. Earl Harold held it. Fourteen and a half hides, with an outlier named Wilton. In Lordship four ploughs. Twenty villagers, a reeve, and 11 smallholders and one ploughman. Two mills at 16 shillings. To this Manor belong many Welshmen as have eight ploughs; they pay ten and a half sesters of honey (rent) and 6s 5d. St Mary's of Cormeilles (in Normandy) holds this church of the Manor, a priest and a tithe, with one villager (possibly owing services to the local priest in return for his landholding). In King William's forest there is much land of this Manor as paid six sesters of honey and six sheep with lambs before 1066. Godfrey holds one virgate (see Glossary). Roger de Lacy holds half a fishery which belonged to this Manor before 1066: 25 measures of salt from Droitwich (Worcestershire) then belonged there also. At that time (1066) there were in this Manor two hides, less one virgate, which are in Ashe (Ingen). Alfred of Marlborough holds them now. Harold was holding them when he died (at Hastings, 1066). The Shire (Court) states that they are this Manor's. This Manor pays £9 10s. blanchd pence (possibly, coins coated in tin to preserve their value).

The Manor belonged to King William I. Note that Earl Harold Godwineson held it in 1066. This person was, in fact, King Harold II, who, according to the Normans, had usurped the throne on the death of King Edward the Confessor. The justification for the Norman invasion was that Duke William claimed to have been nominated as his successor by the childless King Edward. Since the histories of the time and later were written by, or with the conquerors in mind, this story stuck, although there is no evidence of such an agreement between King Edward and Duke William. By omitting Harold Godwineson as king, and referring to him as only an earl, the Domesday scribes were asserting King William's legitimacy: an early example of air-brushing out a competitor.

Cleeve was soon known as Wilton and a stone castle was built there, the remains of which are extant and have been renovated by new owners. King Henry granted the Barony to Hugh de Longchamp and we may assume that this included Peterstow, which - between 1045 and 1104, was known as Llanpetyr, a Welsh name. The Welsh name is now Lampeter. The *Peterstow Millennium Book* states that its modern Ebglish name first occurs in 1278 as Petrestowe, and was variously spelt into the 18th century as Petrustoye and Pitstowe. It is worth noting that there was no conformity in English spelling until the late 18th century with the publication of Dr Johnson's Dictionary; and in the United States until 1819 with the publication of Webster's English Dictionary. It is possible that Hugh, or a member of his family, married into the de Lacys. In about 1190, there was another Hugh de Longchamp (perhaps a descendant or other relative) who was Justiciary of England during Richard I's participation in the Third Crusade between 1190 and 1194. He does not seem to have had any landed interest in Herefordshire, however, and it is more likely that, through marriage, the Wilton and its Manors passed to Milo of Gloucester, *suo* Earl of Hereford. The grant was made by the widowed Empress Matilda or Maud, daughter and heir of King Henry I (d 1135), and claimant of the English crown against her cousin, Stephen of Blois (r 1135-54).

Milo died in 1143 and was succeeded by his son Roger who died childless, the property passing back to the crown. One account suggests that Wilton was re-granted in 1156 by King Henry II to another Hugh de Longchamp, and that the Wilton Manors remained in the family until 1282. Be that as it may, by 1205, King John made William Cantilupe governor of Wilton Castle and Sheriff of the county. A branch of the Longchamps may have retained the Manors and regained possession of the castle, for in 1279, Reginald de Grey - a longtime adviser to King Henry III (r 1216-72) - had livery of his lands. He had married Maud, daughter and heir of William, Lord FitzHugh (Longchamp).

We are on firm ground with the acquisition of Peterstow and the Wilton Lordship and Manors by Thomas Guy, founder of Guy's Hospital, in the early 18th century. By the 19th century, the principal landowners were Guy's and Lord Tredegar, whose company was extracting iron ore in Peterstow. The Tredegars were Welsh, descending from Cadifor Vowr, Lord of the Manor of Kilsaint, in the person of Llewellyn ap Ivor, Lord of St Clere and Gwinfar, Carmarthenshire, in the 15th century. Llewellyn married Angharad, daughter and heir of Sir Morgan ap Meredyth, Lord of Tredegar, the family soon adopting the surname of Morgan.



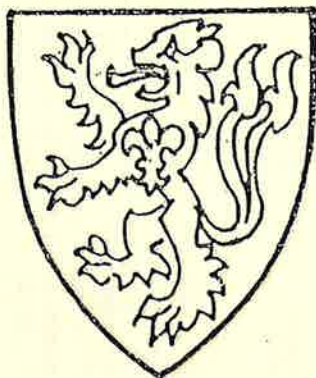
The family was typical of those of their type in the 16th and 17th centuries, who garnered wealth by their own efforts and through marriage, becoming linked to Welsh and English gentry, Thomas Morgan marrying Rachel, daughter of Lord Hopton of Strattorn, in 1621. His grandson, William Morgan, was the first in the family to become Lord Lieutenant of Monmouth and Brecon, and was knighted. But his real breakthrough into the highest classes came with his marriage to Lady Rachel Cavendish, daughter of the 2nd Duke of Devonshire, of Chatsworth.

Thereafter, being an MP and later a lord lieutenant followed generation after generation, and John Morgan was created a baronet in 1792. His grandson Charles was elevated to the peerage in 1859 as 1st Lord Tredegar, and Lord Tredegar's son was promoted to a viscountcy in 1905, which honours expired with the death of the 6th Lord Tredegar in 1962. All trace of this line of the Morgans is now lost... *sic transit gloria mundi*.

The village of Peterstow is attractive on the Herefordshire Trail public footpath. The Yew Tree public house remains, and there was the Red Lion pub into the 1930s. There is still a post office and a bakery, with a satellite shop in Ross-on-Wye, about three miles south-east. The Manor covers approximately 2,300 acres.

The church of St Peter's is said to have been founded by Earl Harold in the early 1060s, and was consecrated by Bishop Herwald of Llandaff, whom we met in the introduction. Some portions of the church are from this period, but most are Norman or 13th century. The 15th-century tower has four bells, and there is a village common.

The Lordship of Much Birch



de Lacy

THIS Lordship lies about six miles south of Hereford, the county town, and seven and a half miles north-west of Ross-on-Wye. This has one entry in Domesday Book:

Roger de Lacy holds Birch. Costelin held it before 1066. Now his son holds from Roger. Four ploughs there. He (Costelin) pays six sesters of honey and 10s. Roger has one Welshman (a tenant) who pays (him) 5s and one sester of honey.



This Manor descends in the same way as that of Pipe & Lyde. Rather than simply repeat the narrative above, we think it will be useful to give a diagrammatic family pedigree for the de Lacy family. Please note that the further one goes back into a family history, the fewer the documents that are available (if any), or other primary sources, such as churchyard headstones and memorials. Not even the Royal Family can go back safely much before King Alfred the Great (r 877-99) in their English genealogy, while their Norman and German ancestry is particularly vague. Their Scottish ancestry is rather good. For the Royal Family, which takes account of the de Lacys, see *Blood Royal, from Alexander the Great to Queen Elizabeth II* (2002) by Charles Mosley, published by the Manorial Society to mark The Queen's Golden Jubilee.

St Mary's church was demolished in 1837 and rebuilt, one of those acts of Victorian vandalism perhaps. Until the Second World War, there were three shopkeepers, a baker, a grocer, shoemaker, and post office. The pub was the Axe and Cleaver. The Romans had a military encampment here, a surviving rampart of which has good views over the surrounding countryside. It was almost entirely agricultural country, the largest owner being the Governors of Guy's Hospital, who are still the Lords of the Manor in the persons of the Trustees of Guy's and St Thomas's Charitable Trust. Birch House and Birch Lodge reflect their ancient manorial status.



DESCENT OF DE LACY

Walter de Lacey or Lacy, Baron de Lacy by tenure came to England with William the Conqueror, 1071 ob 1089

Roger de Lacy, 2nd Baron
Welsh lands given to his brother after his punishment temp Wm Rufus

Hugh, 3rd Baron, founder of Llanthorn Abbey, dsp before 1121

Walter, in Holy Orders, Abbot dsp 1139

Emma or Emmeline = ?

Gilbert de Lacy, 4th Baron, assumed name de Lacy = ?

Hugh de Lacy, 5th Baron
Justiciary of Meath, k 1186

Rosea = Gilbert de Nugent

Walter de Lacy, 6th Baron, ob 1241

Margaret or Marion, dau of William de Braose before 1234

Robert, died before 1234

Hugh de Lacy = (1) Lesceline, dau of Bertram de Verdon (2) Emmeline, dau & co heiress of Walter de Riddlesford

Elayne = Richard de Beaufoi

A daughter = William FitzAlan

William de Lacy = ? dau of Llewelyn k in battle 1233

Thomas (?)

Gilbert de Lacy = Isabel

Katherine

Egidia = Richard de Burgo or Burgh

Matilda = David (Fitzwilliam) FitzGerald, Baron of Naas

A dau = Alan, Earl of Galloway

Walter

Roger

From whom the Princes of Wales

From whom two Barons of Naas, William de Londres & the Prestons of Gormanstown (see later pedigrees)

Walter de Lacy = ? dau of Theobald Butler

Margaret = John de Verdon Inherited moiety of Lordship of Meath, Castle of Trim

Matilda = Geoffrey de Gerneville Inherited moiety of Lordship of Meath, 1264, ob 1271

Walter de Burgo, or Earl of Ulster = Avelina, dau of John FitzGeoffry

Agnes = Henry Neitervren

From whom Theobald de Verdon, Justiciar in 1314, and in the female line the families of Nevill, Talbot, Howard, & Stourton

From whom the Mortimers, Earls of March, & Richard Plantagenet Duke of York, father of Edward IV

Ancestors of Earls of Clancricarde

The Lordship of Wadsworth, Vale of Calder, West Yorkshire

ESSENTIALLY, this Lordship, like Denby, West Clayton, and Greetland - which are also offered in this Catalogue - has been one of a group in family ownership from the Norman Conquest until now. The present owners are the Trustees of the Savile Estates, established in the late nineteenth century when it included about twenty Manors in this part of Yorkshire. Seven or eight of these were sold in the 1980s by the late third Baron Savile, and most of the remaining ones will follow.

It near Heptonstall and it is said that in this area Paulinus, the first Bishop of York, preached a sermon here in about AD625. Paulinus, who was later canonized, accompanied the Christian princess Ethelburga as her chaplain, when she travelled north to marry King Edwin of Deira (Yorkshire and north Lincs) which with Co Durham and Northumberland formed the Angle kingdom of Northumbria. She was the daughter of King Aethelred of Kent, who received St Augustine in 597. King Edwin was a pagan, but had promised to hear Paulinus and eventually converted after a council of his advisers, probably at Yeavering.

The manor had probably been part of a sub-kingdom known as Elmet, centred on Leeds, ruled over by Cerdic (a British name) into the first years of the seventh century.

Shortly after the Battle of Hastings, there was a rising of northern earls against King William in 1069-70, causing him to take an army through Yorkshire and other counties, razing towns and villages to the ground. One such Norman baron was Ilbert de Lacy. The devastation was so severe that, sixteen years later - when Domesday was compiled - the resulting retribution for rebellion was still palpable. Much of the county is described as 'waste' in Domesday Book and the Survey is vague about Wadsworth - as it is of many other places in the county - in that it may have been Old Town, now an area, in this Lordship. Ilbert, however, or a near descendant, was very probably the Lord by the 12th century.

The surname Lacy is derived from the family estate at Lassy, Normandy, department of Calvados, and was probably a vassal of Bishop. Ilbert's principal seat in Yorkshire was Pontefract Castle, which was the head of his Barony (or Honor), which included 144 Lordships in Yorkshire, ten in Nottinghamshire,



de Lacy

and four in Lincolnshire. He was succeeded by his son Robert, who had these lands confirmed by King William II Rufus, but he and his son another Ilbert were exiled by the Second William's successor, King Henry I, when they joined the party of the new King's elder brother, Robert Curthose, in rebellion. The royal patrimony was not yet impartible and the Duchy of Normandy was granted to the Conqueror's second son, Robert Curtose. His eldest son became King William II, and his youngest son Prince Henry bided his time.

Robert Curtose (so-surnamed for his fine legs) wanted to join Pope Urban II's Crusade, declared at Clermont Ferrand in 1095, and needed money, so he mortgaged his Duchy to his brother, the King of England. On his return from the Holy Land in 1099, King William II was in no mood to restore so valuable a territory. The following year, King William II was killed by an arrow while hunting in the New Forest, Hampshire, by Walter Tyrrell. Historians still dispute whether this was an accident or an assassination. At any rate, Prince Henry was quick to secure the Royal Treasury at Winchester, declare himself King, and marched to London where he was crowned. Unsurprisingly, Duke Robert thought that he ought to have been king and the next six years were spent in internecine warfare, when Robert was finally defeated at Tinchebrai, France, in 1106, captured, and kept a prisoner in Norwich Castle by his younger brother until his death twenty-five years later.

As with such weighty disputes, the nobility on both sides of the Channel joined in. Sadly for Robert de Lacy and his son Ilbert, they picked the losing side, being lucky to forfeit their great estates and not their lives.

Their time would come again, but in the interim, King Henry I gave the Barony of Pontefract and the de Lacy Manors to Henry Travers, who died almost immediately - but having just enough time to be tonsured as a monk to smooth his path to heaven, as people believed then. The de Lacy patrimony was granted to Guy de Val, who died an old man at about the same time as King Henry I, in 1135.

That king left as heir an only daughter, Matilda, the widow of the Holy Roman Emperor Sigismund, and has been known in England ever since simply as the 'Empress.' The Empress was passed over as queen in favour of Count Stephen of Blois, the next male heir, who became King Stephen. Again, the nobility divided between those for the King and those for the Empress, who had remarried Geoffrey Plantagenet, Count of Anjou, western France, known as 'Geoffrey the Handsome.' This time, a now elderly Ilbert de Lacy was re-granted his estates in Yorkshire, in 1138, where he distinguished himself at the Battle of the Standard (Northallerton, Yorkshire) on behalf of the King fighting a Scottish invasion.

Ilbert was succeeded by his brother Henry who promptly declared his allegiance to King Henry II, on the death of Stephen, in 1154. Henry was the son of the Empress and Count Geoffrey, and was the first of the Plantagenet race to sit on the English throne. Subsequent de Lacys served King Richard I on the Third Crusade and helped his sovereign take Acre, just south of modern Beirut, in 1192. His son and heir John, who became Earl of Lincoln in right of his wife, joined the baronial faction who forced King John to sign Magna Carta, but made

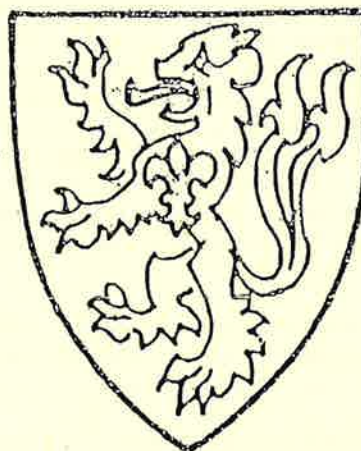
peace with that King the next year and his successor, King Henry III, being confirmed in his castles at Pontefract and Dunnigton, and the de Lacy Manors in Yorkshire.

The de Lacy interest ended sometime fairly soon after this, for in 1253, John Warrene, Earl of Surrey - ancestor of the present Duke of Norfolk, Earl Marshal of England - claimed free warren (see Glossary) in his manors, the sort of franchise to gaming for rabbits asserted by many Manorial Lords. How the Lordship devolved until the 16th century is obscure, but in 1558 Sir Henry Savile was Lord on his death, passing down the line of the Saviles, who became Baronets. On his death in 1642, Sir Charles' will left funds for the building of Heptonstall Grammar School, which is now a museum.

By the beginning of the 18th century, Wadsworth and the other manors in the present Savile Estate had passed to the Earl of Scarborough (Lumley). This family had already begun building up an estate here. By the marriage, in 1752, of Barbara, younger sister and heir of Sir George Savile, Baronet, to Richard Lumley-Sanderson, fourth Earl of Scarborough, the Yorkshire Manors, sometimes also called the Thornhill Estate, and the Rufford Manors, in north Nottinghamshire passed into the Lumleys. A descent of Lumley family is given with this memoir. John Lumley-Savile, eighth Earl of Scarborough, never married, but 'by a French woman' had a child, John Savile-Lumley. On the death of the eighth Earl, this illegitimate son was left the Yorkshire Estate, including Wadsworth, which is now offered by the Savile Trustees. John Savile-Lumley (the double barrel was reversed) was created Baron Savile by Queen Victoria in 1881.

Local Anglicans attend the church in Heptonstall. The Lordship occupies the enormous area of about 10,400 acres and is lofty moorland, forming the northern edge of the Vale of Calder. Halifax is the nearest large town.

There is a considerable archive of manorial and estate papers, under Savile-Lumley, Barons Savile at the West Yorkshire Archive Service, Kirkless, accessible on the internet: www.nationalarchives.gov.uk and follow instructions.



de Lacy

DESCENT OF DE LACY

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came to England with William the Conqueror, 1071
ob 1089

Roger de Lacy, 2nd Baron
Welsh lands given to his
brother after his punishment
temp Wm Rufus

Hugh, 3rd Baron, founder of
Llanthorn Abbey,
dsp before 1121

Walter, in Holy Orders, Abbot
dsp 1139

Emma or Emuneline = ?

Gilbert de Lacy, 4th Baron, assumed name de Lacy = ?

Hugh de Lacy, 5th Baron
Justiciary of Meath, k 1186

(1) Rohies (Rose) de Monemue (Monmouth)
(2) Rose O'Connor, dau of Roderic O'Connor, King of Connaught

Rosea = Gilbert de Nugent

Walter de Lacy,
6th Baron,
ob 1241

Margaret or Marion,
dau of William de Braose

Robert, died
before 1234

Hugh de Lacy
Earl of Ulster
ob 1242

(1) Lesceline, dau of
Bertram de Verdon
(2) Emuneline, dau & co-
heiress of Walter de
Riddlesford

Elayne = Richard de
Beaufoi

A daughter = William
FitzAlan

William de Lacy = ? dau of
Llewelyn

Thomas (?)

Gilbert de Lacy = Isabel

Katherine

Egidia = Richard de
Burgo or Burgh

Matilda = David (FitzWilliam)
FitzGerald, Baron of Naas

A dau = Alan, Earl
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From whom the
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Duke of York, father of Edward IV

Ancestors of Earls of Clannricarde

The Lordship of Hamstall Ridware Staffordshire

THE PARISH and village of Hamstall Ridware lies in the Vale of Blyth and in the ancient Hundred of North Offlow, bounded on the south side by the River Trent. It is situated about five miles from Rugeley and eight miles from Lichfield, the capital of Offa, King of Mercia in the eighth century.

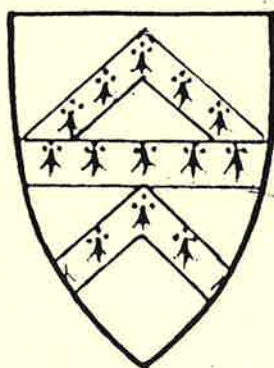
In the reign of Edward the Confessor, a Saxon freeman held this Manor under the Earl of Mercia, but by the time of the Domesday Survey in 1086 the Manor of Hamstall Ridware had been re-granted to Walter, a knight serving under the Norman Earl of Shrewsbury. According to the survey Walter held one virgate of land, together with ploughable land measuring one caracute with four and a half acres of meadow where there were two servants and four villiens. There are two further entries in Domesday recording the Manor. The entries read:

Robert (of Stafford) also holds 3 virgates of land in (Hamstall) Ridware.

Herman holds from him. 3 Thanes held it; they were free men. Land for 4 ploughs. In Lordship 1, with slave 1. A free man held 1 virgate of this land

(Hamstall) Ridware. Walter hold from him. 1 virgate of land.

Land for 1 and half ploughs. 2 slaves; 4 villagers. Meadow 4 acres, woodland 1 league long and half wide. Value 5s.



Peche

As was not uncommon, the Lord of the Manor assumed as his surname his place or principal seat of residence, thus William de Rydware is recorded as holding the Manor of Hamstall Ridware in the reign of Henry I (1100-35) and again in the reign of King Stephen (1135-54). A second Walter de Ridware possibly a descendant of William, is recorded as Lord of the Manor in 1241, but had died by 1253 since at that time his widow, then recorded as Maud Peche, is shown as holding her dower in the Manor. William de Ridware, perhaps son of Walter and Maud is later recorded as Lord of the Manor in the reign of Edward I (1272-1307). In 1256 William is recorded as giving land to the Church of Scheyl and the same family were still holding the Manor in 1316 when Sir Thomas de Rydware is recorded as the Lord. On the death of Sir Thomas de Rydware his son Sir Walter Rydware inherited and is recorded as Lord of the Manor in 1335. However, in the absence of male heirs, the estate passed



to his grand-daughter who then carried the title in marriage to William Cotton. For the next 150 years, the Lordship descended in the Cotton family until their heiress Maud married to Sir Anthony FitzHerbert as his second wife. Sir Anthony was appointed to high office in the legal profession; in 1520 he was the Judge of Common Pleas and continued in high office in the reign of King Henry VIII (1509-1547). From the FitzHerbert family the Lordship of Hamstall Ridware passed in 1601 to the important land owning family of Leigh, becoming Lord Leigh of Stoneleigh Abbey, which was sold recently. The descent of that family lies on the following pages.

The church of Hamstall Ridware dates from at least the 13th Century and is dedicated to St Michael. It contains 13th century arcades and the communion plate, a beautiful silver chalice and patten dating from about 1350 on loan to the Victoria and Albert Museum. The church register dates from 1598. Among the inscriptions and memorials in the church the tomb of Richard and John Cotton of 1502, with their shields, and their eight sons and six daughters, each shield surmounted by an eagle with a portrait and short history. Jane Austen stayed with her uncle at the Rectory at Hamstall Ridware when writing different chapters of her books.

Documents associated with this Manor:

Court Rolls	1312
Manor Court	1545-1546
Bailiffs Accounts	
Court Rolls	1402-1403
Schedule of Tenants	1590
& Rental	
Court Rolls	1434-1436
Book of Courts Baron	1721
Court Rolls	1443-1444
View of Frankpledge	1723-1724
Court Rolls	1448-1450

DESCENT of LEIGH, LORDS LEIGH, sometime Lords of Hamstall Ridware

Hamon de Leigh, living temp HENRY II ((1154-89) = ?
held half of Manor of High Leigh, Cheshire,
great grandfather of

Richard Leigh = ?

Agnes = (1) Richard de Lymm, Cheshire
(2) William de Haywardyn
(3) William Venables

(3)

John Leigh = (1) Ellen, dau of Richard Dent, of Cheshire
(2) Ellen, (*sic*), dau of Thomas Corona, of Adlington, Cheshire

Robert Leigh, of Adlington, living 1330 = (1) Sybil, dau of Henry de Hanford, Cheshire
(2) Maud, dau of Adam de Norley

Sir Piers Leigh, of Lymm, carried the Black Prince's Standard at the battle of Crécy (1346), executed 1399 = Margaret, dau of Sir Thomas Dammary of Bradley

Sir Peter Leigh, killed at battle of Agincourt (1415) John Leigh = Alice, Lady of Ridge, dau of John Alcock

Richard Leigh = ?

Roger Leigh of Shropshire = ?

William Sir Thomas Leigh, born 1504, Lord Mayor of London, 1559, died 1571 = Alice (d 1603) dau and heir of John Barker or Coverdale, heir of Sir Rowland Hill Kt, who bought Stoneleigh Abbey from the Trustees of the Duke of Suffolk

Rowland of Adlestrop, Glos, died 1596 = (1) Margery, dau of Thomas Lowe
(2) Catherine, dau of Sir Richard Berkeley

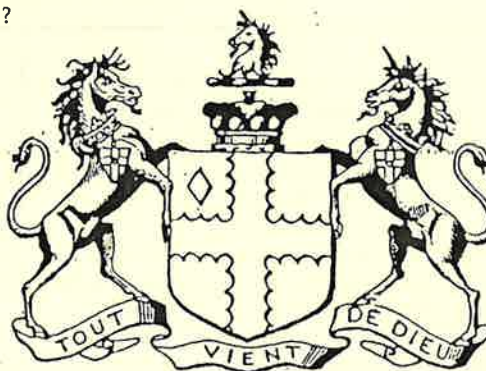
(2)

William, d 1632 = Elizabeth, dau of Sir William Whorwood, of Sandwell Castles, Staffs

William, d 1690 = Joanna, dau of Thomas Pury

Theophilus, d 1725 = (1) Elizabeth, dau of Sir William Craven, of Lenchwick, Worcs
(2) Mary Brydges, dau of 8th Lord Chandos, of Sudeley

William, d 1774 = Lady Caroline Brydges, dau of 2nd Duke of Chandos



James Henry, d 1824
inherited Stoneleigh
Abbey from his kinsman
Edward Leigh, 5th Baron
Leigh of the earlier
creation (who died insane
and unmarried, 1786),
d 1823 = Julia, eldest dau of Viscount
Sage and Sale, of Broughton Castle, Oxon

Chandos Leigh, created (1839) Lord
LEIGH of Stoneleigh, died 1850 = Margarete (d 1860) d of
Rev William Shippen Willes,
of Astrop House, Northants

William Leigh, 2nd Baron, a Privy
Counsellor, d 1905 = Lady Caroline Grosvenor, dau
of 2nd Marquess of Westminster

Francis (2nd son) 3rd Baron, married
twice, but died 1938 without issue = Rupert, died 1919 = Beatrice Mary, dau
of Dudley Robert Smith
of London

Rupert William Dudley Leigh, 4th Baron,
owner and trainer of racehorses, member
of National Hunt Committee, died 1979 = Anna (d 1977) dau of
Ellis Hicks Beach

John Piers Leigh, 5th Baron Leigh, sold
the Lordship Hamstall Ridware, died 2003 = Celia Poppy, dau of Robert
Jackson of Wilts



The Lordship of Waxham Norfolk

ALAN, Earl of Richmond, son-in-law of William the Conqueror, had the principal part of this town at the Domesday Survey and was the Overlord. This nobleman, who was also Count of Brittany, commanded the rear of the Norman army at the Battle of Hastings and for his services was created Earl of Richmond and granted large estates in East Anglia and north Yorkshire. He was known as Rufus, or Fergaunt, for his red hair, and was the son of Hoel or Eudo, Count of Brittany. Domesday notices the Manor as follows:

In WAXHAM two freemen; one was a man of Edric's, the other a man of Edric's and St Benedict's. One hundred and sixty-one acres of land. Always 13 smallholders, two and a half ploughs; meadow, 18 acres. Also four freemen, 10 acres of land; half a plough. Value then (1066) 20 shillings; now (1086) 35 shillings, one church, 20 acres, value 15d.

In WAXHAM, the same Edric, a freeman, held 80 acres of land. Always 12 smallholders. One plough in lordship. Then and later one men's plough, now half. Meadow, six acres; six pigs; two head of cattle; 100 sheep. Value always 10 shillings. One church, 18 acres; value 18d. Edric added two freemen of St Benedict's to this in the time of Earl Ralph. They have three and a half acres. Value 6d. Also eight freemen under patronage only, 80 acres of land. Then and later two ploughs, now one and a half ploughs. The King and the Earl (of Richmond) have the jurisdiction.*

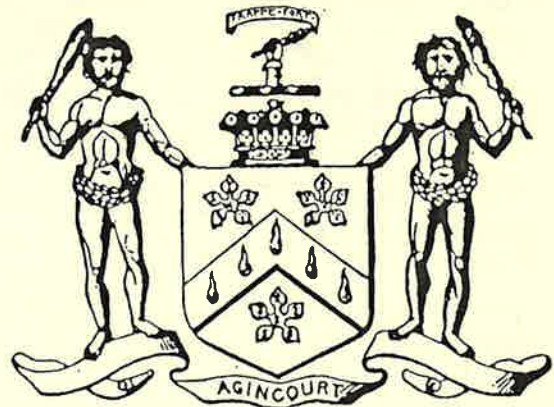
St Benedict has always held WAXHAM, as two carucates of land and eight acres. Always three smallholders. One pough in lordship, half men's plough, 160 acres. Then (1066) three and a half ploughs, now (1086) three. Meadow, 12 acres. Also two freemen in patronage only, 20 acres, one plough. Of these two, the King and the Earl (of Richmond) have the jurisdiction, and of all the rest St Benedict. Value of the whole always £4; the freemen 34d. It has one and a half leagues and one furlong in length and one league in width, (tax of) 30d, whoever holds there.

*This was Earl Ralph Wader, a Saxon, who forfeited his estates.

