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# The Manor Court

**Location:**

- Northolt Barn.

**Purpose and content of the activity session:**

- To discover the manor court through role play, whether acting the reeve or the villain accused of tardiness and laziness or asking to take over a widow's land.
- To find out about the role of the villain on a medieval manor and the punishments and fines they were awarded.
- To increase understanding of the structure of medieval society and in particular a manor.
- To increase understanding of the everyday lives of the common man during the medieval period.
- To increase understanding of the medieval legal system.
- To use and interpret a range of sources and artefacts (both replica and original)

**Background Information**

## **The Manor**

Within 20 years of the conquest, William the Conqueror had replaced all the Anglo-Saxon lords with Norman lords, using the Norman legal system to overturn all rights of inheritance, thus ensuring that William's men were in positions of power. Three quarters of England's land was divided between Barons, lords and knights who had served William I loyally, creating many small and large manors throughout the country. Jacob's Law Dictionary of 1762 described this process as "... there were certain circuits of ground granted by the King or Conqueror to some Barons or men of like worth, for them and their heirs to dwell upon and exercise jurisdiction, more or less within their territories, as the King thought fit to grant ...". The manor was, in principle, the territory of a lord which varied in size and worth. Some manors consisted of a whole village, others spread over many villages; however the majority of villages were divided between several small manors, with some having a clearly definable principal manor.

These manors were recorded in the Winchester Chronicle (now known as the Domesday Book) in 1086, detailing the size and monetary worth of each manor.

### **A brief overview of Medieval Society**

The feudal system of medieval society was extremely strict, with everyone on a manor having their own place in society and their own responsibilities. The lord of the manor treated this land as his own, paying for this privilege through military and other services to the King. The lord had control of the land and the peasants.

Lord of the Manor

(ruled the estate land(s) as his own in return for military and other services to the Crown)						
[REDACTED]						
The Steward [ <i>senescalli</i> ] (Oversaw all the estate land(s) and peasants on the lord's behalf)						
[REDACTED]						
The Bailiff [ <i>ballivi</i> ] (oversaw the running of 2 or 3 manors, reporting to the steward)						
[REDACTED]						
The Reeve [ <i>prepositus</i> ] (an official nominated or elected by fellow tenants to arrange the day to day agricultural business of the manor and to represent all the tenants in negotiations with the Bailiff and Steward)						
[REDACTED]						
Free Tenants				Unfree Tenants		
	[REDACTED]				[REDACTED]	
Freehold tenants/ Farmers <i>[tenens / fimaruius]</i>	Customary tenants <i>[customarius]</i>	Leasehold tenants <i>[lessee]</i>		Virgators	Half virgators	Bordarii / Cottarii

The tenancy system was complex with a system of free and unfree tenants, with definable sub-groups within these two terms.

There are three main types of free tenants:

- Freehold tenants paid the lord of the manor rent, with the family paying “heriot” on the death of the tenant. These tenants had personal freedoms, being able to come and go from the manor when they liked and being able to sell their land without reference to the manorial court.
- Customary tenants, which were the most common type of free tenant, were split into two categories – those who held land which could be passed to their families by inheritance and those which only held the

land for their lifetime. These tenants had to maintain their holdings and their freedoms and rights were restricted, all changes in land ownership had to be processed by the manorial courts, paying “heriot” and entry-fines.

- Leaseholds tenants held demesne or new lands with the terms of the lease set by the lord of the manor. There were fines for granting or renewing leases plus an annual rent.

Unfree tenants were agricultural labourers for the lord consisting of three classes:

- Virgators were supposed to hold a virgate (approximately 30 acres).
- Half-virgators were supposed to hold half a virgate (approximately 15 acres).
- Bordarii or cottarii were supposed to hold between 2 and 5 acres.

The amount of land they held depended on the amount of work that they did for the lord of the manor, the more work they undertook the more land they held. These tenants had very few freedoms and rights.

### **The Manorial Court**

Whatever rights the lord of the manor claimed his tenants; at regular intervals he held a manorial court. This court differed from the Royal Court as they were private courts dealing with the day-to-day running of the manor and to enforce the lord’s rights and not with disturbances of the King’s peace (i.e. major crime).

There were two types of manorial courts:

- The Court Baron (for free tenants) and the Court Customary or Hallmote (for unfree tenants) administered the law of local customs (bye-laws), managing land tenure and rents, the use of common fields

and disputes between the tenants. [In practice there seems not to be a distinction between the two].

- The Court Leet administered wider rights of jurisdiction that belonged to the Crown and was franchised to the lord of the manor. This was often referred to as “View to Frank Pledge” and often oversaw the administration of bread and ale assizes.

In reality both the Court Barn and the Court Leet could be held at the same time, with some records showing entries for both types of courts.

All unfree tenants were bound to attend the manor court whenever it was held, while the Statute of Marlborough in 1267 states “no freeholder is bound to suit at his lord’s court unless this was imposed on him by the terms of his charter,” meaning that his lease agreement might only state that he needs to attend only once a year. However as the manor court was so important in the running of the manor, many free tenants attended all the court meetings.

