

## **THE MANOR OF CROWLAND, IN LINCOLNSHIRE**

Crowland is a small town, (population in 1963; 2,800), situated on the road from Peterborough to Spalding, close to the boundaries of Cambridgeshire, Northamptonshire and Lincolnshire, and about eight miles north of Peterborough. It is in the Bedford Level of the fen country, and the rivers Welland and Nene, (to which there are frequent references in the manorial records as “the water of Welland” and “the water of Nene”) run close by the town. The area was once an island, and produced a large annual revenue to the Abbots of Crowland for fishing and fowling rights.

The Benedictine Abbey, partly ruinous, was built in the 11th and later centuries, replacing older structures, and is now the Parish Church. The triangular bridge (the timber original AD943, the current stone structure 1350), is unique, and there are several references to it in the Court Books: it formerly spanned two streams, the beds of which are now dry, and have become roadways. However, the original waterways are still extant, beneath the roads via brick lined culverts.

The early history of Crowland - generally known as Croyland until the late Middle Ages - is obscure and confused. The first chapel was erected on oaken piles driven into the fenland peat by Guthlac, an anchorite who landed on the desolate marsh in the year 699. Here he was visited by Ethelbald, King of the Mercians, who came as a fugitive, and tradition says that Ethelbald, after Guthlac's death in 716, founded the Abbey and gave Crowland a charter defining its possessions, after which its history was supposed to be continuous until Ordericus Vitalis, writing his Ecclesiastical History in about 1141, stayed at the Abbey for five weeks and collected from the sub Prior and the older monks, the traditions of its origins and later history.

Ethelbald commissioned a monk, Felix, to write about the life of Guthlac, which was completed before the year 757.

Crowland was burnt by the Danes in 870, and Abbot Theodore was murdered along with all of the monks, save one.

In the reign of Edred (946 -955), one of his courtiers, Thurcytel,(or Turketyl), a kinsman of Osketul, Archbishop of York and a familiar friend of the famous Dunstan, Archbishop of Canterbury, had great possessions, and begged that Crowland should be given to him. He was chosen by the monks to be the Abbot, and endowed the Abbey with many of his lands. From his death in 975, until the appointment of Ulfketel, a monk of Peterborough, by King Edward the Confessor in 1051, there were six Abbots who were probably subject to the Abbot of Peterborough.

Much of the early history of Crowland was derived from a chronicle, *Historia Croylandensis*, said to have been written by Ingulphus, the first Norman Abbot; this enumerated the charters granted to the Abbey. However the original charters were destroyed in a fire in 1091, and the first charter known to be authentic is one granted by Henry II. It is now accepted that from the style of writing, the history is, at least in part, a forgery, made at a much later date - any time between 1182 and 1450, and although the charters quoted may have contained the substance of the originals, it is highly probable that they included some forgeries. These may

have substantiated claims for Anglo Saxon royal benefactors during the long disputes between Crowland and the Lords of neighbouring manors.

One source of undoubted authenticity, is part of the Harley MSS in the British Museum, known as the Guthlac Scroll, dated 1150, which consists of a series of drawings illustrating the life of the saint. One of the drawings shows thirteen benefactors of Crowland, headed by Ethelbald, each carrying a scroll bearing his name and his benefaction to the Abbey.

About 1085, a cell for the Abbey of Angers was said to have been founded at Spalding by Ivo Tailbois, a nephew of William the Conqueror, and lands were taken to endow it. This was the beginning of a feud between two religious houses that persisted for centuries.

Edward the Confessor's Abbot, Ulfketel, built a new Church, and received much help from Waltheof, Earl of Northumbria. Waltheof was later implicated in a rebellion against the Conqueror, for which he was executed. This is said to be the only judicial execution carried out by William. Waltheof's body was eventually buried in the Abbey with great honour.

Hereward the great resistance leader against the Conqueror, was also (allegedly) buried there.

In 1142, when Edward, Prior of Ramsey, was appointed Abbot, King Stephen granted Crowland a charter which confirmed and defined the Abbey's possessions, and gave it the right to hold a fair. During Edward's 30 year Abbacy, part of the Abbey was destroyed by fire, but most of it was restored before his death.

The Crowland marshes were very profitable as a source of wood and fodder, thatch and wildlife, and exacted a great deal of envy from Lords of neighbouring manors, especially those of Spalding, and Peterborough. Litigation between Crowland and Spalding went on at intervals for centuries and Crowland made repeated complaints about armed trespassers on its domains. In 1189, 3000 men came in arms to the marsh and occupied it for 15 days, taking timber and turf and pasturing their cattle, intimidating the monks so that they dared not leave the Abbey.

The Abbot made his way secretly to London, and showed the justices the charter of Henry II. The justices commanded Geoffrey FitzPeter to make full redress to the Abbot, but then the Abbot of Spalding persisted in his claim and a series of lawsuits, during which the two parties outbid each other in presents for King Richard I and later King John; even following Richard overseas to press their claims. The bounds of Crowland were confirmed in 1202, but in 1206 the Abbot of Peterborough claimed the Southern marshes called Alderland. Hugh De Wake, the Lord of the manor of Deeping, impounded cattle from the Abbot's own marsh of Goggisland, and it was not until 1234, that agreement was reached with him and Simon, priest of Spalding, about rights of common in the respective marshes.

During the civil strife of 1216, Crowland was attacked at the order of King John to await some of the servants and knights who were heading there. John's men looted and carried off cattle and dragged men from before the High Altar whilst Mass was being celebrated.

