

THE STORY OF CHESHAM'S MANOR COURT RECORDS

GARRY MARSHALL

The history of the locations of care, and sometimes of lack of care, of Chesham's Manor Court Records is told using documents held in the Centre for Buckinghamshire Studies. After this, the detailed history of their being brought to the Buckinghamshire Archaeological Society's Museum (now the Buckinghamshire County Museum) is related. This is based on the correspondence, written at the time, of officials of the Society. The two complementary histories reveal among other things the amount of effort the Society put into acquiring items it felt it ought to have, the difficulties of doing so, and the way that the Society managed to continue its activities during the war.

INTRODUCTION

The final contribution to the volume of *Records* published in 1951, squeezed on to the bottom of the final page just before it was sent to the printer, records the acquisition by the Buckinghamshire Archaeological Society (BAS) of Chesham's medieval manorial records (Woodman 1951). Besides this, it also describes, with some brevity, how the records were saved from destruction, their condition and the years in which they were created. The full text of the piece is as follows:

CHESHAM COURT ROLLS: A notable addition to the Manorial records in the Society's custody are the Court-rolls of the Manors of Chesham Higham and Chesham Bury lately received from Mr. E. J. Tibbits, of Warwick.

After having been stored for many years in a damp cellar beneath the offices of a local firm of solicitors, it was decided in 1939 to destroy them as useless lumber! Fortunately, Mr Tibbits, who recognised their great interest, was able to prevent this wanton destruction, and later, after he had succeeded in obtaining possession of them, he took measures to preserve them from further deterioration. Now, in accordance of the wishes of Lord Chesham and his son, Captain the Hon. J.C.C. Cavendish, they have been deposited with the Society.

From the first year of Edward II until the time of Elizabeth the series is fairly complete, though, as might be expected in view of the conditions under which they have been stored, many of the rolls

are more or less seriously affected by damp and will need repair before they become available for research.

This was written by A. Vere Woodman, and is a model of concision and tact. The concision necessarily hides the considerable effort that went into acquiring the records over a long period, which included the difficult years of the Second World War. The tact veils, for example, a good deal about why it all took so long.

There are in various places documents and correspondence written with the aim of acquiring the records. The documents provide a fuller account of the matters alluded to in the piece quoted above. The correspondence is that of the people involved and reveals why matters took the course they did as well as something of the trials and tribulations they endured.

THE PLACES OF CARE OF THE MANOR COURT RECORDS

The Centre for Buckinghamshire Studies (CBS) holds two items which together provide a full account of what happened to the records themselves. One, in the Buckinghamshire Record Office receipt file for 1958, is a draft letter from the Warwickshire County Archivist to his opposite number in Buckinghamshire, dated 24 July 1958, which describes the changes in care of Chesham's manorial records (CBS ref: AR 38/58 (L)). The other is an undated document written by Mr Tibbits to explain his part in the saga (CBS ref: D/

BASM/89/1/49/1-27). From these, the following account can be obtained.

In 1939, a large collection of Chesham's manorial documents was mouldering in the cellars of the Corporation Offices in Warwick. They were there because the solicitor of Lord Chesham, who was the Lord of the Manor of Chesham, had moved to Warwick at some time prior to 1901, where he had joined a partnership with an office in the building. He had brought the manorial documents with him as part of the records for which he was responsible, and had stored them in the cellar. Subsequently, that partnership moved elsewhere, leaving behind the contents of the cellar. The new occupants of the office, needing to make room to store their records, decided to clear the cellar, and gave orders for all the 'useless junk' in it to be burnt. The person delegated to do this told Mr Tibbits and he, suspecting the significance of the 'junk', managed to save it. Subsequently, he examined the documents and identified them for what they were.

They were, as the introduction to part E of the catalogue of the Cavendish Archive held by the CBS (the part with the CBS reference: D/CH/E/) has it, the 'Records of the Cavendish family and Barons Chesham – 14th to 19th centuries'. He identified the manor court records, which form a significant but relatively small part of the whole. But his interest was particularly taken by documents associated with Elihu Yale, the founder of Yale University. Yale's interests in Chesham were that one of his daughters had married into the Cavendish family, and that he had acquired the lease of lands in Chesham.

Tibbits managed to remove the documents relating to Yale and the court records from the mass of documentation in the cellar and took them to his home. He did, however, leave behind quite a lot of material relating to Chesham. This continued an unfortunate partitioning of a set of documents which formed a coherent and consistent whole. Most of them were eventually reunited, at the expense of a good deal of time and effort, but a few would never be.

