

**MR. FARNHAM'S
CONTRIBUTION TO THE HISTORY
OF LEICESTERSHIRE**

BY

A. HAMILTON THOMPSON, M.A., D.LITT., F.B.A., F.S.A.

Mr. Farnham's Contribution to the History of Leicestershire

Leicestershire Medieval Village Notes, by George F. Farnham, F.S.A. 4 vols. Leicester 1929-30.

The Leicestershire Archæological Society may congratulate itself upon the day on which Mr. George Farnham entered into association with its activities. On that particular day, in the summer of 1915, those activities were remarkably strenuous, and it says much for the attractive power of the Society that, after taking part in an excursion which lasted until a late hour in the evening and was followed by a long and toilsome journey, Mr. Farnham was induced to take any further interest in its proceedings. From that day, however, he threw himself into its work with singular ardour, and the advantages which it has gained from his generous help and counsel are apparent, not only in the pages of its *Transactions*, but in every department of its endeavours. The Society has not been backward in giving him proof of its gratitude; but it is difficult to keep pace with his benefits, and the appearance of the four modestly entitled volumes in which he has collected the fruits of his researches in the manorial history of Leicestershire furnishes a new opportunity for expressing appreciation of such unselfish labour, and an occasion for estimating its permanent value.

In a letter to John Nichols, the historian of Leicestershire, a more famous historian, Edward Gibbon, excused his anxiety to learn something of his own ancestry with the remark: "Experience has proved that there is scarcely any man of a tolerable family who does not wish to know as much as he can about it; nor is such an ambition either foolish in itself, or hurtful to society". The ambition which led Mr. Farnham, the son of an ancient family which has been settled at Quorn for six and a half centuries, to collect and publish its records is a signal proof of the justice of this reflection. A thick volume of *Quorndon Records*, enlarged by successive supplements, contained English abstracts of a vast number of charters and other miscellaneous documents from public and private sources, in which the history of the manorial rights of Quorndon and their owners was traced with an

almost embarrassing completeness. Such a collection, while illustrating the annals of one special place, naturally includes abundant references to neighbouring localities; and *Quorndon Records* was a contribution to the manorial history of the whole county, in which the foundation for more extended research was laid. *Leicestershire Medieval Village Notes*, begun as a by-product of this initial attempt, is an expansion of Mr. Farnham's original design, continued upon the same plan with less exhaustiveness, but with equal patience. No man, in these days when material for research is constantly increasing, and the resources of the Public Record Office are intelligently appreciated by a continually growing band of students, can hope to cover the field of his choice completely. It is possible that volumes equal in size to *Quorndon Records* could be produced upon several of the places treated in these *Notes*. But we may safely say that the documents selected by Mr. Farnham provide the indispensable outlines for the intensive study which will fill in details; while they lay the necessary foundation for any future history of Leicestershire conceived upon a comprehensive plan and carried out upon scientific lines.

Their value in this last respect is the special point which we desire to emphasise. Leicestershire already possesses a great and famous county history, justly treasured on account of the large amount of curious and miscellaneous information which it embodies. A costliness which puts a copy beyond the means of the ordinary private person and has deterred more than one large public library from the purchase has endowed the work with a sanctity and a reputation for infallibility which, with all its merits, it hardly deserves. The virtues of Nichols' volumes are those of an age whose industry in compilation was miraculous, and the editor depended for help upon a band of contributors whose energy and enthusiasm were not less, and whose scholarship and critical judgment in several instances were greater than his own. One striking result of a method which swept in all that came to its net without distinction is that the work as a whole follows no connected or uniform plan. Compared with such earlier histories as Dugdale's *Warwickshire* or Bridges' *Northamptonshire*, which, conceived on a much less ambitious scale, were concentrated on the task of outlining the descent of property, it is digressive and incoherent. Nichols included in it texts of

important historical documents for which we owe him sincere gratitude, but of any systematic or thorough exploration of the classes of records which yield the greatest profit to the local historian it contains no trace. It is true that in those days the full extent of such sources was imperfectly realised; but the partial character of the labour expended on those which were actually accessible must be apparent to anyone who consults the volumes with diligence.

