



Manorial Auctioneers Ltd

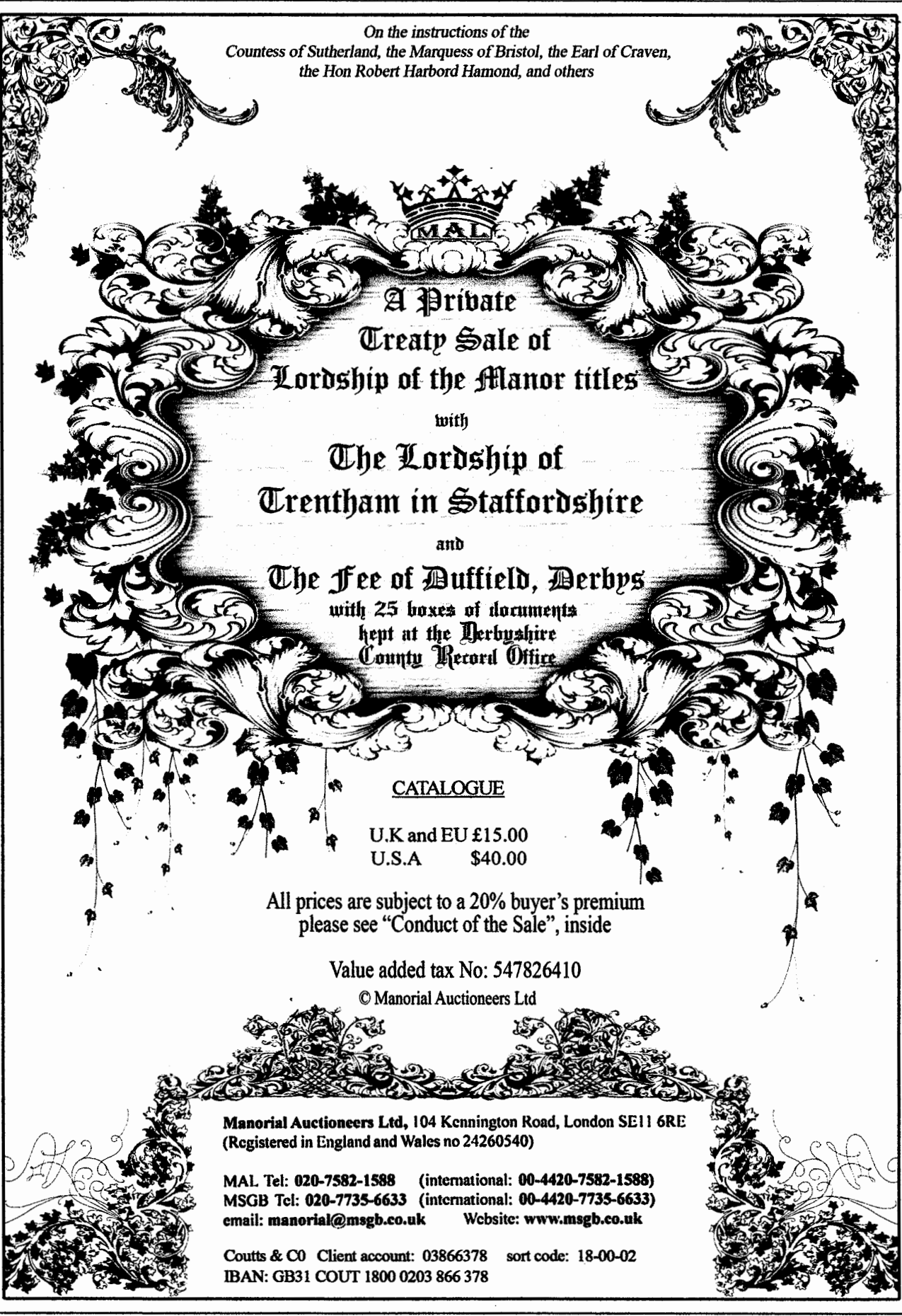
A SALE BY
PRIVATE TREATY

Kouaulte

U R

houte

On the instructions of the
Countess of Sutherland, the Marquess of Bristol, the Earl of Craven,
the Hon Robert Harbord Hamond, and others



A Private
Treaty Sale of
Lordship of the Manor titles
with
The Lordship of
Trentham in Staffordshire
and
The Fee of Duffield, Derbys
with 25 boxes of documents
kept at the Derbyshire
County Record Office

CATALOGUE

U.K and EU £15.00
U.S.A \$40.00

All prices are subject to a 20% buyer's premium
please see "Conduct of the Sale", inside

Value added tax No: 547826410

© Manorial Auctioneers Ltd

Manorial Auctioneers Ltd, 104 Kennington Road, London SE11 6RE
(Registered in England and Wales no 24260540)

MAL Tel: 020-7582-1588 (international: 00-4420-7582-1588)
MSGB Tel: 020-7735-6633 (international: 00-4420-7735-6633)
email: manorial@msgb.co.uk Website: www.msgb.co.uk

Coutts & CO Client account: 03866378 sort code: 18-00-02
IBAN: GB31 COUT 1800 0203 866 378

CONTENTS

List of Lots	p iii
List of Descents	p iv
Conduct of the sale	p v
A Note on Boldon Book 1183	p vi
Foreword: Lordships of the Manor	p vii
The Origin and Evolution of English Manors	p xi
Map of England	p xii
Land and Power: The Norman Conquest to the law of Property Acts (1925)	p xvii
A Case Study of Manorial Rights	p xxii
How to Write a Descent of a Manorial Lord	p xxvii
A note on coinage	p xxix
Glossary	p xxxi
What is a Manorial Lordship?	p xxxv
The Manorial Society of Great Britain	p xxxvi
Baronies by Tenure in England and Ireland	p xxxviii
The Land Registration Act 2002	p xlvi
Addressing persons of Rank	p xlviii
The Lots	p 1 - 89

LIST OF LOTS

		Page#
Thremhall Priory	Essex	1
West Dereham	Norfolk <i>(including the historic right to Market & Fair)</i>	4
Swafeld	Norfolk	7
West Tofts	Norfolk <i>(inc. a large coloured map)</i>	9
Kilbenland	Devon	11
Lilleshall	Shropshire	15
Trentham	Staffordshire	17
Trimingham	Norfolk <i>(includes 145 acres of foreshore)</i>	18
Knapton Cecils	Norfolk	20
Coxford Priory	N. Norfolk	22
Ayleacotty	Co Clare, Ireland	24
Newton-by-Chester	Cheshire	29
Motcombe	Dorset	32
Orchardleigh	Somerset	35
Trunch	Norfolk	37
Old Sleaford	Lincolnshire	40
Sisland, or Sizeland	Norfolk	44
Eynesbury Ferrers	St Neots, Huntingdon, Cambridgeshire	47
Hanningham	Warwickshire	49
Ivinghoe	Buckinghamshire <i>(including the historic right to Market & Fair)</i>	52
The Fee of Duffield	Derbyshire <i>(with its six tributary manors, and boxes of docs)</i>	56
Metfield	Suffolk	62
Bigods-in-Mundford	Norfolk	65
The Double Lordship of Great & Little Moorsholm	Yorkshire Moors	68
Westwick	Tees-Side, Barnard Castle	72
Ayle	Northumberland	74
Thorndon Parva	Suffolk Co. England	76
Harwich & Dovercourt	Essex	77
Great & Little Langdale	Westmorland	88
Cromer Gunners	N Norfolk Coast	89

