

MANORIAL HERITAGE REGISTRY HISTORICAL RECORD EXTRACT

MHR-M-0002651 • MANOR
Brickendonbury

Evidence status: Unverified
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Location: Hertfordshire
Associated places: Hertfordshire

LORDSHIP / TITLE ASSOCIATIONS

- Lordship of the Manor of Brickendonbury | Associated | 1881 | Provisional

ABOUT THE MANOR

In the Liberty of Brickendon and Hundred of Hertford

This Manor according to the Victoria History of Hertfordshire (Vol. III) was in the Hundred of

Hertford in the parish of All Saints and was known as the Liberty of Brickendon. it was anciently

part of the possessions of the Saxon Kings and was bestowed by Edward the Confessor upon the canons

of the church of Waltham. The Canons of Waltham were 14th in the list of holders of land in the

County of Hertford when the Domesday Survey was made and it was in that work called Brickendona. The

detailed description of it is:

"It is assessed at 5 hides.

There is land for 8 ploughs.

In the demesne are 3 1/2 hides,

and on it are 2 ploughs, and there could be a third.

There 9 villeins have 4 ploughs between them and there could be a fifth.

There are 9 bordars and 24 cottars and 2 serf, and 1 mill worth 8 shillings.

Meadow is sufficient for 2 ploughteams,

pasture sufficient for the live stock of the vill and (worth) 2 shillings bedside, woodland to feed 200 swine.

In all its value is and was 100 shillings at the time of King Edward 8 pounds.

This Manor belonged and belongs to the Church of Holy Cross of Waltham. "

Between the years 1174 and 1184 King Henry II confirmed the Manor to the monks of Waltham Abbey who

had replaced the Canons of Waltham. It was given to them free from geld and toll and from the

forfeiture of criminals, thus establishing the Liberty.

In 1227 the Abbot of Waltham obtained freedom from tollage and as there was no church then at

Brickendon the Manor was regarded as belonging to the Parish of All Saints, Hertford. The monks held

this Liberty until the Dissolution when King Henry VIII granted it to Thomas Knighton with

the advowson of All Saints; from him it passed to Sir William Soame who conveyed it to Edward Clarke in 1682. His son Thomas surrendered to the Manor and when he died in 1754 it is said that he left it to Mrs. Jane Morgan, his niece. Her youngest son John Morgan inherited it and left a half share to his sister Jane and the other to the representatives of his Aunt, Anne Freke. Jane's moiety passed to her son Sir Charles Morgan and from him to his grandchild Selina Rose Catherine, who was the wife of the Rev. W. T. Marsh-Luschington Tilson. The other moiety went to Anne Freke's two granddaughters, Mary, wife of the Rev. Edward Lewis, and Fanny, the wife of the Rev. Francis Lewis. In 1881 Henry Edward Paine and Richard Brettell, of Chertsey, purchased the Lordship of the Manor for £2,000. The parties to the Conveyance were: (1) Charles Edward Lewis of St. Pierre, Mon.; (2) Frances Lewis of Portskewitt, Mon. Spinster; (3) Thomas Freke Lewis of Abbey Dore, Hereford; (4) Thomas Henry organ of Chepstow, Mon. as surviving Settlement Trustee; (5) the said T. H. Morgan as mortgagee; (6) Selina Rose Catherine Marsh-Lushington Tilson of South Hall, Guildford; (7) Edward Motman, a Lt.-Col. in H.M. Army and Governor of H.M. Prison at Holloway; (8) Henry Edward Paine and Richard Brettell of Chertsey. Up to this point the Lordship of the Manor had gone automatically with the Brickendon Estate, but like many other large estates during the second half of the last century, the time came when they came under the hammer and the Lordship of the Manor, sold as a separate Lot, passed to a person other than the owner of the Manor House and estate. in this particular case the purchaser of the Lordship of the Manor is unlikely to be the present owner of the Mansion, for this now belongs to the County and is the Headquarters of the County Executive Agricultural Committee. It is pleasant to relate that the buildings and grounds are kept in such perfect order that any former owner of the estate would feel that the house, stabling, parkland, woodlands and views he so loved were still appreciated and giving pleasure to employees and visitors. An interesting feature in connection with the sale of the estate in 1881 is that considerable portions of the extensive wastes of the Manor were sold with the appropriate Lots. Even Brickendon