This was a considerable Lordship and some important people held shares in the Overlordship, principally the Count of Brittany, the King, and St Benedict's Abbey, better known as St Benets, of Holme, Suffolk. Edric, a Saxon name, seems to have been the main lessee of the Lordship. There were formerly two towns of this name, one called Waxham Magna or Waxham St John's and Waxham Parva or Waxham St Margaret. Waxham today incorporates Parva, Palling, and Horsey. The church of St John's, in the village, is very ancient and is probably on the site of the Saxon church mentioned in Domesday. The second church at the Domesday Survey has long since gone, but the importance of the medieval town may be inferred by its onetime existence, and the number of men listed as living on the Manor. Domesday only counted men, unless they happened to be the Queen or some other great lady, and from this it is possible that the population was 250 people.

Earl Alan had no children by William the Conqueror's sister Constance, who died in 1090, and he remarried, three years later, Ermengarde, the divorced wife of William IX, Duke of

KIMBERLEY



Aquitaine, south-west France. By this marriage, he had Conan Le Gros, and died in 1119. If this is correct, he was very old indeed, at least 70, in an age when a normal lifespan was about 32 to 35 years. The Inghams were possessed as the mesne Lords by the middle of the 12th century. The interesting aspect of this family is its surname, for an inspection of Domesday for the Lordship of the Manor of Ingham, Norfolk, finds Edric given as the Lord. Surnames were used only for really important people in England and Normandy - and not always for them: the Norman kings had no family name as such and are simply called Normans by historians. The first English dynasty to have a family name was Plantagenet, whose head came to the throne in the person of King Henry II in 1154 on the demise of the Norman dynasty in the male line. Historians speak of the Plantagenets. Surnames were gradually being adopted in this period by other people, probably as a means of better identification, and people often took surnames that reflected where they lived or what they did. A family like the Inghams may have taken their name from the ownership of the Lordship of Ingham. Could it be that Edric was the ancestor of the Inghams a century later?

Oliver de Ingham was Lord in 1183 (when the third part of his great tithe belonging to it was confirmed to the monks of St Benet's at Holme), as was Sir John de Ingham in the reign of King John (1199-1216). Of this knight it is recorded that he married Albreda one of the daughters and co-heirs of Walter Waleran and died in 1204. His descendant Oliver de Ingham was summoned to Parliament as a Baron in 1328 and had served in the Scottish Wars of King Edward II (1307-27). He was at various times, governor of the Castles of Ellesmere in Shropshire, Devizes in Wiltshire, and Sheriff of Cheshire. He was also made Seneschal of Aquitaine and sent to France with a force of 7,000 men. The appointment was renewed in the reign of King Edward III, one of whose guardian's he was during the young king's minority.

Lord Ingham died in 1344 and the Lordship of Waxham passed to the heirs of his second daughter Joane, who married as her second husband, Sir Miles Stapleton, KG, of Bedale, Yorkshire. This nobleman was one of the first Knights of the Garter and participated in many of Edward III's French campaigns. He died in 1373 and the Lordship descended to his second son Gilbert whose successors held it until the line terminated with two heirs, the first of whom Elizabeth married Sir Philip Calthorpe.

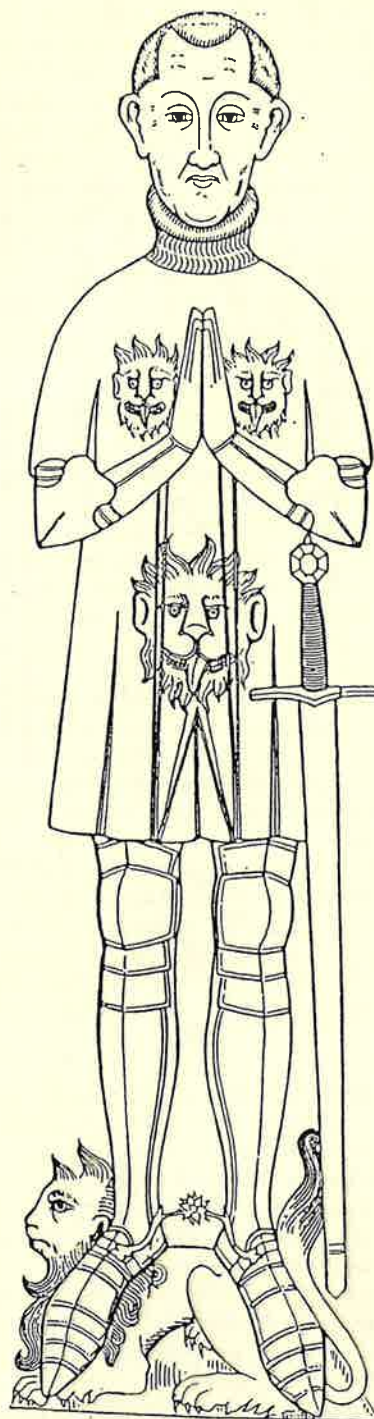
Their descendant, William Calthorpe then sold it to Sir Thomas Wodehouse, who was succeeded by his brother Sir William and he by his sons Sir Thomas and later Sir Henry. The Wodehouses bore for their arms: quartely azure and ermin in the firstquarter a leopard's head, or, which arms belong to the family of Power. The first Sir William Wodehouse is said to have invented decoys for the taking of wild ducks. The family were raised to the Peerage as Barons Wodehouse, and in 1870 created Earls of Kimberley, the first Earl being Colonial Secretary and the Kimberley diamond mines were named after him. Best known of the family, of course, is P G Wodehouse, the author of the Bertie Wooster and Jeeves novels

By 1733 the Lordship had passed from the Wodehouses to the Blofield family and it remained in their possession for several generations when it was acquired by the Tilletts, solicitors in Norwich, about a hundred years ago. It was purchased by the present owner in the 1950s. Waxham is situated 14 miles north-west of Yarmouth. It stands on the North Sea coast and covers approximately 1,802 acres and 66 acres of foreshore. The Great Barn at Waxham has attracted much press comment. It dates from the 16th century and was compulsorily purchased by Norfolk County Council, with £140,000 from English Heritage, instigated by HRH The Prince of Wales, speaking at a conference organized by the Historic Farm Building group.

The church of St John has a Norman nave and contains a small Saxon window-opening and the top of a second, both in the south wall. There are the remains of the north doorway, dating from before the Norman Conquest. It is not known whether the original Saxon church had a tower and a chancel, but if the former did exist, it is possible that it was square like that of Palling church nearby instead of being of the more usual round type. The present tower and south porch date from the 15th century, the former having 'sound holes' and the latter a band of decorative flint-work. The chancel, which has been in ruins for many years, is Early English (13th century) but whether it replaced an earlier Saxon one or was added to the original nave is a matter for conjecture. The font is 14th century. The tall narrow recess in the north wall was in all probability made to contain processional banner-staves or possibly weapons. The wall tomb on the north side is that of a member of the Wodehouse family, who was buried there in 1571. Waxham Priory is nearby.

Documents associated with this Manor

Court Rolls	1708-1720	W S Tillett, St Andrew St., Norwich
Court Books	1708-1761 1763-1864	Norfolk RO
Bailiffs Accts	1393	
Ext of Ct Roll	1584	



The Lordship of Mounton Pembrokeshire

In association
with Strutt & Parker

THE LORDSHIP of Mounton lies four miles to the south-west to the town of Narberth and about eight miles to the east of the town of Haverfordwest or Hwlfordd. It includes the entire parish of Mounton, formerly known as Monkton (Cil-Maen). The Manor was in the hands of the Church for many centuries and the manorial tenants were subject to the ancient Courts of the Superior Episcopal Lordship of Llawhaden (Llanhuadain) which were held at Llawhaden. Mounton was part of the possessions of the Bishops of St David's, perhaps most famous of whom was Asser in the ninth century, a Welshman, who was a friend and adviser to King Alfred the Great of Wessex (r 871-899). Although not educated as a boy, Alfred learnt to read and write Latin and Anglo-Saxon (English as it then was) in his twenties. He was concerned about the standard of learning and literacy in his Church, an extraordinary state of affairs since the clergy were originally the only group who were literate in the Anglo-Saxon period and long after. This was a far cry from the late seventh and eighth centuries, when the Venerable (now St) Bede was working and writing in Northumbria (his *History of the English Church and People* has never been out of print), and English priests, like St Boniface, were leading missions to Germany to evangelize pagans and established numerous monasteries. Indeed, the Englishman, St Boniface, who was born in Devon, probably at Crediton of peasant stock, is the patron saint of Germany, in an age when the Church was truly ecumenical. St Patrick, patron saint of Ireland, was British, hailing from Wales.

Asser, whom Alfred made Bishop of Sherborne, Dorset, was one of a number of scholars, whom the King collected at his Court from around Western Europe. He wrote a contemporary biography of the King, and although his history does not have the exuberant style and the scope of Bede, who set the European standard for the writing of history for the Middle Ages, Asser provides a first-hand account of the King, whose heirs - Edward the Elder, Athelstan, and Edgar - were to establish the kingdom of England. The Manorial Court records for Mounton seem to have been merged in those for Llawhaden. Most of the land at the parish of Mounton is contained within Mounton Farm, the freehold of which was sold by the Ecclesiastical Commissioners in 1868.

While the Great Episcopal Lordship of Llawhaden lay within the Cantref (roughly equivalent to 'hundred' - see Glossary) of Daugleddau, Mounton is detached by several miles and lies in the Commote of Narberth in the Cantref of Penfrow. It came to be dealt with as a separate Manor and The Black Book of St David's (1366), states that Sir John Gome held one curucate (see Glossary) of land in Mounton and that Brother William held half a curucate there. The tenants of Mounton were obliged to offer the same services as the tenants of Llawhaden including suit of Court, service in war, and a tribute of sheep in every third year. The small parish of Mounton has rarely had more than 20 inhabitants. In 1868, the Ecclesiastical Commissioners sold all their last landed interests of 192 acres in the parish for £2,960, now known as Mounton Farm, or Mounton View.

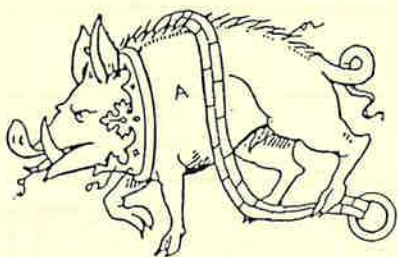
In the three centuries after the end of Roman rule in Britain (AD400 - 700), the inhabitants of Wales, largely Britons, began to consider themselves a distinct people from the Britons in England and southern Scotland. It has long, and erroneously, been held that with the arrival of the Anglo-Saxons, the Britons all deserted what was to become England. Recent historical



thinking is that, certainly, Anglo-Saxon warlords founded tribal communities, some of which developed into kingdoms, such as Wessex, Mercia, Northumbria, there were never enough of them to have formed a population all on their own. For a start, their ships were just not big enough to bring the hundred of thousands who would be needed to make up a population, estimated in the ninth century to have numbered two million. Like the Romans before them, and the Normans after them, the Anglo-Saxons were warlike and successful minority. Some English kingdoms, Elmet, Yorkshire, was ruled into the seventh century by Cenred, a clear British name. Some Anglo-Saxon kings took British names, and the thinking now is that there was much inter-marriage, particularly once the Anglo-Saxons had been Christianized, which began with the arrival of St Augustine in Kent in 597. The Britons were largely Christian by the time of the arrival of the legendary Anglo-Saxon figures of Hengest and Horsa in the fifth century.

Welsh Christianity was based on what as become known as the Celtic Church, that is the original Church during the last century of Roman rule, with customs that differed from Roman teaching of the sort propounded by Augustine. Relations were not always happy. Perhaps the most eminent figure in Welsh religious history is St. David who died just before the arrival of the mission sent to Kent by Pope Gregory the Great, in the person of St Augustine. St David preached enthusiastically and founded churches and monastic communities (Clasau), including the bishopric of St David's or Tyddewi in the south, which continues to this day. Endowed from its earliest times by generous gifts from kings, nobles men and women, and humbler people, the Diocese of St David's, became the wealthiest in Wales and grew to encompass almost half the surface area of the country; its Bishop, holding more than 20 Manors in the Cantref of Pedidiog, Penfrow, and RhIs.

Though in English records the first mention of Manors in Wales dates from the reign of King Edward I (1272-1307), parts of the country in the Vale of Glamorgan and South Pembrokeshire had been extensively manorialized much earlier - the Maenor of Meddfynych in Camarthenshire was described in an entry about AD 800 in the Book of St Chad. The Cantref of Pedidiog extended over some 65,000 acres, one of seven Centrefae in the Kingdom of Dyfed and was throughout the Middle Ages the property of the Church.



In 1086, King William I (the Conqueror) commissioned Domesday Book (see Forewords) which included substantial parts of Wales near the English border to the south-east and north-east. During the next half century, as conquest progressed, the Welsh Feudal Lords, together with the Welsh Church, suffered severe losses. The triumphant Norman kings with their powerful Marcher Lords - the de Clare Earls of Pembroke, for instance - exerted heavy pressure on the Church and lay Lords alike. The Welsh bishops were compelled to swear fealty to the King of England and offer prayers of obedience to the Archbishop of Canterbury. At this time, the territorial boundaries of the Welsh Dioceses were strictly demarcated, irrespective of protracted quarrels between neighbouring bishops. By 1282-3 the conquest of Wales - mainly the north - was finally completed when Edward I defeated and put to death the princes of Gwynedd in North Wales.

The 14th and 15th centuries were for the ecclesiastics of Wales and its laymen a time of further losses. The 100 Years' War between England and France, appalling visitations of Black Death and other plagues, economic slump and the Glyndwr Rebellion (1400-1415) left the Church and its possessions in a state of destitution. Very slowly, by the end of the 15th century, there was some measure of recovery, possibly a consequence of the first Tudor monarch, King Henry VII, who described himself as Welsh. By 1500, the typical Mediaeval Manor was being cultivated mostly by rent-paying copyhold tenants, wage earning labourers, and by freeholders. The 16th century Reformation, succeeding Tudor monarchs, and the devastation brought about by the Civil War of the 1640s brought further devastation, only relieved by the restoration of King Charles II in 1660 with swift restoration of ecclesiastical possessions, provided alienation had not proved to be too long.

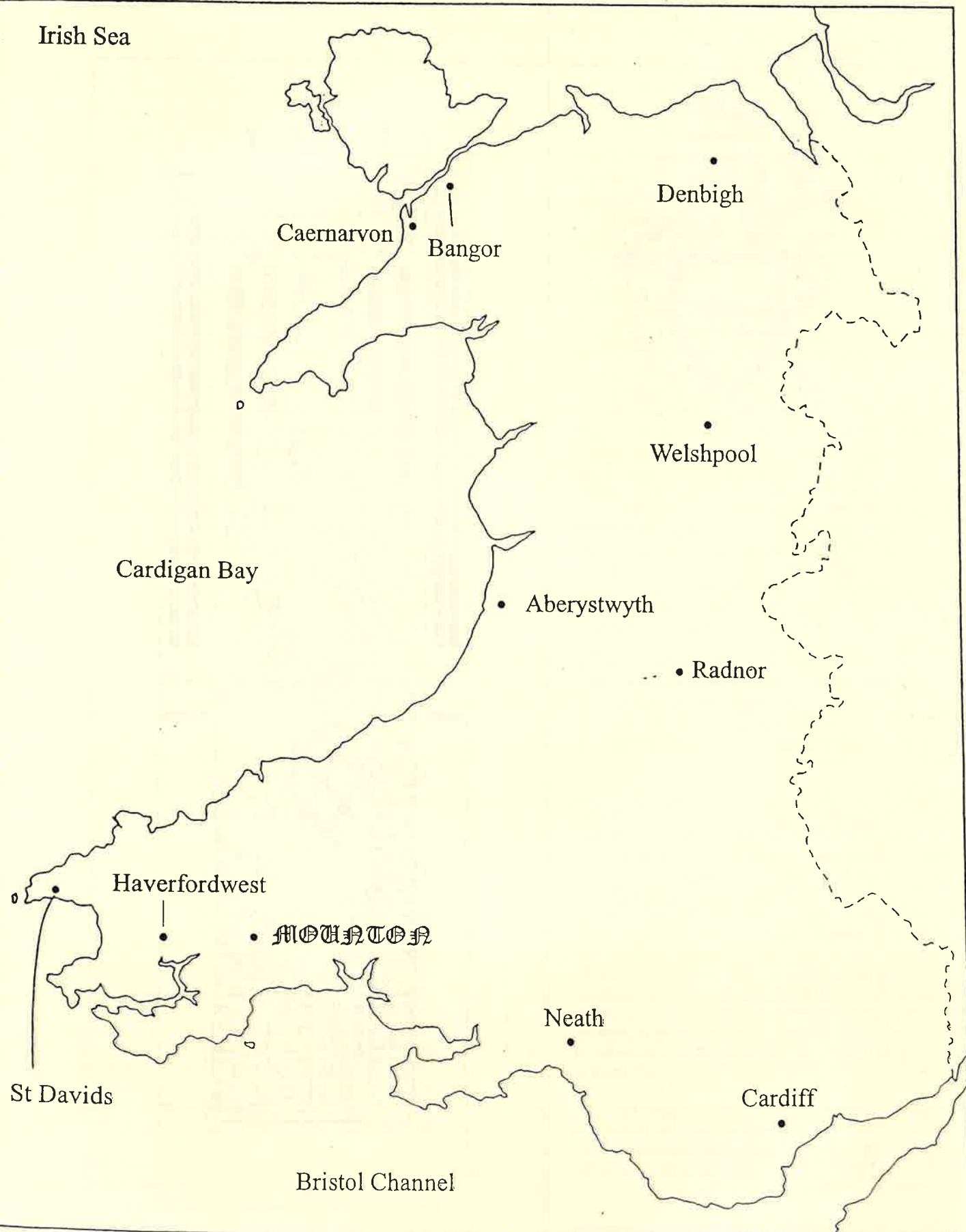
In 1835 two Royal Commissions were appointed to consider reforms of the allotment of church revenues and in the following year an Act of Parliament was passed establishing a permanent body of commissioners constituted as a corporation. Under this in 1836 the Ecclesiastical Commissioners took over the Manors which previously belonged to the four bishoprics of Wales and held them until disestablishment and disendowment of the Church of Wales in 1920.

One of the principal beneficiaries of this disendowment was the University of Wales to which the Ecclesiastical Commissioners transferred a number of Lordships of Manors formerly belonging to the Welsh Bishops. The task for the University in disentangling the various rights and properties and records for the 41 manors that it received proved to be more protracted, continuing into 1947. In 1987, 1988, and finally in 2000 the University sold most of its manors, as Trustees for sale under the Welsh Church Acts 1914 - 1938 at public auction. The Lordship of Mownton was one of these and sold to the present owner. In the documents, the Manor is variously also referred to as Monkton or Kil Mayne (Cil Maen).

Documents associated with this Manor: There is a considerable archive of manorial documents at the National Library of Wales, at Aberystwyth, as also the Black Book of St David's



Irish Sea



Cardigan Bay

Denbigh

Caernarvon

Bangor

Welshpool

Aberystwyth

Radnor

Haverfordwest

• MOUNTAIN

Neath

Cardiff

St Davids

Bristol Channel

The Lordship of Buckland Newton, Dorset

Including the historic
right to Market & Fair

In association with Strutt & Parker

THE LORDSHIP of Buckland Newton covers the village of Buckland which lies at the head of the Vale of Blackmoor with commanding views of the surrounding countryside. It stands on steep chalk hills used for almost two millennia as pasture.

John of Glastonbury in his history *De Rebus Glastoniensis* writes that the Saxon King Aethelwulf of Wessex (father to Alfred the Great) gave land in Buckland Newton to Glastonbury Abbey, during his reign (839-855) and that his grandson, Edward the Elder (899-924) gave further land here. The Lordship gives its name to the Hundred and is mentioned in Domesday Book:

The Church (St Mary's, Glastonbury) holds Buckland Newton itself. Before 1066 it paid tax for 15 hides. Land for 24 ploughs. Besides this there is in Lordship land for eight ploughs which have never paid tax. In Lordship four ploughs; four slaves; 22 villagers, 22 smallholders and 22 cottagers with eight ploughs. Meadow, 20 acres; pasture two leagues long and half a league wide; woodland, as much. Of this Manor's land Hugh's wife holds seven hides and one and a half virgates of land from the Abbot, and Warmund two hides. In Lordship three ploughs; four slaves. Three villagers and seven smallholders with one plough. Meadow, three acres; woodland two furlongs long and one furlong wide. Value of the Church's Lordship £20 of the men's £6 10s.

This entry is from the edited *Exchequer Survey*, supervised by Samsone Bishop of Worcester at Winchester, the capital, insofar as England had a capital, for the city was where kings of England kept their treasury into the beginning of the eleventh century. The more detailed *Exon Domesday*, which is preserved at Exeter Cathedral, Devon, tells us that Hugh's wife's land lay in Duntish and Armswell. Further landed interests, we learn from *Exon*, were held by Alfred of Lincoln and William de Gouiz. The *Exchequer Domesday* is preserved at the National Archives, London, formerly the Public Record Office. The monks of Glastonbury held Buckland Newton until the Dissolution during the reign of Henry VIII (1509-1547). In 1239 the Abbot was granted a charter of fair and to market in the Manor by Henry III, and a wake was held on the Feast of St Hilary. Near the parish church of the Holy Rood was a house especially appropriated for the wake which was used for the celebration. Profits made from the market and fair were used by the Abbot to furnish the house and to give relief to the poor of the parish.



Alington

In 1346 the Lordship of Buckland was annexed to the use of the Abbot after a century of wrangling with the bishops of Bath and Wells who had laid claim to the Lordship of the Manor.

In a Roll of Account during the dissolution of the monasteries under Henry VIII, Buckland Newton was confirmed as belonging to Glastonbury Abbey and was confiscated by the Crown. In 1544, it was granted by the King to his sixth wife, Catherine Parr, who was to hold it for life. On her death in 1548 it passed back to the Crown in the person of King Edward VI.

In 1565, it was granted by Queen Elizabeth to Robert Dudley, Earl of Leicester, then her favourite. Dudley was the fifth son of the Duke of Northumberland and had known Elizabeth as a child. On the death of King Edward VI in 1553, Lord Robert had been dragged into a conspiracy by his father, the Duke of Northumberland, to place his daughter-in-law, Lady Jane Grey, on the throne, to the detriment of King Henry VIII's eldest daughter, by Katherine of Aragon, Mary Tudor. Lady Jane was known as the 'Nine-Day Queen', the life of the unsuccessful coup. Northumberland was executed by Queen Mary and Lord Robert was also arrested and sentenced to death in 1554, but had been pardoned and freed on account of his youth.

On Queen Elizabeth's accession, he was made Master of Horse and there is no doubt that she considered him as a suitor and may have hoped to marry him. Dudley was so feared in some quarters that several plots were hatched to have him assassinated. He was especially loathed by the Catholic Howard family and feuded with them until 1572, when Thomas Howard, fourth Duke of Norfolk, was beheaded for treason and the dukedom abolished for almost his life. Whatever Dudley's and the Queen's relationship really was, it was blighted by the existence of Amy Robsart, whom Lord Robert had married in the previous reign. She was kept away from Elizabeth's Court and was mysteriously killed by falling down a flight of stone stairs in 1560. Some muttered that Dudley arranged his wife's death so that he could marry Elizabeth. The papers of inquest have recently been found in the Bodleian Library, Oxford, which do not make happy reading for Lord Robert. They were suppressed at the time. It is most unlikely that Elizabeth would have maintained a relationship with a man who had arranged his wife's death, but the accusations refused to subside and stuck to him for the rest of his life.

Despite this, from 1560, Dudley became even closer to Elizabeth and though he acted as an advisor she never let him formulate or dictate her policies. In 1562, when Elizabeth was ill with smallpox and thought to be close to death she nominated Dudley as Protector of the Realm. From 1563 Dudley began to realize that his chances of marrying the Queen were fading as other men began to have more influence on, but in 1564 he was created Earl of Leicester and there was even a suggestion Dudley might marry Mary, Queen of Scots. His Earldom was seen as a way of smoothing the union since the Scots considered him too low born otherwise, being the son of an attainted duke. On being created Earl of Leicester, Robert received huge grants of land from the Queen which included his mansion at Kenilworth and he became one of the richest men in England. In 1578 having abandoned all hope of marrying Elizabeth, Leicester secretly married Lettice Knollys, dowager Countess of Essex.

When Elizabeth found out a year later, Leicester was committed to the Tower, but was soon freed and back in favour.

By 1583, Leicester had reached the zenith of his power and he began to make presumptuous claims for his infant children. He suggested that one of his stepdaughters would make an excellent wife for James VI of Scotland, but Elizabeth, who loathed Lettice, reacted so violently to this idea that Leicester quickly dropped it. Gradually the animosity that Leicester had fostered with enemies at Court began to erode his authority and position, but he maintained enough influence and nouse to escape the monarch's wrath which had cut down so many of his contemporaries. He died in 1588, still a favourite of the Queen's. A few years before his death Leicester sold Buckland Newton to Thomas, Viscount Bindon, who in turn passed to Thomas, Earl of Suffolk in 1617. Suffolk sold Buckland Newton to a London goldsmith, John Williams for £5,000. William's son Sir Edward Williams sold the Lordship to Gerald Napier in 1640 and the Napier family held until 1717 when, on the marriage of Diana Napier to Humphrey Sturt, it passed to that family, with whom it remained until fairly recently. The Sturts were raised to the peerage as the Barons Alington in 1876. The local church of the Holy Rood (Holy Cross) dates from the Early English Style of the 12th-13th centuries. The parish occupies about 4,000 acres and lies about 12 miles north of Dorchester, and four miles north-east of Cerne.

Documents associated with this Manor

Buckland Docs

Documents associated with this Manor.

Estreats and Customary	1325-26
British Library (with other manors)	
Courts	1,2, Edw VI
PRO	
Court Rolls	11,12 Eliz I
Court Rolls	1427-28
Somerset RO	
Composite Court Rolls	1428-1525
Accounts	1566-1683
Court Rolls	1633
Goucester Record Office	
Survey	1 Edw VI, Eliz I
Gillingham LHS	
Survey	1614-1619
Dorset RO	
Surveys (2)	n.d. 18th Cent
Rents (with other manors)	1816
Perambulation	1758
Survey and Valuations	1566
Longleat	
Perambulation	16th Cent
Notts University	
Rental and Survey	1640-1655
British Museum	



The Lordship of Bishopstone

East Sussex Coast

in association
with Strutt & Parker

This Lordship was one of 10 held by the Bishop of the South Saxons, later Selsey in the reign of Edward the Confessor (1042-66). The first bishop of this diocese was St Wilfrid, who died in AD 708, a prelate famous among Anglo-Saxon historians as also an early bishop of York, the founder of the diocese of the South Saxons, and a missionary to Frisia (modern Netherlands) at the risk of his life. He was a frequent visitor to the Papal Court in Rome and consequently much-travelled by the standards of the time. He led the English church renaissance, encouraging priests and monks to become evangelists, most famous being Winfrith, of Crediton, Devon, better known as St Boniface, who is Patron Saint of Germany and the Netherlands.

Interestingly, Lanfranc, King William the Conqueror's first Archbishop of Canterbury - later canonized - created the larger see of Chichester, subsuming Selsey. Domesday Book:

The Bishop of Chichester holds BISHOPSTONE in Lordship. Before 1066, it answered for 25 hides; now the same. Land for... In lordship three ploughs. Thirty villagers with nine smallholders have 30 ploughs. Meadow, 40 acres; woodland, three pigs from pasturage; from grazing, one pig in three. Value before 1066 £26; later £11; now £20. Geoffrey holds four hides of this Manor; Harold two hides; Richard three hides. In lordship six ploughs. Value of all this 100 shillings and 10(pence?).

This was a considerable Manor which is probably why it is first on the Domesday list of the Bishop's Sussex holdings. It was rich farming soil, as it remains, and taking a hide to be about 120 acres, Bishopstone occupied more than 3,000 acres. There were 30 villagers, nine smallholders, and a further 13 smallholders on land held of the Bishop by Geoffrey, Harold, and Richard. It is not known who these three men were. Since only male heads of households were counted and taking a household to include, say, five persons, then the population of the village was over 250. The expression 'one pig in three' may have meant that this was a payment in kind to the Lord of the Manor for use of his pasture, meadow, or woodland for feeding at certain times of the year. At this distance in time from Domesday Book, it is impossible to be certain, and all one can do is to make an educated guess.