As we have seen, the manor court records were acquired from Mr Tibbits by BAS in 1951. Tibbits kept the rest of the material he had removed. The remainder was still in the cellar. The court rolls were formally placed in the custody of BAS in 1955. They were subsequently deposited in the CBS in 1987. Tibbits transferred the rest of the

documents he had taken home to the Warwickshire Record Office in July 1958. The documents left in the cellar had already been placed in the Warwickshire Record Office at the time the cellar was eventually cleared. In 1958, the Warwickshire Record Office offered all of its Chesham holdings to the CBS (then the Buckinghamshire Record Office). That offer was accepted, following which the documents from the cellar were almost all re-united at the CBS. The most notable absentees were a number of documents relating to Elihu Yale, which Mr Tibbits had 'presented' (the word is that of the Warwickshire County Archivist) to Yale University.

THE ACQUISITION OF THE MANOR COURT RECORDS

Further evidence, this time concerning the effort that went into the acquisition of the records, is to be found at the CBS in the Manorial Records holdings and in the Fremantle Archive, and in BAS's own archives. (The respective references for the two groups of documents held by the CBS are D/BASM/89/ and D/FR/D/401/. The catalogue reference for any individual item may be obtained from the table given in the References section, which allows the reference to be obtained by looking up the date of the letter.) The evidence consists in the main of letters written by various officials of BAS in their attempts to acquire the records. It reveals, *inter alia*, how much effort the Society was prepared to put into acquiring these documents it wanted so much, how difficult the acquisition proved to be, and how the war caused matters to take much longer than they might otherwise have done.

The correspondence begins in April 17, 1940, with a letter written by Mr Tibbits and addressed to the Secretary of BAS. In it, he wrote that he had 'discovered recently in Warwick a large number of Court Rolls, and manorial and other documents relating to Chesham' and that he would 'be glad to know whether your Society would be prepared to purchase the collection'. This letter was intercepted by Edwin Hollis, Curator of the Museum, who replied to Tibbits the next day asking for his list of the documents and 'an idea as to price'. On April 18 he also wrote to George Eland, who was then Editor of *Records*, sending him Tibbits' letter. This raised excitement with its news and