Mr. Farnham has not cherished the ambition of superseding Nichols' work by a county history of his own, but he has spent years of work among unpublished records which supply innumerable additions and corrections to Nichols. If *The Victoria County History of Leicestershire* is ever brought to completion, the toil of its authors will be considerably lightened by his labours. The originators of that scheme recognised the principle that, for the topographical portion of their history, the essential object of enquiry must be the descent of manorial rights and of the advowson of the church. It is upon the series of documents in which the history of these two pieces of property can be traced that any trustworthy account of a village must be founded. This was well known to the early county historians who have been mentioned in comparison with Nichols, and it is the conclusion to which any genuine attempt to estimate the requirements of local history must lead. As regards the earlier periods of village history in particular, the fact cannot be overlooked. In later times sources become more varied: side-lights upon social and economic history become more numerous, the narrative may be enlivened by personal and individual details, and, with the gradual decay and disappearance of feudalism, the succession of one or more ruling families is of less importance. But the whole organisation of village life has its source in feudal principles, under whose domination it was developed. The village community, at the time when written records begin to be at all plentiful, was controlled by feudal law, and its story is written for centuries in the formal and impersonal language of the medieval lawyer, concerned, not with the characters and idiosyncrasies of the persons who employed his services, but with the facts of the business in hand.

This point will be grasped by the reader who takes the trouble to analyse the contents of any one of the sections into which Mr. Farnham's volumes are divided. They cover the period for

which Nichols' information, with regard at any rate to the rural districts of the county, was casual and faulty, without attempting to pursue the story of each place into the more recent age in which Nichols was on surer ground. Mr. Farnham's plan has been to set down his documents as he finds them, without supplying a running commentary or digesting them into a connected narrative, but following their chronological order. In each case, a certain number have been taken from printed collections, such as the printed *Calendars* of the Patent and Close rolls, official publications which, for the purposes of the student, may be said to supply the place of the originals. By far the larger number, however, have been derived from personal examination of sources as yet unprinted. Of these, it need hardly be said, the prevailing language is Latin; but many are written in the Norman French of the law-courts, which was gradually superseded by English in the fifteenth century. Latin and French documents have been translated with such condensation as is permissible to avoid unnecessary repetition, and English documents have been modernised in spelling. The method throughout has been guided by principles which are familiar to students of the official collections to which allusion has been made.

In carrying out his design on these lines, Mr. Farnham has been content to put himself into the background, and even the brief essay by which the first volume is preceded, affording a general guide to the significance of the whole collection, has been left to another hand. This method, it must be admitted, has certain drawbacks. On the one hand, the reader, confronted with a mass of material in technical language which is strange to him, may be tempted to undervalue the labour that has gone to its bringing together; while, on the other, the more appreciative student who enjoys the task of digesting it for himself may not be fully equipped with the training that enables him to surmount its difficulties with understanding and profit. In either case the fact remains that the documents as they stand are the raw material which it is left for future historians to work up into a finished form; and it follows that the work of interpreting their meaning and reading the connected story which each series contains must be accompanied by a preliminary knowledge which cannot be acquired by mere instinct.

This, however, applies to almost every volume which makes

the text of original records accessible without copious annotation, and it need only be said that some guidance for the use of the present work has already been provided by the manorial histories in narrative form which Mr. Farnham, in collaboration with the present writer, has contributed to our *Transactions* at intervals for some years past, and especially those of the manors of Medbourne and Holt. Here we would rather draw attention to the qualities which have made it possible to achieve a collection of such variety and magnitude. Sound scholarship, critical insight, an accurate sense of selection, and a fidelity to the original texts which allows them to lose nothing of their force and precision in translations and summaries, are the rare but necessary gifts that have enabled Mr. Farnham's untiring patience to produce this result. Only those perhaps who have had personal experience of research of this type can realise the strenuousness and concentration which it demands. Face to face with long and intricate documents, which are often difficult to read and do not yield their meaning at first sight, the worker has to exercise a constant vigilance which allows nothing essential to escape it, and an active imagination which penetrates the surface of his material and reconstructs the life beneath it. A merely mechanical accuracy may produce careful copies, it is true; but such reproductions, without further qualities of divination, are spiritless and unsuggestive.