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The Manor clearly derives its name from its owners, Bishops of Selsey, later of Chichester, meaning the 'Bishop's Town.' The final 'e' is unnecessary, 'ton' or 'tun' being the proper Old English suffix. The church, which is unnamed, in the sense that it is unusually not dedicated to any saint, dates from the Anglo-Saxon period to judge from the architecture of the porch and a sun dial installed by a Saxon, nothing of whom is known, except his name Eadric, which is carved into the stone. The bulk of the small church is Norman with Early English (12th century) additions, including carved grotesques that serve as 'hoppers' for rain water. A vicar in the late 18th century was the Revd Dr James Hurdis, Professor of Poetry at Oxford. He was author of *The Village Curate*, and a number of poems - well known in their time, but now completely unremembered. His sister placed the following memorial to him in the church:

*Hurdis, ingenious poet and divine,
A tender sanctity of thought was thine;
To thee no sculptured tomb could prove so dear
As the fond tribute of a sister's tear.
For earth, who shelters in her vast embrace
The sleeping myriads of the mortal race,
No heart in all that multitude has known
Whose love fraternal could surpass thine own.*



The Bishopstone custumal, dated probably between 1253 and 1262, mentions a watermill belonging to the Dean and Chapter of Chichester Cathedral. Like much of the south-east coast, parts of the Manor have been reclaimed from the sea. In 1329, there is a reference to Newmarsh, recently reclaimed from the sea, but in the 'Nonce Returns' of 1341, it is stated that in the 50 years since the assessment for tax by Pope Nicholas some land had been lost back to the sea worth 60 shillings. In this context, 'nonce' means 'once' or 'one-off' - from the dative singular, literally 'for the once.' Other evidence from the 14th century shows that there was an intense erosion of the Sussex coast by the sea. Medieval records also demonstrate that this Lordship also incorporated Denton, and adjoining hamlet, and Norton, together with woods at Heathfield, in the Weald.

The Roman Catholic Bishop of Chichester became the bishop under King Henry VIII's Reformation in the 1530s and 1540s. By the Act of Supremacy, in 1559, Queen Elizabeth I took powers to amend the jurisdiction and ownership of property by the reformed Church, and Bishopstone passed into the Crown. Sometime before 1580, it was granted to the Pelham family, later Dukes of Newcastle Upon Tyne, passing by bequest to a collateral branch who became Earls of Chichester, owners of the Manor until the 1990s (see pedigree chart).

Thomas Pelham-Holles (pronounced 'Hollis'), Duke of Newcastle, had a good house here, known as Pelham Place, which he visited from time to time. According to an 18th century guide, 'the house is strong and well built, not large, but with several good rooms, in which are many fine pictures of the Royal Family as well as of that noble family, painted by the first masters' (possibly Van Dyck and Rubens, which they might have inherited from the last Holles Earl of Clare, whose great grandfather had been raised to the usually royal Earldom by King James I, whose son, King Charles I, employed Rubens and Van Dyck). The house was demolished in 1831. Today the Manor occupies about 1,800 acres (750 hectares), Denton having been erected into a Manor in its own right. It lies about two miles from Newhaven and nine and a half miles south-east from Lewes.

Documents associated with this Manor:

Court Books 1596-1623	British Library
Court Books 1643-54	British Library
Court Books 1660-1669	British Library
Court Books 1504, 1537, 1546-51, 1553-54	
East Sussex Record Office	
Court Books 1643-1935	
East Sussex Record Office	
Court Rolls extracts Henry VII-Eliz	
East Sussex Record Office	
Court Books 1640	
East Sussex Record Office	
Rental 1552	
East Sussex Record Office	
Court Roll 1549 (1 mem)	
Brighton Reference Library	
Custumal and Survey c 1260	
East Sussex Record Office	
Court Books 1561-1639	British Library
Court Books 1643-54 (with others)	
British Library	
Rentals 1681-4	British Library
Court Rolls temp E 111-C18th	British Library
Terriers Bishopstone Tenantry Laines 1685, 1752	
East Sussex Record Office Terriers Norton Tenantry Laines	
1710, 1766	
East Sussex Record Office Terriers Norton Tenantry Laines	
Survey, Extracts 18c	East Sussex Record Office
Rental 1860	East Sussex Record Office
Rental 1826	East Sussex Record Office



The Lordship of Melling Merseyside (Lancashire)

KNOWN as Melinge in Domesday Book, this Lordship was held by Godeve in 1066. It was rated at two ploughlands and valued at 10s. There was a wood here at that time, a league in length and half a league in breadth. It was part of the privileged three-hide area (ie untaxed), though separated physically from the main portion. A hundred years later it was held in thegnage, paying a rent of 10s to the King. Siward de Melling seems to have been the tenant at that time, and his son Henry was in possession in 1193. This son shared in the rebellion of John, Count of Mortain, but made his peace with Richard I in the following year, and was fined one mark. Several grants by Henry, son of Siward de Melling, are recorded in the Cockersand chartulary. The survey of 1212 records that Henry de Melling held four ploughlands of the King. Thomas held one of the ploughlands, and 'the said Henry and Thomas have given Northcroft and Hengarth and Routhwaite, small cultures, to St Mary of Cockersand in Alms.'



There are few records of the Manor in the 13th century, though William, son of Alan de Melling, gave two 'lands' to Cockersand Priory, one between the land of Robert de Molyneux and the other in Melling Wood. The wood is mentioned in a plea of 1265, when Nicholas de Melling accused Thomas de Routhwaite, William son of John de Melling, and Roger de Melling of having cut down a tree in Nicholas's wood and then set upon the complainant and grievously wounded him. Henry de Melling died in about 1225, when his son, Thomas, paid the King 22 shillings as relief on accession to the four ploughlands. Besides his heir Thomas he mentions another son, Roger, in one of the Cockersand charters. The heirs of Jordan de Hulton held Melling in 1297, and still paid the ancient rent of 10 shillings.

In the extent of the lands of Thomas, Earl of Lancaster, made in 1324 it says 'Peter de Burnhull [Brindle] holds the Manor of Melling by the service of 10s for all services.' Jordan de Hulton occurs in the records of Melling in 1259-60, when Henry de Melling claimed eight marks from him, the arrears of an annual half mark due. Peter's two sisters were his heirs, Joan who married William Gerard of Kingsley in Cheshire, and Agnes, who married David de Egerton. By 1483 it is stated that 'Thomas Gerard (and others) hold Melling.' Despite this, the inquisitions relating to the Gerards do not claim any Manor here, but only mention rent. The Byron family had certain Manorial rights in Melling, and Jordan de Hulton, rector of Warrington, is found to call Geoffrey de Byron "my cousin", so it seems likely that their rights originated through him.

Part of the Lordship was also claimed by the Molyneuxes of Thornton, since they had held estates in the area from an early period. In the years after 1300, Adam the Forester of Melling made a number of claims against people in the Vill in respect of the inheritance of his wife Anabil. One of these suits placed Robert de Byron, Robert de Molyneux of Thornton, and Margery, late the wife of Robert de Thornton, first among the defendants. Their defence was that they were Lords of the Manor of Melling, holding the waste in common. Adam had enclosed part of the waste, and they had pulled down his hedge as they were entitled to do. The jury accepted this defence and dismissed Adam's claim.

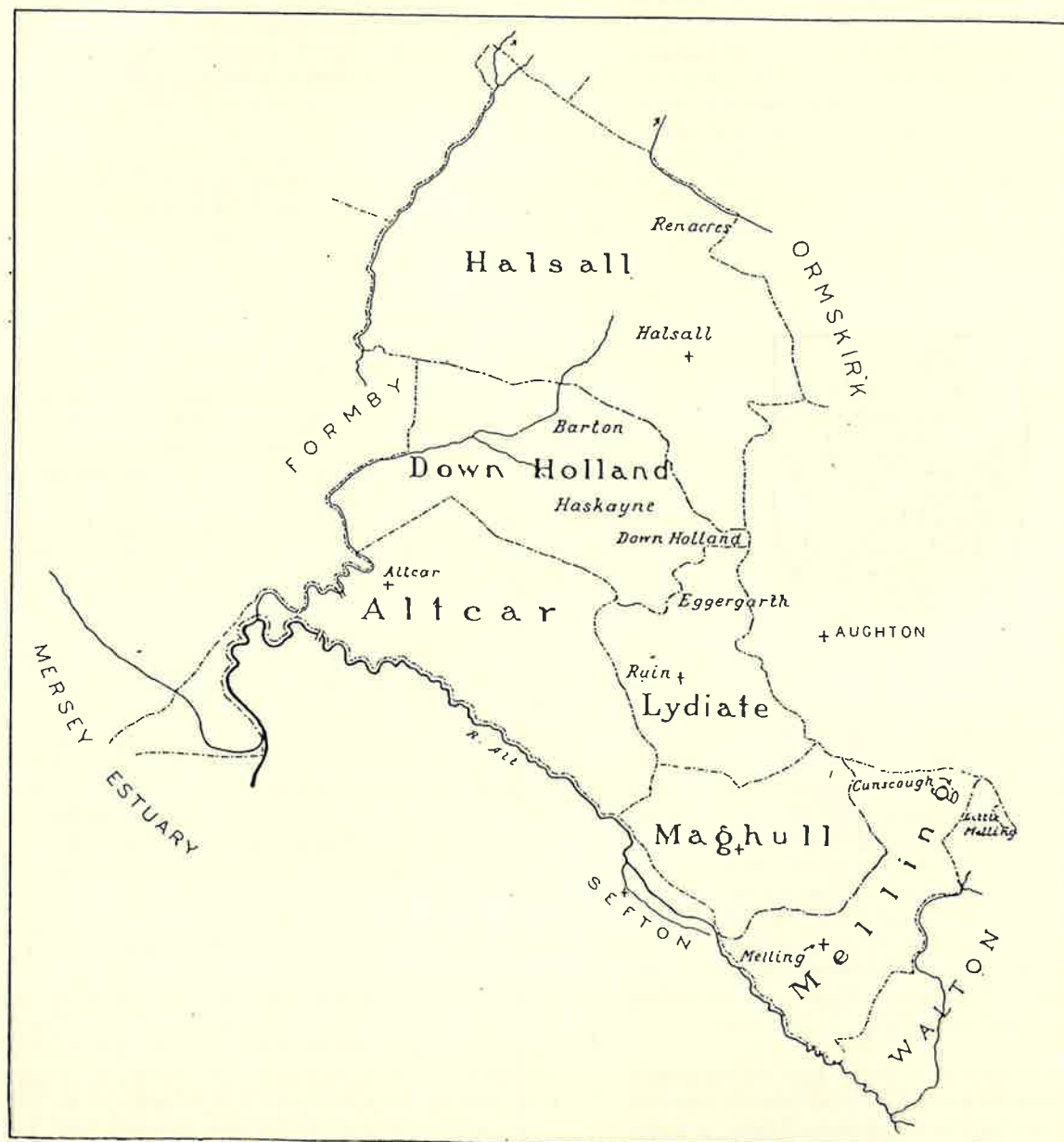
Robert de Byron, Henry, and Nicholas de Bootle and others were later accused of assaulting one Henry de Moss and carrying him off to prison at Lancaster, for which he claimed £1,000 damages. Nothing more is known of the case. Robert de Byron was succeeded by two daughters - Isabel, who married Robert de Nevill of Hornby, and Maud, who married William Gerard of Kingsley. His son, also William, thus had a double right in Melling, through his mother as well as his wife. The title later passed to John Stanley, son and heir of John Stanley of Weaver in Cheshire (a younger brother of the first Earl of Derby), and one of his three daughters brought it to Sir Thomas Halsall, who died in 1539. His widow afterwards married John Osbaldeston of Osbaldeston, and died 19 August 1567. Inquisitions taken after the death of her son Henry state that she held the Manor of Melling and 10 messuages, with 200 acres of land in Melling and Liverpool.

The Lordship was held of the Queen by Knight's service and was worth £4 clear. An indenture and fine in 1566 arranged the succession to Henry Halsall and his heirs, or in default to Jane's other children or to her right heirs. The Manor was later claimed by the Molyneux family of Sefton. Sir William Molyneux purchased the Swifts' share of Elizabeth Harrington's inheritance in 1521 and the Grimshaw's share in 1554. In the inquisition of 1623 'the Manor of Melling' is said to be held of the King by knight's service, the tenth part of a fee. The family continued to hold it until the eighteenth century, when it was sold to John Foster for £1,050.

The Molyneux family suffered greatly for being Roman Catholics during the Civil War, but managed to retain the Lordship by putting in occasional appearances at the local Anglican church. The last of the Molyneux was William, who died in 1744, leaving an only daughter, Frances, who married Edward Blount of Sodington, who succeeded to a Baronetcy. Melling was bought by the Blundells of Ince-Blundell at the beginning of the 19th century and now belonged to this family until the 1990's. The Lordship covers approximately 1,390 acres and lies between Liverpool and Ormskirk, about two miles from Kirby.

Documents associated with this Manor:

Wapentake Court Rolls		
(w other Manors)	1660-97	National Archives
Rental (Pat R)	1557-8	
Pipe Roll	1225-6	
Harleian MS	2042, fol 46	British Library



For identification purposes only

The Lordship of Ottery St Mary, Devon

including the historic
right to market and fair

THE parish, Manor, and Hundred of Ottery St Mary are conterminous and cover more than 10,000 acres (about 4,000 hectares). The River Otter divides the Lordship roughly into two and its highest points are known as East Hill and West Hill, about four miles apart. From north to south, the Manor travels six miles. It is one of the larger Manors in England. A collegiate church, described as one of the finest in the West Country, stands almost in the centre of the Manor and forms the focal point of the town.

Before the Norman conquest, Ottery and all its manorial dependencies were granted by King Edward the Confessor to the Cathedral of Rouen in 1061. A charter in the British Museum, bearing the King's signature, was confirmed by Stigand Archbishop of Canterbury, six earls, and six abbots. Stigand was present at the coronation of William the Conqueror at Westminster Abbey, on Christmas Day 1066. Ottery is one of two holdings in the county belonging to St Mary's Abbey, Rouen, and is found in Domesday Book (1086):

St Mary's Church, Rouen, holds OTTERY (St Mary) from the King. The church itself held it before 1066. It paid tax for 25 hides. Land for 46 Ploughs. In Lordship three ploughs; 17 slaves; five hides. Fifty-five villagers, 24 smallholders with 40 ploughs and 20 hides. Five pigmen who pay 30 shillings and 15 pence. Three mills which pay 30s; meadow, 200 acres; pasture, eight hides; woodland, 20 acres; a garden; one salhouse which pays 30 pence (d - denarii), in Sidmouth, St Michael's land (Mont St Michel). One cob; 24 cattle; six pigs; 130 sheep; 18 wild mares. Evidently, the Chapter of Rouen Abbey had been granted the Manor absolutely by the Confessor, but King William held it as the church's Overlord.

The Manor at the time of the Charter was gelded (taxed) at 25 hides of land and employed 46 ploughs on the desmesne (home farm) of the canons, while the villeins had 20 hides and 40 ploughs. There were in total 55 villeins, 24 bordars, 17 serfs and 5 swine-herds. They paid 31s 3d. The three mills in the Manor paid 30s each year and the orchard was valued at 30d. The livestock of the canons amounted to 24 beasts, six swine, 130 sheep, 18 forest mares, and one rouncey (or riding horse). In total, this Lordship, along with its small neighbour, Rawridge, paid more than £70 of Rouen money (the pound, or £, was a common currency in north-western Europe, but it varied in weight - and therefore value - from place to place). The historian William Dugdale, in *Monasticon*, states that by the time of King John (1199-1216) the Manor was farmed for 65 marks (a mark was a third of a pound, 6s 8d), and taxed at f45 in the reign of King Edward I (1272-1307).

In 1355, the Dean and Chapter of St Mary's, Rouen, sold the estate to John Grandison, Bishop of Exeter, who established a collegiate foundation here for the 'advantage of the area and the glory of the Virgin'. W C D Whetham FBA, in his book *A Manor Book of Ottery St Mary* (1913) describes John de Grandison as 'a great man; well born, the son of

distinguished parents, the cousin of kings, princes and dukes; well educated, having received his training at the University of Paris,' probably the greatest university in western Europe after support from King Louis IX of France (St Louis) (r 1226-1370). Grandison was, furthermore, 'well bred and equally at his ease, and master of himself and other men, whether in the Papal Court at Avignon, the councils of the kings, or the gatherings of the country folk of his diocese.' At this time, the popes were in exile from Rome, and living at their palace at Avignon, not then inside France. The famous wine, Château Neuf du Pape, originates from this area and period, although today it should be noted that there are 133 vineyards, which vary in quality from poor to excellent: the *negotiant* is everything. Grandison's teacher in Paris was Jacques Fournier, a Frenchman, later Pope Benedict XII (r 1334-42). He was one of the leading theologians of the age and a strict, but fair, enforcer of Catholic orthodoxy - the early 14th century saw the destruction of the Knights Templar.

Grandison was also a vigorous reformer, not only of the religious failings and abuses in his see, but also of the lands in the possession of his church and of others in the area. In many cases he found that the lands were run-down, ill-kept, and, in some cases, derelict. Wild beasts roamed freely, seed corn had been sold, forests cut down, and few rents were paid. The latter problem meant that his predecessors had to beg the necessities of life, often borrowing money from friends and relatives. It was, according to Whetham, 'boundless confusion of dishonesty, ignorance, and wilful waste.' In particular, the lands of alien French owners, such as Ottery St Mary, were in a far worse state than those owned by the English ecclesiastical owners.

Grandison had been forced to pay an 'exorbitant' price for the Lordship but within a few years he had transformed the fortunes of the church there. Selective endowments from other churches in his see, and the careful nurturing of the land meant that it soon enjoyed a 'princely income'. He also abolished forever personal servitude within the Manor in consideration for a fixed yearly rent of 2s 6d. The fortunes of the Manor continued to prosper and by the time of the dissolution of the monastery at Ottery in 1545, by King Henry VIII, the income had risen to £338 2s 9d, a small fortune in those days.

The Manor was granted by Henry VIII to Edward Seymour, Earl of Hertford. His possession was to be a short one. Upon the death of his sister, Jane Seymour, the Queen Consort, in 1537 he had been created Viscount Beauchamp. In 1537 he was created Earl of Hertford and later, in 1546, Baron Seymour and Duke of Somerset. In 1548 he was Protector of the Realm. He won the Battle of Pinkie in Scotland, in 1547, after an earlier invasion by Marie de Guise, Regent of Scotland, for the child Mary, Queen of Scots. He was Chancellor of Cambridge University. In 1551 he was accused of high treason and felony and, after a trial, was found guilty of the latter. He was beheaded and later attainted, his honours and estates being forfeited. His grants of the great tithes of the Manor of Ottery St Mary to the Dean and Chapter of St George's Chapel at Windsor continued until the last century. The present Duke of Somerset, of Maiden Bradley, and the Marquess of Hertford, Warwickshire, are both Seymour descendants.

The Manor remained in the possession of the Crown and during



the reign of King James VI and I it formed part of the patrimony of Prince Henry (d 1511) and then Prince Charles (later king) and was probably managed as part of the Duchy of Cornwall estates. It was sold during the reign of Charles I to provide income at a time when the Stuarts were struggling financially. During the Civil War (1642-7), Ottery was occupied by troops under Lord Fairfax, a successful commander on the side of the Parliamentarians. Many of the documents relating to the Manor were lost during the hostilities. In the 17th century, the Manor was sold to Warwick Ledgingham, who appears to have had some difficulty in managing it due to the strong position of the tenants (as a result of Grandison's reforms) and the loss of those vital documents. Ledgingham, tried unsuccessfully to persuade tenants to reveal the extent of their dues which, perhaps unsurprisingly, they refused to do. As a result, a new survey and rental book was compiled starting in 1680 and finishing in 1693. The results were still unsatisfactory from Ledgingham's point of view.

The Manor was later conveyed to the Younge family. Sir George Younge Bt sold Ottery St Mary to J M How and his heirs. From them it passed to the Kennaway family in the 19th century. The first Baronet, John, was ADC to Marquess Cornwallis, Governor-General for the East India Company, in Calcutta, in 1786. Two years later, he was sent as an envoy for the Company to treat with the Nizam of Hyderabad for an alliance against Tipu Sultan in 1791, which earned him the Baronetcy. Tipu Sultan was shortly after defeated and killed by the British, in alliance with several Indian princes, at Serringapatam. Men made their fortunes in India in those days, and Sir John Kennaway was no exception, bringing home enough money to buy the Lordship of Ottery St Mary and the Escot Estate there.

The town of Ottery St Mary is a beautiful place, standing on both sides of the River Otter, and there are a number of fine houses in the Manor. The church of St Mary the Blessed Virgin is magnificent in the Early English and later styles, and in the last 30 years a fine fresco was discovered that was probably whitewashed in the

16th century during the Reformation. There is a lady chapel, transepts, modelled on those at Exeter Cathedral, and a Perpendicular nave. There are north and south embattled towers, both with spires atop, and the south tower has a clock and a peal of eight bells. It is thought that these towers may pre-date the rebuilding undertaken by Bishop Grandison in the 1330s and forties, and it has been suggested that the church dates from the time of Earl Harold, although there is no mention of a church in Domesday Book. A loft (formerly, a minstrels' gallery) stands between the lady chapel and the choir. There are screens carved in wood and stone. The interior roof is decorated with fan tracery with pendants and arms of several bishops of Exeter. The arms of Cicely, Countess of Stafford in her own right and Marchioness of Dorset by marriage, who is believed to have paid for the roof, stand over the entrance. A recumbent effigy of a knight and his lady are thought to represent Sir Otho Grandison, who died in 1364, and his wife, Beatrice Malmayns.

KENNAWAY



KENNAWAY, sometime LORDS OF OTTERY ST MARY, DEVON

William Kennaway, Merchant = Joyce, daughter of Sir William Bastard of Garston, Devon

Sir John Kennaway, 1st Baronet created 1791, died 1836, Lord of Ottery St Mary = Charlotte, daughter of coheir of James Amyatt MP

Sir John, 2nd Baronet, High Sheriff of Devon, Lord of Ottery St Mary, b died 1873 = Emily Francis, daughter of Thomas Kingstone, of Kingstone, Gloucestershire

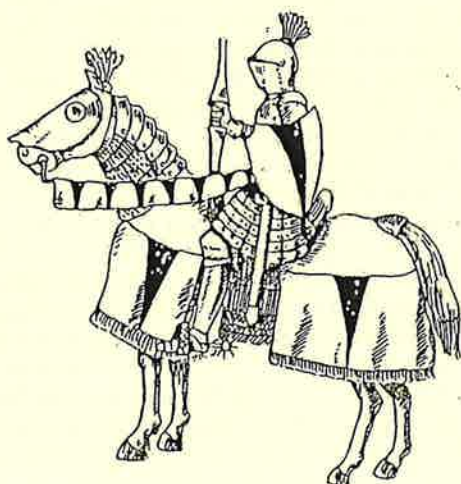
Sir John Henry, 3rd Baronet, High Sheriff of Devon, Lord of Ottery St Mary, died 1873 = Frances, daughter of Archibald Francis Arbuthnot, of Arbuthnot Baronets, died 1922

Sir John, 4th Baronet, Lord of Ottery St Mary, died 1956 = Mary Felicite, daughter of Revd Chancellor Stewart Gordon Ponsonby, died 1991

Sir John Kennaway, 5th and present Baronet, sold Ottery St Mary in 1986

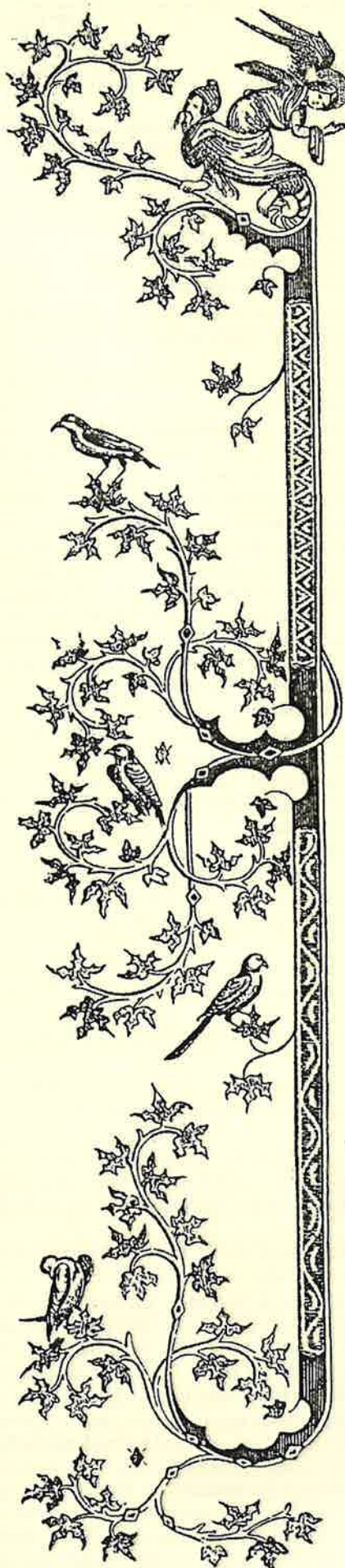
There are numerous memorials in the walls and floors of the church. The magnificent font is made of Devon and Cornish marbles. Renovation took place at great cost in the 1570s under the guidance of the architect, Butterfield, who designed Keble College, Cambridge. This was paid for by the Rt Hon Sir John Talor Coleridge, Justice of Queen's Bench. John Coleridge was vicar here and master of the Grammar School in the 18th century. John Taylor Coleridge, the philosopher and poet - famous for the *Ancient Mariner* - was born and went to school at Ottery. The King's New Grammar School was a re-foundation by King Edward VI (r 1547-53) to replace the Catholic school that was shut down in 1545 when the college was dissolved. Lord Coleridge was living in the manor into the 1930s. Ottery is the Clavering St Mary in *Pendennis*, a novel by William Makepiece Thackeray, who spent school holidays here, at Larkbeare, in the 1820s.

Ottery St Mary lies 12 miles east of Exeter and six miles north of Sidmouth, on the Channel coast. The Kennaways sold the Lordship in 1986.



Documents associated with this Manor:

Extracts from Court Rolls	1728-30 Devon RO
Court Rolls	1518-21, 1584-99
Court Rolls	1379-1587 (nc), 1603-47
Customals and Accounts	1648-51, c1720-30
Court Rolls	1661-78, 1726
Survey	1617 British Library
Surveys	1618-19 Duchy of Cornwall
Court Rolls	1681-82 Devon RO
Enfranchisement	1864
Surrender and Regrant	1675
Manor Rents	1833-1891



The Lordship of Woodhall

Haydon Bridge, Northumberland

On the instructions
of a Crown Charity

In association
with SmithsGore

THIS Lordship lies in the extensive parish of Haydon Bridge, about two miles north-east of the small town of the same name on the A69. The area, now known as Woodhall Mill, is intersected by burns which debouch into the River South Tyne, which flows through Haydon Bridge. There is also a weir across the river here. Contiguous is the parish and Lordship of Alston, over the county border with Cumbria. The Manor lies about 28 miles west of Newcastle and eight miles west of Hexham.

The king's writ hardly ran north of the River Tees, which divides North Yorkshire from Co Durham and, consequently, the Domesday Commissioners did not venture into Northumberland. This remained a wild part of England for centuries. When kings of Scots were not formally invading England, or kings of England not formally invading Scotland, the families in the northern counties and the Scottish Lowlands were little more than sheep rustlers throughout the Middle Ages and beyond, raiding each other and their neighbours, following their medieval lords. Parish boundaries moved around, even county boundaries varied between Northumberland, and Cumberland and Westmorland (the last two incorporated as Cumbria in 1974). Northern England would appear, from the names of 'castles,' to be stiff with keeps, towers, and walls. In fact, most of them were no more than tower-houses built for defence. Real castles, so to speak, were few, Alnwick - the seat of the Percy earls and later dukes of Northumberland was one; the New Castle, at Newcastle Upon Tyne, started in the reign of William Rufus (1087-1100) another; and Bamburgh Castle, on the coast, dating from the sixth century AD, and apparently named after the woman who started it, Queen Bebb. It was the Angle capital of Bernicia which, with Deira - based on York - in the seventh century became the kingdom of Northumbria.

Langley castle, now ruinous, which is about two miles away was one of these tower-houses, formerly the seat of the de Lucys, Barons of Langley. It is a fine example of a tower-house begun in the 1350s by Sir Thomas de Lucy.

William the Lion, King of Scots, was lord of the whole area, including Alston, Kirkhaugh, Haydon Bridge, in the 12th century, when we first meet with a written grant of these Lordships by this king. The grant to William de Veteriponte (later Vipont) was confirmed by King John (r 1199-1216) in 1209. The last of the Veteriponts here was Nicholas in 1268.