The Fee of Duffield, with its six tributary manors, Derbyshire

THE FEE of Duffield is one of those rare medieval holdings, including tributary manors, in this case including six of them, but not quite an Honor, such as that presided over by the Castle of Tutbury, just the other side of the county boundary with Staffordshire. These tributaries were and remain, so far as can be ascertained, Hazleditch, Holbrook, Makeney, Milford, Shottle, Windley, and formerly Belper. There was also the forest, known as Duffield Frith, still a most picturesque wooded area, lying to the west of the River Derwent which runs through, and is crossed by an 18th century bridge that is Listed. The Overlord of Duffield, as we shall see, was also the Lord of the Honor of Tutbury, where

Mary Queen of Scots was held for 16 years by her first cousin Elizabeth I. The Scottish Queen was also the heir to the childless English Queen. Queen Mary made the mistake of exchanging letters with King Philip II of Spain in a plot to assassinate Queen Elizabeth. The conspirators thought that they had a fool-proof way to

communicate by putting their correspondence into the bungs of beer and wine barrels as they arrived at the castle for Mary's consumption, but they under-estimated the wily Sir Francis Walsingham, who was, we might say, head of Elizabeth's security.

Since Mary had agreed in writing to the assassination of her rival, it was not difficult to use this as evidence of treason, and Mary was taken to Fotheringay Castle, Northamptonshire, where she was tried before the chief peers of the kingdom, found guilty, and sentenced to death. Reluctantly, Elizabeth signed the death warrant, which Walsingham and the Privy Council, without the English Queen's knowledge, sent to Fotheringay where the beheading took place.

One can hardly resist Mary's plot to kill Queen Elizabeth, decided, the plotters thought, secretly at Tutbury Castle near Duffield, when the Norman Lord of the Fee of Duffield was also Lord of the Honor of Tutbury after the Battle of Hastings.

The first Lord of the Fee we encounter is Henry de Ferrers, who was granted enormous estates by William the Conqueror around the country, particularly in Derbyshire where he held 114 manors, and the Honor of Tutbury in Staffordshire. He must have been greatly in the King's favour for he was also one of the commissioners responsible for the making of Domesday Book (1086) Henry de Ferrers is recorded as holding:

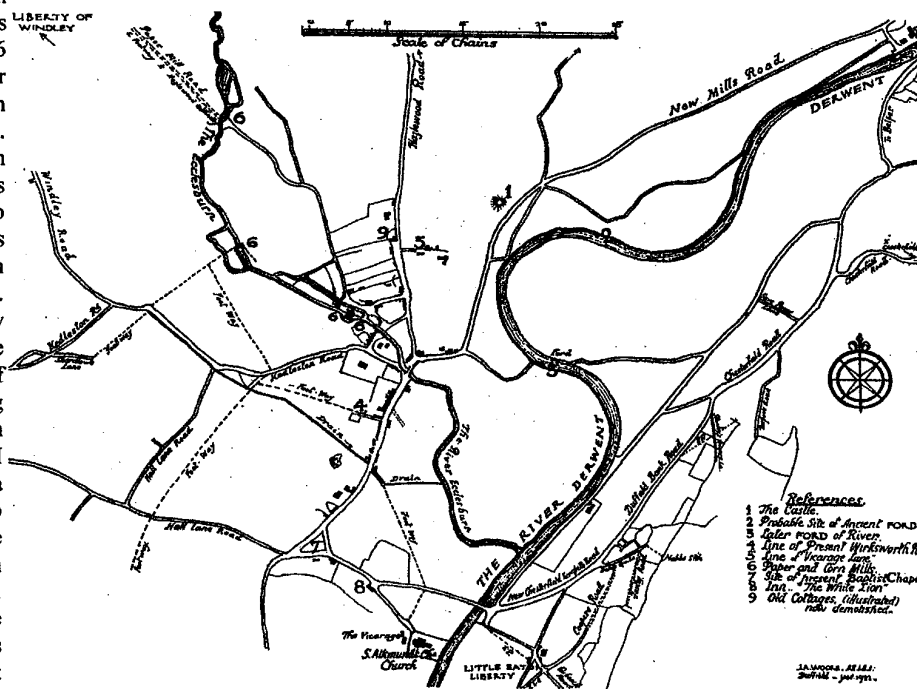
In DUFFIELD, BRADLEY, HOLBROOK, waste, MILFORD waste, MAKENEY, waste, and 'HERDBY' Siward (the Saxon Lord) had seven carucates of land taxable and the sixth part

of one carucate. Land for seven ploughs and the sixth part of one plough. Now in lordship three ploughs; 32 villagers, eight smallholders, and 10 slaves who have eight ploughs. Meadow, 20 acres; woodland pasture four leagues long and two wide. A priest and a church; two mills, eight

shillings. Valued before 1066 £9; now £7. In Herdby Henry has the sixth part of one carucate. *location now unknown.*

In BRADLEY, Aelfric and Leofwin had one carucate of land taxable. Land for two ploughs. Eleven villagers and six smallholders have four ploughs. Meadow, one acre; woodland pasture one league long and one wide. Value before 1066 40s; now 20.

Henry's grandson, Robert de Ferrers, led a large number of Derbyshire men in support of King Stephen (1135-54) against an attempted invasion by David, King of Scots, which was defeated at the Battle of Northallerton (Yorkshire), known to history as the Battle of the Standard (1139). For his contribution, King Stephen created Henry 1st Earl of Derby. The third Earl was William who certified his holding of knights' fees at 79, incurring a tax of 68 marks.



Duffield 1922



IN TAMWORTH STREET, DUFFIELD.

Photo. by Miss J. H. Blend.

It is not easy in the early years of England's history to know why great noblemen, such as the de Ferrers, ended up in rebellion. Kings usually crushed such uprisings, so why take the risk? Another Robert de Ferrers, the 4th Earl, however, rebelled against King Henry II, 1154-89, (the first of the Plantagenet kings). It is not known when Duffield Castle was first built, but on the unsuccessful rebellion of Robert de Ferrers against Henry II, the King ordered his castles at Tutbury and Duffield to be demolished in 1178. He was lucky that the penalty was not worse.

This is perhaps a good moment to explain the Fee of Duffield. As we know, it consisted of at least six sub-manors, granted on good behaviour to a knight or other senior soldier who could be called out to raise a military force, perhaps of a sort used against King Henry II in the paragraph above. In return, the important supporter could use the land of the sub-manor for his living. The land could not be sold by the honoured tenant, but it could be taken away for misbehaviour, or possibly age. Such land, though not the submanor with its manorial rights, became freehold under the Act of 1660 which abolished knight service. As we shall see, the late Earl Beauchamp held the rectory manor here under the Lord of the Fee. It was probably an honorific grant to a friend.

We know that Saxon aristocrats who fought with King Harold at Hastings on 14 October 1066 were stripped of their lands if they survived, or if killed - as many were - their heirs lost their landed property either by sequestration or, if female minors, were married to a Norman lord. No one seems to have any idea of how the conquerors identified lands belonging to defeated Saxon lords, but it must have been possible or the Ferrers family, for one, would hardly have obtained Duffield and 114 other Lordships in Derbyshire. Imogen Marcus, Senior Lecturer in English Language, of Edge Hill University, Liverpool, states in a valuable article in *History Today* that 'Anglo-Norman French was the variety of French spoken in the British Isles from the Conquest to the end of the 14th century.' That Englishmen and Normans had knowledge of each other's language can hardly be doubted by 1066.