Because of this need to attend all court meetings it was vital that everyone knew when to attend and there were several methods to ensure this:

1. An announcement of the next court date could be made before the adjournment of the current court.
2. Some courts were always on a definite day for example the 2<sup>nd</sup> Tuesday of each month.
3. “Reasonable Summons” or 3 days notice either by a message from the Bailiff or Reeve or a notice read in Church (which everyone had to attend by law).

The location of the court didn’t have to be declared in these notices as it was always held at a fixed point on the manor, which could be inside or outside.

If a tenant did not attend the court without permission he was punished, usually with a fine. To avoid a fine the tenant had to ession or excuse himself either in writing or, more often, verbally through another tenant (known as his proxy) and confirmed by a second tenant (the pledge). Tenants were permitted to ession themselves three consecutive times (which was recorded

on the Court Roll) without a fine, unless they were caught lying. It was also stated on the Court Roll whether the excused tenant had to attend by regular obligation or on fewer occasions, depending on the type of tenant and any existing lease agreements.

In the early medieval period there seems to be no uniform administration of the Court Baron on either how many times the court should be held each year (on some manors the court was only held once or twice a year, whilst on other manors it was held every three weeks). By the 13<sup>th</sup> century, however, the Court Roll was becoming standardised. The following is an example of the procedure of the Court Baron:

1. The lord of the manor (or his nominated representative – usually his steward) arrived to over see the proceedings.
2. The beadle [*bedellus*] called for order (1 “oyez” if it was a Court Baron only, 3 “oyez” if it was also a Court Leet).
3. Essoniatius or excuses were given either in writing or verbally by a proxy and seconded by a pledge.
4. The manorial jurors (usually 12 tenants) were named and sworn in.
5. The jurors would announce each presentment or matter to be dealt with.

The clerk [*clericus*] recorded each item on parchment in Latin at the court to produce the Court Roll.

The type of presentment at the Court Baron varied enormously and a few examples are listed below:

- Minor disputes between tenants.
- Neglect of hedges so that animals strayed.
- Failure to clear ditches.
- Attempts by tenants to enclose common land for their own use.
- Creation of byelaws for example, the number of animals permitted on a piece of land, when tenants should enter and leave the fields at

harvesting time (some stated that everyone had to enter and leave at the same time), when tenants could graze common land.

- Failure to abide by a local byelaw, for example grazing too many animals on a piece of land.
- The intake of new tenants and, where applicable, the terms of their lease agreement.
- Failure to pay rent.
- Raising loans/mortgages on land (the tenant would surrender their land to the steward, which would become void when the Court Roll recorded that the debt had been paid at a subsequent court).
- Repayment of debts.
- Announcements of the death of a tenant and the application for that land by another tenant.
- Failure to carry out the service owed by fealty.
- Requests to be married.
- Requests to school a son.
- Requesting a license to cut wood and failure to request a license to cut wood.

An example of what could be on a Court Roll (taken from various sources):

<i>The Field [estate name]</i>	<i>The first court of the lord ..., held there on the ... in the ...th year of the reign of King ... after the Conquest.</i>
<i>Essions</i>	<i>... (essioned) of common (suit) by .... Pledge .... The first (time).</i>
<i>Manorial Jurors</i>	<i>[names]</i>
<i>Affeerors</i>	<i>[names]</i>
<i>2s</i>	<i>William Thatch is in mercy for enclosing common land. Fine 2 shillings.</i>
<i>-</i>	<i>Hugh Wheeler is in mercy for cutting down an oak tree without license. Pledge .... Pardoned as the wood was used to repair his house. No fine.</i>
<i>Distrain</i>	<i>John Heydon, tithing-man, with his tithing, presents that William Happesforde</i>

	<i>has dwelt within the lord's demesne for one year and more, and is not in a tithing. Therefore an order is made to distraint him before the next court to be placed.</i>
<i>Penalty</i>	<i>Richard Merton, tithing-man at the same place, with his tithing, presents that the king's highway at Merton is flooded to the common hurt, from lack of scouring of William White's ditch; therefore he remains in mercy. And an order is made to scour the said ditch before the next court - under pain of 40d.</i>
<i>12s 16d.</i>	<i>Hugh Pike and Robert his son are in mercy for wood of the lord thievishly carried away. The fine for each, 6s. 8d. pledges Richard Mile and William Shepherd</i>
<i>5s</i>	<i>Gilbert Richard's son gives 5s for license to marry a wife.</i>
<i>6d</i>	<i>William Jordan in mercy for bad ploughing on the lord's land. Pledge Arthur. Fine 6d.</i>
<i>Fixed rent 9d Day-works remitted 2s</i>	<i>John Wodard has come to this court and acknowledged that he holds of the lord one tenement and ten acres of land, rendering in respect thereof 9d per annum fixed rent, and for day-works in part remitted to him, 2s per annum.</i>
<i>Customary tenant</i>	<i>And further he has acknowledged that he is obliged to mow and lift one acre and three roods of meadow and he shall have breakfast on the first day. And he is obliged to reap in the autumn with one man for eight days and he shall be at the lord's table at dinner and supper. And he is obliged to render weeding the lord's corn with one man for one day without food. And he owes suit of court three weeks to three weeks. And to keep the said tenement without damage or waste.</i>
<i>Total payments</i>	<i>19s. 22d.</i>