Green, that charming open space at the Southern extremity of the Liberty, was sold as part of Fanshaw's Farm; Well Green and a number of wide roadside wastes were also sold with the Farms which they bordered. Altogether 35 acres of wastes were sold away from the Manor of which they had hitherto formed part. They cannot be enclosed, but the adjoining owners have the right to cut the grass, and fell the trees subject to any necessary license. These wastes, which were excepted from the 1881 conveyance of the Manor, are specifically shown on the plan attached to the old Particulars of Sale included in the records to be handed to the purchaser. The plan referred to shows at the point where Brickendon Lane joins the road from Hertford to Hatfield, opposite the Horns Public House, a triangular piece of land upon which a small rectangular building is shown marked "Pound." No trace now remains of the building, but it was presumably the Pound into which the Pindar of the Manor drove stray cattle, sheep, etc., only to be recovered by the owners upon payment of the customary charges. Such interest as the present Lord of the Manor may have in this, and any wastes still forming part of the Manor, is included in the sale, and the purchaser should be able to negotiate wayleave agreements with the appropriate Authorities in respect of any telegraph, telephone, electricity poles, stays, kiosks, etc., erected thereon. Many items of interest are to be found upon perusal of the records included in the sale. For example, some names well-known in the County are to be found among the Stewards, viz., Bostock Toller (Court held 1703); Henry Thorowgood (1755); Benjamin Rooke (1770); William Crowdy (1823, Rooke's stewardship thus being at least 53 years); Philip Longmore (1838); Matthew Skinner Longmore (1875); Thomas Joseph Swarder (1881); the last three being partners in the still existing Longmores at Hertford. Upon the sale to H. E. Paine and R. Brettell, Joseph Beaumont became Steward and has been followed by his son and grandson up to the present time. The custom of descent in the Manor was to the eldest son; the fines were arbitrary, i.e. two years' annual value, as opposed to a fine certain of so much per acre, house, etc. From an early date the Courts were held at the "Inn called the Black Swan otherwise Pimblico" in Hertford. This Inn was a copyhold property of the Manor and, at a Court held in 1706, is recorded as being surrendered by the tenant, Maria Hawkings, to her son-in-law Thomas Harrod and her daughter Maria, on their marriage (Vol. 1, p. 49).

The Cowper family had a long connection with the Manor. William Cowper (later referred to as "Clerk to the Parliaments") succeeded to holdings on the death of his father Spencer

Cowper, a Justice of the Court of Common Pleas at Westminster, and subsequent reference to the

Earldom conferred later on William Cowper occur frequently in the transactions.

The records of the mid-eighteenth century are unusually clear and full. The proceedings at a Court

leet held in 1758 (Vol. II, o. 141) are confirmation of the status of those Courts for reference is

made to "the Great Inquest for our Lord the King." At these Courts the Jury - in Courts

Baron and Customary Courts the jurors are called "The Homage" - took notice of the infringement on the ancient rights, not only of the Lord but also of the tenants, commoners, or

inhabitants, such as the stopping-up of a water course for commoners's cattle, closure of a

footpath, etc. A presentment was made to the Court referred to "that there is an

Ancient

Footpath leading from the West Street in the said Manor to the River Lee lying between the house of

Stephen Beadle on the West part and the house of John Giddings on the East part and that no horses

ought of right to pass or go in the said Footpath and that several persons have lately went up and

down the said footpath with horses to the great prejudice and danger of all persons passing and

repassing on foot up and down the said Footpath."

A court held in 1801 runs to 117 pages in recording redemptions of Land Tax by the heirs of the

Dowager Lady Tonwshend; this family had a long connection with the Manor. Baron Dimsdale (the

Barony was of Russian origin) also held extensive properties in this and other Hertfordshire Manors.

In Vol. VIII, p. 238-268 are enrolled a conveyance to the Governors and Company of the New River of

several parcels of riverside land with accompanying plans. An intriguing loose note in this volume

(at p. 161) is worded, "This book should be carefully examined with the Court Rolls and deeds

of ? (illegible) ? to 1874, Mr. ? does not appear to have enfranchised all but see deed." The

note is signed "P. Longmore, The Castle."

The Conveyance of the Manor in 1881 enumerates in detail the rights intended to be included (inter

alia) "wastes, warrens, commons, mines, minerals, quarries, furzes, trees, woods, underwoods,

coppices and the ground and soil thereof, fences, hedges, ditches, ways, waters, water

courses,
 fishings, fisheries, fowlings, Courts Leet, Courts baron and other Courts, views of
 frank-pledge,
 mills, mulctures, tolls, duties, reliefs, heriots, waifs, estrays, rents, services,
 royalties,
 jurisdictions, franchises, liberties, privileges, easements, profits, advantages,
 enrolments,
 hereditaments and so on.

Among the papers to be handed over is a statement of fines on admission of tenants received
 by the
 Lord during the years 1871-76, the last decade of the ownership of the Manor by the Morgan
 family.