Saxons and Danes, or Norse, originated in northern Germany - in the case of Angles and Saxons from the fifth century AD - to the arrival in Britain of the first Danish, or Viking invaders, from the end of the end of the seventh century; who arrived in

large numbers by longboat by 850, giving Alfred the Great great difficulties for most of his reign (r 871-899). He was ancestor to a series of very able kings - starting with his son, Edward the Elder, and these include his wife, Aelflaed, Lady of the Mercians, who outlived him and was accepted as a real ruler by the men of central England. Descendants were Athelstan, who effectively conquered northern England, and styled himself 'King of Britain, or King of the British'. Eadwig, and Edgar, whose coronation became the template for coronations of British monarchs as recently as 1953. Members of this family, known as the

Wessex rulers, also married high status continental wives and husbands. Aethlwulf, King of Wessex (r 839-858) married Judith, daughter of Charles the Bald, King of the Franks. Other members of the House of Wessex married Hugh, Duke of the Franks and Charles the Simple, King of the Franks. Edward the Elder's daughter Edith married Otto I, Emperor of Germany.

This means that England was held in high esteem by brother rulers on the continent, and there would have been constant trade between England and France and Germany. The early medieval languages of French and English would have been known by many merchants, trading across the Channel as well as by kings. Clerics were sometimes appointed to livings in England from France, or even Italy, and vice versa.

There is only one group still to be placed, the Vikings who originated in northern Germany, like the Anglo-Saxons, and conquered what would become the Duchy of Normandy, accomplished by Rollo at the end of the 10th century, who paid homage to the King of France, Charles the Simple. The conquest of Normandy took place after Rollo had been one of the raiders in England in the 850s. The first self-styled Duke of Normandy was Robert the Magnificent, who died in 1035 to be succeeded by Willaim (the Conqueror). He was Duke Robert's illegitimate son and, surviving his youth, spent most of his time, before Hastings, in Normandy bringing the duchy completely under his control.

We have seen how mercants must have been familiar with Anglo-Norman as a language and the Saxon upper class would also have been familiar with the language. After all, Aethelred the Unready (r 978-1016) married Emma, daughter of another Robert, Duke of Normandy. Aethelred was quite the worst king who could have ascended any throne during the latest Danish invasions at the beginning of the 11th century. These invaders were led initially by King Swein Forkbeard, who died in England in 1014. In this year, Aethelred fled to his brother-in-law's Court in Rouen, Normandy, taking Queen Emma back with him and his son and very nearly last English king of England, Edward the Confessor as he would be known.

Meanwhile, Aethelred died in 1016 and was succeeded by his son Edmund Ironside. A pity that Edmund could not seize the 'martial's baton' sooner, for the the Danes, now led by Cnut, had an opponent of merit; but sady he was killed in the same year as his father at Ashingdon, Essex.

King Cnut, who had converted to Christianity, assumed the Saxon throne in 1016 and, surprisingly he married the widow of Aethelred II, Queen Emma, who returned to England for the ceremony to take place. Cnut also issued a charter confirming the privileges of the Saxon aristocracy, which brought him much support, and he would reign until 1135. She bore him a son, Harthacnut, who ruled between 1135 and 1140.

The Anglo-Saxons were familiar with the Danes, many of whom had settled York, a main trading port on the River Humber, and the Five Boroughs, as Derby, Leicester, Lincoln, Nottingham, and Stamford were known and were also Danish. Their law was known as the Danelaw, although as time passed Saxon and Danish laws merged as, no doubt, did their respective languages, for those Danish settlers fought for the English king, not the Danish invaders. The settlers wanted peace, not another wave of war.

It seems likely that the marriage with Emma was intended to bring the Norman duke on-side, since she was a senior member of his family and former Queen consort of England. It appears to have worked. On the death of King Cnut II in 1042, Edward the Aethling (later known as Edward the Confessor), the eldest son of Aethelred II and Emma, succeeded to the English throne and reigned for 24 years. Edward had lived at the Norman Court, in Rouen, for 28 years, and grew up there. His friends were, therefore, overwhelmingly Normans and French, and Edward's first language was Norman-French. When he returned to London, he brought many Normans with him, whom he rewarded with lands in England,

The change from a Danish to an Anglo-Saxon monarch was probably not difficult. Saxon aristocrats, like the Godwinesons, visiting Rouen quite often as the Danish monarchy gradually expired in the 1130s, grew to know their Norman counterparts, who also came to England after Edward the Confessor had established himself. The main point of contention for the Saxons and the earlier Danish settlers was the favour poured out upon the Norman friends of the king.

Well, after Hastings, things were going to get more difficult for the Saxons. Heirs and heiresses who were minors were married into Norman families, perhaps not a lot different from the selections that their parents would have insisted upon had they lived. But it was probably not a hard task for Norman knights to become thegns, or for Saxon thegns to become knights since this went on in the reign of Edward the Confessor. By the time of Henry II (1154-89) pleas (court cases in the royal courts) were kept in store and could be read, in Latin since the lawyers used Latin, if only to keep laymen out of the law.



TOMB OF SIR ROGER MYNORS AND HIS LADY (1536). PHOTO BY H. N. DENNIS



JODRELL ARMS

King John, once accused of being illiterate, went through all the pleas to see what his courts were doing and how much money they were bringing in as fines.