Henry was the Abbot at the time and ruled for 46 years, during which much building was undertaken and many improvements were effected. Learning and literature flourished there, and biographies of Waltheof, St Guthlac and Thomas Archbishop of Canterbury were completed, a copy of the last named being sent to Stephen Langton, the Archbishop in 1220. Abbot Henry was the last to be chosen from another house and the right for free election was obtained either by Henry III or Edward I.

In the thirteenth century, during the rule of three most capable Abbots (1236/1280), the Abbey flourished, in spite of much litigation with the Abbots of Peterborough and Spalding, and the heavy exactions of the King and of the Popes. Large areas of marsh were reclaimed, a market was granted to Crowland in 1257 and rights of free warren were granted to many of the sub-manors of Crowland. Richard of Crowland elected in 1280, successfully defended the claims of the monastery in the Quo Warranto trials;

### Quo warranto

1. a writ or legal action requiring a person to show by what warrant an office or franchise is held, claimed, or exercised.
2. "rigorous quo warranto proceedings"

In 1290 he recovered for the Abbey, on the death of a Papal (NOMINEE?), a revenue of 80 marks a year. The quire of the Church was extended, and at the beginning of the fourteenth century, the monastery was selling an average of thirty sacks of wool a year at a rate of 12 marks a sack.

The Abbot was summoned to the great Parliament of 1295 and the Abbey became (THE?) most powerful mitred Abbey in the Eastern counties, (P.....Y?) manors in the shires of Cambridge, Huntingdon, Northampton and Leicester. In the middle of the fourteenth century there was further trouble from the priory in Spalding. In 1329 there was a complaint to the King that the Prior and his men had cut to pieces the beams which strengthened the dykes which prevented the monastery from being submerged and washed away, that they had extorted tolls and customs from persons coming to Crowland Fair and had assaulted Officers appointed by the Abbot to collect tolls and profits in his manors.

In 1322 (or 32), the bailiffs were prevented from holding the fair which lasted 17 days. Men from East and West Deeping mowed the rushes, cut and carried away turf and hay, and drove away horses, cattle, sheep, and impounded them until the Abbot paid a fine of £500 for their release.

At the Parliament of 1322 (or 32) Edward III inhibited both parties from injuring each other, and in July of that year, issued a command of oyer and terminer, because there were at that time assemblies of armed men of the Abbot of Crowland, and the Prior of Spalding.

In English law, **oyer and terminer** (/ˈɔɪ.ər... ˈtɜːrmɪnər/; a partial translation of the Anglo-French *oyer et terminer* which literally means "to hear and to determine"<sup>[1]</sup>) was the Law French name

for one of the commissions by which a judge of assize sat. The commission was also known by the Law Latin name *audiendo et terminando*, and the Old English-derived term soc and sac.

By the commission of oyer and terminer the commissioners (in practice the judges of assize, though other persons were named with them in the commission) were commanded to make diligent inquiry into all treasons, felonies and misdemeanours whatever committed in the counties specified in the commission, and to hear and determine the same according to law. The inquiry was by means of the grand jury; after the grand jury had found the bills of indictment submitted to it, the commissioners proceeded to hear and determine by means of the petit jury. The words *oyer and terminer* were also used to denote the court which had jurisdiction to try offences within the limits to which the commission of oyer and terminer extended. (Taken from Wikipedia)

The maintenance of causeways, hedges, and dykes had long been a source of strife; each of the religious houses built dykes on the other's lands causing flooding and damage and hindering the flow of water to fisheries. These actions so seriously impoverished the Abbey that in 1349, Edward III took it under his own protection and entrusted its administration and finances to the Archbishop of Canterbury and the Earl of Northampton, with the help and counsel of the Abbot and the more experienced monks.

In 1389, the commoners of Holland and Kesteven, petitioned for a division between the marshes and this resulted in the setting up of new boundary crosses. Arthur Mee's "Lincolnshire", states that there is at Brotherhouse four miles from Crowland, a stone bearing an inscription in Latin saying: "This rock, I say is Guthlac's utmost bound", and it seems probable that this was one of the boundary marks set up at this time, rather than one of the original marks.

The delineation of boundaries did not prevent further outrages, particularly by the King's half-brother, the Earl of Kent who's servants fishes illegally in the Welland, destroyed the monastery's nets and beat the Abbot's servants.

In 1394, they threw down one of the boundary stones, after which, by the influence of John of Gaunt, the case was deliberated at a grand assize in London, as a result of which, many of the Deeping men were taken in chains to Lincoln Cathedral, where they remained until their friends and neighbours had set up another cross.

By 1413, the Abbey had lost the protection of John of Gaunt, and men from neighbouring manors encroached on Crowland, fishing, fowling and plundering. One of the most vigorous of Crowland's priors, Richard Upton, determined to end the debate; he excommunicated all those who infringed the liberties of Guthlac, plundered its possessions or invaded it. He produced the charters of the Saxon Kings, Ethelbald and Edred as well as the forged "history" of Ingulfus, and invoked a privilege said to have been granted by the Saxon Archbishop, Dunstan. These questionable documents were accepted and after two years of costly litigation, the case was decided by six arbitrators in favour of Crowland.

