

MANORIAL HERITAGE REGISTRY HISTORICAL RECORD EXTRACT

MHR-M-0003133 • MANOR
Wivenhoe

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Location: Essex (with its Members)
Associated places: Essex (with its Members)

LORDSHIP / TITLE ASSOCIATIONS

ABOUT THE MANOR

(Located in the parishes of Wivenhoe, Elmstead, Arlesford, and Greenstead)
Wivenhoe lies 4 miles South East of Colchester and was described by Morant as standing
"for the
most part, high and pleasant; and the rest upon a gentle declivity; and commands a handsome
prospect
down the Colne-water. The fish brought hither, especially the soles, are reckoned the best
in the
Kingdom. Here there is only one Manor." In old records the variation in spelling
include
Wienhou, Wyneho, Wyenho, Wyfenho, Wyvenho, Uvenha, and Wivenhoo. Hoo is supposed to be taken
from
the Saxon word Hou, denoting a rising or hilly ground, but it is uncertain what the first
syllable,
Wiven, meant.
At the time of the Domesday Survey, the Manor belonged to Robert Gernon, whose seat was at
Stansted
Mountfichet, and later through the Sutton, Walton and Howard families to John de Vere, 12th
Earl of
Oxford, of whom Morant says:
"Becoming possessed of the Manor of Wivenhoe, he cast an envious eye upon the fishery,
and
noble royalty, belonging to the Corpoation of Colchester, in the river Colne running by his
Manor
and Demesnes, and granted by the Charter of King Richard the First to the Burgesses of
Colchester,
and got a grant of it from that weak Prince, King Henry the Sixth, 4th march, 1446. A case
was
brought against him and it was only after three trials that he was forced to relinquish his
claim.
For too zealously supporting the Lancastrian cause he was beheaded on 26th February, 1461
and his
Estates were confiscated by the Crown and given by Edward IV to his brother Richard, Duke of
Gloucester."
In follows from the above quotation that there are no rights of fishery over the River Colne

included in the present sale.

Henry VII, succeeding to the throne after the Battle of Bosworth, 1485, restored John de Vere,

second son of the beheaded Earl, to his inheritance. The Estate remained with the Oxforde for four

generations before it was sold to Roger Townshend who distinguished himself at sea and was knighted

for valour after the Armada. His heirs held the Estate until the middle of the 17th century when Sir

Horatio Townshend sold it to Nicholas Corsellis, a merchant of London, whose family retained it

until the end of the last century. It was sold by Ernest S. Beard (who bought it from the Corsellis

family) in 1899 to George Frederick Beaumont whose first General Court Baron is recorded as having

been held on 23rd November, 1899 at the Rose and Crown.

Morant mentions "the ancient and singular custom" of a father, wishing to marry his

daughter to any man who was not of the Manor, having to "make his peace" with the Lord of

the Manor. How much was required to keep the Lord peacefully disposed we are not told, but we can

imagine a fair source of income developing from the successful wooing of a number of gallants

"extra Villam". (See Merchet in Glossary)

There are many entries of customs and plans of properties affected by transactions in the Lords' Courts recorded in the Court Rolls. One cannot do better than quote from an article

entitled "A Note on the Manor of Wivenhoe" written by that great antiquarian, the late

William Chapman Waller, F.S.A. of Loughton, in the Transactions of the Essex Archaeological Society,

Vol. X, Part 4. Space does not permit of a reproduction of the whole article but the first part of

it cannot be omitted as it refers to the destruction of the Manorial Documents during the Peasants' Revolt. It reads:

"The records of two courts held on January 8th and May 1st, 1381 (4 Ric. II) indicate that

everything was going on as usual; the next, that of the first court held after the burning of

all the rolls of the court and of account, is dated January 8th, 1382, and contains re-grants

to the number of seventy-two."

Later the following statement is enrolled:

"Whereas the tenants of the said manor holding native tenements, with other evil-doers and

adherents, maliciously burnt and caused to be burnt both the rolls of this court and the extracts of

the rolls of account, and claim to hold the said tenements at their own will, freely, and not at the will of the lord as they did before, to the disinheriting of the lord, wherefore all the said lands and tenements were seized into the lord's hands as forfeited, and now the said lord, of his special grace, has regranted all the said lands and tenements to the different tenants, to be held at the will of the lord in bondage, by the ancient services and customs, as will be evident below.

"We have here," Mr. Waller points out, "no line drawn between innocent and guilty, as was the case at Wethersfield; all were guilty and all, apparently, were received into grace again, no fines being paid, and no free-will offering made, so far at least as the roll shows."

One other extract from Mr. Waller's article is too interesting to omit: "In 1393," he writes, "Custumpottis to the value of 20d. are then brought into account, as from a given date; and in 1399 twenty-eight Custumpotts, to the value of 2s. 4d. were said to have accrued to the lord since the date of the last court." These, he suggests, may have been rendered by an ancient pottery within the limits of the Manor.