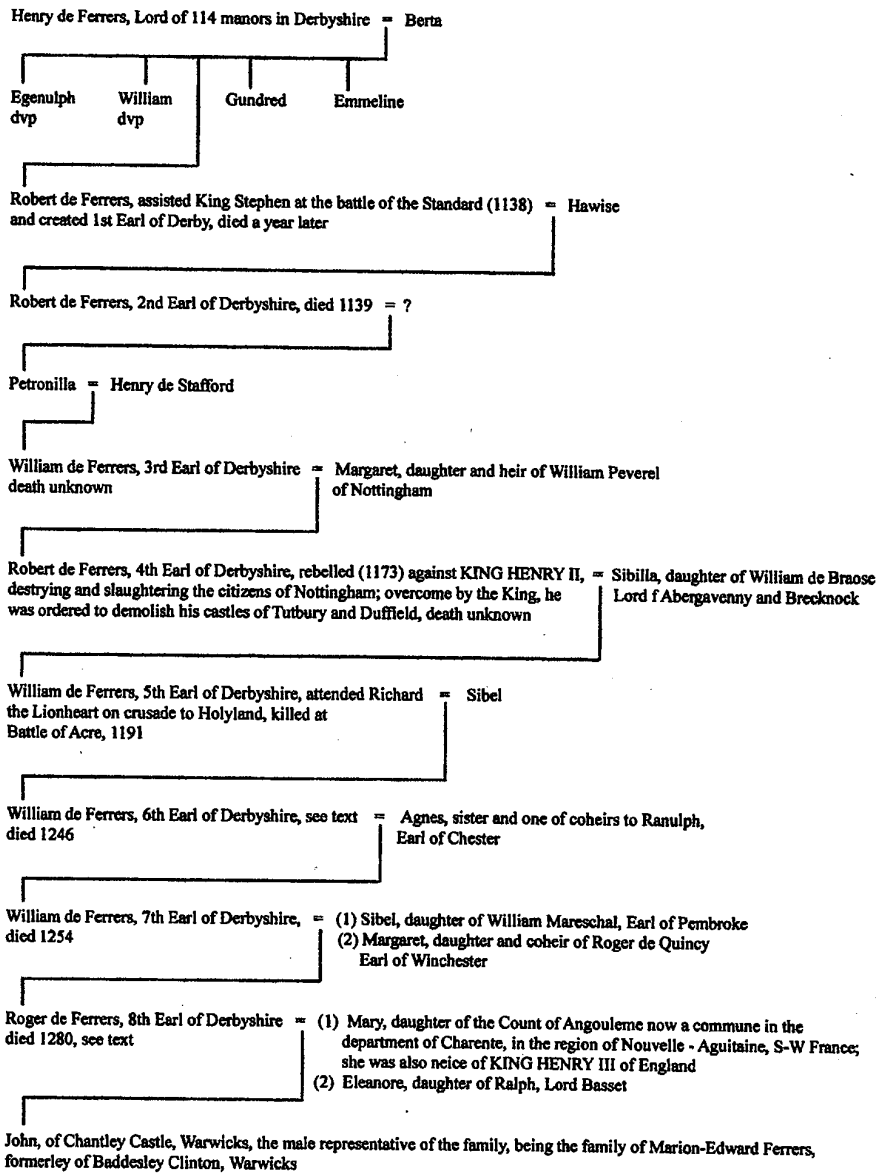
By the start of the Hundred Years' War with France, with the Battle of Sluys in 1340 and since the English Court, officially, still spoke French, French was banned and English used instead. All the above matters coalesced building up into the language of Chaucer and leading John Wycliff to begin a translation of the Bible into English, only accomplished in the reign of Henry VIII by Myles Coverdale in 1535, although the beauty of the English language was only found in the King James Bible, published in 1611, for which the king himself must take much credit. It even survived the Civil Wars in the middle of the 17th century.

We return to the de Ferrers to find that the 8th and last Earl of Derby was another Robert. He would dissipate his inheritance by opposing Henry III in the 1260s, and the family lost almost everything, including the Fee of Duffield. Robert de Ferrers inherited the estates as a minor, on the death of his father, William, 7th Earl, who died in 1254. Gout afflicted most of the family and the 7th Earl was no exception. He had the ailment to such a degree that he was taken from place to place in a 'chariot', some kind of cart, no doubt made as comfortable as possible. His driver was evidently not paying attention and the 7th Earl was thrown from the chariot and killed while crossing St Neots bridge in Huntingdonshire.

Almost the first thing to happen to this family was that Queen Eleanor, the wife of Henry III, and her uncle Peter de Savoy applied for and, unsurprisingly, obtained from the king for the cheap sum of 6,000 marks custody of the lands of the de Ferrers until the 8th Earl came of age. Ever since Henry and Eleanor's marriage in 1235, numerous Savoyard ne'er do wells came to England to feed at the trough of the king's favours to his queen, who dished out lands to the queen's countrymen. By the 1240s, there was a growing opposition at the Royal Court against these 'locusts' and the king's inability to refuse his wife.

One of those most aggrieved by the king's behaviour was Simon de Montfort, Henry III's brother-in-law, with whom Lord Derby quickly fell into conspiracy. (It was normal in those days for the estates of minors to be taken into the alleged protective custody of the reigning monarch. Kings profited from this by selling 'protective custody' to other noblemen for a fee, and there was no guarantee that the estate so entrusted and its child owner would be treated with much respect).

DESCENT OF DE FERRERS, SOMETIME LORDS OF THE FEE OF DUFFIELD,
EARLS OF DERBYSHIRE



When Robert, the 8th Earl of Derby, came of age, he attacked and plundered the king's property at Worcester. The king rejoined by sending his son, Prince Edward to attack Robert's Derbyshire holdings. (Prince Edward would become King Edward I in 1272. He who would conquer Wales and very nearly conquer Scotland, and he secured south-west France, centring on Bordeaux, the remaining bit of the Plantagenet French empire, not lost by King John, Henry III's father 70 years earlier). Once in Duffield, Prince Edward sacked the castle again, as he also sacked Tutbury Castle. This caused Earl Robert to throw his lot in completely with Simon de Montfort, Earl of Leicester, and the rebel army met the royal army at the Battle of Lewes, Sussex, in 1265. In the following year de Montfort sent summonses out over the kingdom to sheriffs of the counties asking them to nominate what we now call MPs and to meet in 1266. This assembly became the first Parliament in England.



However, the king and Prince Henry were evidently not well guarded for they made their escape and raised another army, which met de Montfort and his followers at the Battle of Evesham later in the year. This time the royalists won and put the rebels to flight, de Montfort making for Kenilworth Castle, where he was captured and put to a traitor's death (ie hanging, drawing, and quartering).

The 8th Earl hid himself with others at a church nearby, where they were betrayed by an unknown woman and taken into custody. Earl William was conveyed to London where he was totally disinherited by another Parliament, sitting at Westminster, summoned by Henry III and Prince Edward. He lost the Earldom of Derby and his landed property was bestowed on the king's second son, Edmund Crouchback, who had also been given de Montfort's Leicester Earldom and the Earldom of Lancaster. It should be noted that peerages were not merely honorific; they included vast lands the higher up the aristocratic scale one went. William sought to do a deal, for £50,000 or £80,000 (the sources are unclear), to redeem his lands and honours, but he failed to raise the money each calculation representing a vast sum. Evidently, not one to give up after only one try, William sued Edmund in the Court of King's Bench, but lost, unsurprisingly - he had after all raised his standard against a legitimate king - and the Parliament confirmed his loss of status and lands. He was lucky not to be executed. There are still some families related to the de Ferrers's, which are given at the end of the pedigree chart with this history.

We lose sight of the individual goings on at Duffield once the royal family got its hands on the Fee. Earl Edmund was succeeded by his son, Henry, Earl of Lancaster, who took offence - with many of the nobility - including the queen, Isabella, daughter of Philip IV of France - at King Edward II's relationship with Hugh Despencer, whom a doting king raised to the rank of Earl of Lancaster. Edward II was forced to dismiss his friend by envious peers who rose in rebellion. Hugh was captured at the Battle of Boroughbridge in 1322, and put to a traitor's death outside the walls of York. The king soon followed his friend and was murdered in 1327 by his wife the queen and her lover the Earl of March. Since her son, a minor, but still Edward III, would come into power in a matter of a

few years, killing King Edward II was a foolish act, as it proved. Edward III put together several peers with a body of troops and seized the queen and Lord March, putting to death the latter and incarcerating the former for the rest of her life. Meanwhile, John of Gaunt, Earl of Richmond, Edward III's brother, was created Duke of Lancaster and married Blanche, the great heiress, including of her father Peter, King of Castile (Spain). The duke married two further times, sullyng the Plantagenet descent and leading to the Wars of the Roses in the 15th century, between the Lancastrians (Red Rose) and Yorkists (White Rose) which is not part of our story. Richard II - whose father was the Black Prince and grandfather Edward III - was deposed by Gaunt's son, Henry Bolingbroke, Duke of Hereford and Earl of Derby (new creation, not associated with the de Ferrers family) in 1399. He ascended the throne as Henry IV in 1399 on acclamation by Parliament and the abdication of Richard II. Safety first: Richard was put to death at Pontefract Castle, Yorkshire: as a tyrant, which most monarchs were; death was the surest way of preventing an ex-king from becoming a rallying point for rebels.