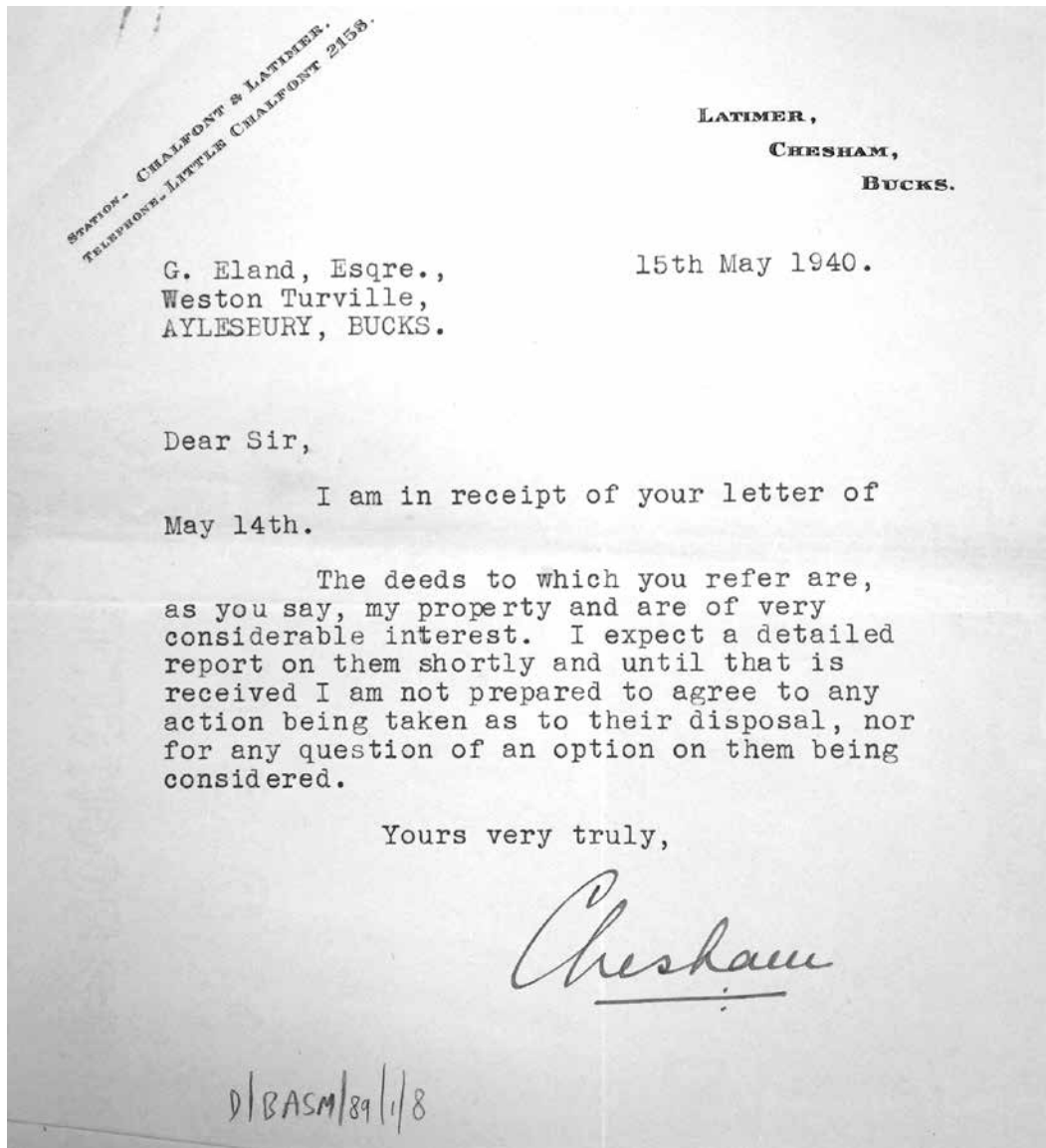


FIGURE 1 Lord Chesham's letter of May 15, 1940 to Eland

also some concern with its query, as revealed by Eland's response written the following day, April 19. He wrote: 'Mr Tibbits' letter is curious, unlike a solicitor's. It seems incredible that a continuous run [of manor court records] for 450 years exists – and for Chesham too!' (Note the exclamation mark). The rest of the letter is concerned with the price Tibbits might demand, and how to deal with him. The Society could not, in war time, raise very

much money, but if it admitted this, Mr Tibbits might approach other potential purchasers and so the opportunity to acquire the rolls would be lost. Tibbit's doubtful behaviour and the financial implications would come to dominate negotiations. So, too, would the impression derived from the letter by the BAS side that it was the court rolls that Tibbits wanted to sell.

