

Genealogy from Manorial Records

by CECIL R. HUMPHERY-SMITH

On 11 November 1961 Mr. Humphery-Smith read a paper to the Society of Genealogists on 'Some Neglected Sources for the Genealogist'. In this he emphasised, by examples, his contention that the most neglected sources are those which genealogists probably feel that they are using to the full. He made a plea for indexing and for sharing of experiences and knowledge, for which the Society was founded. He demonstrated the value of grave and monumental inscriptions, and how they are being neglected. He argued at some length on the possibilities of the inaccuracy of conclusions from Parish Register evidences, and announced a scheme aimed to improve the definition of such conclusions. Out of his survey of genealogical sources, we have chosen to publish Mr. Humphery-Smith's remarks on Manorial Records.

EDITOR

The rolls of manorial courts have recently been much neglected by genealogists. I am not going to pretend that I know much about them myself, though I have probably used them more than most for modern genealogical purposes. As a general rule, I prefer them to parochial records. Once it can be established that the subject of the search held property of the manor even as late as the middle of the last century, I would in many cases turn to the rolls of the Manor Courts. General taxation lists, subsidy rolls, or local taxation records, such as those for the Poor Rate to be found amongst the Churchwardens' Accounts, often prove useful indicators to the location of an individual if an owner or a holder of property. They can be looked upon as ready chronological guides to the court rolls of the local manor or manors.

The genealogist can usually relieve himself of those naggings of conscience with respect to the ambiguities raised by a multiplicity of indistinguishable parish register entries if he can tie his subject, the issue and progenitors to a manor. John son of William and Mary Wilson may occur in the registers of a hundred churches for 1640. John son of William Wilson and Mary his wife being admitted to the holding of the North Shot of Salmonsfield abutting on X and Y to the North and South and P and Q to the East and West and so on according to the custom of the manor of Chertsey, can only be one. I doubt if there are any who fully understand the functioning of these curious and superb survivals of the feudal system—so steeped in their almost mystical traditions. For the best description and explanation of the subject I refer you to Nathaniel Hone's *The Manor and Manorial Records* in the Antiquary's Books series pub-

lished by Methuen (1906). In the same series, incidentally, is the fine work by Charles Cox on Parish Registers.

There were two courts of importance to us which were held by the manorial authorities: the Leet and the Baron. The former was concerned chiefly with accepting the subservience of the villeins and tenantry and exacting disciplines according to the laws and customs. It functioned, in effect, mostly as a criminal court but although we should find most of our ancestors arraigned before it they were not criminals by modern standards. Most had merely put their sewerage in the stream on the wrong day of the week, driven a herd of cattle along the common high road after St. Martin's Day—in spite of the late dry summer—or had a cow which produced twin calves and had retained one for the cottage larder. Others of course fined (quite heavily) for dying or marrying—or transferring rights in arable land. Few were really guilty of crimes by our present-day classifications. But some time or another most members of the community receive a mention in these records. Then there are the more valuable records of the Court Baron concerned with the homage due to the Lord of the manor by every tenant copyholder. But how much do these records contain that we are neglecting? I look at the old edition of that excellent guide, *Wills and their Whereabouts*; I read that the new edition is in the press, and I do hope that the editors will not find it too late to suggest court rolls as a "whereabouts". This is often now the only source for Testaments of subjects from the Exeter diocese. Frequently, the complete Will of a copyholder is enrolled in the records of a Court Baron and even if not in full, then a useful and often sufficient abstract will be put in with the inquisition after his or her death. We all know the value of genealogical information contained in Wills. More often than not the precise origins of a copyholder are related to identify him absolutely; and it is not surprising to find even as early as the fifteenth century the name of a Lancashire parish as the place whence came the tenant of a Surrey manor. A study of the Lord's other manors often explains such movements but this sort of occurrence only goes to emphasise my remarks in relation to parish register searching. What other data can we obtain from Manorial records? The rolls of the proceedings of a court recite the land held by the customary tenants appearing before it. This, of course, is an aid to identification when several of the same name are contemporaries. The proceedings indicated status, trade or profession, livery, relationships, heirs and marriages, and often name those elusive persons the in-laws. So frequently does our pedigree look naked for want of the wife's surname. Turn to your manorial records and you will often be able to fill the gaps. Signatures to memoranda, copy and proceedings occur on most originals and these again can be evidence (a) of identity, distinguishing one of the name from another, (b) of literacy—hence, where did he learn

to write?—and (c) that the signatory was alive at the date of the court's meeting. Let us take a few examples from an ancient manor for which the court rolls survive only from as recently as 1735.