A problem for a Fee like that at Duffield was that the moment a member of the royal family took possession, they did what they wanted. Consequently, the manor of Belper was sold away from the Fee at an unknown date, possibly after the takeover by John of Gaunt.

After Henry Bolingbroke took the throne from Richard II, he established the Duchy of Lancaster into which he placed his personal estates to form a 'nest egg', so to speak, for his heir. This included the Fee of Duffield. Indeed, the Duchy of Lancaster has continued from the time of Henry IV (1399-1413) in the monarchy. Queen Elizabeth II inherited it in 1952 when her father, George VI, died and she ascended the throne. It includes some valuable property in Manchester and in London, around Regents Park and Regent Street. This is the monarch's personal property. An annual account is made every year and submitted by the Duchy Office, at the north end of Waterloo Bridge, London, to the Treasury. The Queen pays tax on this investment at the normal rates.




The Duffield Fee remained in the Duchy of Lancaster until the reign of King Charles I (r 1625-49), who granted it to Richard Jodrell, whose family were created baronets. This family were to own the Duffield Fee until the late 19th century, by which time the Fee rights had become nominal, although the Lord still enjoyed some local prestige.

The church of St Alkmund is built in several styles over centuries, from Norman to Perpendicular (15th century). It consists of a chancel with a north chapel, a clerestoried nave, aisles, north transept, vestry, south porch, and an embattled western tower with spire, containing a clock and 10 bells, these hung between 1883 and 1887. No traces can now be found of the church mentioned in Domesday Book, but a corbel table provides sufficient evidence that a Norman church once stood here. St Alkmunds and its churchyard stand by the River Derwent. There is an alabaster tomb with recumbent effigies to Sir Roger Mynors and his wife, dated 1536. Both are lying on top of the sarcophagus, he in plate armour and she in the lavish gowns of the day, carved out of the stone.


DERBYSHIRE RECORD OFFICE

COURT RECORDS
FOR
THE FEE OF DUFFIELD
1595 - 1935

List of the main series of Court Books for the
Fee of Duffield deposited in the Derbyshire record office.



We have a number of books of documents which form part of this sale, and the majority are in the Derbyshire Record Office, Matlock, where they may be inspected by appointment. Please pay attention to the Statutory Instruments that follow. These state that such historically valuable papers may not be removed from the jurisdiction of the Master of the Rolls (ie they may not be removed to another country). They may be owned by a foreign purchaser, but they must remain in Britain. British nationals may have these documents at home, although we do not recommend this since there are an enormous number. We give a typescript list, which follows, of what these comprise. We recommend a British buyer to leave the records in the County Record Office (CRO). There are 25 boxes which would fill a large room at home. There is no charge for their remaining at the CRO who will also maintain them. You can make an appointment to visit the CRO to see what they have got. They presently belong to the seller and will pass to the buyer.



1963 No. 976

MANORIAL INCIDENTS AND RECORDS

The Manorial Documents (Amendment) Rules 1963

Made 21st May 1963

Coming into Operation 10th June 1963

I, Alfred Thompson, Baron Denning, Master of the Rolls, in exercise of the powers conferred on me by section 144A(7) of the Law of Property Act 1922(a) and section 7(1) of the Local Government (Records) Act 1962(b), hereby make the following Rules:—

1. These Rules may be cited as the Manorial Documents (Amendment) Rules 1963 and shall come into operation on 10th June 1963.

2. The Manorial Documents Rules 1959(c) shall be amended as follows:—

(1) in rule 1(1), in the definition of the expression "record repository", for the words "any public library" there shall be substituted the words "any local authority, public library"; and after the words "subsection (4) of section 144A of the Law of Property Act 1922" there shall be inserted the words "or that subsection as applied by section 7(1) of the Local Government (Records) Act 1962";

(2) in rule 7, for the words "any public library" there shall be substituted the words "any local authority, public library"; and after the words "subsection (4) of section 144A of the Law of Property Act 1922" there shall be inserted the words "or that subsection as applied by section 7(1) of the Local Government (Records) Act 1962"; and for the words "the Keeper of Public Records or" there shall be substituted the words "the Keeper of Public Records, the local authority, or"; and

(3) in the Schedule, after the words "under subsection (4) of section 144A of the Law of Property Act 1922" there shall be inserted the words "[or where appropriate under subsection (4) of section 144A of the Law of Property Act 1922 as applied by section 7(1) of the Local Government (Records) Act 1962]".

Dated 21st May 1963.

Denning, M.R.

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

The Local Government (Records) Act 1962, section 7(1), added local authorities to the institutions to which manorial documents may be transferred by an order of the Master of the Rolls under section 144A of the Law of Property Act 1922. These Rules make the necessary amendments to the Manorial Documents Rules 1959.

(a) 12 & 13 Geo. 5. c. 16.

(b) 10 & 11 Eliz. 2. c. 56.

(c) S.I. 1959/1399 (1959 I, p. 1670).

Printed in England and published by
HER MAJESTY'S STATIONERY OFFICE: 1963

THREEPENCE NET

1967 No. 963

MANORIAL INCIDENTS AND RECORDS

The Manorial Documents (Amendment) Rules 1967

Made - - - - - 26th June 1967
Coming into Operation 6th July 1967

I, Alfred Thompson, Baron Denning, Master of the Rolls, in exercise of the powers conferred on me by section 144A(7) of the Law of Property Act 1922(a), hereby make the following Rules:—

1.—(1) These Rules may be cited as the Manorial Documents (Amendment) Rules 1967 and shall come into operation on 6th July 1967.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

2. After Rule 5 of the Manorial Documents Rules 1959(c), as amended by the Manorial Documents (Amendment) Rules 1963(d), there shall be inserted the following Rule:—

“5A. Where the lord of the manor intends to remove manorial documents from a record repository, he shall, at least three months before their removal, give to the secretary of the Historical Manuscripts Commission written notice of his intention, containing particulars of the documents and stating the place to which he intends to remove them.”.

Dated 26th June 1967.

Denning, M. R.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the Manorial Documents Rules 1959 so as to require an owner of manorial documents who intends to remove them from a record repository to notify his intention to the secretary of the Historical Manuscripts Commission at least three months before the documents are removed.

(a) 1922 c. 16.

(c) S.I. 1959/1399 (1959 I, p. 1670).

(b) 1889 c. 63.

(d) S.I. 1963/976 (1963 II, p. 1621).

Printed in England by St. Clements Fosh & Cross Ltd., London
and published by

HER MAJESTY'S STATIONERY OFFICE: 1967

THREEPENCE NET

1959 No. 1399

MANORIAL INCIDENTS AND RECORDS

The Manorial Documents Rules, 1959

Made - 7th August, 1959

Coming into Operation 1st September, 1959

I, Raymond, Baron Evershed, Master of the Rolls, in exercise of the powers conferred upon me by subsection (7) of section 144A of the Law of Property Act, 1922(a), hereby make the following Rules :—

1.—(1) In these Rules, unless the context otherwise requires :—

“Manorial documents” means court rolls, surveys, maps, terriers, documents and books of every description relating to the boundaries, wastes, customs or courts of a manor, but does not include the deeds or other instruments required for evidencing the title to a manor or agreements or draft agreements relating to compensation, or any documents which came into being after 31st December, 1925 ;

“Lord of the manor” means the lord for the time being of the manor, or any person entitled to manorial documents ;

“Record repository” means the Public Record Office, any public library, museum, or historical or antiquarian society to which manorial documents are transferred in pursuance of a direction given by the Master of the Rolls under subsection (4) of section 144A of the Law of Property Act, 1922, and any repository approved by the Master of the Rolls as a place of deposit for manorial documents under Rule 5 hereof.

