

The following is a draft section for an expanded and revised edition of the VCH Cumbria Volunteers' Handbook, which will aim to combine the guidance on 'Writing a Parish History' on the national VCH website and the Cumbria-specific guidance in the current Volunteers' Handbook.

1. Landownership

Aims and approach

The story of landownership should begin with the earliest reference and be followed through to the time of writing. The section should start with an overall picture of landownership in the parish/township. For example, was there one dominant estate or was landownership divided? Each major unit of landholding should then be traced in turn, dealing first with the manor or manors, followed by any other sizable estates. The structure of the section should look something like this:

- introductory paragraph
- Manor of A
- Manor of B [if applicable]
- Other Estates

1. Account of a Manor

The key characteristic which distinguished a manor from other types of landholding was the right of the lord of the manor to hold a manor court, through which he/she exercised jurisdiction over his/her tenants. Manors varied widely in size, but typically consisted of a village and its lands. In the north of England, they often coincided with townships.

Begin the account of each manor with the earliest reference. The account of each manor should then cover three main areas:

a. The place of the manor in the feudal hierarchy. Any affiliation to an honour or barony should be briefly described here, but do not cover the descent of the honour or barony in detail. Cover intermediate (or 'mesne') levels of lordship (i.e. those between an honour/barony and the individual manor under discussion) in so far as they impinged on the history of the estate. For example, if a mesne lord had wardship in the case of a minority, or exercised a superior jurisdiction which could impact on in the business of the local court, these should mentioned but not analysed in any detail.

b. The size and structure of the manorial estate. Did the manor cover the whole of the township/parish? If not, indicate the location of its lands and give some idea of its acreage. Did the lord of the manor have jurisdiction over tenants outside the parish/township in

question? The distinguishing feature of manorial lordship was the right to hold manor courts. Manorial administration will be dealt with in detail under the Local Government section, but the existence of a court baron and/or court leet (and when they stopped being held) should be mentioned here.

Land within a manor broadly fell into two types, both of which need to be discussed:

1. **demesne land:** the land farmed directly on behalf of the lord himself. The 'home farm' was known as the 'capital messuage'. Where possible, give an indication of the size of demesne (but don't go into the history of farming of the demesne here; this will come in the Economic History section). You should include references to 'lordly' features on the home farm, such as fishponds and dovecotes, as well as the manor house itself. What is the earliest reference to the manor house? If the lord was not resident, was the manor house let out? Indicate the location of the manor house. How old is the structure if it still survives? Beware of more recent houses renamed the 'Manor House' (as also with Manor Farms). Can you distinguish phases of building?
2. **tenant land:** land granted out to tenants who farmed it on their own behalf, paying rents and services to the lord in return. Tenants were of two broad classes; freeholders and those holding by 'bond' or unfree tenures, the villeins of the middle ages, who came to be known as copyholders or (in northern England) customary tenants, by the 16th century. You should refer to the types of tenure within the manor and any changes to these over time. Did tenants become enfranchised (i.e. bought the freehold interest in their tenancy) at any point?

Lords of manors also possessed a number of physical and jurisdictional rights, which should be mentioned in this section (though most will be covered in more detail in the 'Economic History' section). The aim here is to summarise the range of rights which were attached to (and yielded income to) the manorial lordship, such as:

- Markets and fairs
- Warrens (rabbit warrens and grants of 'free warren')
- Fisheries
- Parks and woods
- Mills (water and wind)
- Mineral rights

c. The descent of ownership of the manor should then be traced through to the present day, from the earliest written record. Ideally, each lord should be named and the date of changes of lord recorded, even if merely in a form such as: *'For almost a century from 1672 the manor passed from father to son through the Smith family from John (d. 1683) to William (d. c.1698), John (d. 1721), John (d. 1746), and William (d. 1769), the last of the male line'*.

It may well be the case that at some point the lord of the manor sold his demesne and ceased to have a landed presence in the parish/township – in other words, that the nominal lordship came to be divorced from the landed estate. If a substantial estate continued to exist after this, it is the descent of the estate which matters rather than the lordship, and its descent should be traced to the present day (or until it was broken up). In such cases, the lordship need only be traced where the lord maintained some personal link with the parish in which his nominal lordship lay, such as the advowson of the parish church.

Reputed Manors

An accumulation of property, whether freehold, copyhold, or a combination of all of both, might be styled a manor, even though they held no court. It is worth noting such instances in the account of an estate, whether it is listed as a manor or comes under 'Other Estates'.