As a result, the men of Moulton and Weston were compelled to rebuild a fishing house that they had burned down, to pay 40 marks for damage and to enter into a recognisance to pay £200 before the 25th of December of that year. Other lawsuits resulted in the marsh of Goggisland being safeguarded. Abbot Thomas of Overton, obtained a charter from Henry IV

granting the custody of the monastery to the Prior and the convent when a vacancy occurred, instead of its being administered by the escheators of the Crown, who said a contemporary account, "raged like lions, committed waste in the manors and made heavy extractions". Thomas Overton's rebus, a staff over a tun, may still be seen on a boss in the vaulted roof of the aisle of the Abbey. Thomas was the first mitred Abbot of Crowland.

A few years later, the finances of the Abbey were in such a flourishing condition that its benefactions were increased. One of these is a curious one, £40 to provide milk of almonds for the monks on days when only fish was eaten, "three pounds of almonds and good bread and honey." - a pound of almonds sufficing for eight or nine monks.

At this time much new building was undertaken and many valuable books were added to the Abbey, and many costly vestments given to the Abbey. There were however, still disputes about the maintenance of dykes and embankments, and assaults on the Abbot's men - one of which resulted in a priest of Moulton, having to do public penance before the High Altar of Crowland.

There were charges and counter charges of damage through flooding, and in 1439 the Abbot was presented before the Commissioners of Sewers for failing to replace an embankment, - a judgement given against him was reversed after great efforts.

Henry VI visited Crowland in 1460 and granted a charter confirming its liberties and conferring the right to hold a market and fair. The Abbey was rich enough to endow a site which is now the principal part of Magdalene College, Cambridge, to which two scholars were sent continuously to study canon law and theology. A conspicuous feature of the monastery was its interest in history at a time when little interest was taken in it.

A monk who had been a Prior during the rule of John Lytlington (1427-1470) completed a history of Crowland from its muniments, from the time of Stephen (1135) to 1470. His scrupulous regard for accuracy made his history much more reliable, if less picturesque than those of Ingulphus and Peter of Blois. A later monk wrote a general history of his times from 1459 to 1486, which is a valuable authority for the reign of King Edward IV. Richard of Crowland, who succeeded Lytlington, was a student and a writer rather than a strong administrator, and further encroachments occurred.

After the settlement of a longstanding dispute with Peterborough regarding the marsh of Alderland, about 1480, there is little to record until the Dissolution, when the last Abbot, John Wells, alias Bridges, surrendered with 28 monks, to Henry VIII's Commissioners in 1539. Wells received a large pension of £133 6s and 8d a year, and the monks from £10 to £5 a year.

### **LORDS AND STEWARDS OF THE MANOR 1703-1930**

There is little to record of the manor from the Dissolution when the Abbey suffered some damage, until 1703, when the first of the surviving Court Books commenced. It was presumably in the Royal hands, as Camden, writing in 1607, says, "for the liberty of catching fish and wild duck they, (the inhabitants), formerly paid yearly to the Abbot, as they do now to the King, £300 sterling." During the Civil war, the Abbey was fortified by the Royalists, and

was bombarded by Cromwell's artillery, at the end of the first Court Book is a rental showing the names of the tenants and the lands they held in 1660, for comparison with the same lands in 1773, and the manorial records are very comprehensive from 1703 to 1930.

The first secular Lord of the Manor, Charles Orby, the second baronet, who held the Lordship from 1703 to 1716. He was succeeded by his son, Thomas the third baronet, (1716 - 1723), who's daughter Elizabeth, married Robert Hunter, who became Lord of the Manor in 1723. He was then described simply as (Robert Hunter, Gentleman), but after 1729 as His Excellency Robert Hunter, Gentleman, Mayor - General of the Army, Captain General and Governor of Jamaica". He had had a distinguished military career, having been present as a Major of the Dragoons at the Battle of Blenheim in 1702. He was promoted Major- General in 1729. He had formerly been Governor of New York and is recorded in the Dictionary of National Biography as the best and ablest of the Royal Governors of New York, and has some contemporary reputation as an author.

His son, "The Right Worshipful Thomas Orby Hunter, Esq." succeeded him in 1734, and a grandson the Honourable Charles Orby Hunter, became Lord of the Manor in 1770. After 1778, the Manor was held for a time by "The Mortgagees in Possession of the Estate, late of Charles Orby Hunter, Esq, " and from 1779 to 1791 by Robert Michell, Christopher Michell, Matthew Michell and the Reverend Thomas Eyre, Dr of Laws, and Ann, his wife; these were presumably trustees.

From 1791 to 1793 the Manor was administered by Peter Holford and John Eames, Masters in Chancery, and from 1793 to 1797 by Charles Morgan, Bart, ( who was Judge-Advocate General.) John Saxon and Thomas Wright, after which the Lord of the Manor is recorded as Thomas Orby Hunter, who was probably a minor who's estates had previously been administered by the Court of Chancery. His Lordship lasted nearly 40 years, and he was succeeded by Brownlow, Marquis of Exeter, in 1834. (Brownlow's grandfather, the first Marquis, created 1801, was the "Lord of Burghley", of Tennyson's romantic poem). His Lordship continued until 1867, and the Lords of the Manor from 1867 to 1870, were, The Most Honourable William Alleyne, Marquis of Exeter, The Honourable Thomas Cecil, commonly called Lord Thomas Cecil, and his Grace Algernon George, Duke of Northumberland).