The following are a few abstracts of entries in the Court Roll of the manor of Beeding in Sussex, a part of the major manor of Cowfold. Rolls such as these give the precise whereabouts of the land and property—"between A's and B's to the North and South and C's and D's to the East and West"—amplifying the notes which I have taken as illustrations. With some gaps they continue into the twentieth century, though, of course, becoming progressively fewer.

There is a map of the manor dated 1733 on the margin of which is the following list:—

<i>Freehold in Cowfold</i>	<i>Owners</i>	<i>A.</i>	<i>R.</i>	<i>P.</i>
Denwood	Jno. Roberts, Gentleman	25	1	18
Welches	Jno. Roberts, Gentleman	30	2	35
Patchgate	Thomas Parsons	23	3	02
 <i>Copyhold in Cowfold</i>				
Vertknowle or Frithland	Cheal, Gentleman	122	2	20
Singers	Cheal, Gentleman	69	3	38
Frithknowle	Thomas Parsons	30	0	28

and so on, the holders of Steelshilly Field, Graffield, Hookland, Marles Goodyers, Marles Mill, Drewitts, Ridgeland, Ironsgate and the other properties in the manor, as shown by the map, with their extent all being recited.

Take the first entry in the book and see what can be done with it. This is merely the bare bones, the well-known legal usage being omitted.

22nd July 1735, Court of the Hon. Richard Edgecumbe. Thomas Butcher, only son and heir of Thomas Butcher of Hurstpierpoint, yeoman, deceased, assigns Ridges of Rudgeland in Cowfold, 50 acres, to Benjamin Richardson of Cowfold Clerk, and Katherine his wife, or to the longest liver.

On October 19th 1736, the following year, we find the surrender of the land by Thomas and the admission by the Rod of Benjamin, the Clerk and his wife Katherine.

October 13th, 1756 (the last Court having been held on July 22nd in that year), Benjamin Richardson is sworn to be dead and his widow Katherine claims to be admitted to Ridgeland—fealty is respited.

On January 9th 1760 Katherine Richardson is dead (the previous Court having been held in January of the year before), she is shown to have held Ridgeland 50 acres as did her father, and Mary the wife of Richard Tidy, daughter of Katherine Richardson is admitted.

I emphasise the value of this tale at a period when parish registers are equally available. But, this is so much more concrete in conclusion:

Thomas Butcher is the only son of a yeoman from Hurstpierpoint, a parish 6 miles away, who had died before 1735. He has a daughter

Katherine, married before 1735 to one Benjamin Richardson, a Clerk who dies between July and October 1756. Katherine also dies sometime during the year before the Court of January 1760. Her only daughter is then already married to Richard Tidy. What a wealth of information for so little trouble and with no doubts as to who is the child of whom. Looking through the records of the neighbouring manor you would also find that Thomas Butcher II, in fact, died sometime before the Court held at Ewhurst on October 11th 1748, and his Brother John was found his heir. (Unfortunately there is missing the Court records from 1741 to 1748.) But may we not assume that the first entry quoted was a marriage settlement?

Though the family was baptised, married and buried in some nine parishes in the area, a pedigree for the Lintott family which compares quite favourably with that made by Comber in his *Sussex Genealogies* after years of painstaking effort, can be compiled on one reading of the records of this manor with clear distinctions between one of the name and the next. A little more care could add in the names of the wives which are missing from Comber's account. While the detail is not present, as with parish register data, surely genealogy is concerned in the main with establishing beyond any reasonable doubt the ancestry and lineage of families.

When we rely on parish register evidence, doubts remain because of the possibilities of others of the name being contemporaries living locally under almost identical circumstances. To the best of our ability we attempt to dispel the doubts by recourse to the evidence to be found in Wills and the like. Even with such weighty corroboration doubt can still remain. There can be no possible mistake when the transfer of property is involved and strictly for the purposes of the pedigree concerned, there is no need for the precise dates and places once the relationships have been substantiated. One well known member of the Society of Genealogists once told me that he had been able to prove a complete pedigree on the evidences of Wills alone. This is exceptional. It is no exception, however, to be able to prove a descent entirely upon the evidence of manorial records. Look for a moment upon the duties of the Steward of the manor as recited in the front of one of the Court books.

You shall enquire and present of such persons as owe suit and service and do not appear, and present their names that . . . one caparcener or tenant in common or joint tenant is enough . . . enquire what tenants are dead since the last Court, present the names . . . and what lands they holds of this manor and by what reants and services . . . present all alienations by whom and to whom and the lands and A relief is the full of a year's lord's rent to be paid by the heir over and above . . . all tenures paid.

Enquire who having common pasture or lots of meadow since same and of

common at large, who keeps more cattle upon the same in summer than he can keep in his closes in winter.

Enquire if any timber or wood be cut upon the lord's waste and if any of the waste be enclosed or encroached and by whom.

Enquire and present who have not paid their reliefs and heriots the same are due—a relief is due upon every death of the tenant . . .