Returning to the de Lucies, Lords of Haydon Bridge, they are first met in the reign of King Henry I (r 1100-35) holding the Manor of Diss in Norfolk. Richard de Lucie (*sic*) was governor of Falaise, Normandy, which he held in the troubled reign of King Stephen (r 1135-54). Stephen was Count of Blois, a nephew of Henry I. That King's legitimate son William had been drowned in 1121, leaving an only daughter, Matilda (sometimes known as Maud) as heir to his dominions in England and France. Her first husband was the Holy Roman Emperor Sigismund and she is known to history as the Empress Maud, although she remarried, on Sigismund's death without issue by her, Geoffrey (known as 'the Handsome'), Count of Anjou. Although Henry I had sought and obtained oaths from his nobility in England and France that they would recognize Maud as his heir, on the King's death many opted

for Stephen of Blois as the nearest male representative. (Except for the Empire of Byzantium, at Constantinople, no Christian kingdom had been ruled by a woman in her own right and to back Maud in 1135 was a revolutionary risk). Consequently, Stephen was chosen as King which led to 19 years of civil war, and England was not to be ruled by a woman in her own right as queen until Mary Tudor in the 16th century. For the fascinating background to this period and the political thinking of the 12th century, *Blood Royal*, by Charles Mosley, formerly Editor of Burke's Peerage and Debrett's, was published by the Manorial Society of Great Britain in 2002.

The first of the family to establish himself in the North was Reginald de Lucy on whose marriage to Alice, daughter of Robert de Rumeli, Lord of Skipton, he became Lord of Egremont, Cumberland (now Cumbria). Reginald was succeeded by his son Richard in 1199-1200, and about five years later granted a charter to the burgesses of Egremont, 'that they should not go beyond the gates of the castle there (Egremont), upon any summons, either with the lord, or his steward, to take distresses in Coupland (Reginald was also Lord of Coupland and may have foreseen the possibility of his patrimony being divided). That in time of war they should not be obliged to find any more than 12 armed men for 40 days, for the defence of the castle, at their own proper costs.' He was succeeded by Thomas de Lucy who married Isabel, a daughter and coheir of Adam de Bolteby, by whom he acquired the Feudal Barony of Langley, which had been subinfeudated (see Glossary) into Woodhall and the other Lordships. He died in 1304. The last of this family in the male line was Anthony de Lucy, third and last Baron Lucy, who was succeeded by his sister Maud, wife of the Earl of Northumberland.

It may be that the Viponts retained an interest in the several Manors, being Lords of Alston, through the female line because their uterine successors were the Tindales, Lords of the Barony of Tindale. They were likewise succeeded in the female line by the Claxtons, and we find Henry Percy, Earl of Northumberland, quitclaiming his Manors here to John Claxton in 1441. In 1526, Sir William Hilton had come into possession, for he made an entail of the Lordships of 'Aldestone (Alston), Kirkhaugh, Elrington, and Woodhall.' Either by descent or assignment, through the Richardsons, the Whitelaws, and the Whitfields they formed part of an estate owned by Joseph Salkeld, who also owned other Manors, which he sold in 1807 for the large sum, at the time, of £9,400 to the Lords of the Admiralty, acting for the Governors of Greenwich Hospital. Woodhall Farmhouse, which is ancient, is often let to visitors to the area. In 1964, the Ministry of Defence took over the interests of the Lords of the Admiralty, and the Conveyance of this Manor will be executed by the Secretary of State for Defence, under Seal, on behalf of the Governors.



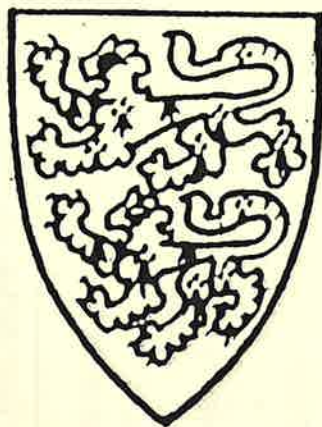
The Lordship of Coseley Staffordshire

Coseley is a straggling village situated within the parish of Sedgley, lying between Wolverhampton and Dudley. It lies at the centre of the great mining and iron smelting district within Staffordshire with a large population. The parish of Sedgley is divided in two divisions, the Upper Side containing the villages of Sedgley, Gospel End, Cotwall End, Upper and Lower Gornall; Lower Side containing Ettingshall, Brierley, Coseley and Wood Setton.

Dudley and Sedgley were formerly within Mercia, until that kingdom was absorbed by Wessex in the ninth century. By the time of the Domesday Survey 1086 only two of the former Anglo Saxon landowners together with Bishop Wulfstan of Worcester had survived. Coseley is not at that time specifically mentioned, but Sedgley is recorded held by Ansculf who held it from the King. The surrounding areas, much laid waste by the Conqueror in 1069-70 reverted to forest which continued to be held by William I and was probably further enlarged by his son Henry I in the early 12th Century. The Manor of Coseley, believed to be that formerly known as Coacley or Lower Sedgley, was evidently retrieved as a Manor within the parish held from the earliest times of the Barony of Dudley. The Domesday entry reads:

William son of Ansculf holds Sedley from the King. Earl Algar held it. 6 hides. Land for 12 ploughs. In Lordship 1 plough. 3 slaves, 45 villagers with a priest and 2 smallholders have 18 ploughs. Meadow, 16 acres; woodland 2 leagues long and 1 wide. Value before 1066 £ 10; now the same.

.... in Sedgley 2 hides, Geoffrey holds from him. He has 1 plough in lordship, 9 villagers with 2 ploughs, meadow, 2 acres, Value 20s.



Somery

From Ansculf the Sedgley and Coseley Estates with others passed in the 12th century to the Pagnall or Paganell family and then in the 13th Century to the Somery family. The first John de Somery (d 1194) had married Hawise Paganell, sister of Gervase Paganell who died c 1208, though her son Ralph de Somery in 1194 paid 300 marks for the seisin of the Barony of Dudley. Coseley with Sedgley then descended to his son Roger de Somery, Lord of Dudley and subsequently to his son also Roger 1255 - 1291.

Agnes, widow of Roger, is recorded holding in 1293. Roger and Agnes had three children, John de Somery who died in 1322 without issue when his sister Margaret inherited and in 1329 Margaret de Somery married John de Sutton.

The Barony of Dudley with its many manors thereby passed into the de Sutton family and descended successively through several generations. In the summons to Parliament 1341 to 1342 John II is referred to as John de Sutton de Dudley, his son also John styled John de Sutton third Baron Dudley died 1370, his grandson John IV succeeded 1396. His son and namesake, the fifth Baron died 1492 and his son John 6th styled John de Sutton de Somery inherited and was summoned to Parliament as 1st Baron Dudley in 1441. His first son Edmund predeceased him in 1487 when he was succeeded by his grandson Edward de Sutton second Lord Dudley who in turn was succeeded by his son John de Sutton, third Lord Dudley, who had married Lady Cecily Grey, daughter of Thomas 1st Marquess of Dorset. John 3rd Lord Dudley is generally held to be a man of limited ability or understanding and whose deficiencies were the root cause for his alienating the majority of his estates in order to pay his debts. The Dudley Castle Estate and many Manors were sold to his cousin Sir John Dudley, later Duke of Northumberland and John 3rd Lord Dudley ended his days impoverished earning the nickname of Lord Quondam.

His son Edward 4th Lord Dudley however, following the Duke of Northumberland's attainder and execution by Mary Tudor in 1553 recovered Dudley Castle together with the majority of his estates and Manors in 1554 - 55. In 1555 Edward 4th Lord Dudley married Kathryn Bridges, daughter of Sir John Bridges Kt Lord Chandos. Much in favour with Queen Mary by letters patent in December of that year, she settled upon Lord Dudley a number of manors including Sedgley and Rowley. The precise date of this grant is not known but it was confirmed by letters patent in the 21st of Elizabeth I, 1578-9.

The coal and iron works of the area are for the most part at Coseley and Ettingshall and for centuries gave employment to vast numbers of workmen. At the beginning of the 17th Century the family made the great discovery that iron could be smelted with coal instead of charcoal for which in 1622 Edward, Lord Dudley obtained the monopoly of that trade for 14 years. During the Civil War (1642-47) the invention was used for founding canon for the King in Worcester. Nails had been made in Dudley as early as the 15th Century and in 1538 Reynold Ward of Dudley is said to have sold them at 11s 4d per thousand.

The Manor of Coseley then descended through successive Lords Dudley through to William 11th Lord Dudley, created Earl of Dudley on 17th February 1860. He had acquired Whitley Court then the Chief Seat of the Foley family and enlarged it to a palatial residence. The 1st Earl Dudley died in May 1885 and was succeeded by his son William Humble Ward 2nd Earl. The Lordship of the Manor of Coseley descended subsequently with successive Earls of Dudley, whose descent lies on the following pages, to the present owner.

DESCENT OF THE EARLS OF DUDLEY

Hervey de Sutton, Lord of Sutton-upon-Trent

Robert *dsp* Richard, who left 5 daughters = Rowland de Sutton = Alice de Lexington

William de Sutton = (1) Matilda
(2) Eva Robert, ancestor of the Lords Lexington of Aram

(1)

Robert de Sutton = Joanna

Richard de Sutton = Isabel Patrick

Sir John de Sutton, of Dudley Castle = Margaret de Somery, dau of Roger de Somery of Dudley Castle

John Sutton *ob* 1359 = Isabella, dau of John, Lord Cherleton Margaret = Roger Hillary

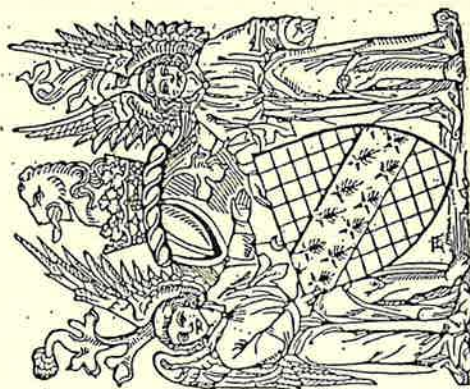
Sir John Sutton, *ob* c1370 = (1) Catherine, dau of 1st Earl of Stafford *ob* 1361
(2) Joan Clinton

(1)
Sir John Sutton, *ob* 1395/6 = Alice

Sir John Sutton, *ob* 1406 = Constance Blount

John Sutton KG, cr Baron Dudley *ob* 1487 = Elizabeth Berkeley

Sir Edmund, *dsp* 1483 = Joyce, dau John Lord Tiptoft



Edward de Sutton KG, 2nd Baron. MP in 1492 and 1495. *ob* 1508 = Cicely Willoughby

John de Sutton, 3rd Baron. Knighted 1513, *ob* 1553 = Lady Cicely Grey, dau of 1st Marquess of Dorset

Edward Sutton (or Dudley), 4th Baron *ob* 1586 = (1) Katherine, dau of Baron Chandos of Sudeley
(2) Jane, dau of 3rd Earl of Derby

(2) Edward Sutton, 5th Baron Dudley *ob* 1643

Sir Ferdinando Sutton KB. *dsp* 1621

Frances, Baroness Dudley *ob* 1697 = Sir Humble Ward, cr Baron Ward in 1643/4

Edward, 7th Baron Dudley and 2nd Baron Ward *ob* 1701 = Frances Brereton

William *dsp* 1692 = Frances Dilke

Edward, 8th Baron Dudley and 3rd Baron Ward = Diana Howard = John *ob* 1696 = William, 10th Baron Dudley and 5th Baron Ward. *d unkm* 1740 = Frances *ob* 1737 = William Lea

Edward, 9th Baron Dudley and 4th Baron Ward *d unkm* 1731

William Ward, MP for County Stafford. *ob* 1720 = Mary Grey

John, 6th Baron Ward. cr Viscount Dudley and Ward 1763 = (1) Anne Maria Bouchier
ob 1774 (2) Mary Carver

(1) John, 2nd Viscount Dudley and 7th Baron Ward *dsp* 1788

(2) William, 3rd Viscount Dudley and 8th Baron Ward *ob* 1823

John, 4th Viscount Dudley and 9th Baron Ward *d um* 1833
 or Earl Dudley in 1827. Upon his death the Earldom became extinct

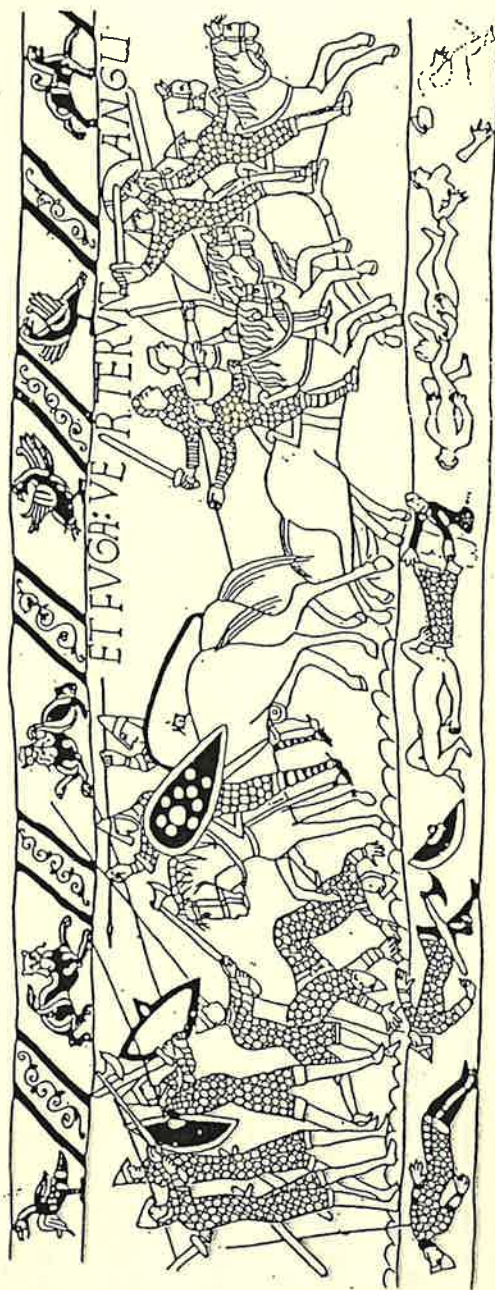
William Humble, 10th Baron Ward *ob* 1835 = Amelia Pillans

William 11th Baron Ward. or Earl of Dudley 1860 *ob* 1885 = (1) Selina Constance
 (2) Georgina Elizabeth Moncrieffe

William Humble, 2nd Earl of Dudley *ob* 1932 = (1) Rachel Gurney
 (2) Gertrude Monckton

William Humble Eric, 3rd Earl of Dudley *ob* 1969 = (1) Lady Rosemary Sutherland-Leveson Gower
 (2) Frances Laura Charteris
 (3) Grace Maria Kolin

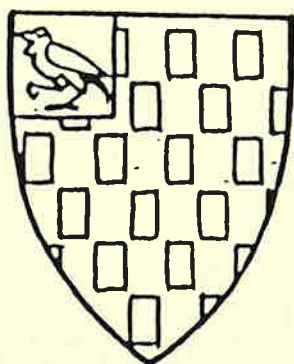
(1) William Humble David Ward, 4th and present Earl of Dudley



The Lordship of Lydiate Lancashire

THIS MANOR lies on the road between Liverpool and Southport. The township has an area of 1,995 acres, and Lydiate proper was originally bounded on the south by small brooks which divided it from Maghull, and on the east and north by the Sudell or Lydiate brook. The old Leeds and Liverpool canal winds its way through the manor.

Uctred held Lydiate proper at the death of Edward the Confessor in 1066. It was a township of three hides, was rated as six oxgangs of land, and had woodland a league in length and two furlongs broad. the value was 64d, a great advance on the normal 24d, probably because of the woodland. Early in the 12th century it was granted to Pain de Villiers as part of his Barony of Warrington, to which it continued to belong, and he in turn granted it to William Gernet, to be held by Knight's service as three-fortieths of a Knight's fee. In 1212, his six oxgangs in Lydiate were in the joint tenure of Benedict and Alan, sons of Simon. Alan seems to have been the elder brother, judging by the order of the names in a quitclaim in 1202, by Simon Blundell and Siegrith his wife to Alan and Benedict de Lydiate, after an assize of *mort d'ancestor* had been summoned between them, concerning two-thirds of two oxgangs in Gildhouse and Sureheved.



Blundell

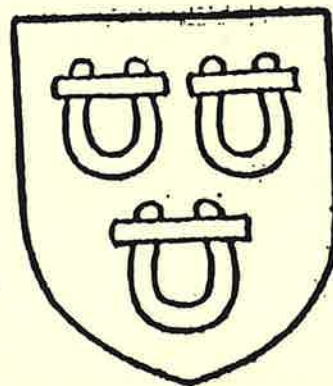
Alan de Lydiate granted to Cockersand Priory a portion of his land in the townfield in pure alms. William de Lydiate was holding Lydiate of the heir of Emery le Boteler in 1242. He was still living in 1255, but seems to have died shortly afterwards, leaving his heir, Benedict, probably his son, who was married to Alice. After his death, Alice made over to Sir William le Boteler all her dower and whatever claim she might have in land in the will of Lydiate, in about 1270. In this year she also prosecuted her claim concerning the mill in the Manor against Robert de Halsall.

Emma, the widow of William the Pinder, claimed dower in a smallholding from Robert de Lydiate, and the latter called upon William son of Benedict to warrant. This he failed to do. Emma, therefore, recovered her dower against Robert, who was to have the value of it out of William's lands. Who this Rower de Lydiate alias de Halsall was, there is nothing to show, though he seems to have held a small, subordinate Manor from William de Lydiute. In 1315, Richard, son of Benedict de Lydiate settled an oxgang of land on his daughter Cecily, married to Elias de

Occleshaw. He had received this oxgang, which lay in Gildhouse, from his brother William, and it had previously been held by Adam de Churchlee. At Easter 1325 Benedict de Lydiate complained that Gilbert de Halsall, John de Wolfall, and Denise his wife, and others had disseised him of 10 acres of pasture in Lydiate. The defence was that the land was 'wood not pasture'. Benedict and the others had enclosed the wood, and so sought to deprive the defendants of the right common for their pigs. The jury agreed.

It seems that Gilbert de Lydiate took his place as the foremost man in the township, as in the assize of 1331 and the subsidy of 1332. John son of Benedict becomes prominent about 1350. In that year, he complained that Sir William le Boteler, Baron of Warrington, Elizabeth his wife, and many others, including the Wolfalls and Elias de Gildhouse, had unjustly dispossessed him of his free tenement in Lydiate.

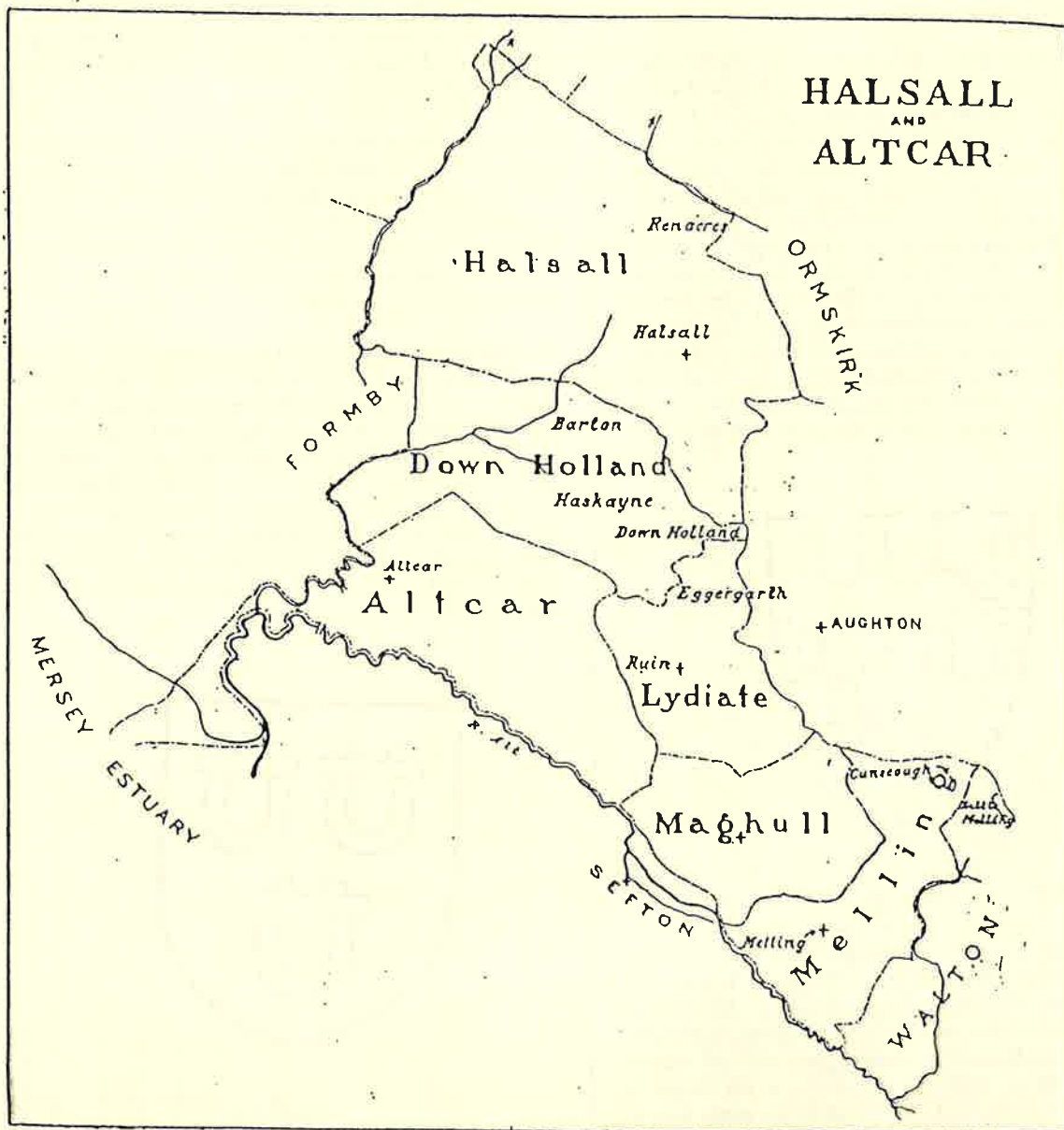
One other family may be noticed at this point. In 1306, Simon, son of Richard de Ince claimed from William del Halgh of Lydiate a tenement in Lydiate. William del Halgh gave William Blundell, clerk, his holding in Lydiate and Maghull, with remainder to John their son and his wife Ages. John died leaving an infant daughter Isabel. John de Lydiate's daughter and heir Katherine married Robert son of John de Blackburn of Garston. She died in 1435, and her grandson, Lawrence Ireland, came into possession of the Manor. He was a minor, and his mother had married David de Standish as her second husband in 1433.



Anderton

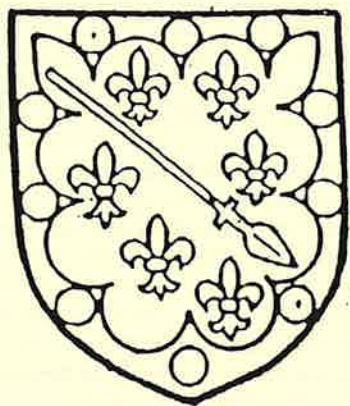
Lawrence married Katherine, daughter of Henry Blundell of Little Crosby, and had a son, John. He is described in March 1469 as Lord of Garston, so presumably Lawrence died sometime before. John Ireland of Lydiate died in May 1514 holding the Lordship of Lydiate of Sir Thomas Butler, Baron of Warrington by the tenth part of a knight's fee. It was worth 10 marks per annum. The Manor was inherited by his son George, who was 47 at the time of his father's death. George Ireland held Lydiate for 20 years, doing homage to the Baron of Warrington on the 18 March 1515. He was succeeded in 1535 by his son Lawrence. In 1539-40 Lawrence had a grant of lands

Map of Lydiate for identification purposes only



in Garston from Thomas Ireland of the Hutt, and 4 years later he surrendered all his lands in Garston and the neighbourhood to Sir William Norris of Speke, receiving the Norris lands in Lydiate and Maghull in compensation. He also bought from Thomas Holt of Gristhurst that portion of the possessions of Cockersand Abbey which lay in his own area - Lydiate, Thornton, Melling and Cunsough. On his death in March 1566 he held the Manor of Lydiate from Thomas Butler, Baron of Warrington by the twentieth part of a knight's fee, paying 5s. 4. 1/2d. His heir William died about three years after his father. A pedigree was recorded in 1567.

He died on 6 May 1609, leaving a widow and 10 young children, for whose benefit he had in 1605 enfeoffed Sir Richard Molyneux and others of the Manors of Lydiate and Eggergarth. They are stated in the inquisition to be held of Thomas Ireland, Baron of Warrington, in socage by the rent of a rose yearly, their value being £5 clear. His son, Edward Ireland, was only 16 when he inherited, and James I made him a ward of Barnaby Molyneux and Hugh Nelson. He married twice, and had a son in 1637 by his second wife, Margaret Norris, who became his heir. An inventory of his property is still extant, endorsed in the dining chamber in the hall at Lydiate, being a parcel of land within mentioned, in the name of all the Manors and lands within mentioned, to the within named Henry Mossock, James Halsall, and Richard Formby, in the presence of Robert Blundell and other witnesses. To his son and heir Lawrence he gave a gilt bowl, various household items including all the brewing vessels, also all the armour with the clock and drum, and a box containing money.



Ireland

The manor house was obviously quite substantial, with a dining chamber, great chamber, hall chamber, little chamber (or Mistress Clive chamber), buttery chamber, green chamber, canaby chamber, garden chamber, brewhouse chamber, the nurseries, squirrel chamber, ward chamber, rowling chamber, great parlour, green parlour, servants' chamber, cellar, hall, kitchen, buttery, larder, brewhouse, piggon and dairy. The residue of his property was to be divided into three equal parts, one for his wife, the other two for his daughters, who were to share equally. Lawrence was only three years old on his father's death, and was still under age in 1651, when his mother Margaret sent a petition to the Parliamentary Commissioners touching the sequestration of his estate. Like many other Catholics at this time, Lawrence was sent abroad to be educated. Because of his religion, two-thirds of the Ireland estates sequestered, and the widow was allowed a fifth in 1651, to be increased to a third should she

prove that she was not delinquent; Gilbert Ireland of the Hutt, a strong partisan of Parliament, was made Lawrence's guardian. Mr Ambrose, the Parliament's agent, had given reasons which induced him to believe that young Mr Ireland had been brought up in popery; namely, that his mother demanding from him how her son should be maintained, he answered that if she would please he should be brought up in the Protestant religion he might be provided for according to his rank and quality, she replied she had rather see him hanged, that he could never hear of him going to church, but that he had been kept secret and conveyed from one papist's house to another, whereof Mr Ditchfield, a papist at Ditton, was one; and that it had then lately been given out that he had been sent beyond the seas, where Mr Ambrose believed he then was.

It was replied that he had been educated at Oxford, and only sent abroad by licence from the Cromwellian Council of State. Colonel Gilbert Ireland refused to accommodate her: he had heard they were about to marry him (Lawrence) with Mr Ditchfield of Ditton's daughter, an arch-papist, signifying his dislike thereof. Lawrence came of age in 1655, in which year he granted a lease of Cunsough Hall to John Tatlock. He married Anne Scarisbrick in 1658, but she died six years later leaving two daughters, Margaret and Katherine. In 1664 he settled his estate on his elder daughter and her heirs, with remainder to the younger daughter and her heirs. In 1666, he was ordained priest, but there is little further record of his career, and his only subsequent connection with Lydiate and Eggergarth was his settling a messuage in the place upon his younger daughter Katherine in 1673; she later became a nun at Dunkirk. He died in York on 30 June 1673, and was survived by his mother who was buried at Halsall in 1695.

The Lordship passed to Charles Anderton, heir to Sir Francis Anderton, who had married Lawrence Ireland's elder daughter. It is not certain whether Charles Anderton ever resided in the area. He died in 1691: his eldest son Charles was then living at St Omer's, where he died in 1705, and was succeeded by his brother James. The Manors of Lydiate, Melling, Cunsough, and Eggergarth and other Ireland lands were settled to the use of his mother Dame Margaret for life, with remainders to Francis and to his brother Joseph in tail male; then to his sister Mary, the wife of Henry Blundell of Ince Blundell. James, the legal owner, was succeeded by his younger brother Francis who took part in the Jacobite Rising of 1715, and was taken to London and condemned. He was pardoned, but the forfeited estates were recovered by his elder brother Lawrence, who had been a Benedictine, renouncing his vows and his religion in 1724. He died shortly afterwards and left his estates to his brother's children, with remainder to the Blundells.

Under this will, the Blundells of Ince Blundell succeeded to these estates after the death of Sir Francis Anderton in 1760. Sir Francis, after his pardon, had lived very quietly at Lydiate Hall, devoting himself mainly to cock-fighting. In the leases granted by him there was always a stipulation with the tenant for the keeping of a cock. An unusual dispute followed Sir Francis's death without issue. The Blundells remained Lords of the Manor into the late 20th century when Lydiate was conveyed to the present owner, represented by Trustees.

Documents associated with this Manor:

Rentals 1692, 1752-4

Lancs RO

The Lordship of Denby West Yorkshire

ESSENTIALLY, this Lordship, like West Clayton - which is also offered in this Catalogue - has been one of a group in family ownership from the Norman Conquest until now. The present owners are the Trustees of the Savile Estates, established in the late nineteenth century when it included about twenty Manors in this part of Yorkshire. Seven or eight of these were sold in the 1980s by the late third Baron Savile, and most of the remaining ones will follow over the next several years.