The first Court of the Right Hon, James George Herbert Welborn Ellis, Earl of Normanton, was held in 1870, and in 1886, the Manor, with its lands, was sold to Henry Edwards Paine and Richard Brettell, solicitors, for £13,650. From 1896 to 1918, the Lordship was held by Henry Edwards Paine, alone, and was inherited by his co heiresses, Emma Elizabeth Freeman and Clara Freeman, who held it until about 1929. Later Lords of the Manor were George Frederick Beaumont, and his son, John Lionel Beaumont.

Among the Stewards of this manor were Theophilus Buckworth (1703-1726), a member of a family which included the Lords of the neighbouring manor of Spalding; Maurice Johnson and his son, Walter (1727-1778), who were appointed by a special patent enrolled in the Court Book in 1749; Fullwood Sanderson, the deputy of John Parden (1779-1794), regarding whom, in 1810 there is a reference to the estate of "Fullwood Sanderson, Gentleman: a Lunatic."

Samuel Dinham was steward from 1803-1829. And James Torkington from 1836-1865. A grant of the stewardship was specially enrolled in the Christopher Procter on the assumption of the Lordship by the Marquis of Exeter in 1870, and he was succeeded by Foster Wilfred Procter in 1878. On the sale of the manor in 1886, George Frederick Beaumont, afterwards, Lord of the Manor, held the stewardship until 1930.

## **ADMINISTRATIONS OF THE MANOR AND JUDICIAL MATTERS**

“An Act for draining, dividing and inclosing a certain common called Crowland Common, otherwise Goggisland and certain open Halfyear’s Meadow Commonable and Waste Grounds called the Washes and Fodderlots in adjoining or near the Township of Crowland in the county of Lincoln;”

This was passed in 1800, and from 1801 onward there are numerous references to awards under this Act. A special Court in 1826 is interesting because it indicates how certain property was sold by auction by the Enclosure Commissions to provide the money for draining and preserving the enclosed lands.

The persistence of place names in Crowland is remarkable, names such as the Falls, the Fodderlots, The Washes, Goggisland, (sometimes Ghostland), Brotherhouse, The Alderlands, first encountered in the Middle Ages, being still in use, until the late nineteenth or even the twentieth century.

After the Enfranchisement Acts from 1842 onwards, many of the properties were enfranchised and a considerable amount of the manorial business, in or out of Court, was concerned with the preliminary measures for enfranchisement, and, although many of the lands were freed of manorial obligations before Paine and Brettles purchased in 1886, there were still many copyhold lands, which provided a very substantial revenue. Paine and Brettel obviously followed a policy of enfranchisement, as it is witnessed by some of the manorial notices issued soon after 1886, and all copyhold rights were extinguished completely, on a payment of quit rents, after 1922.

The Manor of Crowland is exceptional in the observance over a very long period of manorial customs, and in the detail in which Court proceedings were enrolled. The Township of Crowland, and an area of about four miles radius outside it, in some of the most fertile land in England, was only one of several manors held by the Abbots of Crowland. Frances M. Paige’s “The Estates of Crowland Abbey”, deals with the manorial jurisdiction up to about 1450, although not specifically with the Manor of Crowland itself. She shows how there were constant feuds with neighbouring Lords, and how Crowland maintained its privileges holding its own Courts Leet, Courts Baron and view of Frankpledge in the thirteenth Century.

The Abbot administered the Court Assizes of Bread and Ale, and in 1476 his claims were defined as “View of Frankpledge and its appurtenances, waifs and strays, and infangthief”, and were then said to have been exercised “from time immemorial without interruption”. Although there is a note that says “the right to hang thieves was apparently disallowed as a usurpation in Lincolnshire in 1281”. Suit of Court by the free tenants was an unpopular burden, and early Court proceedings give lists of defaulting tenants, and in the earlier Court

Books from 1703, defaulters are named and amerced (fined) sixpence. The fine was variable- twelve pence at one Court in 1707, and only threepence at another in the same year; in 1715, the fine was twelve pence for copyhold tenants and sixpence for **resiants** (residents).

For the period from 1703 to 1886 Courts were held with extreme regularity, one in the Spring and the other in October or November. These Courts were described as "View of Frankpledge with Great Court Baron", and often with "Court Leet" added.

A **manorial roll or court roll** is the **roll** or record kept of the activities of a **manorial court**, in particular containing entries relating to the rents and holdings, deaths, alienations, and successions of the customary tenants or **copyholders**. The records were invariably kept in roll form in the **Middle Ages**, but in the post-medieval period were more usually entered into **volumes**. Despite this change of format, the records often continued to be known as *court rolls*, although the term *court books* is also found.

The rolls record the meetings of the manorial court, either **court leet** or **court baron**, or **views of frankpledge**. Entries usually began with the date; a list of jurors (selected from the manor); and apologies and/or fines for those manorial tenants unable to attend the court. General matters such as a failure to maintain highways or gates are followed by specific items such as the death and inheritance of a tenant since the last court, and any surrenders of land, forfeits, or licences to let. Where land changed hands between customary tenants, a copy of the relevant entry in the court roll constituted the tenant's **evidence of title** to his holding, and this form of land tenure therefore became known as **copyhold**.

In the Autumn Courts, there were two juries, each usually of about 15 tenants, one being for the Township of Crowland and its vicinity, and the other jury being for the sub-manor of Postland, but after 1805, no separate Postland jury was empanelled. In addition to the Spring and Autumn Courts, there were in many years, two or three special Courts for transactions affecting particular tenants, at their own request, usually in connection with alienation of property by inheritance or mortgage.