Maintaining ways and sewer ditches.

There were other duties of enquiry regarding disputes over land, marriages of heiresses and other women into other than the lord's manor or even within it, and several other ways by which the lord could obtain money or kind for a breach in the routine living and working of the manor lands. It is easy to see how often the common land holders or tenants were likely to have business before the Court. Of particular value are the admission of widows and minors or their guardians. Such records of the courts often bring out a lengthy procedure of proof of age and succession. The complications brought about by ultimogeniture or Borough English and by other customs of manors have their rewards for the genealogist because, as often as not, there is a recital of a Will or by some other means the surrender and admission of the heir is *sub conditione*, the conditions invariably taking great care of the rest of the family, by name! Here are two typical extracts:

“To my son John Cole by Jane my wife deceased fourty shillings To Robert Cole my son by my wife Jane deceased aforesaid five pounds and to Thomas Cole my son by my said wife Jane deceased aforesaid my late wife [he couldn't be more definite] five pounds and to William Cole my eldest son by Ann my now wife Ten pounds and to Joseph my son by my now wife Ann Ten pounds the first two five pounds to be paid to them at the expiracion of their apprenticeship and to William and Joseph Cole Ten pounds a peece at the age of one and twenty years and to Ann my now wife I give all my cobbyhold tenement or cottage and one halfe acre of land to Ann my now wife and her heirs for ever upon these conditions and that she pay Mistress Malcome the sum of fifty pounds and the interest that shall grow due . . .”

and so it goes on with further conditions describing the exact locations of other lands held of the manor.

“Ad hanc curiam venit Walteris Burrell de Cockfield in Com. Sussexiae”. . . . Walter Burrell of Cuckfield in Sussex presented himself before the Seneschal or Steward of the Manor of Isleworth Sion at a Court held October 8th 1639 and was admitted as guardian during the minority of one Francis Wyatt, gentleman, a customary tenant of the manor being then under age and eleven years old who had been admitted heir to his mother Tymethica Wyat. Walter Burrell was then permitted to let the property of which Francis Wyatt had inherited the copyhold.

These are short by comparison with many stories which could be related from these sources.

The point I am hoping I have made is that while most genealogists agree that manorial records provide a useful source prior to the recommencement of parochial records after the Reformation, most neglect them when parish records are available. And, more to the

point, far more manorial records of post-1600 than pre-1600 have survived. Of course, one great difficulty is locating the documents and finding a good series. Extensive but incomplete lists are kept at the Public Record Office and at the National Register of Archives and I have myself been compiling a list of the whereabouts of manorial records for some time.

Last year (1960) I had the privilege of examining in some detail the muniments of His Grace the Duke of Northumberland which are kept at Syon House, Isleworth. Out of the vast collection of manorial records there I noted these following which I consider could be of very considerable value to genealogists compiling family histories of tenants of this manor.

I do not think that this is an exceptional list of documents for a major manor when the records do survive more or less complete. It is easy to imagine the extent of genealogical information to be gleaned from such a variety of records.

List of evidences which may be of genealogical value among the muniments and records at Syon House, Isleworth

- Class B. Division XIII—Maps & plans of Manor of Isleworth
 No. 1 (d) Award plan, with Index 1818
 6 (a) Tenants bordering on Twickenham Common 1769
- E. Feudal Evidences, Copies of Records, various schedules of Deeds & documents—At Alnwick
 XV—relevant to Isleworth & Syon
- G. Grants of Annuities, Deeds, Bonds, Mortgages &c.
 J. Divisions & Boundaries, Inclosures &c.
- XIII—Isleworth Syon
- K. Court Rolls, Baronial & Manorial Court Proceedings
 II—Manor of Isleworth Syon
 No. 1. Court Rolls of Manor from 7 Ed. I
 Marked n from 1 H. 7-19 H. 7
 o H. 7- H. 8
 p 1 E. 6-18 Eliz.
 q 30 Eliz.- 8 J. I
 r 9 J. 1-14 J. I
 s 13 J. 1- 6 C. I
 t 7 C. 1- 9 C. I
 u 9 C. 1-21 C. I
 v 21 C. 1-1651
 w 1651-1660
 x 12 C. 2-23 C. 2
 y 24 C. 2-30 C. 2
 z 1677
- Folio Book containing original Court Roll 26 Oct. 1599-19 Ap. 1613 & 4 to 20 Feb. 1653
- Books
 Marked A 10 Ap. 1654- 5 Oct. 1664
 B 20 Mar. 1665-11 Oct. 1671
 C 10 Ap. 1672-11 Dec. 1678
 D 23 Ap. 1679-13 Oct. 1686
 E 30 Mar. 1687- 7 Jun. 1694