2. Other Estates

The Landownership section should also include an outline of other major estates, both freehold and those held of the manor by copyhold tenure. They might be estates which can be identified from an early date or recent accumulations of landed property (e.g. by The National Trust or Forestry Commission). What constitutes a 'major estate'? The VCH national guidelines define them as those of 100 acres or more, or which survived for at least three generations. In many Cumbrian townships, particularly after enclosure, where farms typically included substantial acreages of allotments from the former common waste, such a definition is not very helpful, as it would include almost every individual 19th-century farm in a township. A figure of around 500 acres (or 200 acres before enclosure) is probably a better guide.

You should note the size and location of the estate, trace its ownership, note the wealth and status of its owners, and whether those owners were resident or at least maintained substantial houses on their holdings. Provide a brief survey of any changes, such as the consolidation of estates to form new holdings or their disintegration. Wherever possible, bring these remarks down to the present day with brief comments on any sale or disposal of major estates in the past hundred years. Each estate should be dealt with under the name of the main house. State whether these buildings have survived or not at the time of writing.

Under 'Other Estates' you should include any holdings of corporate bodies such as monasteries or public schools. The VCH national guidelines require us to mention even small estates (of more than about three acres) if they were the property of a monastic or collegiate church; a bishopric; a chantry in another parish; the universities of Oxford and

Cambridge, or one of their colleges; long established endowed schools, hospitals or other charitable foundations. Monastic property held before the Dissolution should be mentioned even if it was less than three acres. For these institutional estates, give the approximate acreage of the holding, any large variations in its size and the dates at or by which it was acquired and disposed of.

Sources

1. Starting Points

A thumbnail sketch of the manorial descent is provided by the information on landownership included in the 'Jubilee Digests' and posted as the 'front pages' of the parish/township web pages on the VCH Cumbria project website (<http://cumbriacountyhistory.org.uk/township-list>). This is drawn, in large part, from material in 19th-century directories – it ought not, therefore, to be taken as accurate but merely as a pointer towards the further research needed.

Beyond that, where to start will depend in part on the part of Cumbria in which the township/parish you are researching lies. The following sources focus on the medieval (and, to a lesser extent, early-modern) centuries.

For Cumberland, start with:

- *John Denton's History of Cumberland*, ed. A. J. L. Winchester. Surtees Society Vol. 213 and CWAAS Record Series Vol. XX (Woodbridge, 2010). [only partial coverage but very useful for the medieval estates of which his accounts survive. Where possible, use the footnotes to go back to the primary sources (*Cal. Inq. p. m.* etc) and cite these rather than Denton himself.]
- *Thomas Denton: a Perambulation of Cumberland 1687-1688, including descriptions of Westmorland, The Isle of Man and Ireland*, ed. A. J. L. Winchester with M. Wane. Surtees Society Vol. 207 and CWAAS Record Series Vol. XVI (Woodbridge, 2003). [again, where possible check his statements in independent sources]

For Westmorland:

- J. F. Curwen, *The Later Records relating to North Westmorland or the Barony of Appleby*, CWAAS (Kendal, 1932).
- W. Farrer, *Records relating to the Barony of Kendale Vols. I and II*, ed. J. F. Curwen; and J. F. Curwen, *Records relating to the Barony of Kendale Vol. III*, CWAAS Record Series Vols IV-VI (Kendal, 1923-6).

For Lancashire North of the Sands:

- *VCH Lancashire* Vol. VIII

2. Medieval Period

For the medieval period there are also the cartularies of Cumbrian monastic houses, most of which are now available in print:

- Brownbill, J., ed., *The Coucher Book of Furness Abbey. Vol. II, Parts ii and iii*, Chetham Society new series 76, 78 (1916, 1919) [these sections of the Furness cartulary contain most of the Cumbrian material]
- Burton, J.E. ed., *The Cartulary of Byland Abbey*, Surtees Society, 208 (2004)
- Grainger, F. & W.G. Collingwood, ed., *The Register and Records of Holm Cultram*, Cumberland and Westmorland Antiquarian and Archaeological Society, Record Series, 7 (1929)
- Prescott, J. E., ed., *The Register of the Priory of Wetherhal*, (London and Kendal, 1897).
- Todd, J.M. ed., *The Lanercost Cartulary (Cumbria County record Office MS DZ/1)*, Surtees Society, 203; Cumberland and Westmorland Antiquarian and Archaeological Society, Record Series, 11 (1997)
- Wilson, J. ed., *Register of the Priory of St. Bees*, Surtees Society, 126 (1915)