Eland had also suggested that Tibbits should be

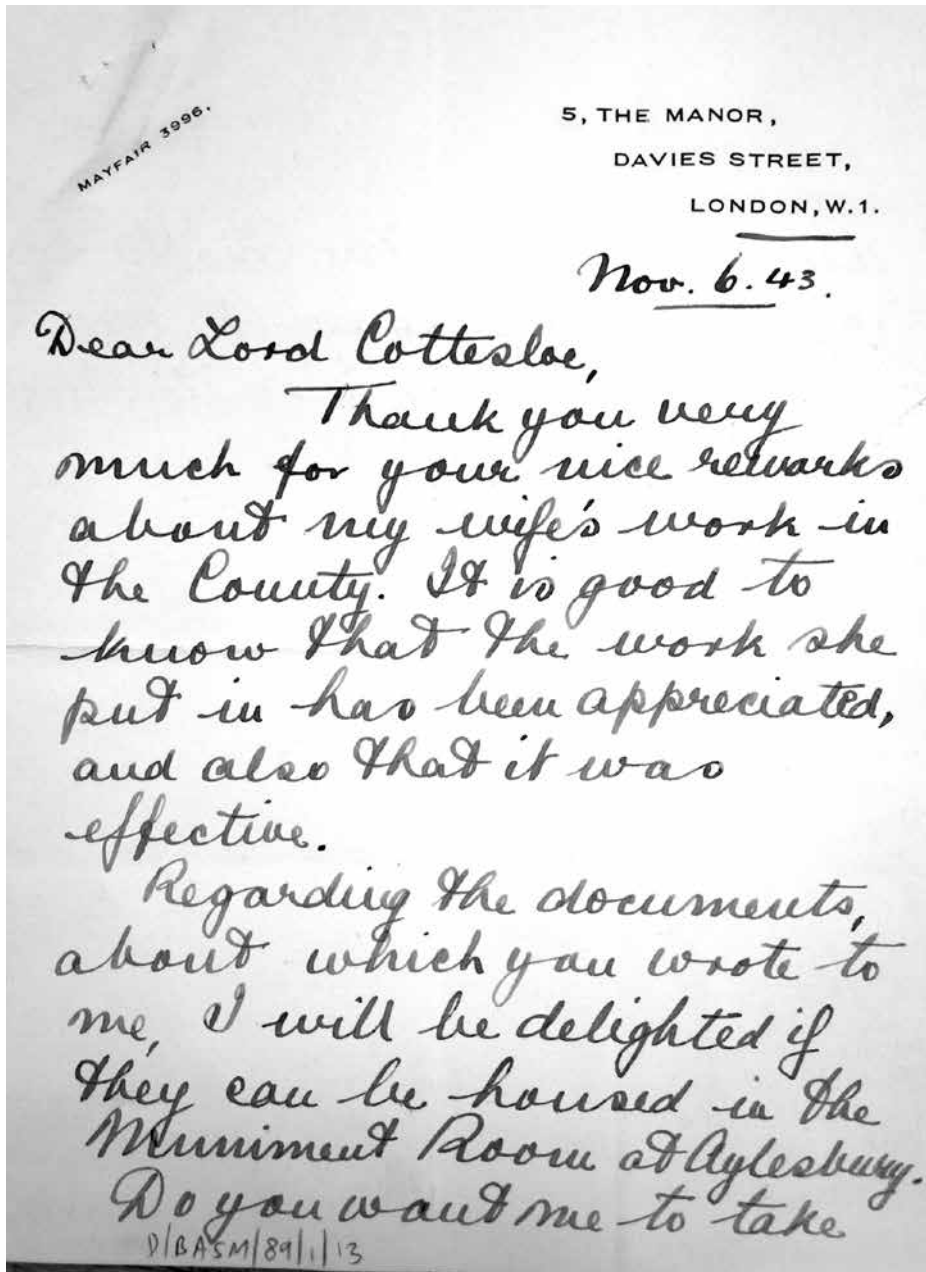


FIGURE 2A Page 1 of Lord Chesham's letter of November 6, 1943 to Lord Cottesloe

asked for 'an all-in price', but Tibbits' next letter, dated April 29, was evasive. He did, however, send 'a rough list of the Chesham documents' and asked that it be considered 'as soon as you can conveniently do so as it is possible that I shall be serving

in H. M. Forces before very long'. Tibbits was 36 at the time, so his call-up was not likely in the immediate future. It is clear that he was trying to pressure BAS to make a quick decision.

However, BAS was not to be rushed. Hollis

any steps in the matter?
 I will be pleased to meet
 any reasonable cost which
 may be incurred.

Yrs sincerely
Chesham.

FIGURE 2B Page 2 of Lord Chesham's letter of November 6, 1943 to Lord Cottesloe

acknowledged receipt of the list on May 1, and also wrote that he would arrange a meeting with the other officials of the Society, but that it might take some time. The meeting seems not to have taken place, and Hollis and Eland appear to have agreed that the next step should be for Eland to go to Warwick to see the documents themselves. In the meantime, he had examined the list of documents and discovered, as he wrote to Hollis on May 10, that there were 'nearly 2,000' of them. This means that Tibbits had listed more than just the manor court rolls (of which there were about 250), and had

probably listed all the Chesham documents that he had removed.

Eland met Tibbits at his house in Warwick on Whit Monday (May 13). The next day he wrote to Hollis that Tibbits seemed 'a charming and very knowledgeable man'. Also that he had seen the documents, which 'weigh about 3 cwt' [336lbs or about 150kg] but are 'in a deplorable condition here and there'. He also reported that he had 'left it like this: we give him a token payment for an option [to purchase the documents] to be exercised after the war, but meanwhile they are handed over to us for

safe custody'. On the same day Eland also wrote to Lord Chesham about the documents. Tibbits had already done so.

So, both Tibbits and Eland had now contacted Lord Chesham, the owner of the records that Tibbits wanted to sell and the BAS would have liked to acquire. Eland's letter to Lord Chesham explained that the BAS would like to have custody of the documents, and was prepared to pay Tibbits a certain amount for them, but he had worded his letter poorly and had given Lord Chesham the wrong impression, as he later admitted. In a letter dated June 29, 1943, he said: 'I wrote the wrong letter to Lord Chesham, and received a reply which I enclose. He thought I was out for a secret commission!', and 'I think Tibbits is entitled to some recompense – but I was wrong in saying so, and made the master of Latimer think I wanted part of the plunder!'. Lord Chesham's reply to Eland is shown in Figure 1.