So far as we are aware, the work which Mr. Farnham has done for Leicestershire in these four volumes is more complete in shape than any work of the kind that has been done for other counties, the results of which are often desultory or are employed to serve other objects. But, more than this, the greater portion of it is derived from sources which few persons, however conscious they may be of their value, have either the leisure or the perseverance to explore. A reference to any section will show how diligently the various classes of documents known collectively as Plea rolls have been used. It is generally admitted that these records of proceedings before the king's justices are the most fruitful of all sources of manorial history; but their number and bulk is so great that no-one who begins to consult them systematically can hope to get to the end of his task for many years, even if he devotes his whole time to it. We cannot say positively that Mr. Farnham has exhausted their contents, so far

as they affect his purpose: his own account is that he has taken from them such entries as have caught his attention as being of special significance. Nevertheless this has involved going through a vast number of rolls, most of which are of a size and weight that demand physical as well as intellectual labour, and there must be few of these which he has not handled, and from which he has not gleaned something. There are no doubt others who have worked at them, for some purpose or other, as long and as persistently, and of these some have published substantial results; but few have arrived at a point at which they have found themselves able to collect their researches and present them in anything like a finished form.

This is so prominent a feature of the volumes before us, and its full importance is so unlikely to be obvious to the ordinary reader, that we cannot do better than give a brief account of the nature of these records and an estimate of their value for Mr. Farnham's special object. The development of the judicial functions of the Curia Regis or king's court is a familiar chapter of English constitutional history. The legal institutions of Henry II, the establishment of the four petty assizes to determine disputed questions of possession and of the grand assize for the settlement of proprietary rights, the blow dealt to the manorial courts by the institution of the writ *praecipe* and the extension of the system of original writs to facilitate the bringing of suits of all kinds before the king's justices, and the creation of a permanent central court at Westminster in addition to the courts held periodically by itinerant judges, brought the royal tribunal within the reach of every free man as the source of impartial justice administered by trained lawyers. The amount of business which thus came before the king's court led in process of time to a division of its functions. Until the end of the reign of Henry III its business is recorded in the rolls known as Curia Regis rolls; but before that date the two distinct tribunals known as the Bench and the Coram Rege court were coming into being, and from the beginning of the reign of Edward I each had its separate records, the De Banco and the Coram Rege rolls. Of these two courts the first was presided over by justices appointed for the purpose, and its business is defined by the name which it eventually acquired, the Court of Common Pleas. The second was held nominally in the king's presence, and its judges dealt with

special cases, including criminal pleas, although it was also used to relieve the Bench proper of its immense weight of business. This we now call the King's Bench. Before the two courts, sitting in Westminster Hall, suits came from all parts of the kingdom, which were set in motion by writs issued to the sheriffs of the various counties. In the margins of the rolls, which at first were of moderate size, the name of the county concerned was written against the record of each suit, a practice of material assistance to the modern searcher. In a short time, however, the number of pleas heard in each term increased so rapidly that a roll for a single term consisted of several hundred membranes, some four feet long by a foot broad, full of entries which are constantly of great length and crowded with detail. In addition to these two great series of Plea rolls, there are the Assize rolls from the courts held in each county by the justices on circuit, which contain records of a formidable number of cases.

The increase in business which we have noted was due to the recognition of the security which their records afforded to the tenure of property. The original object of the royal courts of justice, of course, was to afford relief to wronged persons, and the pleas brought before them were genuine suits. The assize of novel disseisin enabled a plaintiff who had been dispossessed of real property to bring his case for judgment to the king's court. But the advantages of such procedure led to its extension to suits in which the right and wrong involved were merely nominal. The statute *Quia Emptores* in 1290 recognised the freedom of a feudal tenant to sell his property as he liked, provided that no new fief was created by the process. Such a transaction was confirmed by the charter in which the vendor conveyed the property to the purchaser, and by further charters in which interested persons released their claims in the estate. But complete security for the sale could be obtained by its enrolment among the records of a court of justice. In order to procure this, the purchaser sued out a writ against the vendor, who by a legal fiction was represented as wrongfully withholding the premises from their rightful possessor, and the latter recovered his alleged possession by judgment of the court. Thus a very large number of the pleas recorded in the De Banco rolls are simply records of the conveyance of property by this means, and their importance as a guide to the transference of manors and lands from one hand

to another will be readily understood, as the official enrolment remains where, as so constantly happens, charters and deeds made by individuals have disappeared.

