

Forest and Manor Courts



Figure A *Medieval Lanacre bridge, Withypool, near the meeting place of the forest court, probably on land later called Court Hams. The early courts would have been social and business meetings at the end of the long upland winter.*

Forest Courts

In much of England in the Middle Ages, routine business relating to local communities was conducted at the appropriate manorial court before the lord of the manor or his representative. Serious crimes were generally dealt with by royal officials – either the sheriff or a royal justice at the shire and hundred courts (although in many cases manor courts might also function as hundred courts). A major exception were those areas

that were under forest law, which imposed a wide range of exceptional fines and penalties and were operated through special courts with their own officials.

Forest and manorial courts had a long life, but from the 16th century onwards were of increasingly minor importance. Most had disappeared by the 19th century.

Forest law was largely implemented through royal itinerant courts called 'eyres', but local forest courts

known as the 'swainmote' or 'swanimote courts' were held twice a year in the spring. The first was held near Lanacre Bridge in Withypool. The second opened in Hawkridge churchyard, but by the 17th century adjourned to Withypool, possibly to the alehouse. There are no medieval swainmote records, but it would have punished people for entering the forest with a gun, bow, or dog or for illegal fishing or grazing. In the 18th century courts moved to Simonsbath and by 1807 only one annual court was held for collecting the chief rents and enjoying a good dinner. The last court was held in 1818.

Manor Courts

There are few records of the Exmoor manors, but their owners would have kept courts once or twice a year, large manors more often. The court baron dealt with tenancies and the court leet with community business such as nuisances and disputes. The homage, or jury, was drawn from the leading tenants to present offences and declare manorial customs, which also applied to the lord or lady. Then custom was binding in law for the lords of the manor as well as for the tenants; the latter, for example, could demand their lords carry out duties such as repairing the pound. Constables to keep the peace, haywards to manage the fields, and tithingmen were usually elected at the autumn court. Records of proceedings were entered on parchment and new tenants would have a copy of the entry relating to their tenancy. Manorial tenancy was therefore known as copyhold.

Court records usually start with the date and the name of the lord or the steward. Then come the essoins (excuses) made by people for not attending. Other defaulters were amerced (fined). Business

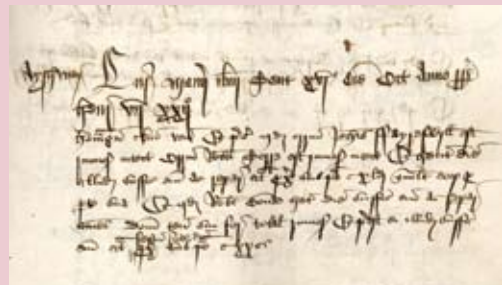


Figure B Court record for Ashway in Dulverton held on 16 October 1506, from a draft court book covering many manors. John Fayreswyll and Robert Torre needed to do some roof repairs and Robert Bonde was ordered to repair all his buildings, which were ruinous, or pay 20s.

included changes of tenancy, payment of heriots (an animal or money due to the lord after a tenant died), and cases between tenants. The jury or officers would present offences such as straying animals, houses in need of repair, pollution or diversion of watercourses, selling ale at excessive prices, or selling bad meat.

In November 1322 a Dulverton court dealt with damage to crops by livestock and illegal felling. The elder William of Draydon lost his office of woodward for felling an oak without licence and Stephen atte Mershe was sworn in his place. Nicholas atte Hole, charcoal burner, had cut down an oak beyond his boundary.



Figure C Extract from Dulverton manor account, 1425-6, detailing expenses of installing chancel windows and tiling the court house. Courts produced an income for the landowner such as Taunton Priory, which received £4 18s. 2d. from its Dulverton courts in 1425-6.