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Share and Share Alike: Some Partitions of Medieval Manors

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The division of a medieval manor between coheirs was so frequent an occurrence as to be not, in itself, in any way remarkable. The actual procedure for achieving the partition seems, however, to deserve more attention than it has received from historians. Merely to divide a testator’s household goods equitably between the beneficiaries has, after all, proved no easy task in any age. How much more difficult therefore will have been the exact division of a medieval estate when rarely, if ever, was a holding so conveniently rectangular that a simple line down the middle sufficed to differentiate X’s share from that of Y, to say nothing of the problems when more than two heirs were involved. As for the manor house itself, any actual division on the lines nominally provided for in the documents here considered would seem a sure recipe for domestic chaos.

Two such deeds of partition for manors in the Lindsey Marsh illustrate the processes involved. Since their provisions are now in print elsewhere, only a summary is necessary here. The later of the two, dated 4 June 1428, in its original form concerned the manor of Castle Carlton and its members, appurtenances etc. in Castle Carlton, Great and Little Carlton, and several other places. Its provisions survive in a not very careful copy made a century later containing merely the preamble and that portion which concerns the manor house and such demesne land as lay in Castle Carlton itself. The manor had descended to William Pert (de Parte) from its previous owners the Mertiets, and had remained with his widow Joan after his death in 1407 and that of her second husband Sir Roger Swillington in 1417. By her first husband Joan had three children: Elizabeth, wife of Roger Aske; Isabel, wife of Robert Conyers of Stockburn, co. Durham; and Margaret, wife of William Edlington. Following Joan’s death in 1427, the coheirs in respect of the manor were Elizabeth’s son Conan and the other two couples. The partition deed tells us that the property having been divided into three parts identified as A, B and C, lots were drawn in the presence of Robert Conyers, Roger Aske in his son Conan’s name, and the two Edlington, A fell to the Conyers, B to the Edlington, and C to Conan Aske.

The description of each recipient’s share begins with ‘the site of the manor with its buildings’, that is, the manor house itself and outbuildings. By fitting the pieces together, jigsaw fashion, we can reconstruct the plan of the whole nearly enough. It becomes clear at once that the supposed division of the house between the three coheirs could not possibly have worked in practice, nor can any of them have expected it to do so. The hall, aligned east-west, was allotted to A, and an upper and lower chamber at its east end allotted to B, while C received a chamber on the west side of the inner courtyard and an upper and lower chamber at the court’s west end. Each received a one-third share, defined physically (e.g. north, middle, south), of the following: a single building comprising kitchen, bakehouse and brewhouse; the solar, aligned north-south, A’s share in the middle being next to le arber, the pleasure garden; a little enclosed garden within the inner most to the south; the barn, A’s share at the west end having a stable attached; the stippion; the stackgarth; and free passage through the inner and outer gates. All were to have a six-foot space at the enclosed garden’s west end next to the hall’s south door, for access to the interior of the house, and were to hold in common the forgarth between hall and inner moat; the gatehouse with its two little rooms; and the forgarth between inner and outer entrances, bounded east and west by the stackgarth and outer moat.

The partition of the demesne was so arranged that within each furlong (cultura) in Castle Carlton’s two fields, east and west, each coheir received as nearly as practicable (since their length varied) the same number of selions, and within the field as a whole exactly the same area: 32 acres 14½ perches in the west field, 62 acres in the east field. A re-survey in February 1652/3 of B’s allocation, which had by then passed to Wyggeston’s Hospital, Leicester, omits the manor house but includes portions of the original partition where the sixteenth-century copyist had omitted: these cover land in Great Carlton, woods in Castle Carlton (together with the ‘tuthill’, i.e. castle mound), and tofts in the two vills. This shows B as having received three tofts in Castle Carlton, with the implication that at the time of partition the settlement had contained nine tofts altogether, a figure interestingly in accord with the ‘nine wretched cottages of mud and straw’ found there by Gough in the 1780s. It would seem that, setting aside the manor house, the one-third portion of the manor allotted to each coheir was viable by itself, but the house was another matter. It was in fact the Edlingtons who came into possession of it, William who died in 1466 styling himself ‘of Castle Carlton’ in his will though actually residing at the time in London. Presumably he had made some form of compensation to his coheirs for their respective shares in the house’s value.