When we say 'family ownership,' we mean that, as part of a much larger group, they belonged from the late eleventh century to the descendants of Ilbert de Lacy, passing in marriage in the fourteenth century to the Plantagenet Earl, later Duke, of Lancaster, and thence into the Duchy of Lancaster, which merged in the Crown on the accession of Henry Bolingbroke, Duke of Lancaster, as King Henry IV, in 1399. The Lordships in the present group, so to speak, were granted out of the Crown to the Lumleys, later Earls of Scarborough, one of whom made them over to a love-child in the reign of Queen Victoria, who was created Baron Savile of Rufford. More of this later. What *is* interesting is the evident belief of the landed aristocracy, even in the nineteenth century, that everything they knew would remain the same; an example of which is that we have seen mortgages, for other estates, from this period of upto 3,000 years - as far into the future as the reign of Rameses the Great, Pharaoh of Egypt, is into the past - a time-span of greater longevity than the Roman Catholic Church, possibly the world's oldest institution. Belief in family and the society in which one lived does not get better than this.

As indicated, the first of the de Lacys to hold Denby was Ilbert, and there are several entries in Domesday Book (1086):

In (Upper and Lower) DENBY, Eadwulf and Godric had three carucates of land taxable where one and a half ploughs are possible. Now Alric has (them) from Ilbert. There, woodland pasture, one league long and one wide. Value before 1066, 10 shillings; now 6 shillings. A cow pasture is there.

In (Upper) DENBY, Halfdan (a Danish name) had three carucates of land taxable; two ploughs possible there. Ilbert has (it). Waste. Value before 1066, 20 shillings. Woodland pasture one league long and one wide (see above).

Ilbert in (Upper) DENBY, three carucates. In EMLEY, three carucates. Ilbert in THORNHILL, four carucates.

There had been a rising of northern earls against King William in 1069-70, causing him to take an army through Yorkshire, and other counties, razing towns and villages to the ground. Consequently, in the first Domesday entry, the value of the property had fallen to six shillings; and in the second to zero because all was 'waste.' The devastation was so severe that, sixteen years later - when Domesday was compiled - the resulting retribution for rebellion was still palpable. Of course, Ilbert de Lacy was not a rebel, but his land and people were punished, nevertheless. There were evidently also two Manors here at Domesday, long since united into the Lordship of Denby.

The surname Lacy is derived from the family estate at Lassy, Normandy. Ilbert's principal seat in Yorkshire was Pontefract Castle, which was the head of his Barony (or Honor), which included 144 Lordships in Yorkshire, ten in Nottinghamshire, and four in Lincolnshire. He was succeeded by his son Robert, who had these lands confirmed by King William II Rufus, but he and his son another Ilbert were exiled by the Second William's successor, King Henry I, when they joined the party of the new King's elder brother, Robert Curthose, in rebellion. The royal patrimony was not yet impartible and the Duchy of Normandy was evidently seen by the Conqueror to be his principal dominion, even though he held it as a vassal of the King of France, and he designated his eldest son Robert his successor there. His second son became King William II, and his youngest son Prince Henry bided his time.

Robert Curtose (so-surnamed for his fine legs, apparently) wanted to join Pope Urban II's Crusade, declared at Clermond Ferrand in 1095, and needed money, so he mortgaged his Duchy to his brother, the King of England. On his return from the Holy Land in 1099, King William II was in no mood to restore so valuable a territory. The following year, King William II was killed by an arrow while hunting in the New Forest, Hampshire, by Walter Tyrrell. Historians still dispute whether this was an accident or an assassination. At any rate, Prince Henry was quick to secure the Royal Treasury at Winchester, declare himself King, and marched to London where he was crowned. Unsurprisingly, Duke Robert thought that he ought to have been king and the next six years were spent in internecine warfare, when Robert was finally defeated at Tinchebrai, France, in 1106, captured, and kept a prisoner in Norwich Castle by his younger brother until his death twenty-five years later.

As with such weighty disputes, the nobility on both sides of the Channel joined in. Sadly for Robert de Lacy and his son Ilbert, they picked the losing side, being lucky to forfeit their great estates and not their lives.

Their time would come again, but in the interim, King Henry I gave the Barony of Pontefract and the de Lacy Manors to Henry Travers, who died almost immediately - but having just enough time to be tonsured as a monk to smooth his path to heaven, as people believed then. The de Lacy patrimony was granted to Guy de Val, who died an old man at about the same time as King Henry I, in 1135.

SCARBROUGH

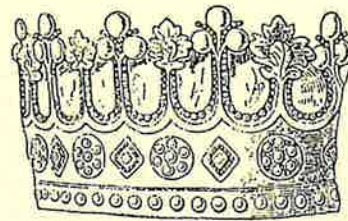


That king left as heir an only daughter, Matilda, the widow of the Holy Roman Emperor Sigismund, and has been known in England ever since simply as the 'Empress.' It would be more than four hundred years before the English nobility were ready for a queen regnant (which happened for the first time in 1553, in the person of Mary Tudor, the daughter of King Henry VIII by Katharine of Aragon). The Empress was passed over in favour of Count Stephen of Blois, the next male heir, who became King Stephen. Again, the nobility divided between those for the King and those for the Empress, who had remarried Geoffrey Plantagenet, Count of Anjou, western France, known as 'Geoffrey the Handsome.' This time, a now elderly Ilbert de Lacy was re-granted his estates in Yorkshire, in 1138, where he distinguished himself at the Battle of the Standard (Northallerton, Yorkshire) on behalf of the King fighting a Scottish invasion.

Ilbert was succeeded by his brother Henry who promptly declared his allegiance to King Henry II, on the death of Stephen, in 1154. Henry was the son of the Empress and Count Geoffrey, and was the first of the Plantagenet race to sit on the English throne. Subsequent de Lacys (more particularly set out in a pedigree chart under the memoir of the Lordship of West Clayton) served King Richard I on the Third Crusade and helped his sovereign take Acre, just south of modern Beirut, in 1192. His son and heir John, who became Earl of Lincoln in right of his wife, joined the baronial faction who forced King John to sign Magna Carta, but made peace with that King the next year and his successor, King Henry III, being confirmed in his castles at Pontefract and Dunnigton, and the de Lacy Manors in Yorkshire.

The last of the de Lacys of this branch of the family was Henry, third Earl of Lincoln, on whose marriage to Margaret, daughter and coheir of William Longspee, Earl of Salisbury, became, in right of his wife, Earl of Salisbury. He succeeded his father Edmund in 1257 and, remaining untainted in Simon de Montfort's rebellion in 1265-6 in what is known as the Barons' War, was in high favour with King Henry III (died, 1272) and his son, King Edward I. He was a solid support to King Edward in the conquest of Wales, partial conquest of Scotland, and in Gascony, south-west France. In 1290, the King gave him the responsibility of purging the judiciary of corrupt judges, complained of in Parliament that year. Chief Justice Thomas Weyland was banished and his estates forfeited, and numerous other judges were fined heavily. Later in that decade, he was ambassador to France to discuss dealing with the problems of piracy in the Channel. In 1305, he attended the inauguration of Pope Clement V at Lyons. His last government position

SAVILE



was as Governor or Regent of England in 1312 when King Edward II went north to re-assert (unsuccessfully, as it happened) English authority in Scotland. The Earl died in the same year and was succeeded by his daughter and heir, Alice, who married Thomas Plantagenet, Earl of Lancaster, the King's cousin. She was known as Countess of Lancaster, Lincoln, and Salisbury, and brought the de Lacy Lordships in Yorkshire into the Royal Family.

Thomas was hanged in 1322, but his son was restored in 1328, shortly after the accession of King Edward III, and made Duke of Lancaster. His daughter married John of Gaunt, later Duke of Lancaster, son of King Edward, when the de Lacy lands passed into the Duchy of Lancaster. Gaunt's son, Henry Bolingbroke, succeeded King Richard II in 1399 as King Henry IV, and the Yorkshire estates merged with the Duchy in the Crown.

Sometime before 1579, the twenty or so Lordships, originally

in the de Lacys, that were to form the Savile Estate in Yorkshire in the nineteenth century were granted out of the Duchy of Lancaster to the Savile family of Rufford, Nottinghamshire. The Honor or Barony of Pontefract was retained in the Duchy, whose Duke is Queen Elizabeth II. By the marriage, in 1752, of Barbara, younger sister and heir of Sir George Savile, Baronet, to Richard Lumley-Sanderson, fourth Earl of Scarborough, the Yorkshire Manors, sometimes also called the Thornhill Estate, and the Rufford Manors, passed into the Lumleys. A descent of Lumley family is given with this memoir. John Lumley-Savile, eighth Earl of Scarborough, never married, but 'by a French woman' had a child, John Savile-Lumley. On the death of the eighth Earl, this illegitimate son was left the Yorkshire Estate, including Denby, and the Rufford Estate, in Nottinghamshire (see the Lordship of Wellow in this Catalogue), and Denby is now offered by the Savile Trustees. John Savile Lumley was created Baron Savile by Queen Victoria in 1881.

Denby was for many years part of the large parish of Penistone, from which it was separated in 1854, covering approximately 3,825 acres and it quite undulating. Within its bounds are the townships or hamlets of Denby Dale, Dryhill, Gunthwaite, and Ingbirchworth, the latter two being also Manors. The church of St John the Baptist was originally built in 1627 and rebuilt in 1843. Denby is about nine miles south-east of Huddersfield.

There is a considerable archive of manorial and estate papers, under Lumley-Savile, Barons Savile at the West Yorkshire Archive Service, Kirkless, accessible on the internet: www.nationalarchives.gov.uk and follow instructions.

DESCENT OF THE DE LACY'S. sometime LORDS of DENBY, WEST YORKSHIRE.

Ibert or Ilbert De Lacy = Hawise

Lord of Pontefract
of 159 Manors in
Yorkshire, 10 in
Notts, and four in
Lincs

Robert = Matilda
(exiled for rebellion by HENRY I) Hugh

Ibert, Restored to his English lands by KING STEPHEN (dsp)

Henry (1) Albreda = (2) Eudo de Lissours

(1)

Robert (dsp 1193) = Isabella

John, Baron Malton and = Alice de Vere, dau. of 2nd Pontefract, Constable of Earl of Oxford Chester (ob 1179)

Robert the Hospitaller

Sarah = Robert de Alford

Audrey = Henry Bisset

Roger de Lacy, present with RICHARD THE LION HEART at the Siege of Acre 1192 (ob 1211)

Albreda de Lissours = Richard FitzEustace, Feudal Baron of Halton Cheshire

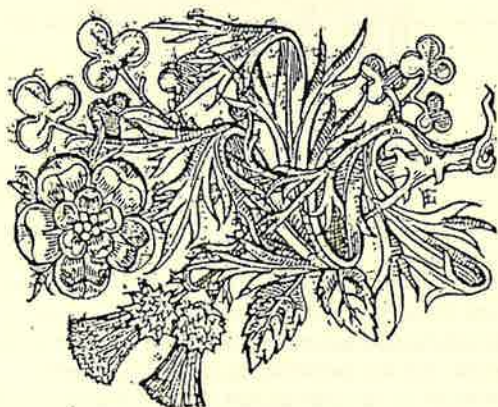
John = Margaret, dau. and heir of Robert = (2) William Marshall, Earl of Pembroke (ob 1240) de Quincy, Earl of Winchester

Maud = Richard de Clare, Earl of Gloucester

Edmund, Earl of Lincoln = Alice of Savoy (ob 1257)

Henry = Margaret, dau. and co heir of William (ob 1312) Longspee, Earl of Salisbury

Alice de Lacy = Thomas Plantagenet, Earl of Lancaster



The Lordship of Retford Nottinghamshire

RETFORD lies on the River Idle and has three brief entries in Domesday Book (1086). It was in the possession of Roger de Bully:

*In Odestorp and Redeforde are
1 1/2 bovates of land to the geld.
There is land for 4 oxen.
The soke belongs to Clumber.
It is waste.*

Roger de Bully was a Norman land magnate, who had been granted land throughout England after 1066 as a reward for his support at the battle of Hastings. Much of his land lay in Nottinghamshire where he became the largest landholder with other manors such as Lowdham, Clifton, Egmanton, Boughton, Eaton, Workop, Holme Pierrepont, and Thrumpton among a host of others. It is thought possible that his surname gave rise to the word we associate with intimidation today, though there is little record of his nature or his activities which could be used to verify this. It is supposed that Roger was very close to King William I (the Conqueror) and was allied with Count of Eu, who was his brother-in-law. Roger and his wife Maud founded a monastery at Blyth.

After this period this estate broke up and eventually fell to the Crown. The civil division, known as East Retford, became an ancient borough by prescription in 1279, when King Edward I granted the burgesses of what had by then become a small town the right to administer their own interests at a fee farm rent of £10 a year, and to elect a Bailiff. In 1315, the free townsmen were granted the right, by King Edward II, to send members to Parliament, from which they were exempted fifteen years later on account of their 'poverty.' This right effectually to nominate two MPs was taken up again in 1571, probably under the influence of the local magnates, the Earls of Shrewsbury and Waterford in the sixteenth and seventeenth centuries, the Cavendishes until the 18th century when the Dukes of Newcastle, based at Clumber, became Lords of Retford, which included West Retford, as the rural area of the original Manor became known.

There were constant disputes between the burgesses and the medieval Lords, the de Hercy Barons of Grove, who sought to control the town though bribery or threat of eviction from their properties. We must remember that many parliamentary boroughs, until the Great Reform Act of 1832, were a tiny oligarchy of 'freemen.' Extraordinarily, to our modern minds, one of the most infamous boroughs was that of Old Sarum (the original Anglo-Saxon site for the monastery at Salisbury) returned two members to Parliament, although by the nineteenth century there were no electors, and the owner of the manor of Sarum simply nominated two MPs. Such places attracted the name of 'rotten borough.' The ballot was not secret until the Ballot Act of 1872 and, in the case of Retford, the freemen hardly numbered more than thirty men until 1832. Since the freemen could nominate other men and elect them as freemen, the local Lord, such as a Duke of Newcastle, routinely had his own nominees elected as freemen in order to control the borough in Parliament.

This practice was complained of to the House of Commons throughout the country, and in the case of Retford, in 1705, Parliament observed 'that the right of electing burgesses to serve

in Parliament for this Borough, is in such freemen only as have a right in their vote by birth, as oldest sons of freemen, or by serving seven years apprenticeship, or have by redemption, whether inhabiting or not inhabiting the said Borough, at the time of their being made free.' Essentially, the manorial patron, the Duke of Newcastle, determined the freemen and, thus, the MPs, the going rate for freeman's parliamentary vote in the 1820s being 20 guineas (£21), a large sum. Various Dukes held the position in the borough of Lord High Steward, a title for the Lord of the Manor. Later in the nineteenth century, the Harcourt-Vernons became Lords of the Manor and barons of Grove, and numerous other Lordships by inheritance from the Eyre family (see pedigree chart).

Such rights as the Lord of Retford may have enjoyed over the borough were entirely nominal, except such power as he might accrue by virtue of his wealth and standing, as already implied. The rural area of the Lordship, by the Tudor period often called West Retford, developed as the seignorial estate, eventually being joined to its close neighbour by a stone bridge over the Idle.

Retford's medieval owners were the Hercy family and feudal Barons of Grove, who retained it until 1570. The founder of the family in England was Sir Malvicius de Hercy who is recorded in 1210. He was succeeded by his son, Sir Hugh. In 1367 the Lordship was settled on Hugh de Hercy and his wife Alice. His successor, Sir Thomas de Hercy was said to have attempted to extend his domination of the Lordship of West Retford over the river to the Borough of East Retford. The burgesses and townfolk jealously guarded their independence and brought an action against Hercy claiming that, 'whereas they, their ancestors and predecessors of the same town since time of memory have used to depasture their beasts in the fields of West Retford, paying to the Lords of the said town for every horse, ox, or cow, two pence annually, and for every hog one penny, and for every young pig one halfpenny, and now Thomas de Hercy, Knight, one of the Lords of the said town of West Retford, hath levied of the said burgesses double for every beast by extortion [amounting to] more than forty pounds, in defeasance of the right of the King and great impoverishment of the said burgesses, and hath taken this year for their pasture of the said beasts five marks, and doth not permit them to depasture any more without fresh ransom, insomuch that they have lost great part of their said beasts by his default to the damage of the said tenants of one hundred marks.'



Vernon

Furthermore;

'Also where the said Sir Thomas hath nothing in the said town of East Retford, nor can claim anything of right, he sends his servants called watermen with bows and arrows, and from day to day fishes with force and arms in the common water of East Retford, which the said burgesses hold of the king, and take the nets and fish of the said burgesses which they find there, breaking their houses, and threatening them of life and limb against the king's right and his peace, against his franchise'

Unfortunately there is no evidence to suggest what the outcome of the legal battle, but in 1424 a royal grant confirmed the borough's privileges and the feudal lords seem to have been beaten off.

In 1570 Sir John Hercy died without a male heir and the Lordship was settled on one his eight sisters, who was married to Nicholas Denman. One of Denman's sons was rector of nearby Ordsall. He was instituted 1550 but was deprived by order of Queen Mary for three years from 1556. The reason given was that he was married but on the accession of Elizabeth I, Denman was restored to his position, where he remained for thirty years. A memorial to William at Ordsall church reads:

I was a Squire's son, my mother was heiress of a knight,
My name is Denman, I was a Master of Arts.
Rector of Ordsall in Mary's reign removed,
Queen Elizabeth restored me to my flock;
And I thereupon worked that Retford should reap the
fruits of my labours,
If any are zealous to make progress in Religion,
Ordsall knows I built houses for the poor.
Beneath this pile, I now am lying dead.
Ah! no, not dead, I live beyond in bliss,
Earth holds my corpse, in heaven my spirit dwells.

William's brother Francis inherited the Lordship and on his death it passed to his daughter Barbara and her husband, Edward Darrel. In 1665 John Darrel founded Trinity Hospital in West Retford for 'the maintenance of 16 poor impotent men' and which remained in use until the Second World War.

By the middle of the eighteenth century the Lordship of West Retford had come into the possession of the Eyre family. Anthony Eyre purchased the Grove estate in 1762, but may have held West Retford before this date. He served in the military and after his retirement made great alterations to Grove House and lived there until his death in 1788.



He was succeeded at West Retford by his son, Anthony Hardolph Eyre who was brought up in the army, and obtained the rank of Lieutenant Colonel in the 1st Regiment of Foot Guards. He served for some time as the member of Parliament for the county of Nottingham. Eyre's eldest son died in service during the Peninsula War (1808-1814) and so on Anthony's death the Lordship of West Retford passed to his daughter Frances, who was married to Granville Harcourt Vernon.

Vernon was a barrister and served as Chancellor of the diocese of York. He also served as MP for Retford after the vote was given to every freeholder in the borough of East Retford and manor of West Retford. He was succeeded as Lord of the Manor by his son Granville, who was born in 1816. He had a successful political career, serving the private secretary to the Earl of Lincoln, (the eventual Duke of Newcastle). He was elected as MP for Newark in Lincolnshire in 1842 and sat until 1857. He died in 1861. The Granville-Harcourt family retained the Lordship of West Retford until 1946 when the Grove estates were acquired by the Bradford Property Trust.

Retford is so called from the ancient ford, now replaced by a bridge, over the river Idle which joins the Borough to the seignorial Lordship of Retford, West. It was built on red clay, and was called in Anglo-Saxon times, the Redford. A battle in 617 was fought here between kings Edwin of Northumbria and Aethelred of Mercia. Believing that the Christian God had helped him, Edwin converted from paganism. It stands 144 miles north of London on the A1(M) and the Great North Eastern Railway, 26 miles from Sheffield and 36 from Nottingham.

Documents associated with this manor:

Pains and bylaws of the manor 1682, 1702
Nottingham University
Presentments and court papers 1755-1780
Deeds 1687-1697

DESCENT OF DE BULLY , Sometime, Lords of Retford

Jordanus de Bully, *temp* Conquest

Lambert de Bully

Jordanus de Bully

Lambert de Bully

Hugo de Bully = Mabel, dau of Henry of Braybrook
he died 1219

Hugo, d 1279

Lambert de Bully = Elizabeth, who married 2ndly
John de Albany, Earl of Sussex

Hugo de Bully
living *temp* Edward II = Elizabeth

Sir John de Bully = Elizabeth
ob 1349

Sir John de Bully = Agnes, dau of William de Ufford
1st Earl of Suffolk
dvp

Sir William de Bully = Isabel, dau of John Paynell of Boothby

Sir John de Bully, beheaded = Matilda, dau of Philip Nevill, Lord of Scotton
by Henry IV in 1400 at
Bristol for treason
cousin to 1st Earl of Westmoreland

Sir John de Bully = Catherine, dau of John Cumberworth
of Hundon, Lincolnshire

Roger d'Amundeville, *temp* William II = dau of Gerard Sylvan

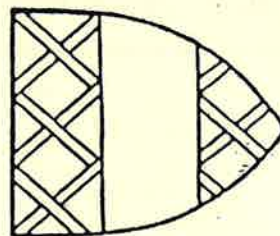
Julian d'Amundeville = Beatrix, dau of ? Paganel

Walter William Elias d'Amundeville = Emma Radulph Alan

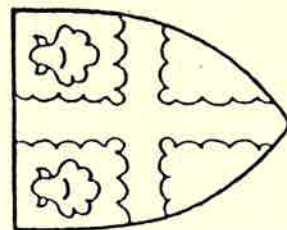
Peter d'Amundeville = Joan

Ermentrude d'Amundeville = Sir William de Dyve

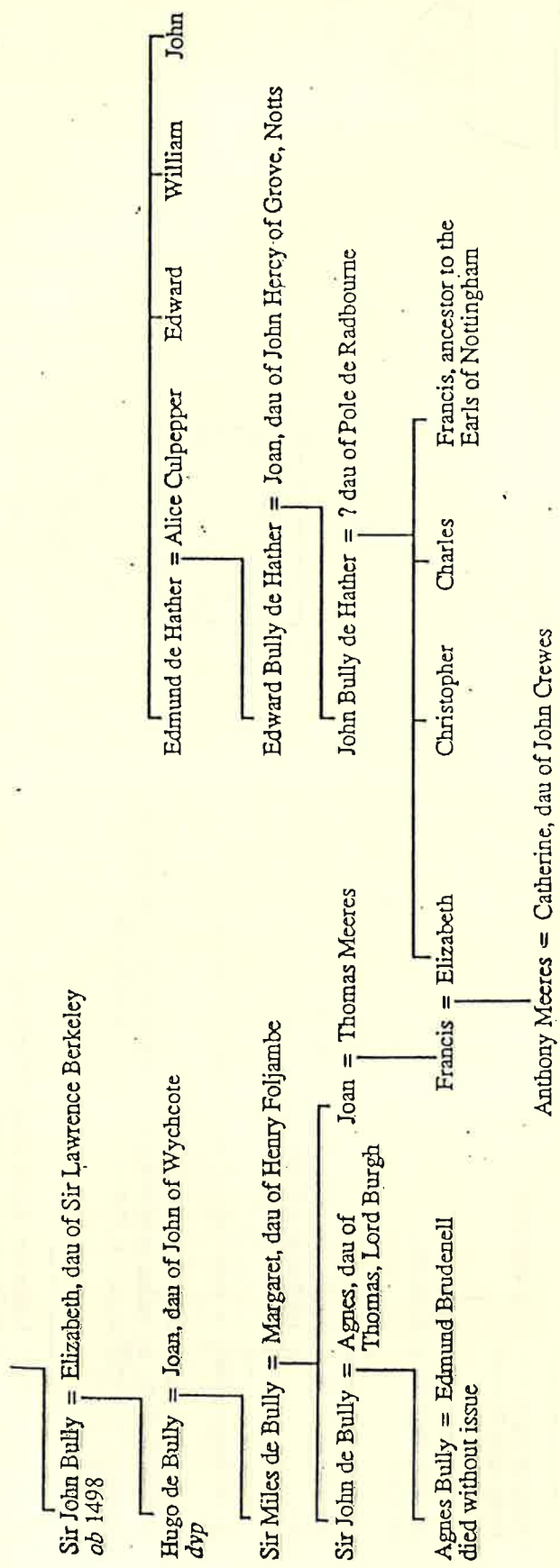
Joan = Radulph



Amundeville



Ufford



The Lordship of Thirne with Ashby and Oby, Norfolk

including Court
Books and other papers

THIRNE, Ashby, and Oby (Owby, or Obey) are small villages, situated close to each other between Yarmouth and the Norfolk Broads, in the Hundred of West Flegg. The Lordship lies about five miles north of Acle, 11 miles north-west of Yarmouth, and two miles from Potter Heigham; of its 1,392 acres, 17 acres are tidal water and part is inland water. Thirne, or as it is now spelt Thurne, is a parish and small village on the Rivers Bure and Thurne. Before the Norman Conquest Thirne and Oby each paid 9d Danegeld (see Glossary), and Ashby 1s. 3d. The Lordship of Thirne always went with Oby and at the Domesday Survey in 1086, Robert Bigod, an ancestor of the Earls of Norfolk, had 21 acres of land, 4 of meadow, and half a caracute (see Glossary), of which a freeman had been deprived, presumably a Saxon. The Abbot of St. Bennet-at-Holme had one caracute, with six bordars (see Glossary), and eight acres of meadow, one caracute in demesne and half a caracute for the tenants. Blomefield, the early 19th century Norfolk historian, says that Ashby belonged to the Abbey of St Bennet, and was a gift of King Cnut (r 1015-36).

By the time of Domesday Book, it was held by William de Beaufoe, Bishop of Thetford, a diocese that was soon to be incorporated into that of Norwich, and Jeffrey de Askeby and his wife, Maud, had an interest in lands in Ashby early in the reign of King Richard I (1189-99). In 1248, William de Sparham sold the Lordship to Roger and William de Suffield, and in 1286 it was held again by the Abbot of St Bennet, with which religious house it must have remained until the reign of King Henry VIII. At the Dissolution, Ashby with Thirne and Oby was part of an exchange between Henry VIII and Bishop Rugg of Norwich, and in 1556 it was held by Sir Thomas Woodhouse, or Wodehouse, an ancestor of the Earls of Kimberley, of Kimberley, Norfolk.

In the 13th century, the Manor of Oby was in the hands of Roger Bigod, Earl of Norfolk; it is occasionally mentioned in the 15th century Paston Letters, now held at the British Museum. There is some variation in the name of this manor. In the first Court book, from 1720 to 1743, which is in Latin until 1733, it is called Thirne cum Ashby, and in the second, from 1745 to 1755, Thirne with Ashby (presumably the Latin cum being substituted by the English 'with'). There is then a long gap, the record being resumed in 1803, under the title Thirne with Ashby and Obey, and continuing until 1822. In the next book, 1823 to 1860, the title remains the same, and after another long gap from 1860 to 1897, the last volume, ending in 1925, the Manor is still nominated Thirne with Ashby and Obey.

BRISTOL



There is no mention by name of a Lord of the Manor in the earliest Thirne with Ashby book, but in 1750 the first General Court Baron of the Right Honourable George William, 2nd Earl of Bristol, was held. The Earl had served for some years in the Army, and later, in 1758, he was Ambassador at Madrid, 'filling a difficult position with credit and dignity.' His ownership lasted only a short time, and in 1752 the first Court of the Rev William Adams, Clerk, with the attornment (acknowledgment) of the tenants, was held. No other Lord of the Manor is mentioned again until 1808, when William Hurnard held a special Court. He was succeeded in 1836 by the Rev. William Burr Hurnard, who retained the lordship until his death in 1878, when it was sold by his widow, Frances Rose Hurnard, to John Wiseman for £1,460. The Manor of Thirne with Ashby and Obey passed to Thomas Alfred Rising in 1894, who retained it till his death in 1923, when he was succeeded by his son, Arthur Preston Rising. There is a complete record of the Stewards of this Manor.

The Court Books show that from 1720 to 1755, Courts were usually held about once a year in Thirne with Ashby. With the resumption of records in 1803, Courts seem to have been held in most years, and in some years there were two or three. Towards the middle of the 19th century, an increasing amount of business was transacted out of Court, and after the long interval from 1860 to 1897, during which no records are available, all manorial business until 1922 was conducted out of Court.

