

THE COURT ROLLS OF THE MANOR OF UPTON ST. LEONARDS.

by John V. Ruffell.

The Court Rolls are literally rolls of parchment, sewn together at the top, rolled tightly and tied with ribbon; the outside and edges somewhat blackened by their long rest in the Upton Parish Chest. (1). During the last six months, they have been unrolled and held flat by iron bars many times, but on each occasion there is a feeling of excitement in handling these rolls, set down in the reign of Elizabeth I, a feeling tinged with melancholy at being brought, as it were, into contact with the people who farmed the fields of Upton, and some of whose descendants still live in the village to-day.

Faced with the text, the writer found the difficulties in reading and interpretation as great as expected. After a few minutes of panic and indecision whether to proceed, an odd word here and there seemed to be recognisable. The heading of the roll contains the name of the village, the name and honours of the Lord of the manor and of the Queen, so that it was possible to pick out words such as "Cobhams", "Elizabeth", "Hibernia", "honorabilis" and, calling to mind our coinage "fid. def". Then follow the names of fourteen jurors, names already familiar because they occur in the contemporary Lord Cobham survey, (2) which had been transcribed into an easily readable hand in 1718. This list was useful as a key to other letters in the text of the rolls, because these did not always resemble any of the three hundred specimen letters in Wright's Court Hand Restored.

A few words in the court baron decisions of the rolls did offer little difficulty - words such as "debet" or "pena", but others resisted any attempt to form the letters into recognisable words. Some letters were easier to master than others; for example the letter "r" frequently resembles "q", so that "terra" is invariably "teqq". On the other hand "s" and "d" are difficult to distinguish, and "t" has no ascender and is very like "c". The greatest difficulty is caused by "i, u, m and n", minims, looking exactly the same; F.G. Emmison (3) writes: "If in doubt about minims try various combinations". Many words are contracted: "psents", with a suspension stroke above the "p", for "presents"; "qd" with no suspension mark for "quod". The letter "p" with a straight or curved stroke through its tail, can signify "per, par, por or pro". The case endings are frequently omitted. In the Upton rolls "terr" never has an ending supplied, nor has "dm", for "domin (us-um" etc.), but this presents little difficulty in finding the general meaning of the words.

The Latin vocabulary is simple and many words are self-evident: e.g. "maneruim, messuagium, cotagium" etc., but difficulty arises of course where the words are abbreviated. The task becomes easier in the case of court rolls, because certain phrases are constantly being repeated: e.g. "in hanc curiam", "consuetudo manerii" etc.

Patience and persistence is needed. The writer spent some six hours a week over several months, and is still far from proficient. In fact he could have made very little progress indeed without the help of the Gloucestershire County Archivist, Mr. David Smith and his assistant, Mrs. Margaret Richards, to whom he constantly turned for help; without them he might well have given up in despair and have lost the opportunity of acquiring an absorbing new interest.

Upton St. (4) Court Baron of The Honourable William Broke, knight of
 Leonards. the right honorable Order of the Garter, Lord Cobham,
 Lord Warden of the Cinque Ports, and the honorable
 Frances his wife, held on Monday namely ~~xxix~~ day of
 March in the thirty third year of the reign [1591] of
 our Queen Elizabeth, by the grace of God, Queen of England,
 France and Ireland, Defender of the Faith etc., before
 Thomas Good, gent, [Steward] of the same, thus enrolled.

Homage (5). Roger Morgan Gent } John Bycke }
 William Gransham } Jurors Thomas Woodcocke, Senior }
 Thomas Carter } William Wyman } Jurors
 Thomas Forte } Baltaser Evenes }
 William Barnes }

Thomas Woodcocke, Junior }
 Thomas Blisse }
 Thomas Keylocke } Jurors (6)
 John Whyte }
 Thomas Baylie }

Essoins (7) Thomas Seames William Lygon, Knight, Elizabeth Nurse, widow.

Amercements. (8) The jurors^{6d.} say on oath that Henry Lord Berkeley,
 William Massinger, Gent., and William Lygon Esq., (9) and the
 heirs of Richard Pates, lately deceased, are free tenants of
 this manor and owe suit of court : they have made default and
 are liable to a fine as appears above their names.

Penalty for felling timber without licence. The jurors also say on oath that no customary tenant of this manor may cut down any "maheremium" in English "timber" growing on the customary lands, without permission of the Lord or his Officer, or one of them, of the Manor, under penalty of forfeiting his customary land or tenement.

Penalty for demise of land without licence. The jurors also say on oath that no customary tenant of this manor may demise or grant any customary land or tenement without licence from the Lord of the Manor or his Steward for a longer time than for one year less a day under the same penalty.

Heriot after the death of a tenant. The jurors say that every customary tenant of this manor at his death must pay to the Lord of the Manor his best animal for each messuage that he holds of this manor whether meadowland or other.

Penalty for living away from customary land. In the same place they say that no customary tenant of this Manor may live away from his customary land or tenement without permission of his Lord under penalty of forfeiting the same land or tenement to the Lord.