(2) The Interpretation Act, 1889(b), applies to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

2. The lord of the manor shall cause all manorial documents in his possession or under his control to be kept and used under conditions suitable for their safe and proper preservation and shall upon request furnish to the Master of the Rolls particulars of all such documents.

3. The lord of the manor shall inform the secretary of the Historical Manuscripts Commission whether any manorial documents in his possession or under his control are damaged or decayed, or whether he is unable to preserve them under proper conditions, in order that proposals may be made for the repair or better preservation of the documents ; and the lord of the manor shall, so far as he is able, give effect to any such proposals.

4. Every change in the ownership of manorial documents shall be notified by the new owner to the secretary of the Historical Manuscripts Commission.

(a) 12 & 13 Geo. 5. c. 16.

(b) 52 & 53 Vict. c. 63.

STATUTORY INSTRUMENTS

1959 No. 1399

MANORIAL INCIDENTS AND RECORDS

The Manorial Documents Rules, 1959

Printed in England and published by
HER MAJESTY'S STATIONERY OFFICE: 1965
(Reprint)

SIXPENCE NET

D 37217/2/Wc.44 K7 3/65 CL

5. The lord of the manor may deposit manorial documents for their better preservation in a repository approved by the Master of the Rolls, and documents so deposited shall be deemed to remain under the control of the lord of the manor.

6. The controlling authority of the repository shall furnish to the lord of the manor and to the secretary of the Historical Manuscripts Commission an inventory in the form set out in the Schedule hereto of any documents deposited in pursuance of the last foregoing Rule.

7. Where any manorial documents are transferred to the Public Record Office or to any public library, museum or historical or antiquarian society in pursuance of a direction given by the Master of the Rolls under subsection (4) of section 144A of the Law of Property Act, 1922, the Keeper of Public Records or the governing body of the public library, museum or historical or antiquarian society, as the case may be, shall cause to be furnished to the secretary of the Historical Manuscripts Commission an inventory of the documents in the form set out in the Schedule hereto, and shall not without the consent of the Master of the Rolls permit any such documents to pass out of his or their custody.

8. The controlling authority of a record repository shall cause all manorial documents to be kept and used under conditions suitable for their safe and proper preservation and shall comply with any directions from time to time given by the Master of the Rolls in that behalf.

9. Whenever requested by the lord of the manor or the Master of the Rolls, the controlling authority of a record repository shall produce manorial documents to him or in accordance with his directions.

10. The controlling authority of a record repository shall on payment of the prescribed fees permit manorial documents to be inspected at all reasonable times by any person interested in land enfranchised by or under the Copyhold Act, 1894(a), or the Law of Property Act, 1922, and shall permit the taking of copies of such documents; and shall also, with the consent of the lord of the manor, permit the inspection of manorial documents, and the taking of copies thereof, for the purpose of historical research.

11. No manorial documents may be removed outside England and Wales without the consent of the Master of the Rolls.

12. The Manorial Documents Rules, 1926(b), are hereby revoked.

13. These Rules may be cited as the Manorial Documents Rules, 1959, and shall come into force on the first day of September, 1959.

Dated the seventh day of August, 1959.

Evershed, M.R.

(a) 57 & 58 Vict. c. 46.

(b) S.R. & O. 1925/1310 (Rev. IV, p. 843; 1925, p. 881).

SCHEDULE

INVENTORY of Manorial Documents

relating to the Manor of.....in the Parish of.....
in the County of.....

The documents of which particulars are set out below were—

Delete A or B as may be appropriate.

A. deposited by....., the lord of the manor, under Rule 5 of the Manorial Documents Rules, 1959,

B. transferred in pursuance of a direction given by the Master of the Rolls under subsection (4) of section 144A of the Law of Property Act, 1922,

on the.....day of.....19.....

Signed.....

Particulars of Documents

<i>Reference No.</i>	<i>Date</i>	<i>Description</i>	<i>Condition</i> (Here insert "good", "fair" or "in need of repair" as may be appropriate)

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

These Rules, which replace the Manorial Documents Rules, 1926, enable the Historical Manuscripts Commission to advise on the steps to be taken for the better preservation of manorial documents. Under Rule 5, the lord of the manor may deposit documents for their better preservation in a repository approved by the Master of the Rolls.

COURT RECORDSList of the main series of Court Books for the Fee of Duffield deposited
in the Derbyshire Record Office

1. 1595-1607 Basically copyhold transactions for all the manors in the Fee except Belper, mainly small courts but some views of frankpledge. Preface by A. Bradshawe, Deputy Steward, stating that his fees are to be paid to the almshouses in Duffield. Index of personal names.
2. 1595-1600 Draft of 1 but differences in detail and amount of information given : observations and index.
3. 1596-1607 General court business, Belper only : courts of Gilbert, Earl of Shrewsbury.
4. 1604-1608 All manors except Belper, great courts, views of frankpledge, little courts : follows on from 2 after a gap.
5. 1608 All manors except Belper : probably just loose pages from 4 bound separately.
6. 1608-1609 All courts, general business and copyhold : all manors except Belper.
7. 1609-1610 As 6 : Belper absent.
8. 1610-1613 As 6-7 : with observations and index.
9. 1613-1614 As 6-8 : with observations and index.
10. 1613-1616 Belper only - all courts.
11. 1614-1625 Engrossed version : all courts, general business. and copyhold : Belper absent : some gaps see 14.
12. 1614-1625 Draft of 11.
13. 1622-1630 All courts, Belper only.
14. 1616-1629 All courts, complementary to 11 and 12 filling in some of the gaps.
15. 1625-1629 All courts following on from 11-12 : Belper absent.
16. 1640-1648 All courts, all manors including Belper : engrossed volume.
17. 1640-1648 Draft of 16 : occasional differences in detail.
18. 1648-1652 All courts, all manors : engrossed volume.
19. 1648-1652 Draft of 18 : occasional differences in detail.

20. 1652-1660 All courts, all manors : engrossed volume.
21. 1652-1660 Draft of 20 : occasional differences in detail.
22. 1660-1666 All courts, all manors : engrossed volume.
23. 1660-1666 Draft of 22 : occasional differences in detail.
24. 1666-1675 All courts, all manors : engrossed volume.
25. 1666-1670 Pt. draft for 24.
26. 1670-1676 Pt. draft for 24.
27. 1676-1681 All courts, all manors : engrossed volume.
28. 1676-1681 Draft of 27.
29. 1681-1682 All courts, all manors.
30. 1682-1686 31. 1686-1691 32. 1691-1699
33. 1699-1707 34. 1707-1722 35. 1722-1732
36. 1733-1741 37. 1741-1745 38. 1745-1749
39. 1749-1752 40. 1752-1762 41. 1752-1766 (draft)
42. 1762-1774 43. 1767-1771 (draft) 44. 1774-1782
45. 1783-1790 46. 1824-1831 47. 1832-1838
48. 1838-1840 49. 1850-1861 50. 1861-1868
51. 1868-1875 52. 1876-1884 53. 1884-1895
54. 1896-1925 55. 1926-1935

N.B. There are definite gaps between 1630 and 1640 and 1790 and 1824.