There was an Enclosure Act for Thirne in 1809, and several awards were enrolled; other awards had previously been made under the Burgh and Billockby Enclosure Act of 1808, but most grants were made about 1820. After the Copyhold Act of 1844, many proceedings for enfranchisement were taken, but most of the enfranchisements were not effected until the early years of the 20th century. Almost all the proceedings enrolled in this Manor, in and out of Court, were enrolments of admissions, surrenders, mortgages, deaths of tenants, copyhold or freehold, and latterly, enfranchisements. Occasionally there were small departures from the usual Court routine, for instance, when Robert Alexander was presented for non-payment of quit-rent. In 1814, it was presented (complained) by the homage (see Glossary) that John Wigg '... hath suffered two messuages holden of this Manor to fall into decay and become wasted, therefore he is amerced five shillings And it is ordered by the Lord that he do rebuild the said messuages before the twenty ninth day of September next, under pain of 40s...' At the same Court, it was presented that 'James Marston hath not rebuilt his messuage which he suffered to become wasted, and therefore is ordered to rebuild the said messuage before the Feast day of St. Michael the Archangel next ensuing upon pain of forfeiting his lands.' John Wigg was later, after default, also threatened with forfeiture.

The most interesting tenant in the record is the Right Honourable Alexander, Earl of Home, admitted in 1813. He inherited on the death of his grandmother, Abigail Ramey, the widow of John Ramey, a former Steward of the Manor, under John Ramey's will of 1793. The lands mentioned were in Clippesby, Billockby, Ashby, Oby, Thirne, and Stickling, the holding in Thirne with Ashby being 19 acres. In 1821, there was a common recovery. The most interesting tenant in the record is the Right Honourable Alexander, Earl of Home, admitted in 1813. He inherited on the death of his grandmother, Abigail Ramey, the widow of John

Ramey, a former Steward of the Manor, under John Ramey's will of 1793. The lands mentioned were in Clippesby, Billockby, Ashby, Oby, Thirne, and Stickling, the holding in Thirne with Ashby being 19 acres. In 1821, there was a common recovery action relating to this property, as a result of which the Earl of Home's son 'commonly called Lord Dunglas' held it for his lifetime, after which it passed to Robert Marley. There was a conditional surrender (called a mortgage when dealing with freeholds) in 1816 by James Howes to '... the Stewards of a certain Society called the first established Friendly Society of Ormesby St Margaret meeting at the house of Martha Tarrant... called by the name or sign of the Royal Oak...' A large number of the tenants in this manor were clergymen and it would seem that until 1850 the See of Norwich had all interest in their houses. The local church of St Edmund, King and Martyr, who was captured by the Vikings in battle in 869. He was then killed, whether scourged, shot with arrows, and then beheaded, as the traditional account relates, or by being spread-eagled, as an offering to the gods in accordance with Viking practice, is not known. The church dedicated to his memory is Early English Stule (12th century) and may be older. Dr Christopher Wordsworth, Master of Trinity College, Cambridge, was Rector in the early 19th century.

The documents of title, as distinct from the Manorial Documents (given below), relating to this Manor are of unusual interest. Among them is a Lease for 21 years dated 23 November 1850 bearing the seal and signature of 'The Right Reverend Samuel Hinds Father in God, Lord Bishop of Norwich,' and the Reverend William Burr Hurnard. A conveyance of the Manor dated 4 March 1858 and made between John Thomas Pelham DD, another Lord Bishop of Norwich, and William Burr Hurnard had to be approved by the Church Estates Commissioners and bears the signatures and seals of The Right Honourable Henry Thomas, Earl of Chichester, The Right Honourable Charles, Viscount Eversley, and the Right Honourable Spencer Horatio Walpole, Member of Parliament. The seals of the Bishops are of special interest.

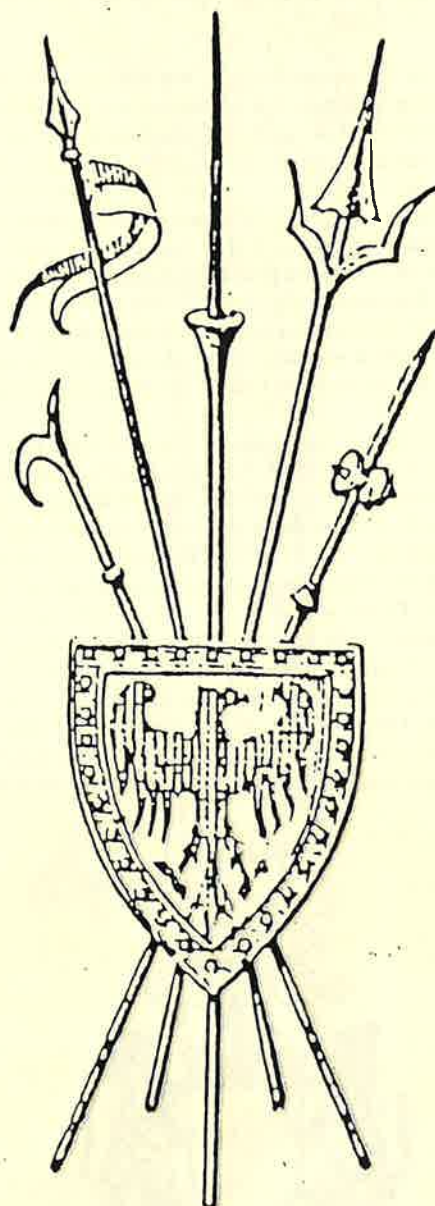
In this Manor the custom of descent on intestacy was to the eldest son and the fines on death or transfer were 'certain' (ie not arbitrary, which could be the case) and were four shillings an acre or 6s. 8d. for each messuage. Until the middle of the 19th century defaulters in suit of Court were amerced (fined) 3d.

The Vendor is the widow of George de Partos, who acquired the Lordship in 1965 jointly with his wife, from Olive Amelia Harrod, the Executrix of the Will of Edward Harrod, deceased.

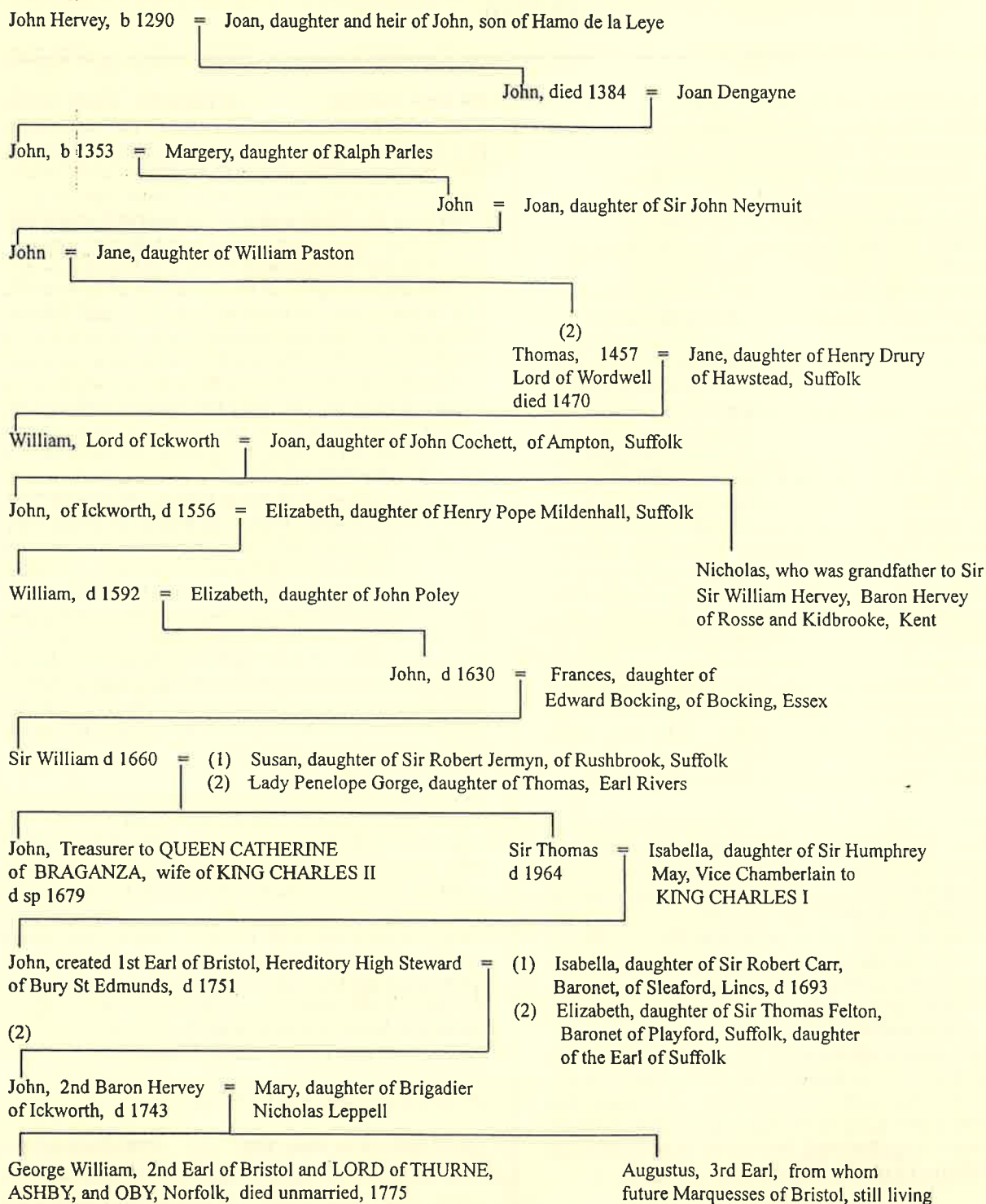
The following manorial documents will be handed over on completion

Court Books : Manor of Thirne with Ashby (alias Thirne with Ashby and Obey) 1720-1743; 1745-1755 1803-1822; 1822-1860 ; 1897-1922. These books are in a variety of bindings. There are numerous other documents, some referred to in the text above, with seals. A list will be forwarded in return for a stamped addressed envelope. The Court Books and papers may be inspected by appointment at the offices of Manorial Auctioneers, 104 Kennington Road, London SE11 6RE

HOME, Earl of



DESCENT OF THE EARLS OF BRISTOL, sometime LORDS OF THURNE, Norfolk



The Lordship of Newnham

Devon

THE LORDSHIP of Newnham, sometimes rendered Newenham, lies in the parish of Chulmleigh, eight miles from South Molton and 13 miles from Crediton in Witheridge Hundred. There is a very brief note in Domesday Book (1086) of the Manor being connected to Newenham Abbey, founded by Reginald de Mohun, who endowed the Abbey with the very considerable Lordship of Axminster. However, by the reign of King Edward II (1307-27), the de Grenvilles held this title together with large areas of land. Sir Theobald Grenville, who was Archbishop of York, died Lord of the Manor in 1315. By the early sixteenth century, the Lordship had passed to the Marquess of Exeter. The Marquess was a courtier to King Henry VIII and was a Commissioner for Queen Catherine of Aragon's deposition in 1533. As a reward, he was granted the stewardship of numerous abbeys and priories in the west of England during the King's Reformation of the Church in England. He was a judge at the show-trial of Queen Anne Boleyn and assisted in suppressing in 1536 the Pilgrimage of Grace, a dangerous, but half-baked, affair, led by Robert Aske, a lawyer, who brought 10,000 men to London from Yorkshire who were ostensibly Roman Catholics, but Henry himself deceived the credulous Aske at Hampton Court, causing him to disband his cohorts, when the King would see to their grievances. This, accordingly, happened, though hardly to Aske's expectation, for he was arrested and put to a traitor's death, which last three days. His followers were pursued into Yorkshire and, it was said, one could hardly walk a mile before passing a tree with men hanging from one of its branches. In his reign, Henry VIII, it has been calculated, killed 100,000 of his subjects, two of his unfortunate queens being only the most prominent.

Eventually, Lord Exeter quarrelled with Thomas Cromwell, Earl of Essex, Vicar-General and the King's chief minister, and drifted into a treasonable conspiracy with the Pole family. In 1538, he was arrested, tried by his peers in Westminster Hall, convicted, unsurprisingly, and beheaded on Tower Hill. King Henry VIII granted this Manor by Letters Patent to Sir George Carewe in 1544. There was litigation and, as a result, the title came to the Glanville family and Francis Glanville was Lord of the Manor in 1597. His widow, Mary, married Sir John Davy. Lady Davy had a complicated marriage settlement and left a correspondingly complicated will with trusts. Eventually, the Manor came to Hugh Boscowen, the head of the large landowning Devonshire family, who had risen to prominence in the county. The Boscowens were Lords of the Manor until Bridget, their heiress, married Hugh Fortescue, father of the 1st Baron Fortescue (see Pedigree Chart with this memoir).

This family, who descend from a cadet branch of the Fortescues of Normandy, probably came to England in the reign of King Edward the Confessor (1042-66), who had been taken as a baby in 1015 to the protection of the Norman Court at Rouen when Cnut conquered England. When Edward returned as king in 1042, he brought many Normans with him and his first language would almost certainly have been Norman-French. His father had been King Aethelraed the Unread, whom we meet under the Lordship of Brandon, Lincs, in this Catalogue. His mother was Emma, whom Cnut married to reinforce his successful claim to the kingdom the Danes had taken. Members of the senior Fortescue line were Seigneurs of St Evremont-sur-l'Ozanne and Mesnil-Angot.

The first whose name we have was Radulphus, around the turn of the twelfth century, and many of them have played prominent parts in British history, none more so than Sir John Fortescue, Lord Chief Justice of England, 1442-55. He died at the extraordinarily old age of 90. Along with Sir Edward Coke, the great lawyer, later Lord Chief Justice, of the early seventeenth century, Sir John Fortescue gave written form to English legal custom and his most important work 'In Praise of English Law' (De Laudibus Legum Anglice), is the cornerstone of the Common Law. It was no paeon for kingly authority, for implicit in it was that kings, though they administered the law, were subject to the law like everyone else. This was the great debate of the seventeenth century, spearheaded by Sir Edward Coke, which turned violent in the Civil War, and was only resolved in 1689 by King William III and his wife and co-ruler Queen Mary II who acceded to the Bill of Rights, one of whose provisions was that judges no longer held 'a pleasure' (previously, kings had dismissed judges who displeased them, including Sir Edward Coke, who was sacked by King Charles I) and held 'on good behaviour.' A senior judge, from 1689, could only be removed from the Bench by a Bill through both Houses of Parliament, which became an address to a king to remove judge. In other words, the king was now subject to the law and could only act ultra vires illegally, which no king has ever done since. Of course, what happens behind closed doors, particularly in our mass democracy, is anyone's guess with the levers of patronage or disgrace in the hands of lord chancellors and justice ministers... History seems to demonstrate that when countries create a Ministry of Justice, justice goes out of the window.

This prestigious aristocratic family held this Lordship title until recently. Hugh Fortescue, who was styled Lord Ebrington until he succeeded to the Earldom and the Lordship of this Manor in 1905, was educated at Trinity College, Cambridge before he joined the Coldstream Guards. He was MP for Tiverton and subsequently for West Devon. A keen sportsman, who loved hunting, he was master of the Devon & Somerset Stag Hounds and appointed Lord Lieutenant of Devon a year before he inherited the estate and Manorial titles. Lord Fortescue died Lord of the Manor of Newnham on the 29th October 1932 when the Lordship passed and descended in this family until 1988 when it was conveyed away by Lady Margaret Fortescue.

Documents associated with the Manor:

Letters Patent, King Henry VIII	1544 (Nat Archives)
Court Rolls	1573, 1577, 1603-7 1608-12
Marriage Settlement, Mary Glanville	1661
Presentments	1746-77
Survey	1750
Rental	1755-60
Map with Chulmleigh	undated

Devon Record Office, Exeter

DESCENT OF THE EARLS FORTESCUE, sometime, LORDS OF NEWNHAM, DEVON

Hugh Fortescue, created 1st Baron (1749), also 1st and last Earl Clinton, died without issue, 1751, when under a special remainder, the Barony of Fortescue passed to his half brother, Lord of the Manor of Newnham.

Mathew Fortescue, 2nd Baron of Castle Hill, by another Hugh Fortescue and his second wife Lucy, daughter of 1st Baron Aylmer died 1785. = Anne, daughter of John Campbell, descended from the Thanes of Cawdor, Scotland (see *Macbeth*, by William Shakespeare) and now Earl Cawdor.

Hugh Fortescue, 3rd Baron promoted to be Viscount Ebrington, of which he was Lord of the Manor, Glos, and EARL FORTESCUE, created in 1789, when the French were having their Revolution, Lord Lieutenant of Devon, 1786-1839, died 1941. = Hester, daughter of th Rt Hon George Greville, served as minister in numerous Cabinets, died 1847.

Hugh, 2nd Earl Fortescue, KG,PC,FRS Lord Lieutenant of Ireland, 1839-41, Lord Steward of the Household, 1846-50, died 1861 (1) = (1) Lady Susan Ryder, daughter of the 1st Earl of Harrowby.

Hugh, 3rd Earl, MP in father's lifetime secretary to the poor law board, died 1905 = Georgina Augusta Charlotte Candice, daughter of the Rt Hon George Dawson-Damer, member of cabinet, (second Earldom of Portanhington in *Debrett*)

Hugh, 4th Earl, KCB, Lord Lieutennant of Devon (1904-28), ADC to KING EDWARD VII and GEORGR V, died 1932 = Hon Emily Orwesky-Gore, daughter of 2nd Lord Harlech, Lady of the bed-chamber to QUEEN MARY, died 1929

Hugh Williams, 5th Earl, KG, CB, OBE, Lord Lieutennant of Devon, 1936-58, Lord in waiting to KING GEORGE VI, died 1958. His eldest son was ka in 1942 at El Alemein, when Lord Fortescue divided the estate, the Devon property passing to his surviving daughter, Lady Margaret (ne) Fortescue, married Bernard Van Cutsem. She conveyed the Lordship of NEWNHAM in 1988. The Glos estate passed to Lord Fortescue's brother, who succeeded him a 6th Earl. = Hon Margaret Helen Beaumont, daughter of 1st Viscount Allendale

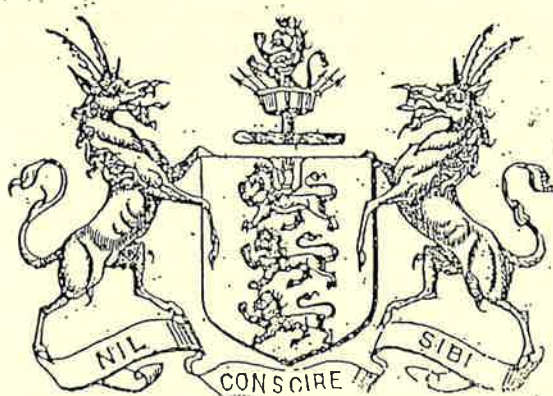
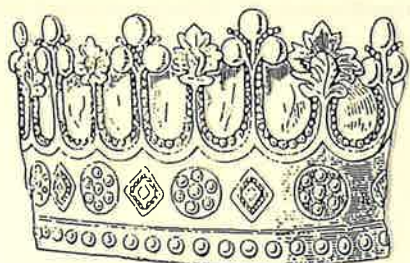
The Lordship of North Filham Devon

THE LORDSHIP of North Filham, or anciently Fileham, lies in Ivybridge, a small market town situated on the River Erme, 12 miles from Totnes and and 11 miles north-east of Plymouth. The area has always been popular with tourists, particularly in the 19th century when it was famed for its scenery. The area was also well known in the last century for the manufacture of high quality note paper. Two large mills in the parish employed more than 200 people.



Arundell

Anciently, the Lordship passed down through several local families, including the Filehams and Toppas. In 1551, North and South Filham were granted to William Gibbs of Fenton by Edward VI for his services in suppressing the rebellion in Devon of 1549. Led by Humfrey Arundell, a minor member of the aristocratic family, Arundell of Wardour, the revolt had fermented in a general atmosphere of discontent with laws of enclosure, which had been enacted in quantity in the south-west and with the process of Anglicizing the Church. The rebels gathered at Crediton and marched on Exeter, laying siege to the city, at the beginning of July. Their demands included the return to the Latin Mass, the distribution of holy bread and holy water, and the repeal of the tax on sheep. William Gibbs was sent with a force led by Sir Peter Carew, ancestor of the family which now holds North Filham, to Bodmin. Carew failed in his attempt to placate the rebels and his replacement, Lord Russell, proved more capable and ruthless. His army attacked at Clyst St Mary, just east of Exeter, on 2 August. The rebels were routed and Exeter was relieved two days later. For the rest of the month, Russell suppressed small pockets of resistance, and parcelled out land to his supporters, Gibbs among them.



Carew

At the beginning of the 18th century, the Lordship was in the hands of the Pearce family. The Pearces had a seat at Bigbury and several Manors in Ermington Hundred, including Fardell, which along with North Filham was sold by the executors of John Pearce's will, to Sir Robert Palk, Bart. John Pearce's grandfather was notorious in the county for his unorthodox religious views. He converted to Arianism and preached in London. He opened a new meeting house in the Mint in 1719. Arianism was an ancient Christian heresy which argued that Jesus was not divine, but a created being, and the belief, therefore, denied the Trinity. Arianism died out as a religion in the Dark Ages, but in the 17th century it was revived by some Unitarians and Baptists who moved to it as the ultimate extension of their deism. Pearce was part of a dissenting schism which began with non-conformists in Exeter in 1715, and spread throughout the country. Pearce began preaching a form of Arianism in the city and was ejected from his church by the congregation. He and a Mr Hallet established a chapel at the Mint, in Southwark, which at the time still retained its rights as a sanctuary. During his ministry there, Pearce wrote numerous controversial tracts and pamphlets and was held by many to be one of the leading champions of dissenting thought. His epitaph, since removed from the Mint to the George Meeting House, reads *a rational, judicious and sagacious interpreter of the Holy Scriptures, a singular lover of truth, a courageous sufferer for maintaining the doctrines of the Gospel of Christ, and for asserting the liberty of Christians.*

As mentioned above, North Filham was purchased by Sir Robert Palk at the beginning of the 19th century. The Palk family and Carew family became joined with the marriage of Sir Henry Carew and Elizabeth Palk, in 1806. Their son, Sir Walter Palk Carew inherited North Filham and his ancestors are the present day owners. The Carew Baronets' descent lies overleaf.

Documents associated with this Manor:

Rentals	1605	British Museum
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DESCENT OF THE CAREW BARONETS, Lords of North Filham and Fardell, Devon

William FitzGerald of Carru (Carew) Castle, Pembroke, Wales, son of Gerald FitzWalter, Constable of Pembroke Castle temp HENRY I (1100-35), by his wife Nesta, the daughter of Rhys ap Grydd ap Tudor Mawr, Prince of South Wales, and heiress of Carew Castle. William was the grandson of Walter FitzOther, Castellan of Windsor (ancestor of the present Duke of Leinster) and died in 1173, leaving with other issue Otho, ancestor of the Carew Baronets, and William, ancestor of the present Lord Gerard

John Carew, of Carew, Baron of Idrone, Ireland, ob 1363 = Margaret, dau of John Mohun of Dunster

Sir Leonard Carew, Baron of Idrone, ob 1371 = Alice, dau of Sir Edmond FitzAlan, of Arundel

Thomas Carew, Baron of Idrone, ob 1431 = Elizabeth, dau of Sir William Bonville, of Shute

Sir Nicholas Carew, ob 1446 = Joan, dau of Sir Hugh Courtenay, of Hacombe, Devon

Sir Thomas, ancestor of the Carews of Bickleigh, Mohun's Ottery, and Earls of Totnes

Sir Nicholas Carew, inherited the Manors of Hacombe = Elizabeth, dau of Sir John Croker of Lydeard St Lawrence, Somerset ob 1469

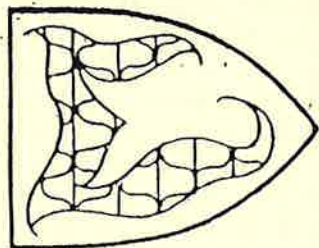
John Carew of Hacombe = Elizabeth, dau of John, Lord Zouche, of Harringworth

John Carew, commander in Francis I's army to rescue Pope Clement VII, who had been imprisoned by the Emperor Charles V, killed at the Battle of Pavia, 1527

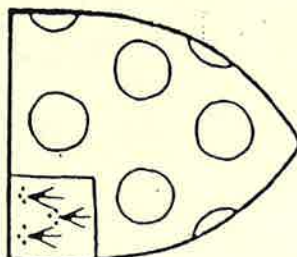
Thomas Carew, ob 1586 = Mary, dau of William Huddle, of Pillesden, Dorset

John Carew, living 1620 = Elizabeth, dau of Robert Hill, of Shilston, Devon

Thomas Carew, ob 1656 = Anne, dau of Rev John Clifford DD, of Ugborough



Mohun



Zouche

Sir Thomas Carew, created 1st Baronet of Hacombe, 1661, ob 1676 = (1) Elizabeth, dau and co-heir of Sir Henry Carew of Bickleigh, thus united two branches of the family
(2) Martha, dau and co-heir of Nicholas Dack

(1)

Sir Henry Carew, 2nd Baronet, inherited the Lordship of Bickleigh = (1) Elizabeth, dau of Thomas, 1st Lord Clifford of Chudleigh
from his mother, ob 1695 (2) Katherine, dau of John Fownes, of Whitleigh
(3) Gratiana, dau of Thomas Darrell, of Trewornan, Cornwall

(3)

Sir Henry Carew, 3rd Baronet, ob *unm* 1708

Sir Thomas Carew, 4th Baronet, = Dorothy, dau of Peter West, of Tiverton Castle
ob before 1746

Sir John Carew, 5th Baronet, inherited the Lordship of Tiverton from his mother = Elizabeth, dau of the Rev Henry Holdsworth, of Dartmouth
ob before 1773

Sir Thomas Carew, 6th Baronet, ob 1805 = Jane, dau of Rev Charles Smalwood

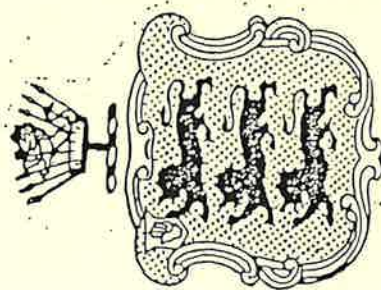
Sir Henry Carew, 7th Baronet, ob 1830 = Elizabeth, dau of Walter Palk

Sir Walter Palk Carew, 8th Baronet, = Anne, dau of
ob 1874 Maj-Gen Taylor CB

Sir Henry Carew, 9th Baronet = Frances Gertrude, dau of Robert Locke-Roe, Lord of
ob 1934 Lymington, Devon

Sir Thomas Palk Carew, 10th Baronet, ob 1976 = (1) Ivy Madeline, Laura, dau of Col Arthur Breakey OBE (marriage dissolved)
(2) Phyllis Evelyn, dau of Neville Mayman, of Sydney, Australia

Sir Rivers Carew, 11th and present Baronet

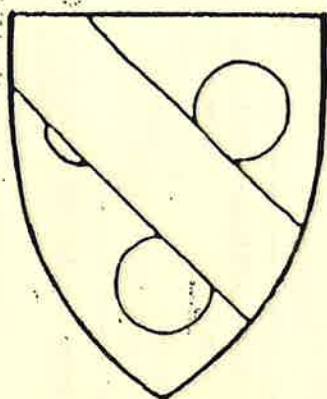


Carew



The Lordship of St James Priory Devon

THIS LORDSHIP lies in the parish of Heavitree, which today is a populous suburb on the east side of Exeter. In the Domesday Survey it is recorded that Ralph of Pomeroy held Heavitree from the King, his subtenant being Roger. Before 1066, it was held by Viking. It consisted of two carucates of land, one villager and two slaves, all valued at 20 shillings. Ralph of Pomeroy also held land in chief in Somerset and was the brother of William Cheever. Several entries in the Survey suggest that Ralph was a rapacious man; he had seized Ash and took possession of Aunk and Heppastebe (*sic*) and appropriated Panson before exchanging it for three Lordships. Like many noblemen, he also withheld customary dues on houses in Exeter. Ralph's estates later formed the Feudal Barony of Berry, named from Berry Pomeroy. Roger, Ralph's subtenant, also held an additional half a virgate of land in Heavitree, with one villager and a mill which paid 30 pence. Aelfric held it before the Conquest, but it was subsequently added to Weycroft. In the Domesday Survey, St James is listed as a separate Lordship held by Aelfeva, who was classed as a Thane. It paid tax for one and a half virgates of land and had two acres of meadow and 15 of pasture plus one acre of underwood all valued at 30 pence. The Priory of St James was founded in 1146, as a cell to the Cluniac monastery of St Martin in the Field near Paris, by Baldwin de Redvers, 2nd Earl of Devon (*vide* Sampford Courtenay for this family). This nobleman, a descendant of the Dukes of Normandy and therefore a kinsman of the Norman Kings of England, upon the death of Henry I espoused the cause of the Empress Maud only to find himself besieged in his castle at Exeter by King Stephen. On surrendering he was obliged to quit the kingdom with his family, but was eventually allowed to return. Baldwin's son and heir, Richard married Dionysia, daughter of Reginald de Dunstanville (illegitimate son of Henry I) and left two sons who both inherited the title of Earl only to die without issue.