Before discussing the partition of Orby manor after the death, some time before March 1317, of its owner John of Orby, clerk, the tenurial background must be briefly explained. John’s inquisition post mortem (IPM) shows that he held the manor from Henry Beaumont (de Belo Monte) by service of one-third of a knight’s fee. He also held in Ingoldmells 119 acres of pasture, tenures unspecified, and 12 acres pasture from the heir of Adam of Welly, i.e. Adam’s son Robert, a minor in the king’s wardship, by service of 6d. yearly; in Skegness, 80 acres pasture from the Dean and Chapter of Lincoln for 13s. 4d., in Skendleby, 77 acres of wood from Gilbert of Gaunt’s heirs free of services; in Burgh and Winceby, rents respectively of 40s. and 20s. from Philip of Kyme by knight service; and ‘certain lands etc. in Wollingham’ and elsewhere, besides payments of 23s. 5d. to the prior of Thorold for tithes of Orby meadows and 22s. 2d. for lands there to Walter of Boothby. John’s heirs were his kinsmen Edmund of Somervell, aged 40, Alfred of Sulney, aged 30, and Robert of Willoughby, first Lord Willoughby. Alfred, having taken as his share the lands in ‘Wollingham’ and elsewhere, and out of Orby manor 83 acres and 108s. of rent of bondmen, made over the rest to his coheirs who divided it between them.

The deed of partition between Edmund and Robert was sealed on 18 March 1317, but hardly had this been done when Robert died ‘shortly before 25 March’, since his son and heir John was a minor in the king’s wardship, Robert’s share now passed into the king’s hands. The Willoughby estate, almost all in north Lincolnshire, was much more extensive than the Orby one and the king’s interest clearly dictated that it be given priority. Accordingly the several inquisitions into it were completed within a few weeks of Robert’s death. By contrast, the writ for John of Orby’s estate was delayed until 30 August and the inquisition itself took place only on 5 January 1318, by which time the estate’s disposition had in fact already been settled. It is, however, from the inquisition that we learn retrospectively of Alfred of Sulney’s part in the break-up of the Orby estate, since the deed of partition makes only a glancing reference to his having assigned his share to his coheirs ‘as witnessed more fully in a certain indenture between them’.

The partition between Edmund Somervell and Robert Willoughby concerns Orby manor and all its lands etc. which had belonged to John of Orby in Orby, Burgh, Ingoldmells, Skegness, Winthorpe, Gunby, Dethorpe, Winceby, Friskney, Skirbeck ‘and elsewhere’. Though we are not told, we may reasonably guess at a first impartial division of the property, as at Castle Carlton, into two equal shares, lots being then drawn to decide who received which portion. Edmund’s share is described in the first half of the deed.
Robert’s in the second. Each begins with ‘the capital messuage within the bridge’ at Orby, that is, the manor house complex; four further sections concern, respectively, Orby arable land; Duxthorpe; Orby meadow and pasture; Skegness; lastly, names of free and bond tenants. (‘Orby’ here probably comprehends also land in Ingoldmells and other adjacent parishes.) All other lands and services including (as we learn from John of Orby’s IPM) the wood in Skendarby were to be held in common by Edmund and Robert. Here again we can fit the pieces together to establish with fair confidence the plan of the manor house complex which comprised not only the manorial residence but a substantial ‘home farm’, barely apparent at Castle Carlton.

Central to the Orby complex was the hall, aligned east-west (allotted to Robert), with a great and small chamber on its east side (Edmund). The chapel and all buildings called Presthouses (Edmund), though their position is not stated, were probably at the hall’s east end. The kitchen (Robert), brewhouse and bakehouse (Edmund) were south of the hall, probably joined to it at the south-west corner, while the steward’s chamber (Robert) may have balanced it at the north-west corner. The main gate and the bridge over the moat appear to have been on the north side of the site. The hall’s north door and the west side of the gate delimited a plot of land (Robert) extending to the great ditch, i.e. moat; also on the hall’s north side was a little walled garden, Robert being allotted such part as reached to the hall’s east end, Edmund its extension eastward with free access from the gate to the garden wall. On the hall’s south side was the Turnhouse, literally ‘tower’, having a little garden the on its east side (Robert); it is probably to be understood as a substantial porch with a room above. Also south of the hall was the great garden (Edmund); between hall and garden and between the garden’s west wall and the moat were (probably small) plots of land (Robert), with another between garden and moat on the south (Edmund). A room ‘beyond the gate’, plainly the upper storey of the gatehouse, was partitioned already. Edmund to have the east side, Robert the west with a garderobe; they were jointly responsible for taps of the gate below the bridge, and all walls. Both were to have free passage through the two outer gates.

The position relative to the house of the farm buildings and yards is uncertain but may be as follows. Somewhere ‘beyond the bridge’ was a little chamber (Edmund). North-west of the bridge lay buildings called Levedihouses (Ladyhouses), the great stable, two cattle-sheds, a dovecote, and nearby plots (Edmund); north-east lay four barns, a stable, a pigsty and nearby plots (Robert). There was a yard called Gervoyingt and, south-west of the house was part of the great yard containing a malt-kiln and a press, with nearby ditches and hedges (Robert). There were also yards called Douanecottage and Mungarway, and south-west the house was the other part of the great yard, with nearby ditches and hedges (Edmund). The press may well have been for cheese, since Robert’s IPM which summarises his share of Orby manor adds to the 11s. 1d. due to the lord of Boothby ‘half a cheese price 9d’.