At these Courts the very strict manorial by-laws were confirmed yearly, and the records of the eighteenth and early nineteenth century show how meticulously they were observed. The juries, even late into the nineteenth century, consisted of 12 to 15 tenants, and defaults by jurymen were regarded very seriously. In 1732 the jury "amerced John Bothway for not attending the Foreman till the verdict was delivered, ten shillings".

In 1738 Thomas Lawrence was amerced ten shillings "for obstinately refusing to appear at this Court and do his Suit and Service there to the Lord of the Manor he had been duly summoned to serve upon this Jury..."

In 1802 "Charles Ashby who was nominated by the Deputy Steward and loyally summoned by the Bailiff of the Court to serve as a Juryman upon the Crowland Jury this day made Default and appeared not, tho' thrice called in Open Court, nor was sufficient reason assigned by any person or persons in his Behalf for his not attending the same in discharge of his Duty to the Lord of this manor, therefore the Deputy Steward fined the said Charles

Ashby in the sum of five shillings for each Default to be Estreated (if not paid on Demand made of the same) to the Use of the Lord of the said Manor....”

Robert Cooke was at the same Court fined 2/6 for a similar offence.

At the springtime Court, sometimes referred to as the Easter Leet, the appointment of manorial officers for the year, were made. These usually included two constables, two Dykereeves, two Fen Reeves, two Hog ringers, an Ale taster and a Bread weigher. The appointments of Dyke Reeves and Ffenreeves were by no means sinecures, for Dyke Reeves were responsible for the maintenance of the dykes and for the presentation to the Courts of tenants who failed to repair the pavements of their causeways, to scour the ditches, to keep clean the tunnels under the “droves” leading into the fields, or who polluted the waterways with kitchen waste, or by steeping flax or hemp in the dykes instead of the pots specially made for that purpose remote from roads or rivers. In 1813, a penalty of 20 shillings to the Lord of the Manor and 10 shillings to the informer was imposed for erecting any “Necessary” on either side of the river in the Town of Crowland. (A necessary being a primitive lavatory!)

The duties of the Ffenreeve were equally exacting; in a community which at that time was mainly pastoral, there were strict manorial regulations about the pasturing of horses, cattle and sheep, and it was the function of the Fen Reeves to enforce them. These provisions as detailed at the beginning of the Court Book 1724-1744, include the prohibition of grazing on the common lands of horses beasts or swine by any persons but their owners; the Ffenreeves had the authority to impound the animals belonging other owners and to charge a shilling per animal for so doing; the owners had to be residents of the Manor; no animals suffering from scab-itch, glanders or other infectious disease were allowed on the commons under the severe penalty of thirty nine shillings and eleven pence per week per head. All persons having the Right of Common, should mark their animals with “Our Towne Brand (Vizt) with a Gee Brand...”

( a footnote says “G is for Guthlaco divo ????????? Croylandis tutelari - roughly translates as Guthlac, of old time, the divine protector of Crowland).

There was a fine of 10/- for allowing dogs to chase, bite or hurt any of the common cattle. A curious regulation in 1780 states “Every tenant keeping any dog or bitch any bigger than can be drawn thro’ the compass of a Stirrup Iron, shall keep them clogged from the Day of the Date of this Court to Lady Day next ensuing; the length of the clogg to be six inches below the collar, the weight of the clogg to be four pounds to be kept on from sun rising to sun setting on pain of forfeiting to the Lords and Ladys of this Manor five shillings, and five shillings to the informer

A fine of 39 shillings and 11 pence per rood could be imposed for cutting turf on the commons or highways; in an area called the Outhaps? Moving was forbidden to all but “Poor Cottagers”, and even for them, permitted only from “before sunrising of St Botolph Day, nor.....mow the ffodderlots twice in one year....on pain of 39 shillings and 11 pence for every offence.”

Fen Reeves who saw or found horses or beasts on the fodder lots between Easter Day and St Bartholomew's Day, to be impounded and the Fen Reeves were awarded 3d a head, and in 1781 this prohibition was extended to geese. All animals were to be taken off the common of Crowland before Feb 2nd and kept off till April 10th. Any neglect by the Ffenreeves of this order entailed a fine of 10/- for each offence. The by-laws on branding animals were later amended so that the first two letters of the owners name, as well as the G mark were branded, and in 1797 the following entry was enrolled and repeated in 1798.

"Whereas several stock such as beast or horse kind are out upon the said common with only a G brand thereon the Jury aforesaid did suspect by the Indulgence of the Ffenreeves for a small gratuity they remained there without being impounded therefore they did Order that if it shall therefore be known the like indulgence was Granted that the Ffenreeves should pay a fine for such an offence of the sum of One shilling a Head to the Lord of The Manor, and one shilling to the person who should inform of the same after Notice should be given to the Ffenreeves to impound Beast and Horse kind."