- F 19 Feb. 1694-22 Ap. 1704
etc. up to the twentieth century
- No. 2 Minutes of General & Special Courts Baron
a 1609-1639
b 1640-1649
c 1650-1659
d 1660-1669
e 1670-1679
f 1680-1689
g 1690-1699
etc. up to the twentieth century
- No. 5 Note of tenants & copyholds of Manor of Hounslow 1849
Grant of 1604 of Manor of Isleworth Syon & History from Domesday
- III—No. 1 Court Roll &c. of East Bedfont with Hatton
d 43 Eliz. - 3 C. I
c 17 Oct. 1659-28 Ap. 1698
- No. 2 a Capital Court 1670
b Capital Court 1673-1706
- No. 3 a 1 Mar. 1626-25 Nov. 1647
- IV—No. 2 Documents referring to the powder mills & canals
Surveys, terriers, rentals, valuations & particulars.
- Class A. Division XIV—
No. 1 Surveys of Manor of Isleworth Syon
Twickenham, Hounslow, Hatton, East Bedfont & Heston
a Rent book 1655
b 1669
c 1681
etc. up to the nineteenth century
- No. 2 1666
- No. 3 a 1679
b 1683
c 1690
- XIV—No. 3 a 1448
- No. 5 Casual rents 1695-1699
- No. 6 a } Casual rents 1638-1693
b }
c }
- XV—General Surveys, rent books etc. from 1 Ed. 6
- XVI—Miscellaneous rentals for Bedfont & Hatton 1606 & 1710
- Classes kept at Alnwick
- L. XIV—Contracts for & Enrolments of & Abstracts of Leases of Lands in Manor of Isleworth Syon
No. 1 a 1597
b 1669-1749
c Alphabetical Index of Leases & Lessees
- M. XIII—Leases of Tenements in Isleworth, Bedfont & Hatton
- N. Chancery suits, and other court cases

Makenade and Brumston

*The Makenades of Macknade in Preston-next-Faversham
with notes on the Brumstons of the same place*

by N. H. MACMICHAEL

The Kentish family of Makenade is little known today, but at least two of its members were notable in their county in the latter half of the fourteenth century.

Hasted's account¹ of the descent of the property is confused and in one place self-contradictory.² One authority whom he quotes is Philipott, *Villare Cantianum* (1659), p. 272, but Philipott's statements about the heirs of William Makenade (*d.* 8 Henry IV) are very wild. For example, Constance Watership was not William's daughter, but *his wife's sister*,³ who never, so far as can be ascertained, had any claim to Macknade.

Mr. W. E. Ball's comments are less trustworthy than Hasted's, even though he draws upon (and misinterprets) the notes of the Rev. Thomas Streatfeild.⁴

The principal source for the pedigree is a lost family cartulary,⁵ from which Robert Glover, Somerset Herald, made extracts. These were copied by William Smith, Rouge Dragon, and exist in British Museum Harleian MS. 245, ff. 52 *et* *sqq.* The pedigree is headed "Manignot [*sic*] (vulgo) Makenade", and Mr. Ball⁶ therefore looks for a connexion with the great family of Mamignot. This idea need not detain us, for Macknade as "Machehevet" is mentioned in Domesday Book.⁷

A William de Makenhavede is said to have been Bailiff of Faversham in 1295,⁸ and a generation later the lists of those in arrears with payment of tallage mention other Makenhavedes: John in 1321 and 1323,⁹ Jaket in 1322,¹⁰ and Stephen in 1324.¹¹ However, the relationships between these persons have not been determined.

¹ E. Hasted, *History . . . of Kent*, Vol. II (1782), pp. 808-9.

² Corrected in the 2nd (octavo) edn., Vol. VI (1798), p. 538.

³ *Calendar of Close Rolls*, 1402-5, pp. 265, 335.

⁴ *Archaeologia Cantiana*, Vol. XXVIII, pp. 233-4, 166.

⁵ No. 1283 in G. R. C. Davis's *Medieval Cartularies of Great Britain* (London, 1958), p. 149. Glover's notes are in College of Arms, Glover's Collections B, ff. 124 *et* *sqq.*; Brit. Mus. Harleian MS. 4757 (ff. 100-5) is a copy. A corrupt and incomplete pedigree from the same source is printed as an Additional Pedigree in Harleian Society (Visitation), Vol. 42, pp. 204-5.

⁶ *Op. cit.*, p. 233.

⁷ Vol. I, f. 10; it also occurs as "Macheheue" on f. 1, and in the Domesday Monachorum (f. 6) as "Macheuet".

⁸ *Arch. Cant.*, Vol. XIV, p. 198

⁹ *Ibid.*, pp. 192, 196.

¹⁰ *Ibid.*, p. 195.

¹¹ *Ibid.*, p. 197.