Central government records may provide further details of manorial descent. Indexes to the following classes should be searched systematically:

- Charter, Close and Patent Rolls provide details of royal grants and gifts, sales of land or permission to buy and sell, wardship and marriage.
- Fine Rolls give the deaths of many landholders.
- Inquisitions post mortem give details of what lands were held in each county by tenants of the crown, as well as the date of death, and the name and age of the heir. Sometimes they specify the acreage of land held in demesne, proportions of arable, meadow or pasture, and make reference to features such as mills. The National Archives (TNA) has a useful guide to understanding these inquisitions: <http://www.nationalarchives.gov.uk/records/research-guides/inquisitions-post-mortem.htm>

The original documents at TNA are in Latin. However, there are indexed calendars to these documents, which summarise the contents in English. Calendars can usually be found in local record offices or local studies libraries as well as Lancaster University Library.¹ Many of these sources are also now available on the web and can be searched by place name:

- *Calendar of Fine Rolls, Henry III*: <http://www.frh3.org.uk/>

¹ Lancaster University Library has removed much of its reference stock as the Library undergoes refurbishment 2015-2016. However, some calendars of medieval state papers have been retained in the Special Collections store. These include *Calendars of Inquisitions Post Mortem* up to and including the reign of Henry V; *Calendars of Close Rolls 1227-1402*; *Rymer's Foedera* (all 10 volumes; 1084-1653)

- *Calendar of Patent Rolls, 1216-1452*:
<http://www.uiowa.edu/~acadtech/patentrolls/>
- *Calendars of Inquisitions Post Mortem, vols 1-12 (1216-1369)*:²
<https://archive.org/details/texts>

3. Nineteenth and twentieth centuries

The following sources should be consulted to work out patterns of landownership in the nineteenth and twentieth centuries:

- Tithe commutation award: the schedule provides an indication of the pattern of landownership in a township/parish c.1840
- Enclosure award: since the lord of the manor usually owned the wastes of the manor, (s)he will be named in the enclosure act/award.
- 19th-century trade directories, which usually give the names of not only the lord of the manor but the 'principal landowners' as well.
- Valuation Records under the 1910 Finance Act (a.k.a. 'The Lloyd George Domesday'): the 1:2500 OS plans and the 'Domesday Books' (available in CAS) provide details of landownership in 1910. Detailed 'field books', with very full details of each property are held at The National Archives, Kew, IR58.
- The National Farm Survey of 1941 (TNA, MAF 32) includes the names of owners and occupiers of farms. A set of maps for each county, based on Ordnance Survey maps, show the land belonging to each farm (TNA, MAF 73).

4. Private Estate Collections

Title deeds and charters are another importance resource for tracing manorial descent. Numerous collections of title deeds have been deposited with CAS. Many can be found in private estate collections such as the Lonsdale Collection (D/Lons) at CAS (Carlisle). Title deeds are also important for tracing the history of some of the more recent large landed estates, including The National Trust and Forestry Commission. Both have records in CAS which detail the sale and lease of property.

The Manorial Documents Register (MDR) will help you locate manorial records: search by the name of the manor or parish at <http://www.nationalarchives.gov.uk/mdr/>.³ Be aware that some places were subject to overlapping levels of manorial authority, from the immediate local manor to a unit of higher lordship such as a barony. Therefore, it may be

² The *Calendars of Inquisition Post Mortem* will say if an original extent survives for a particular manor, but will give no further details. In such cases, the original document should be consulted.

³ Please note that TNA intends to close the MDR website in 2015. The information contained within it will instead be incorporated into TNA's new central catalogue 'Discovery':
<http://discovery.nationalarchives.gov.uk/>

necessary to search for records under the names of *both* the manor and the overlordship to have a more complete list of records. For more information about units of overlordship and Cumbrian manorial records, see <http://www.lancs.ac.uk/fass/projects/manorialrecords/>

There are numerous collections of Cumbrian manorial and estate records, many, but by no means all, of which are in CAS. Three major collections are:

- **Leconfield Collection available through CAS (Whitehaven), D/Lec:** Lord Egremont's records relating to the honour of Cockermouth and baronies of Allerdale, Egremont and Wigton. The manorial and estate records from the 16th century onwards are grouped into two main sets, those covering the Percy manors and those relating to the Wharton manors.
- **Lonsdale Collection at CAS (Carlisle), D/Lons:** The core of the medieval holdings of the Lowther family was comparatively small but purchases across the 16th and 17th centuries resulted in numerous manors in Cumberland and Westmorland coming into the family's hands; earlier manorial and estate records were often transferred to the Lowthers with the estates they purchased.
- **Howard of Naworth Collection at CAS (Carlisle), DHN:** includes large volumes of manorial and estate records for Gilsland barony, a major overlordship comprising over twenty member manors. This extensive archive also includes material relating to certain Cumberland manors lying outside the barony. A copy of the 4-volume catalogue of the collection is available at CAS (Carlisle).

