

2. Landownership

These notes are intended to complement national VCH guidance notes (at <http://www.victoriacountyhistory.ac.uk/local-history/manors-and-estates>) and should be read in conjunction with them.

Where to start will depend in part on the part of Cumbria in which the township/parish you are researching lies:

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).

These sources focus on the medieval (and, to a lesser extent, early-modern) centuries.

The story of landownership should be followed through to the time of writing. The section should start with an overall picture of landownership in the parish/township (was there one dominant estate or was landownership divided, for example?) and then trace each major unit of landholding (i.e. manor or substantial landed estate) in turn.

The following sources should be consulted to work out **manorial descent**:

- 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.

Title deeds and charters are another important 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).

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)

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.

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.

Central government records may provide further details of manorial descent:

- 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.

Indexed volumes to all of these can usually be found in local record offices or local studies libraries as well as Lancaster University Library. 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/>
- *Calendar of Patent Rolls, 1216-1452*:
<http://www.uiowa.edu/~acadtech/patentrolls/>

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.

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.

Other Features

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.¹ 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. Records will name the lord of the manor, the steward holding the court, jury members and those who failed to appear. They also provide details of when and where the court was held.

¹ The court baron dealt largely with internal matters on the estate, including infringements of the lord's rights, agrarian disputes between tenants and changes of tenancy. The court leet represented the arm of royal justice by dealing with minor breaches of the peace and public order and administering the provisions of a series of Tudor statutes.

Note that the manor court need only be briefly mentioned in this section and should be dealt with more thoroughly under 'Local Government'. Therefore, it will be more important to look at surviving court records when working on that section rather than here.

In keeping with VCH principles, you will only be able to comment on manorial features if original source evidence survives; 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.

Locating Manorial and Estate Records

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/>. 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 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 Durham University Library, Archives & Special Collections, HN:** 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.

Further Reading

Aston, T.H., 'The Origins of the Manor in England with a Postscript', in T.H. Aston, et al., *Social Relations and Ideas: essays in honour of R.H. Hilton* (Cambridge: Cambridge University Press, 1983)

Bailey, Mark, *The English Manor, c.1200-c.1500: selected sources translated and annotated* (Manchester: Manchester University Press, 2002)

Beckett, J.V., 'The decline of the small landowner in eighteenth and nineteenth-century England; some regional considerations', *Agricultural History Review*, 30.2 (1982), 97-111

Beckett, J.V., 'Absentee landownership in the later seventeenth and early eighteenth centuries: the case of Cumbria', *Northern History*, 19 (1983), 87-107

Bush, M.L., 'Tenant right under the Tudors: a revision revised', *Bulletin of John Rylands University Library of Manchester*, 77 (1995), 161-88

Harvey, Paul, *Manorial Records* (London: British Records Association, 1984; rev. ed., 1999)

Holdsworth, Philip, 'Manorial administration in Westmorland 1589-1693', *Transactions of Cumberland & Westmorland Antiquarian & Archaeological Society*, 3rd series, 5 (2005), 137-64.

Hoyle, R.W., 'An ancient and laudable custom: the definition and development of tenant rights in north-western England in the sixteenth century', *Past and Present*, 116 (1987), 24-55

Winchester, A.J.L., 'Regional Identity in the Lake Counties: Land Tenure and the Cumbrian Landscape', *Northern History*, 42 (2005), 29-48

Winchester, A.J.L. and E.A. Straughton, 'Sources in local history: finding and using manorial records', *Local Historian*, 37 (no. 2, May 2007), 120-6