These included 90 from H. Randall in 1871; 405 Pembertons Trustees (1872); 118 Misses
 Stodart; 79
 10s. 0d. B. Young (1874) and 250 Baroness Dimsdale's Trustees (1876). These
 transactions
 emphasise the fact that Manorial Rights were in those days of substantial value, and that a
 good
 deal still remained is shown by the amount of the purchase money for what
 remained in
 1881, viz., 2,000. Of that, 1,500 went to Charles E. Lewis, Thos. Freka Lewis, Frances
 Lewis, and
 Mrs. S. R. C. M. Lushington-Tilson, while the remaining 500 was paid to Everard Stephen
 Milward.

Their receipt for the money duly signed and witnessed are endorsed on the conveyance.
 Rights, customs and incidents They cannot be enclosed, but the adjoining owners have the
 right to cut
 the grass, and fell the trees subject to any necessary license.

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 the jurors are called "The Homage" - took notice of the infringement on the
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Catalogue source Lot #5 of Stanford & Son's Second Auction; - Dec 1955

Associated manorial documents / archive references Court Books: 1703-1731; 1733-1762; 1767-1799;

1801-1820; 1823-1845; 1845-1865; 1865-1932. Rental: 1848 Particulars of Sale: 15th August

1882 Particulars of Tenants: properties etc., dates of admissions, enfranchisements,

etc. Insurance of

records 300, premium 15/- p.a. Commencement of Title: Deed dated 14th December, 1881

OWNERSHIP / HOLDER ACCOUNT

Historical holder / succession information In 1881 Henry Edward Paine and Richard Brettell, of

Chertsey [source claim requiring identity review] 1881 • purchased •

historical_holder_or_transferee Source wording: In 1881 Henry Edward Paine and Richard Brettell, of

Chertsey, purchased the Lordship of the Manor for £2,000. a person other than the owner of the Manor

House and estate [source claim requiring identity review] passed to •

historical_holder_or_transferee Source wording: Up to this point the Lordship of the Manor had gone

automatically with the Brickendon Estate, but like many other large estates during the second half

of the last century, the time came when they came under the hammer and the Lordship of the Manor,

sold as a separate Lot, passed to a person other than the owner of the Manor House and estate. in

this particular case the purchaser of the Lordship of the Manor is unlikely to be the present owner

of the Mansion, for this now belongs to the County and is the Headquarters of the County Executive

Agricultural Committee.

CONVEYANCE / DESCENT

- 1881 | Henry Edward Paine and Richard Brettell | Conveyance dated 14 December 1881 | Lordship Title |
- 1174 - 1184 | Monks of Waltham Abbey | Royal confirmation | Manor And Title |
- 1530 - 1547 | Thomas Knighton | Royal grant | Manor Property |
- 1682 | Edward Clarke | Conveyance | Manor And Title |
- - 1754 | Thomas Clarke | Surrender and descent | Manor Property |
- 1754 | Jane Morgan | Testamentary succession | Manor Property |
- | John Morgan | Inheritance and testamentary division | Manor Property |
- | Sir Charles Morgan | Descent | Manor Property |
- - 1881 | Selina Rose Catherine Marsh-Luschington Tilson | Descent and conveyance | Manor And Title |
- - 1881 | Mary Lewis and Fanny Lewis | Descent and conveyance | Manor And Title |

RECORDED RIGHTS

- Courts Leet, Courts Baron and customary courts: The manor maintained courts, including a Court Leet and Courts Baron, with jurors or homage presenting breaches of manorial and public rights.
- View of frankpledge and related jurisdictions: These were expressly included among the rights listed in the 1881 conveyance of the lordship.
- Wastes, commons, warrens, and associated soil and profits: The 1881 conveyance enumerated wastes, warrens, commons, mines, minerals, quarries, furze, trees, woods, and related profits; substantial areas of waste were sold with adjoining lots and excepted from the manor conveyance.
- Rights concerning ways, waters, watercourses, fishings and fisheries: These rights were expressly included in the 1881 conveyance; court presentments also protected an ancient footpath and a watercourse used by commoners; cattle.
- Herbage and tree-cutting rights on certain wastes: Adjoining owners were stated to have rights to cut grass and fell trees on wastes that could not be enclosed, subject to any necessary licence.
- Custom of descent to the eldest son: The stated manor custom was descent to the eldest son; fines on admission were arbitrary and calculated at two years; annual value.
- Mill, mulctures, tolls, rents, services, heriots, waifs and estrays: These incidents and profits were among the rights enumerated in the 1881 conveyance.

RESEARCH GAPS / WANTED EVIDENCE

- [OPEN] The post-1881 holder and survival status of the separate lordship title are not established. | Wanted: Source-backed evidence resolving this point
- [OPEN] The precise dates and instruments for the successions between the Dissolution and 1881 remain incomplete. | Wanted: Source-backed evidence resolving this point
- [OPEN] The identity of the purchaser of the lordship at the later separate sale is not established in the supplied record. | Wanted: Source-backed evidence resolving this point

DISCLAIMER

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