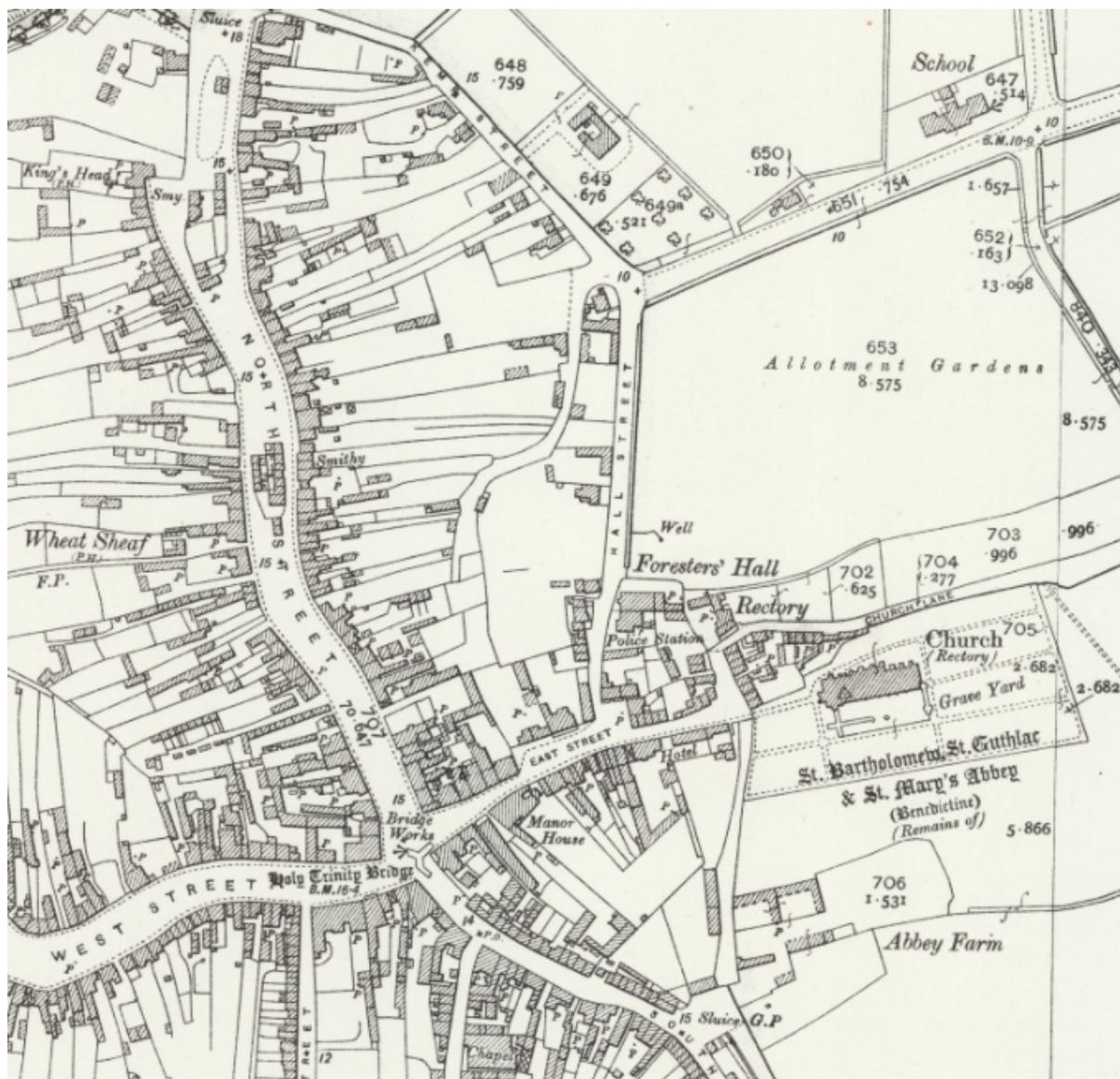
Work to be done by the Manorial Officers was often specific in detail. In 1775, "the landowners should make Dammes and Headings respectively at the Ends of all Lot Dykes upon the six score acres, each heading to have two good Oak posts and three Oaken Railes each morticed through"; the Dyke Reeve shall take care that the ffurlong posts in the ffodder lots be fairly Markt (marked) and rightly set down at least ffour feet within the ground and about as much above Ground betwixt this and Saint Botolph next, in pain of forfeiting 39s and 11 pence."

The Postland tenants were ordered that they "shall well and sufficiently Dyke, Road and cleanse and then out ring ditches and make and keep the same nine feet wide at the Tops, four feet and a half deep, four feet wide at the bottom on paine of paying to the Lord of the Manor 4 pence per rood for every default."

The largest number of presentments, especially in the eighteenth century, was for "not sufficiently exalting and repairing the causeways". At a single Court in 1713, there were 23 presentments; in 1741 there were 41, and in 1715, there were 26. The fines for these offences was usually 3 shillings and 4 pence, with increased fines for default, and in 1741, the Court Rolls show that £171 had been collected in fines that year.

In 1826 "Also they did find and present that the Causeways in the several streets of Crowland are generally in a state of decay and that they ought to be replaced forthwith. And did Order and Direct that undermentioned owners and proprietors of Crowland Estates should on Notice being given them, Effectively repair the same four feet and a half in width". Then follows a list, by streets, of offenders - a total of 40 names.

## CROWLAND 1892 - 1914 MAP



The Triangular, or Stone Bridge in mentioned on a number of occasions: for instance, “The Surveyors of the Highways shall enlarge the Arm or Wing of the Stone Bridge into South Street seven feet in length and exalt and amend the Waggon Way accordingly for the more easy passage before the first day of August next, on pain of forfeiting 3s and 4 pence”, and “that George Worrell and Hugh Worrell (as Surveyors of the Highways) for not enlarging the Stone Bridge in exalting the Waggon Way, they have forfeited their pain of 3/4d”

In 1735 “The Surveyors of the Highways in the Parish of Croyland should.....make good the Breach in ye Town River.....And that they should repair the Wing of the Triangular Stone Bridge and the Foot thereof next Mr Kingstone’s House.....under paine of 6s 8d.”