Through the kindness of the Essex County Archivist, Mr. F. G. Emmison, F.S.A., F.R.Hist. S., F.R.G.S., it is possible to give the following translation by Canon J. L. Fisher, F.S.A. of an entry in the Court held on the Wednesday after Epiphany, 1404, which reads:

"Sword on oath (twelve jurors) that no widow who holds a tenement as her free bench after the death of her husband may keep that tenement after 'visitatu vel violata fuit' (?committing adultery, etc.) according to the custom of the Manor, and they say that Margery of Peter atte Cleve gave birth to a son out of wedlock. Therefore she shall lose the tenement with its appurtenances in Eldebethe called le Cleveland and le Newemelleland which she held as free bench. And on this came William atte Cleve and sought to be admitted to the same as heir, and this was granted."

The title to the present Manor "Wivenhoe with its Members" indicates subsidiary manors. They are the Manors of Cockayne, which extended into Elmstead and Alresford, with 78 acres of heath (part or all of Elmstead Heath) according to the survey made in 1500, and Kelars or Rebandshide (later called Battels in Elmstead). Wright (Vol. i.p. 396) states that the court rolls of

these two

Manors were held separately from those of Wivenhoe in the reigns of Henry VII and VIII and that

extents of the Manors in 1367 and 1595 set forth the tenants and estates of each Manor.

From the above it is clear that there were formerly extensive heaths in these Manors, but the

enclosures (especially that of Elmstead Heath) made throughout the country during the last century

have resulted in their almost complete elimination. Only at Elmstead is there any sign that there

was ever any common land.

Fines on death or alienation were arbitrary, some properties were subject to heriots, and the custom

of descent on intestacy was Borough-English (see Glossary for these terms).

As the question of the discontinuance of the Ferry between Wivenhoe and Fingringhoe is of topical

interest it might be mentioned here that a document dated 1612 has recently been found amongst the

old manorial records, reading as under:

"To the Ryght Worshipfull Sir Robt. Townsende Knight Lord of the Manor of Wevenhoe, We whose names are here under wrytten doe humblye intreate you that you will be pleased to nominate

and appointe this yerre one man Rycharde Qucklye to be your ferryeman for the ferrye of Wevenhoe and

to have the keeping and custodye thereof as yt hath bene heretofore...and accumsomed."

This petition has seven signatures, some of which are difficult to decipher, but two of them are

James Payne and Tho. Cross. Possibly the latter is an ancestor of Mr. Harold Cross of the printers

of this Catalogue. This document will be handed to the purchaser on completion.

Morant speaks of the Manor House, Wivenhoe Hall, and of the other mansion, Wivenhoe Park, in the

following words: "Wivenhoe Hall stands pleasantly, at the upper end of the Town. Whilst it

belonged to the Earls of Oxford, who sometimes made it the place of their residence, it was a large

and elegant seat, having a noble gate-house, with towers of great height, that served for a sea-mark. There is, partly in this parish, and partly in that of Grinstead, an estate, formerly

belonging to the Beriff family. It hath been for some time converted into a park and belongs to

Isaac Martin Rebow, Esq. who hath lately built a very good house in it, within the bounds of Wivenhoo Parish."

Wivenhoe Hall was demolished some years ago; Wivenhoe Park is now the residence of Mr. C. M. D.

Gooch. His father, Charles Edmund Gooch, was a copyhold and freehold tenant of the Manor and the

last Court Book shows his admission on 7th December, 1902 before the late George Frederick