Among other things, this made clear that Tibbits could not sell the documents and that BAS could not negotiate on the basis of a purchase from him. It also brought things to a complete halt, which lasted until mid-1943. The hiatus was probably prolonged by the death of Hollis in 1941. He had been Curator of the Museum since 1908, and would have been difficult to replace at any time, let alone during the war. He was succeeded by Miss Cicely Baker, a trained archivist. She was always seen by BAS's rather unworldly male establishment as a stop-gap curator which, in retrospect, failed to recognise her significance and that of her contribution.

Negotiations resumed in June of 1943 with Eland's letter referred to above, in which he also wrote that the way to continue after his gaffe 'would be to get Lord Cottesloe to tackle him [Lord Chesham] – or our President – he would hardly suspect them of bribery'. Lord Cottesloe was then a Vice-President of the Society, having been President until 1940. Perhaps more important, even in this context, he was also the Lord Lieutenant of Buckinghamshire and, in that capacity, was always ready to support a good cause. The President at the time was Sir Frank MacKinnon, a distinguished judge, formerly a Judge of the King's Bench and Lord High Justice of Appeal.

MacKinnon joined the fray with a letter to Lord Cottesloe on October 20, 1943 in which he pointed out that Lord Chesham was 'probably unaware that by reason of an Act of Parliament he cannot legally sell or part with the Court Rolls, and may

be liable to have an order made by the Master of the Rolls to deposit them in the Record Office or in our Society's Muniment Room.' He proposed to write to Lord Chesham to tell him this in no uncertain terms and, further, should his reaction be hostile, to 'petition the Master of the Rolls to make an order' or 'even go to Court!' Lord Cottesloe, recognising that Eland's mistake was about to be repeated even if MacKinnon did not, replied on October 22, suggesting that Lord Chesham ought to be sounded out as to his attitude to the documents and that 'you (or I if you think it better) should write to Lord Chesham to ascertain his attitude'. MacKinnon, to his credit, immediately saw the point and in a letter of October 24 asked Lord Cottesloe to exercise his superior 'tact and diplomacy' and to write. Two weeks later, on November 6, Lord Cottesloe received the response shown in Figures 2a and 2b.

Diplomacy had worked! Everyone was delighted. Plans to obtain the documents were hatched. But nothing happened. The blame for this must be assigned in part to the war and in part to BAS. Lord Chesham was busy with his war work and Tibbits was called up, so progress would have been difficult anyway, but the representatives of BAS all tended to blame Lord Chesham for doing nothing despite their failure to ask him to do anything, as he had requested.

After a lapse of a year, on December 15 1944 Miss Baker wrote to Lord Cottesloe that 'As it is over a year now since you approached Lord Chesham about the Chesham Manor Court Rolls at Warwick, I feel that it is time he was reminded about them. [...]he one step we do want him to take doesn't seem to have been taken – and that is for him to write to the estimable Mr Tibbits authorising him to hand over the Rolls to a representative of the Society'. This is true, of course, but no one had thought to put it to Lord Chesham. Below, she wrote that 'it will not be difficult for Mr Woodman and me to go to Warwick one day [to pick up the Rolls]'. Three days later, Lord Cottesloe wrote to Lord Chesham, with an almost audible sigh, in much the same vein as he had more than a year before. But nothing happened, and nothing more was to happen until after the war.

On June 3, 1946 Miss Baker wrote a now-familiar letter to Lord Cottesloe: 'can you stir up Lord Chesham about the Chesham Court Rolls at Warwick?' Lord Chesham's response was, as

ever, positive, but rather lukewarm. No doubt, Lord Chesham did write, but three months later BAS finally found a way, albeit a convoluted one, to ask Lord Chesham to write to Tibbits. It came about like this. Lord Chesham had written to the Clerk of the Buckinghamshire County Council to say that he had found 'a box of documents labelled "Chesham Court Rolls" [...] at Latimer' and that he would like to offer them to the County Record Office. In truth, they were not Court Rolls, but they were manorial documents. They were part of the Cavendish family's archives, but had never been given to the family's solicitor for safe keeping. Doubtless, Lord Chesham's offer was discussed with Miss Baker, who took the opportunity to suggest that a request that Lord Chesham write to Mr Tibbits concerning the *other* Court Rolls be included in the reply.