In addition to the evidence of the rolls, there is the large and invaluable series of records called Feet of Fines, on which Mr. Farnham has drawn abundantly. These are the direct result of fictitious suits brought into the royal courts, and were a method of establishing the transfer without an actual judgment. Pending the award of the court, the parties came to an agreement, the terms of which were embodied in a final concord, by which the defendant relinquished the property, and the plaintiff agreed to pay him the purchase money in compensation. The record of court was drawn up in triplicate upon a sheet of parchment, which was then cut into three parts, of which the plaintiff kept one, the defendant another, while the third remained among the archives of the court. This last was taken from the foot of the sheet, and these documents left in official custody are therefore called Feet of Fines (*pedes finium*). It is needless to say that, whereas the copies of final concords which passed into private possession have suffered the ordinary vicissitudes of private muniments, the Feet of Fines have remained in their official repository and form a continuous record of transactions in property which is indispensable to local historians and antiquaries.

The ingenuity of lawyers is endless, and other methods were invented by which a vendor could "make a good and sufficient estate" to a purchaser or lessee through the agency of the courts of law. In the later middle ages the Recovery, founded upon an extremely elaborate fiction which introduced a third party, otherwise without interest in the sale, into the transaction, was used for the purpose of defeating entails where such existed. Recoveries therefore must be added to the classes of documents which thus supplement the mass of material contained in the Plea rolls. Our object, however, is not to describe in detail the whole body of sources of which Mr. Farnham has availed himself, but to emphasise the most prominent aspect of his work among the public records. The most outstanding feature of his collection is its wealth of extracts from the Plea rolls. These form the backbone of his researches. Here and there Nichols made use of casual records of pleas which were brought to his notice, but neither he nor his correspondents gave serious attention to the

rolls, or perhaps realised how much history lay concealed in them. Even when in quite recent times the plan of the *Victoria County Histories* included a careful survey of the riches of the Public Record Office, the magnitude of the Plea rolls forbade a systematic examination of their contents which it would have taken years to complete. In undertaking and, for all practical purposes, completing such a survey for Leicestershire, Mr. Farnham has done something which deserves the gratitude and may well provoke the admiring envy of his brother antiquaries.

There is one special point in this connexion which should be stressed. It has already been said that every free man had right of access to the royal courts of justice. Consequently their records refer to all manner of property, without respect to the actual status of the holder as a member of feudal society. The descent of many manors can be fully traced in the records of the king's chancery, in the Patent and Close rolls and in the returns of Inquisitions *post mortem*. Here, however, the manors concerned are those which were of immediate importance to the Crown as held by tenants in chief, and only incidental reference is made to the holdings of tenants who were immediately responsible, not to the Crown but to some mesne lord. As everyone knows, feudal tenure was extremely intricate: if the Crown was the ultimate source of all landed property, a vast amount of land had passed out of its control by subenfeoffment, so that the actual tenant of a manor was often the last link in a long chain of lords. Thus, were it not for records of pleas concerned with all kinds of persons without distinction, there are many places of the history of which we should be totally ignorant. The writer of local history who has to deal with property held in chief of the Crown has a comparatively easy task, provided that he is competent, with the Calendars of the rolls of chancery and other printed works to aid him. But, if he is to trace the history of a small and obscure manor with any hope of success, he must face the prospect of plunging into the vast and uncharted ocean of the Plea rolls, without knowing how much or how little he may bring back. Those who are willing but unable to take this formidable resolution will thank Mr. Farnham heartily for doing what they cannot do upon so comprehensive a scale, and for laying before them what they could not have found by themselves without long search.