Penalty for failure to repair a customary property. They also say that if any customary tenant of this Manor after two fines imposed in open court of this Manor does not sufficiently amend or repair his tenement or tenements, and has a third fine given in respect of the repair of his tenement or tenements, if immediately after the same

third offence, he does not sufficiently amend and repair his same tenement or tenements so remaining in decay, the same tenement or tenements shall be forfeited into the hands of his Lord.

Due (tackum) for feeding swine in the forest.

The aforesaid jurors also say that the custom of this Manor from time out of mind is that every tenant of this Manor must pay to the Lord of the Manor annually at the feast of St. Michael the Archangel (10) for every pig, one year old and over, one penny, and for every pig less than one year, one half-penny at the same feast.

Repairing enclosures by tenants.

They also say that tenants of this Manor must repair at their own charge the Manor enclosures as often as necessary from time to time as they say that this has been the custom time out of mind.

Common rights for tenants.

The aforesaid jurors also say on oath that the tenants of this Manor are also accustomed, and from time past were accustomed to go with their beasts with the tenants of Manor of Barton Regis in and on the common land belonging to the free tenants of this Manor.

Death of a tenant.

Likewise the jurors say on oath that John Wyndowe, one of the tenants of this Manor, died since the last court; nothing is due to the Lord because he held his land by indenture.

Penalty.

In the same place a penalty was imposed that in future any tenant of this Manor must keep young pigs "jugat", in English "yoked" (11), from the feast of the Purification of the Blessed Mary (12) until the end of harvest, and during the next year following his pigs must be properly "annulate", in English "ringed", under pain of a fine of 3s. 4d. for every offence.

Death of a tenant.
Heriot.

They also say that Richard Bonde, one of the customary tenants of this Manor, died seized of two messuages with appurtenances, (13) since the last court, whence there fell due to the Lord of the Manor two oxen for heriot, which were delivered for his use: furthermore they say that Alice Bonde, the wife of the aforesaid Richard, should hold those two same messuages with appurtenances during her widowhood according to the custom of the Manor.

Penalty.

The aforesaid jurors present that John Bonde and Humphrey Roberts blocked the "viam jugalem", in English "a yoke way" (14) between Brimps (15) and Okeley to the serious inconvenience of the tenants of this Manor so that the tenants cannot go along it with their carts. The penalty was imposed that the aforesaid John and Humphrey "deponerent", in English "laye open" the way before the feast of the Nativity of St. John the Baptist (August 29th) under penalty for each of them of 10s.

Assessed. Thomas Carter
Thomas Woodcocke Senior.

[The next Court Baron, was held on the 28th of May 1591. Except for the date, the opening is the same as for the previous court.]

Homage.	Henry Whytinge Thomas Woodcock Thomas Blisse William Gransham Thomas Carter William Danbye	} Jurors	William Wyman John Whyte Thomas Baylie Nicholas Lewes John Bycke William Barnes	} Jurors
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Anthony Bycke Thomas Woodcocke, Junior Thomas Forte John Cudde Thomas Keylocke	} Jurors
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Essoins. William Messinger, Gent., Thomas Seames, Gent., William Lygon, Esq., Sibilla Barnwood, widow, Balthazer Evenish, David Vaughan, Elizabeth Nurse, John Thorn, Gent., Alice Heyes, widow, the heirs of Richard Pate, Esq., deceased.

Rent 13s. 4d. At this aforesaid court, the Lord through his aforesaid Steward, granted to Rose Wyndowe, widow, John Wyndowe and Anne Wyndowe, children of Rose, one cottage and one garden with appurtenances in Barton Street, now in the occupation of Rose, to have and to hold by Rose, John and Anne for the term of their lives, according to the custom of the Manor, paying annually to the Lord thirteen shillings and four pence at the two usual terms and rendering all other services and customary dues owed. And the aforesaid Rose paid fealty to the Lord and was admitted tenant.

[Many of the following leases for lives employ the same wording except for details which are summarised below]:

Rent 10s. ".....granted John Wyman, senior, William Wyman and John Wyman, sons of John, senior, one garden with appurtenances in Barton Street, now in the tenure of the aforesaid John Wyman, senior, lying between the tenement of Richard Pates, Esq., deceased, on the eastern side, and a tenement lately of John Machin's on the west....."

Rent 50s. Richard Rogers, Katherine his wife and Sibilla their daughter were granted for their lives at a rent of 50s. a year, a messuage and ten acres (16) of meadow and pasture with appurtenances, lying and being within the Manor, rendering heriot and other customary services.

Rent 30s. Isabella Wilshere, widow, Laurence Wilshere and Sarah his wife paid thirty shillings annually for a cottage, apple orchard and half an acre of meadow with appurtenances in Barton Street.