Volumes additional to the main series

56. Copy of Mr. Bradshaw's book of the customs of the manor of Duffield Frith. 1603
57. "Duffield : First Old Book" : notes on the Duchy of Lancaster by Richard Paul Jodrell : directions for Steward, Duffield and Melbourne Manors : liberties and customs in Honour of Tutbury : rates of fines and herriots 29 September 1597 etc. etc. c.1597-1777
58. "Duffield : Second Old Book" : inventory of court books 1694 : survey of Duffield Frith, Makeney, Hazelwood, Windley, Turnditch: freehold lands and rents : Duffield Frith rentals : further survey : survey of Idridgehay, Holbrook, Hulland, Heage, Biggin and Southwood etc. etc. *Beepn* 17-18c.

DERBYSHIRE RECORD OFFICE

1404

DUFFIELD FEE

- | | | |
|-----|--|-----------|
| 59. | Book of extracts from court rolls regarding copyhold land in Belper (abstracts relate to 1596-1676) compiled by Mr. Morley, with a view to selling off the manor of Belper from the fee of Duffield. | 1767-1776 |
| 60. | "Third Old Book concerning Duffield" : cartulary of deeds relating to Duffield fee manors (1607-1693), concerned chiefly with conveyance to Jodrell. | c.1700 |
| 61. | Vol. 2 of Belper abstracts (with 59) | 1767-1776 |
| 62. | Index to Duffield fee enfranchisements | 1855-1925 |

DUFFIELD FEE MANORIAL COURT

Duffield Manor at the time of the Domesday Survey is noted as having belonged to Siward in the reign of Edward the Confessor but as then being held by Henry de Ferrers. It was later to become a parcel of the Duchy of Lancaster until granted by Charles I to Ditchfield and others. It sub-sequently passed to the Jodrells during the 17th century.

These records were deposited in the Record Office by private individuals in May 1974 and September 1976.

Court Books

1595-1935

- D1404/1 1595-1607
Copyhold transactions for all the manors in the fee except Belper. Preface by A Bradshawe, Deputy Steward, stating that his fees are to be paid to the almshouses in Duffield. Includes index of personal names.
- D1404/2 Jun 1595-May 1599
Draft of D1404/1
Includes alphabetical index of personal names and list of observations at the end of the volume
Microfilm M130 vol 4
- D1404/3 Oct 1596-Mar 1607
Manor of Belper only. Includes alphabetical index of personal names and list of observations at the end of the volume.
Microfilm M130 vol 5
- D1404/4 Jul 1604-Mar 1608
All manors except Belper
Includes alphabetical index of personal names and list of observations at the end of the volume
Microfilm M 130 vol 6
- D1404/5 Mar 1608-Jul 1608
May be loose pages from D1404/4. Includes list of observations at the end of the volume.
Microfilm M 131 vol 1

DUFFIELD FEE MANORIAL COURT

Court Books (cont)

- D1404/6 Oct 1608-Aug 1609
All manors except Belper.
Includes list of observations and alphabetical
index of personal names at the beginning
of the volume.
Microfilm M131 vol 2
- D1404/7 Sep 1609-Aug 1610
All manors except Belper.
Includes list of observations and alphabetical
index of personal names at the end of the
volume
Microfilm M131 vol 3
- D1404/8 Aug 1610-Apr 1613
All manors except Belper.
Includes list of observations and alphabetical
index of personal names at the end of the
volume
Microfilm M131 vol 4
- D1404/9 Apr 1613-Sep 1614
All manors except Belper.
Includes list of observations and alphabetical
index of personal names at the end of the
volume
Microfilm M131 vol 5
- D1404/10 Apr 1613-Jun 1621
Belper courts only.
Includes list of observations and alphabetical
index of personal names at the end of the
volume
Microfilm M131 vol 6
- D1404/11 Sep 1614-Mar 1625
All courts except Belper.
Includes list of observations and alphabetical
index of personal names at the end of the
volume
Microfilm M131 vol 7
- D1404/12 Sep 1614-Mar 1625
Draft copy of D1404/11
Microfilm M131 vol 8

DUFFIELD FEE MANORIAL COURT

Court Books (cont)

- D1404/13 Oct 1621-Nov 1628
All courts for Belper.
Includes list of observations and alphabetical
index of personal names at the beginning of
the volume
Microfilm M131 vol 9
- D1404/14 Oct 1616-Apr 1628
Includes list of observations at the beginning
of the volume and alphabetical index of
personal names at the end of the volume
Microfilm M131 vol 10
- D1404/15 Mar 1625-Nov 1628
All courts except for Belper.
Includes list of observations and alphabetical
index of personal names at the end of the
volume
Microfilm M132 vol 1
- D1404/16 Sep 1640-Oct 1648
Includes list of observations and alphabetical
index of personal names at the end of the
volume and an alphabetical index of personal
names is also contained at the beginning of
the volume
Microfilm M132 vol 2
- D1404/17 Sep 1640-Oct 1648
Draft copy of D1404/16
Microfilm M132 vol 3
- D1404/18 Oct 1648-Jun 1652
Includes old alphabetical index of personal
names at the beginning of the volume and new
alphabetical index of personal names and list
of observations at the end of the volume
Microfilm M132 vol 4
- D1404/19 Oct 1648-Jun 1652
Draft copy of D1404/18
Includes alphabetical index of personal
names at the end of the volume
Microfilm M132 vol 5

DUFFIELD FEE MANORIAL COURT

Court Books (cont)

- D1404/20 1652-1660
Includes all courts and all manors
Microfilm M133 vol 1
- D1404/21 Aug 1652-Mar 1659
Draft copy of D1404/20
Includes alphabetical index of personal names
at the beginning of the volume
Microfilm M133 vol 2
- D1404/22 May 1660-May 1666
Includes all courts and all manors
Alphabetical index of personal names at the
beginning of the volume and list of
observations at the end of the volume
- D1404/23 May 1660-May 1666
Draft copy of D1404/22
Includes alphabetical index of personal
names at the beginning of the volume
Microfilm M133 vol 3
- D1404/24 May 1666-Apr 1676
Includes all courts and all manors Alphabetical
index of personal names and list of observations
at the end of the volume
Microfilm M133 vol 4
- D1404/25 May 1666-Oct 1669
Partial draft copy of D1404/24
Includes alphabetical index of personal
names at the beginning of the volume
Microfilm M133 vol 5
- D1404/26 Mar 1670-Sep 1674
Partial draft copy of D1404/24
Includes alphabetical index of personal
names at the beginning of the volume
Microfilm M134 vol 1
- D1404/27 May 1676-May 1681
Contains all courts and manors.
Includes alphabetical index of personal
names at the beginning of the volume
Microfilm M134 vol 2

DUFFIELD FEE MANORIAL COURT

Court Books (cont)