The maintenance of dykes and banks was of primary importance, and the undermining of moles is repeatedly stressed (**The modern day Internal Drainage Boards and National Rivers Authorities still employ mole catchers!**) An order of the Jury was that every tenant holding any lands in Great Postland shall take care to kill the Molls if any be, on pain of forfeiting one shilling for every Acre that is so Damnified”, and in 1737, “...they did present and amerce Mr Peter Bayley and Mr Davis Massingberd for not moleing their land and mowing their thistles off the land against Mr De Keys in Great Postland, 20/- each”. In 1764 the Jury, “.....did pray that Mr Crawford - the Lord of the Manor’s Land Agent - would be pleased to order that the moles may be killed upon the Bank leading him to Dowsdale to the Red Mill....”. These were only two of numerous presentations for these offences.

The prohibition of mowing the fodderlots twice between Easter Monday and the 5th of September was presumably to allow the grass roots to remain well established to consolidate the soil, and in 1771 there were 22 presentations for this offence, each tenant being fined £1 19/11 and in 1791, there were 19 presentations with fines of £1 19/6 per lot (2 acres), and £1 per half lot. For some reason the destruction of moles became the responsibility of the Mill Masters-”

“Every Millmaster within Great Postland shall cause the moles to be killed within their respective reaches and that they should be reimbursed out of the assessment of Mill Rates.” At all the early Courts a Swine ringer or a Hog ringer was elected, and it was not until 1832 that the offices of Ffenreeves, Swan ringers and Pinders were combined. A by law laid down that “ No person whatsoever should suffer their pigs, hogs sows or any sort of swine to go at large, either within or without the Town of Croyland or to go upon any of the commons of the Manor unrunng or without being rung and having a tender on pain of forfeiting to the Lord of the Manor 12d each for any such offence”.

The Assize of Bread and Ale granted in the Middle Ages was carried out until as late as 1832 by Ale Tasters and Bread weighers (in 1703 “Gustator Cervisae et ponderator panis”) elected annually at the Spring Court, that was not regarded as a sinecure is shown by an entry in 1758.

“John Beakon of Croyland, Cryer of the Court, made Oath this fifteenth day of May 1758, that he sent his son, John Beakon, to acquaint John Allum of Croyland, farmer that he was elected to serve the Office of one of the Breadweighers and Ale tasters for the said Town of Croyland, for this year, and that the said John Beakon, himself since that time went to the said John Allum, and informed him in person that he was so as aforesaid duly elected unt the paid office, and that the Jury had sent him to acquaint him, the said John Allum thereof and that the steward waited to swear him....into the said office.....John Allum gave him.....the answer that he would not come up to the Court and that he would not be sworn into any office whatsoever. Wherefore the steward of this Manor do set a fine of £5 on this said John Allum for his contumaciously willful neglect...”

Another appointment made annually was that of Constables....usually two or three, occasionally only one. But during the threat of the French invasion in 1801, ten were appointed. In 1734 the Jury "did order and agree that the Constable shall forthwith erect a watch house near the foot of the Stone Bridge and adjoining to the North Street, or Butteris (I am not sure whether the writer means a buttress, or butter cross, or whether it is a farriery term.) on the East side with the door facing the Market Place...."

After 1841, a "headborough" was appointed with two constables, and as the Acts authorising the formation of the County Police 1839 to 1859 became effective, the constables disappeared after 1843, although headboroughs were elected until 1886. The Clerk of the Peace for the parts of Holland was admitted to two pieces of ground in 1864, and a marginal note says; "Nominal fine in each case only viz is in consequence of the land being required for a Police Station ". In 1825 the Jury "did order the Constables to charge five shillings per Day for an official Journey to Spalding, and no more." After 1830, the fen reeves were replaced by "Pindards' ", (Impounders of stray cattle), and, with only one Dyke reeve, were continued until 1885.

Windmills, probably used for pumping from smaller drains into the main waterways were important. In 1738 an order provided that, " Dyke reeves shall have management of the Lot Engine for repairs and attendance and disbursements shall be allowed out of this assessment".

"Also they did order that if any miller with or without the order of the Mill master should run his mill in either of the drains after knowing that any of the Great Mills are broake, unclothed, set cross sail and set doing, the Millmaster of such Engine shall forfeit to the Jury for the time being, five shillings an hour for every hour so offending, if complaint be made to the Jury at the next Court by any tenant whose farm is dependent on either of the drains on either side, which forfeit is to go towards paying the expenses of the Postland Jury at such Court." ( In the next year the fine was claimed by the Lord of the Manor). In 1799 was added to the above order, " after the Miller of the Great Mills had been round to acquaint them that the said Mills were broke." The Great Mills were obviously windmills, and the other Mills referred to watermills.

In 1730 the Jury humbly petitioned John Crawford, Gent. to operate his water mill (Hydromachine) so as not to interfere with the flow of the watercourse. The name of John Crawford appears occasionally in the eighteenth century; he was the agent to the Lord of the Manor, and the following note appears at the end of a Court roll in 1741. "I do acknowledge that I have received of Maurice Johnson, Esq, Steward of the Manor of Croyland, the Court Rolls of the said Manor Engrossed on Parchment for the yeares 1739, 1740 and 1741 and fixed together as usual as also those for 1736, 1737, and 1738 in like manner. Re-engrossed at my insistance and which had been delivered me and were destroyed in the Fire, whereby my house was consumed in like manner also fixed together for the Use of the Right Worshipful Thomas Orby Hunter Esquire, Lord of the Manor and all Extracts of the said Yeares Rolls duly delivered by the said Steward to me.