- Rent £8 George Burrell, Esq., Elizabeth Huntley and George Huntley, Gent, paid eight pounds annually for two messuages and half a virgate of land near Senbrydge (18) formerly in the tenure of John Bodnam, with permission to sublet to a tenant or tenants as long as they behaved well towards the Lord and his tenants of the Manor.
- Rent 16s. David Myller, William Myller and Anne Myller, children of David Myller paid sixteen shillings annually for one cottage, one close (19) and one garden with appurtenance in Barton Street.
- Rent £8 Thomas Keylock, Anne Keylock, daughter of Thomas, and Anthony Keylocke paid eight pounds annually for one messuage and half a virgate of customary land (20) lying in Snedham (21) now in the tenure of the aforesaid Thomas, rendering heriot and other services.
- Rent £8 John Whyte, senior, Humphrey Heynes and Margaret Heynes, children of Humphrey, paid eight pounds annually for one messuage, one water mill, called Stonemill (22) two 'londinate' (23) of land, two acres and one rood of land near Holstreate (24). two acres of pasture in Sudmeade (25) and six "selions" (26) of land lying in Tridworth, (27), and also half an acre of meadow in Sudmeade in a place called Longefurlong (28), now in the tenancy of John Whyte rendering heriot and other customary services.
- Rent £3 4s. John Cudd, Thomas Cudd and Richard Cudd paid three pounds four shillings annually for one messuage with an adjoining close and eleven acres of customary land, rendering heriot and other customary services.
- Rent 46s 8d. Thomas Forte, Joan his wife and Thomas Forte his son, paid forty six shillings and eight pence annually for one messuage, ten acres of land, one acre of customary land called 'le pen' with appurtenances, with heriot and other services.
- Rent £8 William Franks, Thomas Franks and Richard Franks, junior, paid eight pounds annually for one water mill, three closes of pasture adjoining the same, and two acres of customary land (29) in Ryecroft with appurtenances within the aforesaid Manor of Upton, now or lately in the tenure of John Thorne or his assigns, rendering heriot and other customary services. They were licensed to let to a subtenant without paying a fine.
- Fine 20s. William Barnes was granted licence for his life to sublet a messuage in Barton Street to subtenants.. For this licence he paid twenty shillings to the honourable Lady Frances (30) through the Steward.
- Fine 40s. Alice Bonde, widow, was granted licence, during her widowhood, to sublet a close containing four acres of pasture now occupied by Alice. For this licence she paid forty shillings to the honourable Lady Frances through the Steward.

Fine 40s.

Elizabeth Nurse, widow, was granted licence during her widowhood to sublet a messuage and a virgate of land, formerly Constables, and another messuage (31) and one 'londinate' of land now occupied by Elizabeth. For this licence she paid forty shillings to the honourable Lady Frances through the Steward.

Assessed Henry Whytynge, jun.
William Gransham

Footnotes

- (1) Glos. R.O. P 347a FMI.
- (2) Glos. R.O. P 347 MI 1 : "Gloucestershire Historical Studies" XI & XII
- (3) How To Read Local Archives 1550-1700
- (4) The following does not profess to be an exact transcription, but should provide a guide to the general sense of the contents.
- (5) Homagium. The tenants of the Lord of the Manor.
- (6) The number of jurors varies from court to court.
- (7) People excusing themselves from attending.
- (8) Fine.
- (9) Sir William was son of Richard Lygon who married a daughter of Richard Pate and had the manor at Matson (Bristol & Gloucestershire Archaeological Society Transactions Vol. II, "Some Records of Matson" by Rev. Willism Bazeley M.A.). In his will Richard Pate does not mention a Lygon. (Ibid. Vol. LVI "Richard Pate, M.P. for Gloucester" by Rev. A.L. Browne, M.A.).
- (10) Sept. 29th.
- (11) Possibly some kind of wooden frame on the animal's neck to stop it getting through a gap in a hedge, such as is occasionally seen on sheep in Europe ?.
- (12) February 2nd.
- (13) Cobham Surrey 1589. Richard had a six bay house "crossways", a messuage with two rooms, and 50 acres of land.
- (14) Presumably a cart-track wide enough for a yoke of oxen.
- (15) Brimps - the former common field on Upton Hill.
- (16) In the Lord Cobham survey Richard Rogers is described as having a "dwelling house" and ten acres of land.
- (17) A virgate was a quarter of a hide and could vary between 15 and 60 acres: - usually about 30 acres.
- (18) Saintbridge.
- (19) A small enclosed field near the house, not an open full strip.
- (20) Customary Land or Frank Tenure, held by custom and not by the will of the Lord. Abolished 1922.
- (21) Sneedhams Green.
- (22) Not identified.
- (23) Probably a 'ludinarium' - a quarter of a virgate.
- (24) Not identified.
- (25) The outlying part of the parish on the other side of Gloucester, was enclosed by an Act of Parliament in 1813 - 14. Gloucester City Library JF 6.42 (1-2)
- (26) Strips of open fields.
- (27) Tredworth.
- (28) Not identified.
- (29) "Terras", but presumably arable strips in Ryecroft field, in contrast to the pasture closes which would have been near the mill.

- (30) It is not clear why this should be paid to Lady Frances, rather than to Lord Cobham.
- (31) According to the Cobham survey of 1589 Elizabeth Nurse had "a dwelling house of four Bays being a Hall & other necessary rooms" and "Also another Mess(uage) called Escott hay severed from the hay of tother Tenement with a lane leading to and from handgrove with a house thereupon cont. 4 Bay & a Rome & a buttend". There is a field at Bondend still called Angrove.

References

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