- D1404/28 May 1676-May 1681
Draft copy of D1404/27
Includes alphabetical index of personal names
at the beginning and end of the volume and
a list of observations also at the end of the
volume
Microfilm M134 vol 3
- D1404/29 May 1681-Nov 1683
Contains all courts and all manors Includes
alphabetical index of personal names at the
end of the volume
Microfilm M134 vol 4
- D1404/30 Mar 1683-Jun 1686
Includes alphabetical index of personal
names at the end of the volume
Microfilm M134 vol 5
- D1404/31 Jul 1686-Jan 1691
Includes alphabetical index of personal
names at the end of the volume.
Microfilm M134 vol 6
- D1404/32 Feb 1691-Sep 1699
Microfilm M134 vol 7
- D1404/33 Oct 1699-Jul 1707
Includes alphabetical index of personal
names at the end of the volume
Microfilm M134 vol 8
- D1404/34 Jul 1707-Apr 1722
Microfilm M135 vol 1
- D1404/35 Apr 1722-Mar 1732
Microfilm M135 vol 2
- D1404/36 Mar 1733-May 1741
Includes alphabetical index of personal
names at the end of the volume
Microfilm M135 vol 3
- D1404/37 Jun 1741-Aug 1745
Microfilm M135 vol 4

DUFFIELD FEE MANORIAL COURT

Court Books (cont)

- D1404/38 Oct 1745-Mar 1748
Includes alphabetical index of personal names at the end of the volume
Microfilm M135 vol 5
- D1404/39 Apr 1749-Jul 1752
Includes alphabetical index of personal names at the end of the volume
Microfilm M136 vol 1
- D1404/40 Sep 1752-Oct 1762
Includes alphabetical index of personal names at the end of the volume
Microfilm M136 vol 2
- D1404/41 Sep 1752-Dec 1766
Draft copy
Microfilm M136 vol 3
- D1404/42 Oct 1762-May 1774
Includes alphabetical index of Duffield Fee surrenders to and separate alphabetical index of surrenders from for this volume
Microfilm M136 vol 4 and M137 vol 1
- D1404/43 Jun 1767-Nov 1771
Draft copy
Microfilm M137 vol 2
- D1404/44 Jun 1774-Oct 1782
Includes alphabetical index to Duffield Court Roll surrenders to and separate alphabetical index to surrenders from for this volume
Microfilm M137 vol 3
- D1404/45 Jan 1783-Aug 1790
Includes alphabetical index to Duffield Court Roll surrenders to and separate alphabetical index to surrenders from for this volume
Microfilm M137 vol 4

DUFFIELD FEE MANORIAL COURT

Court Books (cont)

- D1404/46 Sep 1824-Sep 1831
Includes alphabetical index of surrenders
from and separate index of surrenders to
for this volume
Microfilm M137 vol 5 and M138 vol 1
- D1404/47 Sep 1831-Aug 1838
Includes alphabetical index of surrenders
from and separate index of surrenders
to for this volume
Microfilm M138 vol 2
- D1404/48 Aug 1838-Oct 1849
A separate alphabetical index volume contains
surrenders by and admittances and surrenders
to and deaths
*Microfilm M138 vol 3
and M139 vol 1*
- D1404/49 Jan 1850-Jun 1861
Includes two alphabetical indexes of
personal names at the end of the volume
but doesn't detail what they refer to.
Microfilm M139 vol 2
- D1404/50 Mar 1861-Jul 1868
A separate alphabetical index volume
contains surrenders by and admittances
and surrenders to and deaths
Microfilm M140 vol 1
- D1404/51 Jul 1868-Dec 1875
Includes alphabetical index by personal
names of surrenders by and Admittances
and surrenders to and deaths at the end
of the volume
Microfilm M140 vol 2 and M141 vol 1
- D1404/52 Jan 1876-Apr 1884
Includes alphabetical index by personal
names of surrenders by and Admittances
and surrenders to and deaths at the
end of this volume
Microfilm M141 vol 2

DUFFIELD FEE MANORIAL COURT

Miscellaneous volumes (cont)

D1404/61	Volume of Belper abstracts (see also D1404/59) <i>Microfilm M142 vol 6</i>	1767-1776
D1404/62	Index volume of Duffield Fee Enfranchisement	1855-1925

D1404
AL/DA
27 September 1994

There is another memorial, dated 1603, to Anthony Bradshaw and his two wives and 20 children. Earl Beauchamp, in the early 20th century Lord of the Rectory Manor, received the great tithes. He may just have been appointed by the Lord of the Fee since this eminent family owned a magnificent house, called Madresfield, in Shropshire. This grand property was given by the last Lord Beauchamp to the National Trust in the late 1940s, almost certainly because his five sons were all killed in the Second World War. This must be a record. Five deaths from the same family was by no means uncommon during the Great War (1914-18), but it was certainly extremely rare during the Second War. He also gave some offence to his brother-in-law, the 5th Duke of Westminster (better known as Bend Or from the family's assumed arms), whose sister, Lady Elizabeth Grosvenor, his Lordship had married and had five boys with. King George V became involved with the argument between Beauchamp and Westminster, and Beauchamp was stripped of his KG and Lord Lieutenancy of Shropshire, and ordered to leave the country in 48 hours. One can only wonder at what the offence must have been.

We return to Anthony Bradshaw, of the Inner Temple, evidently a lawyer. Anthony Bradshaw was great uncle to John Bradshaw, a member of Parliament who presided over the trial of King Charles I, and who pronounced his death sentence. Bradshaw was one of the parliamentarians whom Charles II failed to pardon, and he duly met his traitor's death by hanging drawing and quartering in 1660.

There is almost nothing left of Duffield Castle, thanks to the foolishness of the last of the de Ferrers Earls of Derby. The castle was burned down and slighted by King Henry III and his son Prince Edward, and many of its stones were probably used in future properties here. The basement of the original



Norman keep (almost certainly 12th century) can still be picked out and measured. The walls were apparently 15ft thick. It is thought that the walls were 80ft high. The castle stood on a motte of about 70ft, surrounded by a moat, clearly not a castle to leave in the hands of a defeated rebel, like de Ferrers.

Duffield Hall once belonged to the Jodrells and then the Strutts. It became the headquarters of the Derbyshire Building Society. There are many other houses dating from the 17th century, together with almshouses, probably no longer used for their original purpose, hotels, and pubs.. About 5,000 people live here, according to the Census of 2011, and the area is about eight square kilometers. The Sitwell Baronets acquired the Duffield Fee at the beginning of the last century, and sold it to Lady Anne Hayter, who bequeathed it to the present owner, Lord of the Fee of Duffield.

Sources: Domesday Book, Derbyshire, Phillimore Press, Chichester, 1978; The Derbyshire Village of Duffield Past and Present, W R Watson, Chevin Books, Duffield, 1991; Burke's Dormant and Extinct Peerages. Burke's Peerage Limited, 1878; Historic Duffield Derbyshire, K Steeples, Duffield Parsh Council, 1987; Old Duffield, John Bland, 1922, out of print; internet; Imogen Marcus, History Today, Sept 2018, vol 88 issue 9; well worth the annual subscription for 12 editions a year - subscriptions 01604 828732, email: historytoday@dsbnet.co.uk; gratitude to Raymond J Woodbery for digging into his ancient legal dictionary on the law and the medieval fee

There is a vast quantity of Manorial books and other records at the Derbyshire Record Office, Matlock, Derbyshire. These documents can be inspected by appointment at the CRO.