Signed John Crawford. Witnessed W, Johnson"

The Lord of the Manor, himself, was not exempt from Manorial obligations, and in 1738, the Jury "did present and find it necessary that the Drain called Cocks Drain ought to be well and sufficiently cleansed and scoured by Thomas Orby Hunter, Esq, The Lord of The Manor, Also that a Bridge and Tunnel at Brotherhouse tunnel lying at Hulls Drove End and a Tunnel lying at Withers? Bridge ought to be sufficiently repaired and amended by the said Lord", and again in 1748, "The Old South Ea River from a place called Falls Bridge to the end of Green Drove is sanded up and defective and that half the said River from Falls Bridge to Green Drove aforesaid belongs to the Estates of Great Postland and is part thereof and ought to be forthwith cleansed and scoured to the A.....t? Depth by John Crawford, Agent to the Honourable Thomas Orby Hunter Esq and at the Cost and Charges of the said Lord". The condition of the Town Pound was the occasion of complaint to the Lord in 1844.

Also they present " That the Crowland Pound for impounding cattle, etc has for years been an ongoing evil and a great nuisance, being situated in the principal street leading to the Church, and they did suggest that for the nuisance to be removed, a more desirable and convenient spot might be found at the commencement of the Postland Estate, and therefore they did most respectfully ask the Lord of The Manor to take the matter into his kind consideration".

A curious order in 1732 (which was not repeated), was that "The Bell shall be rung at four o'clock in the Morning and at eight O'Clock at Night during the twelve days of Christmas for the time to come in the paine of one shilling each failure".

The volume of business contracted in the Courts in the eighteenth and nineteenth centuries was extraordinary. The proceedings of many of the Courts often occupied forty or eighty foolscap pages, and sometimes over eighty pages. After the early part of the nineteenth century, after drainage operations were taken over by commissioners, and constabulary duties by the county Police, the factors of the Manorial officers diminished, and, almost all the Court business was concerned with surrenders with alienations, mortgages, commissions and proclamations for heirs with extensive franchisement transactions. An interesting feature is the number of conditional surrenders for mortgage purposes in the 1870's; this probably reflects the serious agricultural depression of that period. After 1886 an increasing volume of business was effected out of Court, and few Courts were held until the records ended in 1930.

Among the conditional surrenders in 1898 is one by John Taylor to the Stamford, Spalding and Boston Banking Company, and amongst the documents to be handed over, is councils opinion, in 1886, on a scale of fines payable by the surviving Trustees of the Bank.

A note at a Court in 1873 gives the Steward " leave to amend the form of these presentments", and in 1874, the rules for descent of property were enrolled; these included that provision that there should be no freebench or dower for widows; laid down the fines for inheritance by the successive lives, (of trustees, for instance); copyholds and half copyholds were defined; assessments for Lords in different parts of the Manor were formulated ranging from 62s to 45s an acre. There is a very useful plan of the area at the back of this volume (Liber P 1870-1880).

The custom of descent was to the eldest son. Most of the records are in very good condition. At the end of the first Court Book (1703-1727) is a list of tenants "in Crowland Town and certain pieces of land called Falls", in 1650 with their values, compared with the same properties in 1723. By a curious mathematical error, later values are less than in 1650, but it was nevertheless duly certified by the Steward.

## **SOURCES**

The following works were consulted in preparing these particulars, and further information may be obtained from them.

Page, Frances M. "The Estates of Crowland Abbey; A Study In Manorial Organisation"  
Deals, mainly with Manors of Crowland in Lincs, Cambs, Hants,

Northants

Very good picture of mechanical manorial organisation, although not  
Specifically Crowland, itself.

Victoria County History of Lincolnshire Vol II

Mee, Arthur "Lincolnshire"

Bygott, John "Lincolnshire"

Dugdale, Sir William "The History of Embanking and Draining of Divers Fens and Marshes"

## **LORDS OF THE MANOR, AND THEIR STEWARDS**

1703-1716 Charles Orby (2nd), Baronet  
Steward; Theophilus Buckworth

1716-1723 Thomas Orby (3rd), Baronet  
Steward; Theophilus Buckworth

1723- 1734 Robert Hunter (married to Elizabeth daughter of Thomas Orby, Baronet  
Stewards: Theophilus Buckworth until 1726  
Robert Cunningham 1726  
Maurice Johnson (junior) 1727

1806-1834 Thomas Orby Hunter  
Stewards: Samuel Dinham  
Robert Lincoln  
George Bar\*\*\*s

1834 Baron of the most honourable Brownlow, Marquis of Exeter  
Steward: James Torkington  
Vice Thomas Walford

1868 William Alleyne, Marquis of Exeter, Lord Thomas Cecil, and Algernon George of  
W\*\*\*\*?

Deputy Steward Thomas Laxton

From 1873 Lord of Manor Earl of Normanton and Baron Somerton of Somerby  
Steward Foster Wilfred Proctor

CLEARLY THIS LIST IS FAR FROM COMPLETE, SO IF ANYONE CAN ADD TO IT,  
PLEASE LET ME KNOW, ( some of the spellings are suspect, too, the writing is very difficult  
to decipher. Happy to amend if anyone knows the correct spellings!) © 2019 Freya Trotman

Touching The  
Past -  
Looking To The  
Future

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ALL TYPES OF RESEARCH UNDERTAKEN

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