Courtenay



Devon

The second Earl's ancestor, Godfrey Count of Eu and Brion in Normandy, was a natural son of Richard I, Duke of Normandy; not only was he the progenitor of the Courtenays, later Earls of Devon, but also the House of Clare. Between 1284 and 1431, it is recorded that the Prior of St James held the Lordship in alms from the Barony of Plympton, which Barony was held by the Earls of Devon. Thereafter the overlordship passed with the Earldom until the reign of Henry VI when he gave the Lordship to his newly established foundation of King's College, Cambridge, in whose possession it remained until 1992.

Documents associated with this Manor:

Court Rolls 1444	Kings College, Camb
Court Book	
and Rental 1745-1760	Devon RO
(with Cotley and Manley)	



THE descent of NAPIER and STURT

James NAPIER, *temp* HENRY VII (1485-1509), = Anne, dau of John Russell of Berwick
son of Sir Alexander of Merchiston, Scotland

James (3rd son) of Baglake or Pucknell = ? dau of Hilliard or
Hilliary of Dorset The two eldest sons followed the lines
of Napier of Oxon and Somerset

Sir Robert Napier (3rd son) of Middlemarsh Hall, = Margaret, dau of Sir
Baron of Exchequer (Ireland), High Sheriff (Dorset) Anthony Denton, of Oxon, died 1635
died 1615

Sir Nathaniel Napier, Bart, MP for Dorset = Elizabeth, dau and heiress of
John Gerard of Hyde, Purbeck, died 1624
1625 - 9

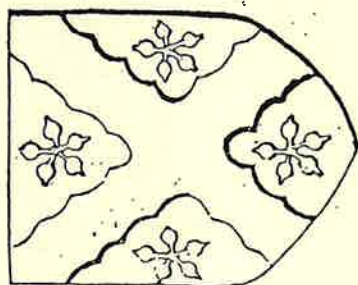
Sir Gerard, Bart and Knight, died 1672 at = Margaret, dau and coheir of John
Minsterne, Dorset Colles of Barton, died 1660

Sir Nathaniel (surviving 3rd son) Bart, MP for Dorset = (1) Blanche, dau and heiress of
Corfe Castle, and Poole, *temp* CHARLES II and Sir Hugh Wyndham, Justice of Comon
Pleas, died 1695
JAMES II (1660-88), died 1708

Sir Nathaniel Napier, Bart, MP for Dorchester = the Hon Catherine, dau of William, Lord
Allington (sic), Baron of Wymondly, Herts

Sir William Sir Gerard Napier = Bridget, dau of Diana = Humphrey STURT of Horton, son of Sir
dsp 1753 died 1759 Edward Phelips of Anthony Sturt
Montacute, Somerset
died 1758

Sir Gerard Napier, Bart, dsp 1765 = Elizabeth, dau of Humphrey Sturt of
of Sir John Oglander Horton, MP for Dorset
of Nunwell, Isle of 1754-86, died 1786
Wight Shoreditch, Middlesex



Napier

Charles STURT of More Crichel = Lady Mary Ashley-Cooper, dau of
MP for Bridport, Dorset, died
1812
Anthony, fourth Earl of Shaftesbury,
and sister to the fifth Earl, the
abolitionist of slavery, in the British Empire

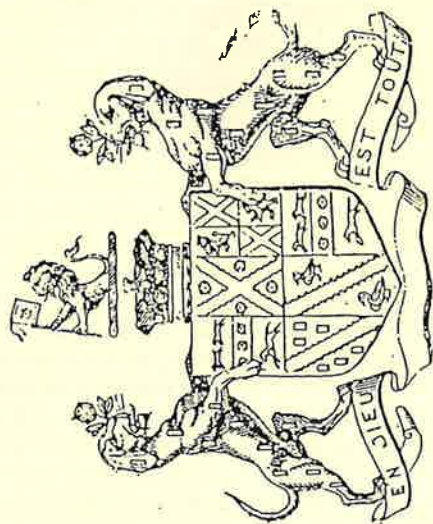
Henry Charles STURT of More Crichel, MP = Lady Charlotte, dau of the
for Dorset, died 1866
6th Earl of Cardigan, sister to the
famous Lord Cardigan of the Light Brigade

Henry Gerard Sturt, MP for Dorset = Lady Augusta Bingham, dau of
created 1st Lord Alington (sic) by
by QUEEN VICTORIA
the third Earl of Lucan, Commander-in-Chief,
British forces in the Crimea, 1854-5

Humphry Napier, born 1859, 2nd Lord = Lady Foedorowna Yorke, dau of
Alington, KCVO, DC, sometime MP for
East Dorset, died 1919
the fifth Earl of Hardwicke of Wimpole
Hall, Cambs

The Hon Gerard, born 1893, died of wounds on
Armistice Day, 11 November 1918
Napier George Henry, 3rd and last =
Lord Alington, died 1940
Lady Mary Ashley-Cooper,
dau of the ninth Earl of Shaftesbury

The Hon Mary Anna Sibell Elizabeth, = (1949) George Gosselin MARTEN MVO, DSC



Alington

The Lordship of Skighaugh Great Oakley, Essex

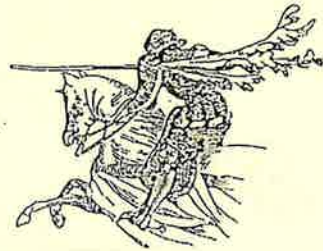
THIS Lordship was part of the Domesday Lordship of Great Oakley, when the Great Survey was undertaken for King William the Conqueror in 1086. The entry is as follows:

Robert (Gernon) holds (Great) Oakley in Lordship, which Aelfric Kemp held as a Manor for 10 hides in 1066. Then and later 12 villagers, now 11; then and later 20 smallholders, now 30. Then and later 10 slaves, now five. Always three ploughs in Lordship. Then among the men 10 ploughs, now nine. Woodland, 100 pigs; meadow, eight acres; now one mill; two salt-houses; pasture, 20 sheep. Then 10 cobs, now four; then 10 cattle, now five; always 200 sheep, less 20. Then 20 pigs, now 15. Value then and when acquired, £11. Value now £16. Of this Manor, Ralph holds two hides and 10 acres (250 acres approx); 13 smallholders. One plough. Value 30 shillings in the same assessment.

Robert Gernon was Baron of Stansted-Mountfitchet and Ralph was the son of Robert de Hastings. In the 18th century, the Manor of Skighaugh was said to be 253 acres. It is possible, therefore, that the two hides and 10 acres, mentioned in Domesday above, held by Ralph, became the later separate Manor of Skighaugh. No date is given by William Morant in his folio *History of Essex*, in two volumes, but he states: 'The Maner (*sic*) of Skighaugh was taken from the foregoing Maner,' and that John de Vere, 13th Earl of Oxford, was the Lord at his death in 1512.

If we consult an inquisition on the death of Richard de Plaiz, in 1269, we find a long list of Lordships - starting with the Barony of Stansted-Mountfitchet - belonging to him, but Skighaugh is not mentioned. This could mean one of two things: either that Skighaugh had not yet been separated from Great Oakley (which is mentioned in the inquisition), or that it had already become an independent Manor in other ownership, so would not have been itemized in the Plaiz inquisition on the death of Richard (what we call Probate today).

Reverting to Robert Gernon, he was from Boulogne, then in Flanders, and accompanied Duke William of Normandy to England, and was at Hastings, in 1066. Not unusually, his date of death is unknown, but he was succeeded by his son William, who assumed the surname of Mountfitchet from his Honor or Barony of Stansted-Mountfitchet. According to Morant, consulting the Black Book of the Exchequer, he held 48 knight's fees in eastern England, a considerable estate, and founded the Abbey of Stratford Langthorn, in West Ham, London.



His grandson Richard was Forester of Essex, a valuable Crown appointment, and governor of Hertford Castle. He died in 1203 and was succeeded by his son, by a lady only known as Milicent. Although he joined the Baronial Rebellion against King John and was present at Runnymede, near Windsor, for the signing of Magna Carta, he was forgiven by the government of the new king, Henry III. He died in 1258, aged about 65, without issue, and his estate was divided among his three sisters, only one of whom need concern us.

She was Philippa who married Hugh de Plaiz, which family we met above. The last in the male line was Sir John Plaiz, who died in 1388, leaving a daughter and heir Margaret, then married to Sir John Howard. She died in 1391 and her husband in 1437, and he was succeeded by their daughter Elizabeth, the wife of John de Vere, 12th Earl of Oxford. He took the Lancastrian side of King Henry VI in the civil war of the 1450s, was captured in 1461, at the Battle of Towton, beheaded and his property seized by the new Yorkist king, Edward IV, who gave the Manors to his brother, Richard Duke of Gloucester. Gloucester gained infamy on the death of his brother the King, in 1483, very likely for instigating the murder of his two nephews - the Princes in the Tower - King Edward V and Richard Duke of York. King Richard was called to account, one might say, at the Battle of Bosworth, Leicestershire, two years later, killed - according to William Shakespeare shouting out 'a horse a horse, my kingdom for a horse' - his body stripped and dragged through the streets of Leicester. His opponent was Henry Duke of Richmond, of the Lancastrian interest, succeeded as King Henry VII, who returned the Manors to the de Veres.

John de Vere, 13th Earl of Oxford, whom we have met, was succeeded in 1512 by his son and namesake, the 14th Earl. He died in 1526. For reasons now unknown, Skighaugh and Great Oakley passed into the Crown, and were granted by Letters Patent of King Edward VI in 1551 to Sir Thomas Darcy. His son, created Lord Darcy, died in 1580. Skighaugh passed to the Earls of Guilford, now of Waldershare Park, near Dover, which family sold the Manor of Skighaugh to Thomas Guy, founder of Guy's Hospital. It was sold some years ago by the Special Trustees of Guy's and St Thomas's Hospitals Charitable Trust, to the present owner and Lord of Skighaugh.

As noted, the Manor lies in the parish of Great Oakley, which stands on Ramsey Creek, a feeder to the River Stour. The church of All Saints dates from the Norman period (1066-54), seven miles from Manningtree, and 65 miles from London.

The Lordship of Worstead Hemptons, Worstead, Norfolk

THE LORDSHIP of Worstead Hemptons lies in the parish of Worstead in North East Norfolk. The name of Worstead is known throughout the world for the eponymous woollen cloth which originated in the village. From the time of the Norman Conquest, Flemish weavers were attracted to the area by the prosperous wool trade and set themselves up in Worstead. Baldwin, Count of Flanders, supplied a large contingent of ships and men from his Flemish domains in modern Belgium, to the Norman conquest of England. The cloth is made from straight, carded woollen fibres forming continuous lengths known as 'silvers'. The silvers are blended and then combed to make the fibres lie parallel. Then the silvers are tightly twisted or 'worsted' and spun into yarn. The resulting cloth, also known as 'stuff', is lightweight but has a hard, smooth texture. Worsted yarns are used to make cloth such as whipcord, gabardine, and serge. Worsted cloth is slightly different from other cloths in that the natural crimp of the wool fibre is removed in the process of spinning and this makes it resilient and hard wearing, suitable for carpets, garments, hosiery, gloves, and even billiard table cloth.

The term 'worstead', or 'worsted' is first noticed during the reign of King Edward II (1307-1327). His son, King Edward III (1327-77), who was married to a Flemish princess, Philippa of Hainault, encouraged an increase in the immigration of Flemish weavers so that they might 'exercise their mysteries in the kingdom' and an Act of Parliament which is retained in the House of Lords Record Office is the 'Taking of Apprentices for Worsteads in the County of Norfolk Act of 1497'. Indeed, much of England's trading wealth was based on the success of the woollen industry in East Anglia, of which the manufacture of worsted cloth was fundamental. Even today, the Lord Chancellor's seat in the House of Lords is known as the Woolsack.

A famous citizen of Norfolk and ancestor of a later Lord of Worstead Hemptons, William Paston, (1378-1444), wrote to his cousin Robert:-

I pray that you will send me hither two ells* of Worsted for doublets, to happen (wrap me up warm) this cold winter, and that ye enquire where William Paston bought his tippet of fine worsted cloth, which is almost like silk, and if that be much finer than that ye should by me, after seven or eight shillings, then buy me a quarter and a nail* thereof for collars, though it be dearer than the others, for I shall make my doublet all Worsted, for the glory of Norfolk.

The production of worsted in the village continued until 1882, when the last weaver, John Cubitt, died at the age of 91. By this time the business had become largely mechanized and moved its centre of production to the area in and around Norwich. Many of the weavers cottages survive in the village and are notable for being spacious enough to house the 12ft high weaving looms.

At the time of Domesday Book of 1086, the Lordship of Worstead Hemptons formed part of the capital Manor of Worstead, which was held by the Abbey of St Bennets. By the reign of King Henry I (1100-1135), it had become a separate estate and is mentioned soon afterwards as coming into the possession of the the Priory of Hemptons, from which the Lord

ship derived its suffix. The priory was founded during King Henry's reign by Roger de Martin and lay at the end of a causeway between Hempton and Fakenham. Worstead Hemptons was an unusually large estate held by the priory for, although the prior had land in more than 40 Norfolk parishes, these were usually small parcels and as a result the priory's income was rather small, only £29 in 1291, according to Pope Nicholas's valuation. During this period, the monks often had considerable trouble in securing their manorial rights.

In February, 1299, William de Bedingham, the King's minister for the execution of the sheriff's writs was attacked by a mob of more than 60 men and women in Worstead after travelling there in an attempt to recover manorial dues.

Hempton was among a number of small priories included in the list of lesser monasteries of Norfolk drawn up in 1536 for suppression. On 11 August, 1536, it was visited by Sir Roger Townsend, Sir William Paston, Richard Southwell, and Thomas Mildmay, as commissioners. They drew up an inventory of articles valued at £128 3s. 9d. Within the year the monastery was closed and its lands and goods sold. After the Dissolution, the Lordship of Worstead Hemptons was granted to John Spencer. He was succeeded by his son Leonard Spencer. Spencer also held another Manor in the parish and is last recorded in 1572. In 1565, he sold Worstead Hemptons to Robert Paston and Thomas Thimblethorp. Thimblethorp farmed an estate which had formerly belonged to the abbey of St Bennet and Paston was descended from a family of notable Norfolk gentry and who are remembered in a series of personal letters surviving from the 15th century and which forms one of the most valuable records in English history - the Paston Letters - which is in print in any good bookshop, such as Foyles, Charing Cross Road, London. The chairman of that company, Mr Christopher Foyle, is a Member of the Manorial Society of Great Britain.

Later in that century the Lordship was sold again to the Utter family from them it passed to the Mitsons. At the beginning of the 18th century the Lordship was in the possession of Charles Harman alias Le Gros. His father, Richard Harman had married Catherine Le Gros and Charles was born in 1686. It was bought by the Rous family, Earls of Stradbroke and sold by the present Lord Stradbroke to the present Lord some years ago.

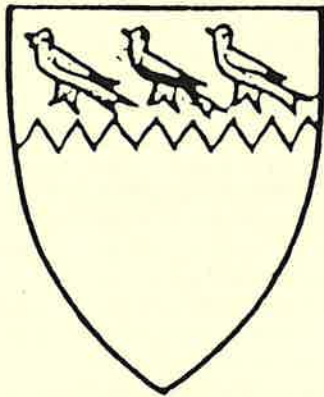
* An ell or el was about a yard or 36 inches, the length of a man's right arm from shoulder to tip of middle finger; quarter and nail are both lineal measurements: a quarter being thought to be about 9 inches, and a nail two and a quarter inches.

Documents associated with this manor:

Deeds	1797
Norfolk Record Office	
Deeds	1810-1811
Courts, with other manors	1604-1779 (non consecutive)

The Lordship of Piccots in Saling, Essex

THE LORDSHIP of Saling is recorded in Domesday Book (1086) as belonging to Hugh de Ramis, who attended William, Duke of Normandy, in his invasion of England in 1066, culminating at the Battle of Hastings and the killing of the English King Harold II. Hugh was succeeded in 1090 by son Robert, who was Lord until his death in 1130, when his cousin Roger supplanted him. He was a member of the Knights Templar, formed by Pope Urban during the First Crusade to help to retake the Holy Land from the Muslims in 1095. A namesake accompanied Richard I (the Lionheart) in the Third Crusade of 1189-93.

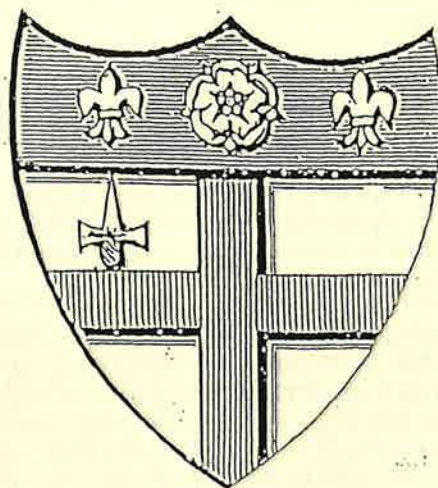


Mandeville

Piggots appears to have been an area of the capital Manor until the second Roger's time, for we find Ralph Piccot, or Piggot, Lord of Piggots, a subinfeudation of the Domesday Lordship. Ralph, who is sometimes called 'Sir Ralph', was Sewer (Bailliff) to Alberic de Vere, Earl of Oxford, and he was succeeded by Sir William Piccot who was Lord in the reign of Henry III (1216-72). He was also Lord of Piccots in Ardleigh, in Essex, and Saling itself. He held the fee of the King by keeping a sparrow-hawk should the monarch ever visit. His son and namesake succeeded at the age of 22, dying in 1283. He was to keep a sparrow-hawk at Court, but at the King's cost. The King, Edward I, also undertook to maintain for him 'three horses, three boys or grooms, and three greyhounds.' His wife Maud bore him two sons, William and Robert, the former of whom seems to have succeeded their father. He died in 1334 and is buried at Dunmow Priory, Essex, of which he was a benefactor. His estate at Piccots was described at the time as comprising a house, a curtilage (an area of land adjoining a house) of 12 acres, 280 acres of arable, 11 acres of meadow, 16 of pasture, and 20 of wood. From his tenants on the Manor, he received 17d and a pound of cumin, a valuable spice.

William was succeeded by his son John who held 165 acres of the King and 137 acres of Geoffrey de Reynes, Lord of the adjoining Manor of Raynes. He sold the Manor in 1349 to Thomas de Mandeville and his wife Elizabeth, who conveyed it later to Sir John HendeHendle was an extremely rich man. He Sheriff of London in 1381 (during the Peasants' Revolt) and Lord Mayor 10 years later and again in 1404. In 1407, a charter mentions that, in addition to Piccots, he was Lord of the Manors of Little Canfield, Little Chifhall, Bradwell, Panfield, and West Roding, all in Essex, and Lord of Langport, Kingsweld,

and Charlton, near Dover, Kent. On his death in 1418, he gave his mansion in St Swithins, London, and £1,000 to his widow Elizabeth and to his two sons, he gave each £1,500 in cash, enormous sums at the time, and to the eldest son John, aged nine, the bulk of his estate. Elizabeth remarried Ralph Boteler, Lord Sudeley. John was Sheriff of Essex in 1443 and 1447 and died before his mother in 1461. His widow was Gresild or Griselda, whose only daughter and heir Joane married Walter Writtle, an old family. Walter Writtle's grandson John died without issue, and Piggots descended to a relative, John Basset, and then to Gregory Basset. Gregory's daughter Dorothy married twice to Robert Bonham and Anthony Maxey, who died in 1592. She died 10 years later and her successors until 1665 were Sir William Maxey, ? Greville, and Antony Massey. The last sold Piggots to Martin Carter, who conveyed it to a son and namesake of the Revd Samuel Collins, of Braintree, the nearest market town. Samuel II sold Piggots to Sir Martin Lumley, Bart, whose heir Sir James sold the Lordship to Guy's Hospital, the owners until recently, in the form of Guy's and St Thomas's Charitable Foundation. Thomas Guy (1645-1724), founder of Guy's Hospital, ended his life a very rich man, but started his commercial life by selling Bibles on the black market, it being the law in England that the Bible be only printed and sold by authority (ie in return for a royalty). Guy profited immeasurably from the South Sea Stock, multiplying his original investment of £45,400 sixfold before the stock crashed with the widest possible implications for company investment until the 1840s. For more information on these ancient hospitals, please refer to the Lordship of Bridewell in our Catalogue of November 2003. Piccots lies in the parish of Little Saling, about six and a half miles north-west of Braintree.



Royal Hospitals

The Lordship of Showell, Oxfordshire

SHOWELL is a small village and Lordship lying in the parish of Swerford in the beautiful Oxfordshire Cotswolds and is five miles from Chipping Norton. Showell; together with the Manor of Dunthorp are of great antiquity and are recorded as being part of lands in the possession of the Mercian King Offa in 780. He came to the throne in 757 at a time when Mercia had been weakened in its struggle with Wessex. From 771 he began a campaign of conquest, defeating the Kentish army in 775 and subjecting that kingdom to his overlordship. After conquering the south-east of England he set about attacking Wessex. In 779 he fought them at Benson in Oxfordshire, 15 miles from Showell and took Oxford. It would seem likely that this victory gave Offa the Lordship of Showell since a year later he granted it, as part of the Lordship of Dunthorp, to Worcester Priory. In this year also, Offa attacked the Welsh and established an English foothold in the Forest of Dean. Offa's most famous legacy was the Dyke, built by his forces as a border between his kingdom and the Welsh. Running almost the entire length of the border, this massive earthwork survives and can still be walked for most of its length.

Offa is often described as the first true King of England. He was written to as such by Pope Hadrian and was recognized by Charlemagne, the Holy Roman Emperor as the English King in 787. Offa was a religious man and a generous benefactor to monasteries. The lands he gave to Worcester Abbey at Showell are one of many such gifts he made to monasteries throughout England.

The Lordship of Showell was lost by Worcester Abbey in the 9th century. By the time of Domesday Book in 1086 it was in the possession of Bruen Priory in Oxfordshire. The priory seemed to hold it from Gilbert Maminot, Bishop of Lisieux, France, who has an entry for Dunthorp, which reads

The Bishop holds 5 hides in Dunthorp.
Land for 8 ploughs.
Now in Lordship 1 plough; 2 slaves
5 villagers have 1 plough.
Meadow, 5 acres; pasture, 6 acres.

During the 12th and 13th centuries, the Lordship was held by the Dunthorp family, but by 1279 it had reverted back to Bruen Priory. The priory held Showell until the dissolution of the monasteries during the reign of Henry VIII (1509-1547) and in 1536 it was purchased by Sir Thomas Pope. Born in 1508, Pope is renowned as the founder of Trinity College, Oxford, and for his service to the Crown. He began his career as a clerk in Chancery and by 1532 had come to the attention and favour of Lord Chancellor Thomas Audley. By 1534 had accrued enough friends to land the lucrative wardenship of the Mint in the Tower of London and in 1536 his friendship with Thomas Cromwell brought him a successful nomination as Burgess of Buckingham. Later that year, he was created second officer and treasurer to the Court of Augmentations, overseeing the sale of property confiscated from the monasteries. It was from this position that he was able to obtain the Lordship of Showell. He eventually purchased more than 30 Lordships and became one of the richest commoners of the age. During the reign of Edward VI (1547-53) he withdrew from public life, but returned as a member of the Privy Council on the accession of Mary Tudor. In 1555, at the prompting of his friends, he used his wealth to purchase land in Oxford in order to endow a col-

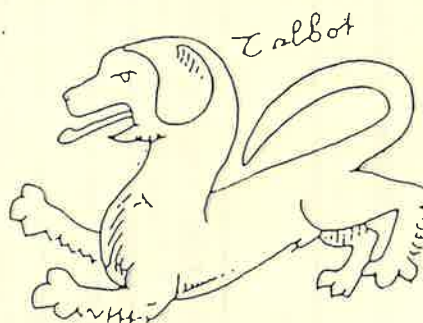


Arms of the Earl of Shrewsbury

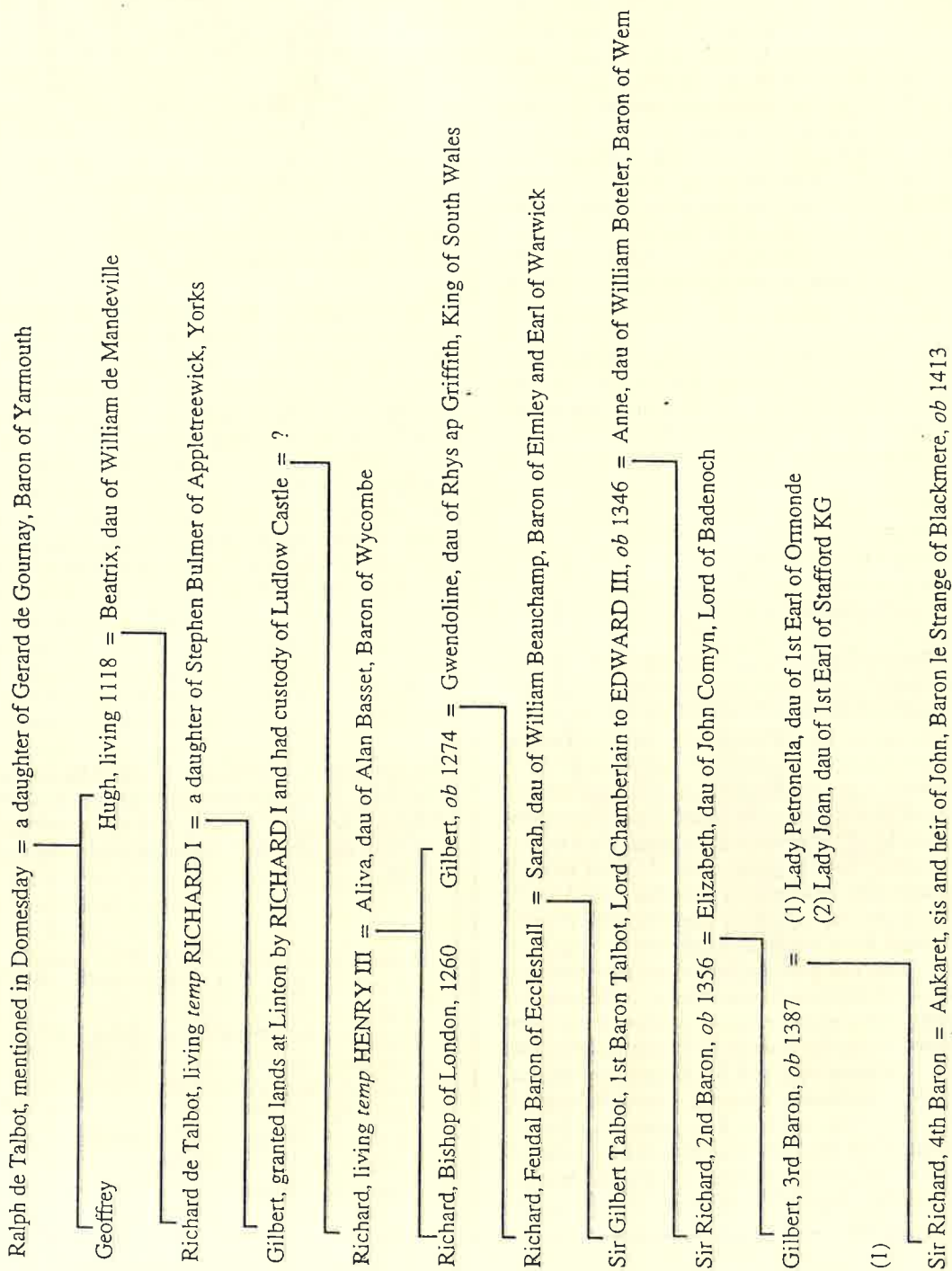
lege of the Holy and Undivided Trinity. The first members were admitted on 30 May 1556.

