

## **The Lord of the Manor.**

P.D.S.Palmer

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1. Since Dorney Court was built in the 15th century it has been the home of the Lords of the Manor of Dorney with Boveney. The Palmer family have lived there for the past some 350 years. Consequently a very large number of documents and records dealing with land tenure and kindred subjects have survived and have been recorded.
  2. In days gone by the Lord of the Manor was the main land owner in the Manor, but this is no longer the case.
  3. He farmed or could farm the desmesne lands. In a deed of 1786 these, with the surrounds of the house, are shown as being 46 acres and were inclosed. He could, of course, farm other land as well. For instance in 1785 Sir Charles Harcourt Palmer farmed 29 acres in Dorney and 80 acres in Burnham. By 1790 this had increased to 77 ½ acres in Dorney and 200 ½ acres in Burnham.
  4. Neither the desmesne land nor other farm land in hand carried common rights on Dorney and Lake End Commons. But, when let, the uninclosed portion of such land would have attracted a stint for the tenant.
- Nowadays Dorney Court and its agricultural land should be stinted only if occupied by someone other than the Lord of the Manor. Its present acreage of 37 acres would attract a stint at the 1637 scale of 9 cow and 3 horse rights.
5. In the Manor of Dorney with Boveney the Lord of the Manor is also at present the owner of the soil of Dorney and Lake End Commons. It is instructive to see what the Royal Commission on Common Land 1955-8 has to say about this:-

(a) According to Sir Ivor Jennings "the Lord of the Manor 'had all the timber, mineral and sporting rights and such grazing rights as were left when all the grazing rights of the commoners were satisfied. He was strictly speaking not a 'commoner', because he owned the land; he could pasture his beasts in common with the tenants because he was owner of the soil, not because he had a right of common distinct from that ownership."

The 1949 Manor Court approved Dorney Common being registered as a bird sanctuary under the Wild Birds Acts 1880-1939 to protect the Manor Farm Sanctuary and I willingly gave up my shootings to bring this about.

(b) Para 191 "He is entitled to everything on, under or above the land except those things to which the Commoners have the right. In earlier times his share did not normally amount to very much in the open fields and common meadows. Like the commoners he was only allowed to graze so many animals proportionate to any lands in the Manor which he retained in his own occupation. On the commons of the Manor whether pasturing stock or exercising his other rights he was required by law to leave sufficient pasture for the commoners' beasts; in many manors he was in short entitled to what was left".

(c) Para 205 "The owner can pasture his own beasts on the common, provided that there is a surplus of grazing after all the rights of all the commoners have been satisfied ..... If the common is stinted he may have a number of stints. If he has such grazing rights like a commoner, he is often regarded as a commoner, though the purists call him a 'quasi-commoner' because strictly speaking, he cannot be a commoner on his own land. If there is surplus grazing, i.e. more than is required to satisfy the legal rights of all the commoners, he may sell or let the surplus".

This last mentioned right of the Lord of the Manor is most important. For about two years during the 1950s the Commoners did not have enough beasts to fully stock the Commons. Accordingly in the interest of good husbandry, the Management Committee, with the agreement of the Lord of the Manor and in his name, did let the surplus to a stranger and the money went into the "Common Fund". This situation could arise again in the future.

Because the Lord of the Manor has this right to have strangers' beasts on the Common, they are protected when behaving as beasts will on the highway within the bounds of the Common.

6. (a) The 1730 Court Roll shows that Sir Charles Palmer claimed that his common rights amounted to 150 cow and 59 horse commons. To reach this figure he must have included not only tenants with land in the common fields and

common meadows but cottage tenants without land. His figures mean that the other freeholders had 48 cow and 18 horse rights between them.

(b) The 1782 Court Roll shows that Sir Charles Harcourt Palmer Bart, then aged 21 having inherited 8 1/2 years before, claimed that his tenants with land in the common fields and common meadows had 90 cow and 52 horse rights. This left 108 cow and 25 horse rights between cottages without land and other freeholders with land. In fact much the same as in 1730.

(c) I am satisfied now that the method of recording rights in the 1948 schedule of stints, which retained the figures 90 cow and 52 horse rights for the Lord of the Manor, was misleading to other freeholders, although it had no adverse effect on any Commoner.

7. In the 1782 schedule Dorney Court is shown for the first time as having a stint, viz. 7 cow and 4 horse rights. It was retained by the 1948 Court because I thought then that it was a true stint, even though neither the cow nor the horse numbers agree with the 1637 scale for any one acreage.

However in view of what the Royal Commission on Common Land has said, it is evident that these rights must have been the "left overs" due to the Lord of the Manor after all the Commoners had had their stints satisfied according to the 1637 scale.

8. I propose, therefore, that Dorney Court should be registered as having no rights while occupied by the Lord of the Manor and owner of the soil, but entitled to a stint on the 1637 scale if occupied by anyone else.

I also propose that any surplus rights after a schedule of stints has been agreed should be registered as the Lord of the Manor's "left overs" at that particular moment of time.