Hitherto we have spoken as though the documents in these volumes were concerned entirely with the passing of manorial rights, or, as we usually call them, manors, from one hand to another. This is the ultimate object of the collection, to present a complete account of the unbroken succession of ownership in certain areas. But we need hardly say that, while a number of the documents directly affect the manor as a whole, others deal simply with parcels of land within its jurisdiction, or with the shares or subdivisions into which it may fall by partition between co-heiresses. In a previous number of these *Transactions* the present writer has provided some general notes upon manors and manorial history. The historian of any particular village or parish will often find his work complicated by the existence of more than one set of distinct manorial rights in the place. There may be two or more manors within its geographical boundaries, certain pieces of land in it may be appendant to manors whose centre is in other places, or in extreme cases the rights of many lords may cross and recross each other in bewildering fashion. His first duty, then, is to determine the number of separate threads of ownership which he must trace, and to proceed to follow up these so far as his documents allow him. The task is anything but simple, for the phrase "the manor" of such and such a place was used indiscriminately of any collection of manorial rights, great or small, and may refer to a mere fraction of a place in which there were several manors. It is obvious that, where the descent of such rights is obscure, it may be very difficult to decide with any certainty upon the identity of the manor so generally described, and the most diligent worker will be baffled by the absence of some necessary link in his story. The old county historians knew these pitfalls, but did not spend time in discussing them, and set down such facts as they had acquired without further comment. Their accounts of the earlier descent of manors are consequently brief or obscure, unless they had to deal with some well known and historical family. Nichols, as we have pointed out, followed no system in the medieval portion of his work, and his notes on such matters are often so meagre that they are almost useless, while his pedigrees even of the best known medieval families are disfigured by assumptions of fact and serious inaccuracies. In a volume of *Early Leicestershire Pedigrees*, published a few years ago, Mr. Farnham brought his researches

to bear upon the history of several prominent families whose descent has been confused or misrepresented. Work of this kind shows how much remains to be done upon the history of lesser houses, and the careful use of the present volumes will not only promote this task, but will connect such families more closely with the places in which they held property.

The duties of the local historian thus are inevitably bound up with genealogical study. Whether the scientific study of genealogy is of much practical use in itself, apart from the demand which it makes for the cultivation of the virtue of accuracy, is an open question. Its fascination, however, has appealed to generations of antiquaries, and it is impossible for the student of local history to go far without realising the intimate connection between the land and its owners. It is, indeed, the personal element introduced by the presence of the land-owning family that differentiates the history of one manor from another: without this to rely upon, the historian has to take refuge in general statements. A county history is inevitably a family history: even the industries of a county, depending as they do upon individual initiative and enterprise, are bound up closely with the fortunes of the families which owe their prosperity to them, so that their annals are in no small degree a family record. It is true that medieval lords of manors are shadowy persons who have left little in the way of personal memorials. Here and there they take their part upon the stage of national history and live, though not always vividly, in the pages of chroniclers. Here and there the story of their misdeeds or misfortunes, conveyed in the unemotional language of official instruments, gives them an unenviable or tragic prominence. But, as a rule, Peter succeeds John, and John succeeds Peter, until the male line comes to an end, and Mary, Alice and Joan divide the heritage with the willing help of their husbands. Their last wills and testaments afford some clue to their habits and tastes and to their material surroundings: the proof of age of an heir, appended to the details of an Inquisition, occasionally gives a lively picture of their social environment. Of themselves we have no certain bodily representation, for in the middle ages the art of portraiture was of late growth, and, with rare exceptions, the effigies which adorn our village churches are the conventional figures supplied by the tomb-carver, to which heraldic emblems alone give individuality.

Nevertheless, even if the record is merely one of names, it deserves careful treatment. Their importance in their day was fully equal to that of their successors and supplanters whose memorials are more plentiful. It was under their protection that the life of the village community was maintained. The nucleus of the hall or principal mansion of the modern village is very often the dwelling in which they lived, and the chief architectural monument of the village, the parish church, owes its origin to them and much of its dignity to their benefactions. Further, as we gather together the scattered evidence for their careers and form a coherent account of their succession, we perceive the mutual relations which intermarriages and rights of inheritance establish between one manor and another. The interests of a family are seldom entirely confined to one or more Leicestershire manors: they may extend into the neighbouring counties or to distant parts of England. In short, through the wide ramifications of the family tree, the manor and the county to which it belongs lose their purely local character, and are seen as constituent parts of a social organisation which has left its impress upon the national life as a whole.