Beaumont,
 Lord and Steward of the Manor, to extensive holdings in the parish of Wivenhoe (including
 Thurstons
 and Perrymans and part of the waste land "upon the south side of the road leading from
 Colchester to Elmstead and adjoining the brook which divided the parish of Elmstead from
 Wivenhoe" containing 17 rods. Mr. Gooch paid a fine, based upon the annual value of the
 lands
 to which he was admitted, of £110 on this transaction. He also acknowledge that he held
 certain
 lands "freely by deed fealty suit of Court and the annual rent of two shillings and he
 paid the
 Lord a relief of nine shillings and ten pence for the same." The lands held freely were
 Little
 Readings, otherwise Readles, and a piece of land formerly part of the waste called
 Rebandyshatch. By
 an enfranchisement deed dated 4th November, 1903, the manorial incidents were extinguished
 for a sum
 not much short of £1,000.
 Mr. Arther Eade, father of Mr. Charles Eade, Editor of the Sunday Despatch, was a copyhold
 tenant of
 this Manor, being admitted on 9th January, 1909 to a property described as "All that
 messuage
 or tenement with the piece of waste land containing 8 rods, more or less situate lying and
 being in
 the parish of Wivenhoe," and this property was enfranchised on 2nd February 1909. Mr.
 Eades's grandfather and great-grandfather were copyhold and freehold tenants in the
 Manor of
 Great Bromley, Lot 3.
 The records (insured for £400 premium £1 p.a.) to be handed over probably constitute one
 of the
 finest collections in the country. They are as under:
 Court Rolls: 1381-99; 1399-1412; 1422-60; 1488-1509; 1558-79; 1650-60; 1662-69; 1670-74;
 1675-77;
 1688-99; 1712-21; 1722-25; 1725-1731; 1731-41; 1732-34; 1742-47; 1747-57; 1758-65. Draft
 Court
 Rolls: 1452-1547; 1454-60; 1507; 1539; 1541; 1513-47. Extent: 1366 Rental: 1475; 1500;
 1743-45
 Survey: 1584. This is on parchment with three columns, the first contracted Latin, the
 second Latin
 extended and the third an English translation. Petition: to appoint ferryman 1612
 Bailiff's
 Account: 1307-8; 1309-10; 1310; 1315-16; 1317-18; 1320-21; 1321-22; 1324-25; 1325-26;
 1326-27;
 1328-29; 1330-31; 1341-42; 1425-26; 1426-27; 1427-28; 1428-29; 1455-56; 1463-64; 1470-71;
 1492-93;
 1501-2; 1509-34; 1588-94; 1597-98; 1598-99; 1599-1600; 1603-05; 1613-19; 1621; 1624-25;
 1631; 1652;
 1678-79; 1682-84; 1688; 1700-01. Court Books: 1734-44; 1744-51; 1752-63; 1764-76; 1776-87;

1788-99;
 1800-10; 1811-31; 1832-51; 1852-64; 1865-78; 1879-95; 1895-1930. Surrenders, Licenses to demise,
 etc.: 1729-41; 1742-54. Drafts of Courts: 1678-93; 1692-1705. Sundry Papers: Including rentals,
 drafts of admissions surrenders, enfranchisements deeds, etc.
 Rights, customs and incidents"Becoming possessed of the Manor of Wivenhoe, he cast an envious
 eye upon the fishery, and noble royalty, belonging to the Corporation of Colchester, in the river
 Colne running by his Manor and Demesnes, and granted by the Charter of King Richard the First to the
 Burgesses of Colchester, and got a grant of it from that weak Prince, King Henry the Sixth, 4th
 march, 1446.
 It follows from the above quotation that there are no rights of fishery over the River Colne included in the present sale.
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 fair source of income developing from the successful wooing of a number of gallants
 "extra
 Villam".
 Catalogue source Lot #2 of 'Beaumont Collection' Auction - Nov 1954

OWNERSHIP / HOLDER ACCOUNT

Historical holder / succession information Roger Townshend sold to •
 historical_holder_or_transferee Source wording: The Estate remained with the Oxfords for four generations before it was sold to Roger Townshend who distinguished himself at sea and was knighted
 for valour after the Armada.

CONVEYANCE / DESCENT

- | Roger Townshend | sold_to | | Lot #2 of 'Beaumont Collection' Auction - Nov 1954
- 1086 | Robert Gernon | Domesday holding | Manor And Title |
- - 1461 | John de Vere, 12th Earl of Oxford | Descent or succession | Manor And Title |
- 1461 | Richard, Duke of Gloucester | Royal grant | Manor And Title |
- 1485 | John de Vere, 13th Earl of Oxford | Royal restoration | Manor And Title |
- mid-17th century - late 19th century | Nicholas Corsellis | Sale | Manor Property |
- late 19th century - 1899 | Ernest S. Beard | Sale | Manor Property |
- 1899 | George Frederick Beaumont | Sale | Manor Property |

RECORDED RIGHTS

- Manorial court jurisdiction and court rolls: The record describes courts held for the manor and extensive surviving court-roll and court-book series.
- Merchet: The record describes the custom requiring a payment or composition to the lord when a daughter married a man from outside the manor.
- Borough-English descent: The record states that the custom of descent on intestacy was Borough-English.

- Heriots: The record states that some properties were subject to heriots.
- Fines on death or alienation: The record states that fines on death or alienation were arbitrary for some manorial properties.
- Copyhold tenure and manorial services: The court material records native or customary tenements held at the lord's will by ancient services and customs, together with copyhold admissions and enfranchisements.
- Free bench custom: The record includes a 1404 court decision concerning a widow's holding of a tenement as free bench after her husband's death.
- Ferry associated with Wivenhoe: A 1612 petition sought appointment of a ferryman for the customary Wivenhoe Fingringhoe ferry; this does not establish ownership of the river fishery.

DISCLAIMER

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