In the four sections of the partition which follow, an exact equality of property has been achieved in each for each coheir - not, however, by halving each piece of land but by a skillful juggling of figures. Thus in Duxthorpe, Edmund and Robert each receive 1 acre 20 falls of wood, and 33 acres ½ rood of land made up from small amounts in more than a score of named furthongs. Where the share-out involves buildings, a similar balance is achieved, in Duxthorpe the cattle-shed allotted to Edmund being set against the sheep-fold for Robert, while a windmill at Orby (Edmund) balances one at Ingoldmills (Robert). The existence of a watermill on Welton Beck at Orby is apparent from references to Watermillmound, -dore and -waeng; since Robert’s IPM shows he possessed a moiety of a watermill in the manor, the mill was probably among the unspecified assets said, at the end of the partition deed, to be held in common by the coheirs.

While analysing these two partitions, my attention was drawn to one in Bedfordshire with very similar features discussed, and a small part printed, in an edition of a county version of Chalgrove manor, 1278-1313. The partition itself took place in or about 1285, down to which date the editor in her introduction took the history of the manor and of its owners, the Loring family; the male line then ended with Sir Nigel Loring’s death, and the manor was divided between his two sons. This instance the survival documenting consists of a finished record of the partition, but of an extent of the manor used as a basis for working this out to achieve a result similar to those in the two Lindsey manors. In the sections of the extent which list free tenants and tenants at will, a marginal note ‘A’ or ‘B’ precedes each entry; here and there the words A (or B) habebit, i.e. ‘A (or B) shall have’, leave no doubt of what the notes mean. The occasional ‘A/B’ may signify holdings proposed for splitting between A and B or, less probably, held in common. On the dorse of the roll we see how the manor house, gardens and farm buildings were supposedly to be split between A and B; this is the portion of the printed extent in translation as an appendix to the edition of the court roll. Since it replicates the conventions of the Lindsey partitions, each party’s share being separately listed with the share-out of the house preceding that of the farm buildings and gardens, the details need not here concern us. Once more, too, we can put the pieces together to reconstitute the plan of what must, in the editor’s words, have been ‘a dwelling of no mean proportions’.

She was, however, plain puzzled by the fact that although one sister was known to have inherited the lands, yet the manor house of Chalgrove ‘appears to have been shared by the sisters’, the house, gardens and buildings, though divided like the tenants’ holdings between A and B (we do not know which portion was allotted to which sister), were ‘described in such a way as to suggest actual possession by the two owners’. In the light of the Lindsey evidence we can now see that this literal interpretation is mistaken. As earlier, a division of the house on the lines here set out could never have worked in practice, nor can the coheirs have expected it. We have seen that at Castle Carlton just one of the coheirs had ultimate possession of the manor house; at Orby, even if the deed of partition had not been almost at once nullified by Robert Willoughby’s death, a joint occupation of the house by the male coheirs is unimaginable. It is more logical to see the artificial division of all three manor houses as what the Chalgrove editor in fact suggests - that is, a valuation for assessment purposes, with the ultimate occupant compensating fellow heirs in some manner for their share of the house’s value.

Notes
2. Records of Wyggeston’s Hospital, Leicester: Leicestershire Record Office (subsequently Leics, R.O. ) DP/3/1/1, 3/1/3.
4. Hopton, son of Maurice Hopton, editing by his first husband Thomas Hopkinson, inherited her share of Castle Carlton.
5. In interpreting the Castle Carlton and Orby plans, comparison with those in Maurice Barley, Houses and History (London, 1986), chs. 5-6, has been found helpful.
11. Cal. I.P.M. VI, no. 60.
12. As a measure of area, 40 falls = 1 rood, 4 roods = 1 acre.
13. Marion K. Dale, ed., Court Roll of Chalgrove Manor, 1278-1313, Bedfordshire Historical Record Society, 28 (1950). I am indebted to my wife for bringing this to my notice, and to Mr James Collet-White of the Bedfordshire Record Office for a photocopy of the original (ref. DD/MC12) and further information about it.
14. Dale, p.xxxi, dates the partition ‘1386-7’, although the extent itself, a parchment roll of four membranes, is so badly worn at the head that its precise date cannot be ascertained. Notwithstanding the translation, the second sentence of paragraph 4 should read: ‘item, the whole kitchen (coquina was misread as cameram, ‘chamber’) with two larders and one solar above another (not the old) harder... also, for “inner door” read “inner gate” wherever this occurs.’