Thus, if the labours of Mr. Farnham are primarily those of an instructed and scholarly antiquary, their results are of the utmost benefit to the historian. With the growth of historical material and under the influence of stricter conceptions of the requirements of original research, the field of the historian has been narrowed. The days of the picturesque history upon a grand scale, adorned by graces of literary style and by vivid presentation of incident, are over. The more sober task of the constitutional historian, so far as the general history of national institutions is concerned, has been more than adequately performed. Manuals and text-books will no doubt long endeavour to meet the restless demands of educational authorities by ringing changes upon the methods of their predecessors. But the original worker of to-day finds himself limited to the revision or amplification from new sources of details which are often very minute, or to the editing and publication of hitherto unprinted documents. At the present time the history of administration in its various forms is occupying the energies of a whole band of scholars; but the claims of topographical history, too often in the past the playground of irresponsible amateurs, are forcing them-

selves more insistently upon the attention of trained students. We are constantly confronted with the demand that the history of the nation should be taught from the point of view of the history of single localities. While this is perfectly reasonable in itself, it undeniably presents difficulties and dangers, and even now works purporting to be local histories appear from time to time in which the art of making bricks without straw is signally exemplified, and futile conjecture takes the place of solid fact. The truth is that the compilation of a local history is a most difficult and delicate task to which the consultation of original documents is indispensable, and not only their consultation, but an understanding of the circumstances in which they took form and the exact objects which they were intended to serve. And, while a writer, thoroughly equipped with such information, may produce a masterly work for which persons with attainments equal to his own will be grateful, he may be entirely deficient in those gifts of popular exposition which are necessary to attract and convince the unlearned.

At any rate, whatever may be the aims and the ultimate success of those who use them, Mr. Farnham's volumes provide a rich digging-ground for Leicestershire historians, and will be welcomed by all who know what a wide area can be illuminated by such a collection of documents. Printed and published at his own expense, they are a gift to his native county the generosity of which we should be proud to acknowledge. We may perhaps regret that the number of copies is necessarily very limited, and that consequently most of those who can make the most profitable use of them will be obliged to study them in public collections. This makes it all the more desirable that the members of our Society should obtain a proper idea of the intrinsic value of a work which it is no exaggeration to call the most solid and scientific contribution hitherto made to the history of Leicestershire. It has been possible to deal in this place only with some of its general features and merits, and to indicate what may be looked for in its pages without extending our remarks to a selection from its actual contents. The important thing, however, is that the methods of its compiler, the significance of the chief sources from which he has derived its material, the principal directions in which it may be employed, and the lessons which it conveys to the student, should all be appreciated and understood. It has

been the privilege of the present writer for many years past to be constantly in touch with Mr. Farnham's work and to admire at close quarters his single-minded devotion to his self-imposed task, his thoroughness, his inimitable patience in digesting and sifting the fruits of his researches, and, last but not least, the readiness with which he has communicated his knowledge and help to all who have sought them. Not only has he worked diligently himself, but he has been an inspiration to others; and if of late years the publications of our Society have reached a higher standard than at any earlier period of its existence, this has been largely due to his untiring efforts. The service which he has done to sound learning has been paid quietly and without ostentation. Such benefits are seldom adequately recognised by those on whom they are conferred. But we think that Mr. Farnham himself will feel that he has not laboured in vain, when we can assure him that in time to come his name will be honourably remembered as that of the scholar whose contributions to the history of his county put chaos into order and opened the way for enlightened research. We need not minimise the debt which we owe to the pioneer work of William Burton, the earliest of county historians, and to the massive compilation of Nichols, the most voluminous. But county history, in common with all forms of science, has to keep pace with the advance of knowledge. It is possible that, in the course of a few generations, when much that remains problematic to-day has been cleared up, and some of our most cherished theories have been successfully exploded, some gifted historian will arise to explain the history of the medieval manor in an entirely new light. He will be obliged, however, to found his thesis upon such documentary material as Mr. Farnham has brought together for us. If to the names of the two earlier historians of Leicestershire we can add that of George Farnham, it is with the fortunate conviction that, because he has been content with allowing his documents to speak for themselves, his work can never become obsolete, but will remain a permanently authoritative source of reference.

A. HAMILTON THOMPSON