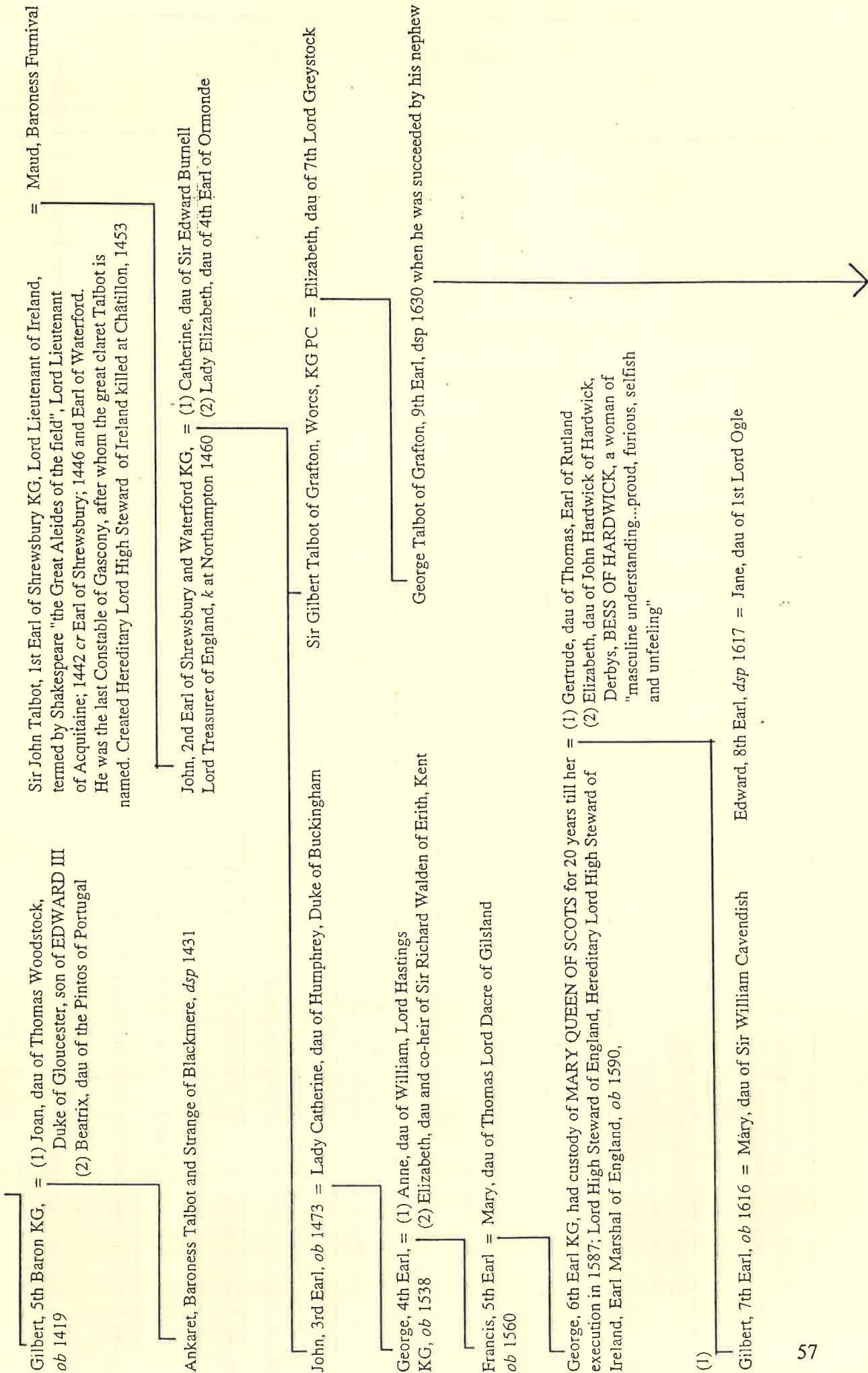
Pope had originally wanted Showell to be granted as part of the College's endowment, but this proved not to be the case, for on his death in 1559 the Manor passed to his brother John. John was succeeded by his only son William who was raised to the peerage and as Earl of Downe in 1628. He was succeeded as 2nd Earl of Downe by his grandson, Sir Thomas Pope, in 1631. On the outbreak of the Civil War, in 1642, Downe raised a troop of horse for the King and was with Charles at Oxford in 1643, the monarch even sleeping at his house at Cubberley, Herefordshire, later that year. After the King's defeat, Downe was brought before the Committee for Compounding by the Parliament and fined £5,000. He had great difficulty in raising such a large sum and was forced to sell almost his entire estate, including Showell and Dunthorp in 1648. He left England soon after, and returned, to die in Oxford, in 1660. Cubberley eventually became the home of Lord Greville, the last representative being Ronnie Greville who died about 20 years ago.

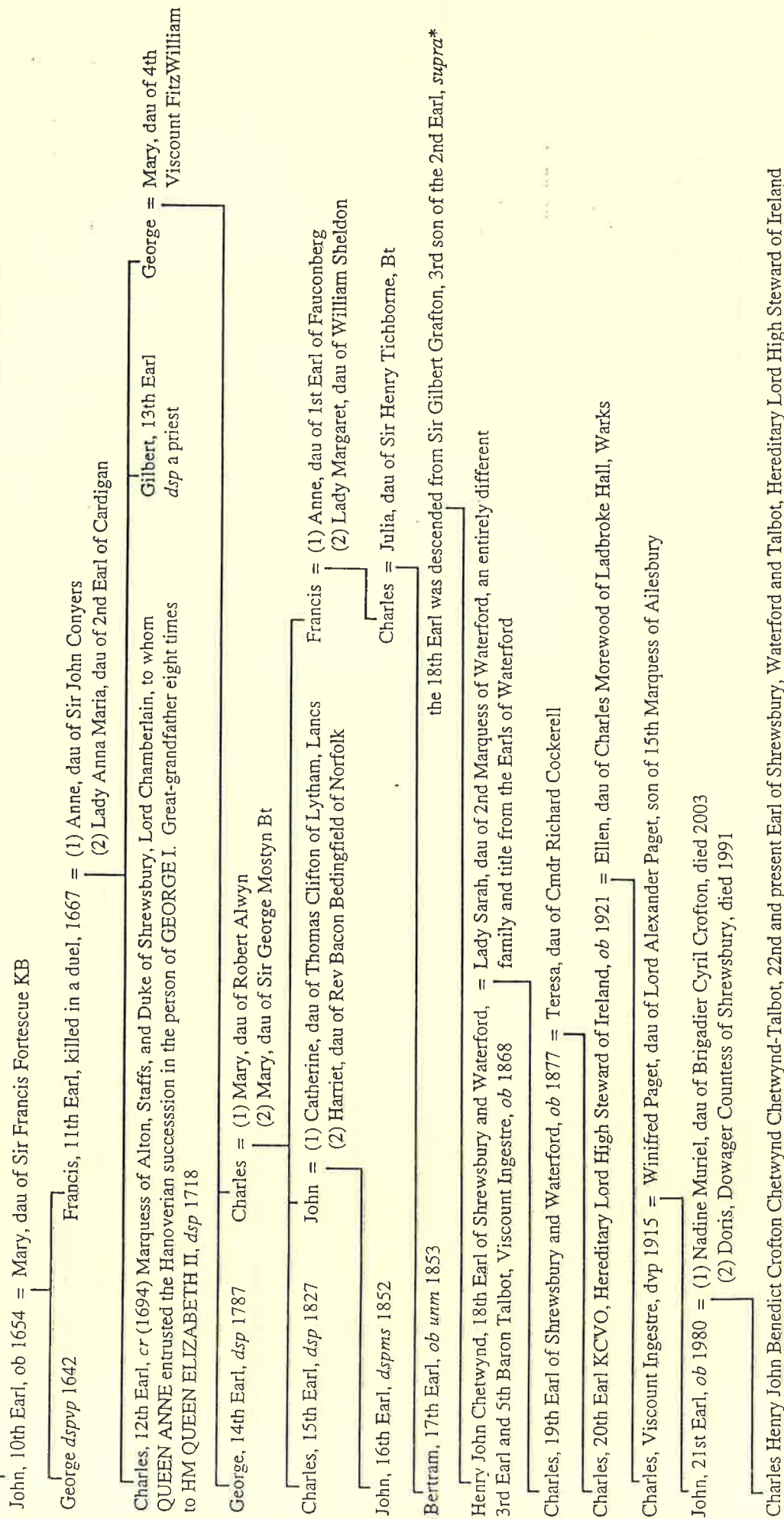
The Lordship of Showell was purchased by Daniel Harvey of Coombe in Surrey and remained with that family until sold by Edward Harvey in 1710 to the Earl of Shrewsbury, whose descendant, the 22nd Earl, conveyed the Manor to the present owner.



DESCENT OF THE CHETWYND-TALBOTS, EARLS OF SHREWSBURY, WATERFORD, AND TALBOT OF HENSOL, Viscounts Ingestre, Premier Earls of England, HEREDITARY LORD HIGH STEWARD OF IRELAND, and sometime Lords of Showell, Oxfordshire







*Space limitations do not permit a full pedigree of this most illustrious family, who hold three Earldoms, are Premier Earls of England on the Roll, Hereditary Lord High Stewards of Ireland and many other titles

The Lordship of Somerfield Sellinge, Kent

On instructions from the Royal
Foundation of St Katherine

THIS Lordship was acquired with others here by the Royal Foundation of St Katharine by the Tower, whose Patron is Her Majesty The Queen. It must have been part of Hugo de Montfort's Domesday holdings, grouped under Sellinge in the Survey, and included the Lordships of Wilmington and Haringe. This estate was purchased on 30 April 1844 from trustees.

Harvey holds SELLINGE from Hugh (de Montfort). Oswald held it from King Edward. It answers for one sulong (see Glossary). Land for seven ploughs. In Lordship three ploughs. Eight villagers with 25 smallholders have four ploughs. Two churches; a mill at 30d (pence, denarii, pre-decimalization); meadow, 36 acres; woodland at six pigs. Value before 1066 £8; later 100 shillings; now £7.

With two churches and population of perhaps 150 (only male heads of households were counted), Sellinge was of a reasonable size in post-Conquest terms. It was one of 54 Manors held by, or of, Hugh, though the family would lose this great patrimony in the third generation, under Hugh's grandson, who rebelled against King Henry I (r 1100-35) and fled into exile. It was granted out to William de Planers, and all four Lordships were frequently in the same ownership, although Sellinge was divided into two moieties in about 1401, being held respectively by the Bonneviles and the Beauclerks of Hacche, Somersset, and their descendants or assigns until reunited in the 16th century (see below).

The Lords of Somerfield (Somerville in the 13th century) were the Wilmingtons, who very probably took their name from Wylmynton, another Manor here which they held, and they lived at what is now known as Somerfield Court, a house dating from the early 14th century. This property is still owned by the Royal Foundation and for avoidance of doubt is not included in this sale. The first noted here was Stephen de Wilmington, who held by knight service of Dover Castle (ie that he probably had to supply a knight at times of threat to the country) in the last years of King Edward I (r 1272-1307). The next was Roger de Wilmington who was Lord of Somerfield and Wilmington in 1328. He left only daughters among whom, and their husbands, these Manors and landed property were divided, passing severally through Ashburnham and Tyldes until Elizabeth, the heir of William Tyldes, brought her share in marriage, in 1527, to Peter Heyman, who was already Lord of Sellinge and the other moiety of Somerfield and Wilmington.

His descendant was Henry Heyman, one of the gentlemen of the bedchamber to King Edward VI (r 1547-53). His grandson Henry was created a Baronet of Somerfield by King Charles I in 1642. The descent of this family:

The last Sir Peter Heyman's son sold Somerfield, Sellinge, Wilmington, and Haringe in about 1680 to Thomas Gomeldon, of London. Mr Gomeldon, with a Mr Morris of Horton, Kent, and Mr Dubcombe were the private bankers to James Duke of York, who became King James II. When that king fled London for France, in December 1688, and took refuge at the Court of Louis XIV, application was made to these three gentlemen for his money. Unsurprisingly, they would not disgorge it and spent it instead. Mr Gomeldon's daughter and heiress, Meliora,

HEYMAN, OF SOMERFIELD.

CREATED :
12th Aug. 1641.

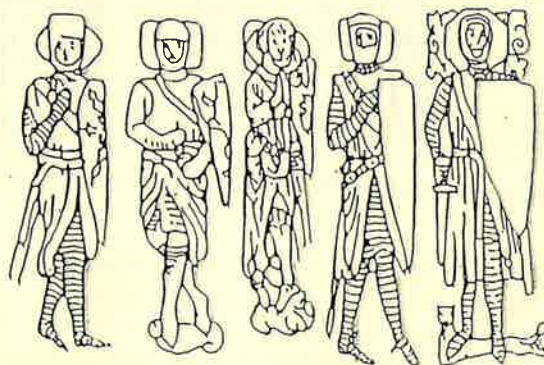


EXTINCT
20th Nov. 1808.

had married Thomas Smith, of Preston, Lanes, whose support for the Old Pretender in the Jacobite Rising in 1715 cost him his life and his estate at Somerfield. The Commissioners for Forfeited Estates sold it to Sir William Smith, from whom it passed to William Dicconson, who sold Somerfield and the other Manors to Mr Thomas Hayman (*sic*), not related to the Baronets. He re-built Somerfield Court which his Trustees conveyed, as already noted, to the present owners in 1844.

The Royal Foundation was founded by Matilda, Queen to King Stephen who reigned between 1135 and 1154. All Queens Consort have been Patrons since, and have included Anne Boleyn, second wife of King Henry VIII. She was executed on trumped up charges of adultery in 1536. Where there has been no Queen Consort, as when a woman reigns as Queen Regnant, she has assumed the role of Patron. Queens Regnant who have been Patrons include Queen Elizabeth I and Queen Victoria. The present Queen assumed the Patronage in 2002, on the death of Queen Elizabeth The Queen Mother.

There are memorials to Lords of the Manors in the church of St Mary's, Sellinge, which adjoins Somerfield. There is a monument to Peter and Elizabeth Heyman, showing them in kneeling effigy, dated about 1535. Several streams water the area, and the Manor lies about six miles north of Hythe and seven from Ashford.



DESCENT of HEYMAN of SOMERFIELD, LORDS of SOMERFIELD, KENT

Peter Heyman, living *temp* HENRY VII (r 1485-1509),
purchased Manor of Haringe = ?

Peter Heyman, living *temp* HENRY VII (r 1509-47) = ?

Peter Heyman, = Elizabeth, daughter of William Tilde of Somerfield, d, 1550

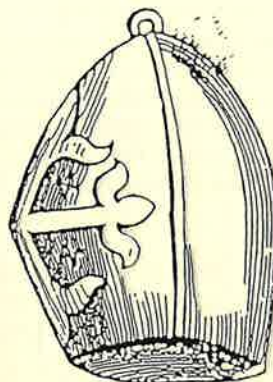
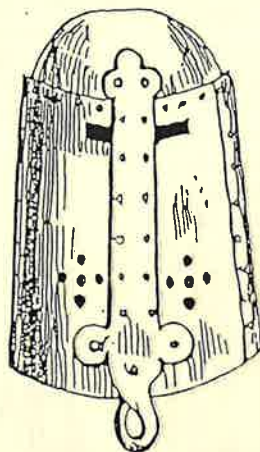
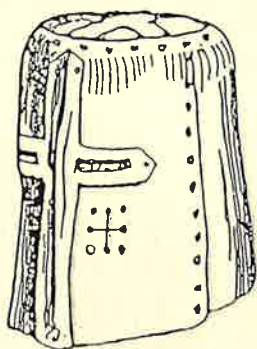
Ralph Heyman, Lord of Somerfield, living 1557 = Anne, daughter of William Naunton,
of Suffolk, d, 1601

Henry Heyman, Lord of Somerfield, d, 1613 = Rebecca, daughter of Dr Robert Horney,
Bishop of Winchester

Sir Peter Heyman, Knt, MP for Hythe = Sarah, daughter of Peter Collet, a
Merchant of London

Sir Henry Heyman, Lord of Somerfield, created = Mary, daughter of Daniel Holford,
a Baronet by CHARLES I, 1642, died at of Essex
Somerfield Court, 1658

Sir Peter Heyman = Mary, daughter of Mr Rich, of Clapham, South London
died 1723, sold Somerfield



The Lordship of West Clayton West Yorkshire

ESSENTIALLY, this Lordship, like Denby - which is also offered in this Catalogue - has been one of a group in family ownership from the Norman Conquest until now. The present owners are the Trustees of the Savile Estates, established in the late nineteenth century when it included about twenty Manors in this part of Yorkshire. Seven or eight of these were sold in the 1980s by the late third Baron Savile, and most of the remaining ones will follow over the next several years.

When we say 'family ownership,' we mean that, as part of a much larger group, they belonged from the late eleventh century to the descendants of Ilbert de Lacy, passing in marriage in the fourteenth century to the Plantagenet Earl, later Duke, of Lancaster, and thence into the Duchy of Lancaster, which merged in the Crown on the accession of Henry Bolingbroke, Duke of Lancaster, as King Henry IV, in 1399. The Lordships in the present group, so to speak, were granted out of the Crown to the Lumleys, later Earls of Scarborough, one of whom made them over to a love-child in the reign of Queen Victoria, who was created Baron Savile of Rufford. More of this later. What is interesting is the evident belief of the landed aristocracy, even in the nineteenth century, that everything they knew would remain the same; an example of which is that we have seen mortgages, for other estates, from this period of upto 3,000 years - as far into the future as the reign of Rameses the Great, Pharaoh of Egypt, is into the past - a time-span of greater longevity than the Roman Catholic Church, possibly the world's oldest institution. Belief in family and the society in which one lived does not get better than this.

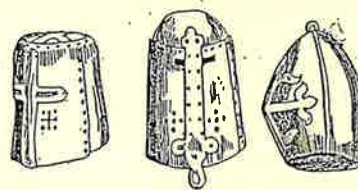
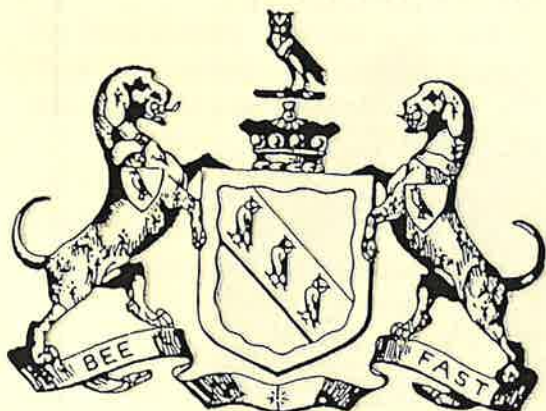
As indicated, the first of the de Lacys to hold Clayton was Ilbert, and there are two entries in Domesday Book (1086):

In CLAYTON (West), Alsige had three carucates of land taxable; two ploughs possible there. Now Ilbert has (it). Waste. Value before 1066, 20 shillings. Woodland pasture, half a eague long and half wide.

Ilbert in (Upper and Lower) DENBY, three carucates; Ilbert, in SKELMANTHORPE, three carucates; Ilbert, in (West) CLAYTON, three carucates.

There had been a rising of northern earls against King William in 1069-70, causing him to take an army through Yorkshire, and other counties, razing towns and villages to the ground.

SAVILE



Consequently, in the first Domesday entry, the value of the property had fallen to zero because all was 'waste,' though it had been worth twenty shillings in the reign of King Edward the Confessor. The devastation was so severe that, sixteen years later - when Domesday was compiled - the resulting retribution for rebellion was still palpable. Of course, Ilbert de Lacy was not a rebel, but his land and people were punished, nevertheless.

The surname Lacy is derived from the family estate at Lassy, Normandy. Ilbert's principal seat in Yorkshire was Pontefract Castle, which was the head of his Barony (or Honor), which included 144 Lordships in Yorkshire, ten in Nottinghamshire, and four in Lincolnshire. He was succeeded by his son Robert, who had these lands confirmed by King William II Rufus, but he and his son another Ilbert were exiled by the Second William's successor, King Henry I, when they joined the party of the new King's elder brother, Robert Curthose, in rebellion. The royal patrimony was not yet impartible and the Duchy of Normandy was evidently seen by the Conqueror to be his principal dominion, even though he held it as a vassal of the King of France, and he designated his eldest son Robert his successor there. His second son became King William II, and his youngest son Prince Henry bided his time.

Robert Curtose (so-surnamed for his fine legs, apparently) wanted to join Pope Urban II's Crusade, declared at Clermont Ferrand in 1095, and needed money, so he mortgaged his Duchy to his brother, the King of England. On his return from the Holy Land in 1099, King William II was in no mood to restore so valuable a territory. The following year, King William II was killed by an arrow while hunting in the New Forest, Hampshire, by Walter Tyrrell. Historians still dispute whether this was an accident or an assassination. At any rate, Prince Henry was quick to secure the Royal Treasury at Winchester, declare himself King, and march to London where he was crowned. Unsurprisingly, Duke Robert thought that he ought to have been king and the next six years were spent in internecine warfare, when Robert was finally defeated at Tinchebrai, France, in 1106, captured, and kept a prisoner in Norwich Castle by his younger brother until his death twenty-five years later.

As with such weighty disputes, the nobility on both sides of the Channel joined in. Sadly for Robert de Lacy and his son Ilbert, they picked the losing side, being lucky to forfeit their great estates and not their lives.

Their time would come again, but in the interim, King Henry I gave the Barony of Pontefract and the de Lacy Manors to Henry Travers, who died almost immediately - but having just enough time to be tonsured as a monk to smooth his path to heaven, as people believed then. The de Lacy patrimony was granted to Guy de Val, who died an old man at about the same time as King Henry I, in 1135.

That king left as heir an only daughter, Matilda, the widow of the Holy Roman Emperor Sigismund, and has been known in England ever since simply as the 'Empress.' It would be more than four hundred years before the English nobility were ready for a queen regnant (which happened for the first time in 1553, in the person of Mary Tudor, the daughter of King Henry VIII by Katharine of Aragon). The Empress was passed over in favour of Count Stephen of Blois, the next male heir, who became King Stephen. Again, the nobility divided between those for the King and those for the Empress, who had remarried Geoffrey Plantagenet, Count of Anjou, western France, known as 'Geoffrey the Handsome.' This time, a now elderly Ilbert de Lacy was re-granted his estates in Yorkshire, in 1138, where he distinguished himself at the Battle of the Standard (Northallerton, Yorkshire) on behalf of the King fighting a Scottish invasion.

Ilbert was succeeded by his brother Henry who promptly declared his allegiance to King Henry II, on the death of Stephen, in 1154. Henry was the son of the Empress and County Geoffrey, and was the first of the Plantagenet race to sit on the English throne. Subsequent de Lacys (more particularly set out in a pedigree chart under the memoir of the Lordship of West Clayton) served King Richard I on the Third Crusade and helped his sovereign take Acre, just south of modern Beirut, in 1192. His son and heir John, who became Earl of Lincoln in right of his wife, joined the baronial faction who forced King John to sign Magna Carta, but made peace with that King the next year and his successor, King Henry III, being confirmed in his castles at Pontefract and Dunnigton, and the de Lacy Manors in Yorkshire.

The last of the de Lacys of this branch of the family was Henry, third Earl of Lincoln, on whose marriage to Margaret, daughter and coheir of William Longspee, Earl of Salisbury, became, in right of his wife, Earl of Salisbury. He succeeded his father Edmund in 1257 and, remaining untainted in Simon de Montfort's rebellion in 1265-6 in what is known as the Barons' War, was in high favour with King Henry III (died, 1272) and his son, King Edward I. He was a solid support to King Edward in the conquest of Wales, partial conquest of Scotland, and in Gascony, south-west France. In 1290, the King gave him the responsibility of purging the judiciary of corrupt judges, complained of in Parliament that year. Chief Justice Thomas Weyland was banished and his estates forfeited, and numerous other judges were fined heavily. Later in that decade, he was ambassador to France to discuss dealing with the problems of piracy in the Channel. In 1305, he attended the inauguration of Pope Clement V at Lyons. His last government position was as Governor or Regent of England in 1312 when King Edward II went north to re-assert (unsuccessfully, as it happened) English authority in Scotland. The Earl died in the same year and was succeeded by his daughter and heir, Alice, who married Thomas Plantagenet, Earl of Lancaster, the King's cousin. She was known as Countess of Lancaster, Lincoln, and Salisbury, and brought the de Lacy Lordships in Yorkshire into the Royal Family. A descent of the de Lacys is given under the Lordship of Denby in this Catalogue.

Thomas was hanged in 1322, but his son was restored in 1328, shortly after the accession of King Edward III, and made Duke of Lancaster. His daughter married John of Gaunt, later Duke of Lancaster, son of King Edward, when the de Lacy lands passed into the Duchy of Lancaster. Gaunt's son, Henry Bolingbroke, succeeded King Richard II in 1399 as King Henry IV, and the Yorkshire estates merged with the Duchy in the Crown.



Sometime before 1579, the twenty or so Lordships, originally in the de Lacys, that were to form the Savile Estate in Yorkshire in the nineteenth century, were granted out of the Duchy of Lancaster to the Savile family, of Nottinghamshire. The Honor or Barony of Pontefract was retained by the Duchy, whose Duke is Queen Elizabeth II. By the marriage, in 1752, of Barbara, younger sister and heir of her brother, Sir George Savile, Baronet, to Richard Lumley-Sanderson, fourth Earl of Scarborough, the Yorkshire Manors, sometimes also known as the Thornhill Estate in Yorks, and the Rufford Manors in Notts passed into the Lumleys. A descent of this family is given with this memoir. John Lumley-Savile, eighth Earl of Scarborough, never married, but 'by a French woman' had a child, John Savile-Lumley. On the death of the eighth Earl, this illegitimate son was left the Yorkshire Estate, including Denby, and the Rufford Estate, in Nottinghamshire (see the Lordship of Wellow in this Catalogue), and West Clayton is now offered by the Savile Trustees.

The Lordship gives its name to the parish which covers approximately 1,150 acres. The township is about three miles south-west of Wakefield. The church of All Saints is in the Early English style.

There is a considerable archive of manorial and estate papers, under Lumley-Savile, Barons Savile at the West Yorkshire Archive Service, Kirkless, accessible on the internet: www.nationalarchives.gov.uk and follow instructions.

SCARBROUGH



DESCENT of the LUMLEYS, EARLS of SCARBOROUGH. sometime LORDS OF WEST CLAYTON and DENBY

Robert de Lumley, of Lumley, on R Wear, Co Durham, Living 1133-40; presumably related to Ughtred de Lumley and Osbern de Lumleie (*sic*). The next found is:

Sir William de Lumley = ?

Sir Roger de Lumley, died 1279 = Sybil, daughter of Hugh de Morwick

Sir Roger de Lumley, died 1306 = Sybil, daughter of John Fitz Marmaduke, by Isabel, daughter of Robert Bruce, KING of SLOTS

Sir Robert de Lumley, died 1345 = Lucy, daughter of Lord Thweng

Marmaduke de Lumley, died 1365 = (2) Margaret de Holand

Sir Ralph, 1st Baron Lumley, created, 1384, tried to restore KING RICHARD II and beheaded, 1399, attainted and lost peerage. = Eleanor, daughter of 3rd Lord Nevile of Raby

Sir John Lumley, restored to his father's estates, but not the peerage, killed at battle of Beaugre, France, 1423, in 100 years war = Felicia, daughter of Sir Matthew Redman of Newcastle Thomas, Bishop of Lincoln, 1441, and Treasurer of England

Sir Thomas de Lumley, restored to the family peerage of Lumley (1461), died 1485 = Margaret, daughter of Sir James Harrington

Sir George, 2nd Lord Lumley, died 1507 = Elizabeth, daughter and heiress of Roger Thornton, a Merchant of Newcastle

Thomas Lumley, said to have married Elizabeth, illegitimate daughter of KING EDWARD IV died 1487, without issue Richard Lumley, 3rd Lord Lumley died 1510 = Anne, daughter of Sir John Conyers KG

Sir John Lumley took part in the Catholic rising in Yorkshire against the English Reformation attainted, but not executed. = Joan, daughter of Henry, Lord Scrope, of Bolton

Sir John, restored as Baron Lumley, 1547, was a judge in the trial of MARY, QUEEN of SLOTS, 1587, leading to her execution, and died without male issue, leaving his estates in Yorkshire and elsewhere to his cousin, Richard Lumley, Viscount Lumley of Waterford

Anthony Lumley, = ? daughter of Richard Gray, of Northumberland died?

Roger Lumley = Anne Kurtwich

Richard Lumley, created 1st Viscount Lumley = Frances, daughter of Henry Shelley of Waterford, 1628, died 1663

Richard Lumley, helped to suppress rebellion of the Duke of Mommouth (1685, Judge Jeffreys and the "Bloody Assize"), supporter of WILLIAM, Prince of Orange, and his wife, Princess Mary, daughter of KING JAMES II, who succeeded and King and Queen, 1689, creating Richard Lumley, 1st Earl of Scarborough, who was Lt-Gen all forces, 1700-1 died 1721 = Frances, daughter of Sir Henry Jones, of Aston, Oxon

Richard Lumley, 2nd Earl, KG, master of the House, shot himself the day before his marriage to Isabella, daughter of 1st Duke of Montagu, 1740

Thomas, 3rd Earl, = Frances, daughter and coheir of 1st Earl of Orkney
died, 1752

Richard, 4th Earl of Scarborough, = Barbara, sister and heir to Sir George Saville, Bart, died 1782. of Rufford, bringing the Yorkshire and Nottingham Lordships to the Scarborroughs

George, died unmarried, 1807

Richard Lumley - Saville, Lord of West Clayton and Denby, died without issue, 1832

The Revd John Lumley, a clergyman not expecting to succeed his two brothers, died 1835 = Anne Maria, daughter of Julines Herring of Jamaica

John Lumley-Saville, never married, but by a liaison with Agnes, "a French Woman" he had John Saville, created 1st Baron Saville of Rufford. See Darby in this catalogue for the Saville Descent.