Remember that the records of local firms of solicitors and estate agents, who often acted as stewards and land agents for lords of Cumbrian manors, can also be very useful.

5. Other Printed Sources

Owing to the overlap between the history of an estate and the history of the families that owned it, printed pedigrees can prove useful. All peerage and baronetage families should be checked in *Complete Peerage* or *Complete Baronetage*. The articles in these books are preferred to Burke and Debrett, although Burke, in particular, often gives more detail about recent generations. For untitled gentry families Burke's *Landed Gentry* is the best source. *Burke's Family Index* (Burke's Peerage, 1976) is a consolidated index to all the pedigrees in all the company's publications.

Printed auction catalogues are another source of information for the history of estates in the modern era. As well as throwing light on how the estate was managed in its final years, these catalogues usually include a note on the vendor's title and the basis for the sale. Collections of catalogues can be found in local studies libraries and record offices.

6. Researching Manorial Features

For the **manor house** and other houses at the heart of landed estates, start with:

- M. Hyde and N. Pevsner, *Cumbria: Cumberland, Westmorland and Furness*. The Buildings of England (London, 2010).
- Royal Commission on Historical Monuments, *Westmorland* (London, 1936); Now fully on-line on British History Online: <http://www.british-history.ac.uk/source.aspx?pubid=1297>
- J. F. Curwen, *The Castles and Fortified Towers of Cumberland, Westmorland and Lancashire North-of-the-Sands*, CWAAS Extra Series XIII (Kendal, 1913).
- *CW1, CW2, CW3*: these contain numerous, often well-researched, articles on castles and manor houses.
- guidebooks (use only as a starting point: you should aim to check for independent evidence of statements they contain).

The following provides a useful guide to both primary and secondary sources about individual buildings:

- Denis R Perriam and John Robinson, *The Medieval Fortified Buildings of Cumbria: an illustrated gazetteer and research guide*, CWAAS Extra Series XXIX, 1998.

For details about other manorial features, such as woods, mills, parks, tenure and labour services, or the manor court, you will need to consult manorial records belonging to that particular manor.

There are several types of document which detail the key components of a manor and its administration. They include:

- *Extents* - surveys that list the component elements of a manor and their monetary value. These include the capital messuage, the demesne, meadow, pasture and woodland, mills, fisheries and warrens, money from free and unfree holdings, labour services of villain tenants and the monetary equivalent, and court revenues.
- *Custumals* – a survey or rental which includes details of the rents, services and customs by which tenants held their land (including any labour services). Some give ages, many give marginal notes of when tenancies began, new leases or copies were made and added lives, dates of deaths, previous tenants etc.
- *Surveys* - written descriptions of the manor. Occasionally accompanied by a map, but these seldom survive. A full manorial survey will give details not only of each holding and cottage on the manor, but also of the tenants. *Terriers* are surveys arranged topographically, field by field.
- *Accounts* - detailed records of the individual elements of the manor, how they were managed and what they yielded through the agricultural year. They date from the early 13th century but are most commonly found from the 1270s.

- Court Records - including court rolls, court books and verdict sheets for both courts baron and courts leet. The main business of the manor court was to act as a land registry for holdings on the manor, to uphold the lord's privileges and resolve neighbourly disputes. They are particularly useful for the Landownership section in that they contain the name the lord of the manor; notification of the deaths of tenants; the swearing of fealty by heirs to freeholds; the admission to and surrender of copyholds, ie. taking or giving up a tenancy.

Note that the manor court need only be briefly mentioned in this section and should dealt with more thoroughly under 'Local Government'. Therefore, it will be more important to look at surviving court records when working on that section as well. Up to one-third of places described as manors have no surviving records. More records survive from the period after 1500 than before. Until 1733 manorial records were written in formulaic Latin, although the 'meat' of many court records are in English from the sixteenth century onwards.

SAR/AJLW (rev. 03/15)