The affair was handled by the Deputy Clerk, Mr Millard, as the Clerk was on leave. In his reply, dated September 2, 1946, Millard first referred to the box of records, writing that 'the right place to put them is in the Buckinghamshire Archaeological Society Museum rather than the County muniment room as the former is approved by the Master of the Rolls as the repository for Court Rolls'. He then adroitly turned to 'another collection of Court Rolls, which are in the possession of a Mr E. G. Tibbits, a solicitor in Warwick', and 'wonder[ed] therefore whether you think this would be a suitable opportunity to give instructions for the documents at Warwick to be sent to the Museum at the same time. I can, no doubt, arrange for the transport of the documents from Warwick when you have given the necessary authority to Mr Tibbits.'

Mr Millard had clearly done his homework, and had understood the importance of the matter for BAS and the Record Office. When forwarding to Miss Baker a copy of his letter to Lord Chesham he wrote: 'I must admit that I felt in somewhat deep water, as it is obvious from the correspondence which you lent me [...] that the negotiations regarding the collection of the Court Rolls at Warwick have not altogether been free from difficulty, and I only hope my letter will not have stirred up a hornets' nest!' He hadn't, because in his reply dated September 6, 1946 Lord Chesham simply wrote 'I shall write to Mr Tibbits of Warwick about the documents there.' He did write, but not for about five years.

And so, in 1951 a representative of BAS, almost certainly A. Vere Woodman, went to Warwick and took possession of the court rolls. Tibbits offered

him all the records that he had relating to Chesham, but Woodman refused them taking only the court rolls, 'which he should never have extracted' in the words of the Warwickshire County Archivist. This did, at least, resolve BAS's self-imposed difficulties caused by their lack of a unified approach. By simply going and getting the rolls, Woodman, supported by Miss Baker, had bypassed MacKinnon's legalistic tendencies and Lord Cottesloe's preference for gentle persuasion. It was 1955 before Lord Chesham finally gave his formal permission to BAS to have custody of them.

SUMMARY AND A NOTE ON THE RECENT TREATMENT OF THE MANOR COURT ROLLS

This article recounts the journey of Chesham's Manor Court Records as they moved from a damp cellar beneath the Corporation Offices in Warwick, to Mr Tibbits' residence, Marble House, also in Warwick, to the BAS muniment room in Aylesbury and, finally, to one of the CBS's strongrooms. An important side-effect of the acquisition of the Manor Court Rolls was that all the Cavendish manorial documents relating to Chesham, apart from the few that Tibbits had given away, were united and cared for in one place. This piece then goes on to tell of the work that went into acquiring the records and of the people who did that work. These people, officials of BAS in the main, were clearly persistent over a long period, the initial part of which was wartime with all its added difficulties. Without their efforts it seems unlikely that the Records would ever have been obtained. Mr Tibbits must also be given credit, for had he not saved them from the furnace in the first place and recognised them for what they were, we would never have heard of them, let alone have them.

Since they were deposited at the CBS, a few of the records that were in such 'a deplorable condition' that they could not be produced for inspection have been conserved. These include, for example, the record for the Manor Court held on February 24, 1308, the second oldest of the Chesham records. It is shown in Figure 3. In 2012 high resolution photographs were taken of all the remaining records that could not be produced. Accordingly, each one of the long sequence of Chesham's Manor Court Rolls can now be consulted, whether directly or indirectly.



FIGURE 3 The conserved membrane recording the proceedings of the court held in February 1308

TABLE 1 Table for converting the dates of letters to their catalogue references.

<i>Dates of letters</i>	<i>Sender</i>	<i>Reference (CBS unless otherwise stated)</i>
17 April 1940	Tibbits	D/BASM/89/1/1
18 April 1940	Hollis	BAS Reference: 2015.38.1
18 April 1940	Hollis	BAS Reference: 2015.38.1
19 April 1940	Eland	D/BASM/89/1/2
29 April 1940	Tibbits	D/BASM/89/1/3
1 May 1940	Hollis	BAS Reference: 2015.38.1
10 May 1940	Eland	D/BASM/89/1/6
14 May 1940	Eland	D/BASM/89/1/7
15 May 1940	Lord Chesham	D/BASM/89/1/8
29 June 1940	Eland	D/BASM/89/1/10
20 October 1943	MacKinnon	D/FR/D/401/5
22 October 1943	Lord Cottesloe	D/FR/D/401/6
24 October 1943	MacKinnon	D/BASM/89/1/11
6 November 1943	Lord Chesham	D/BASM/89/1/13
15 December 1944	Miss Baker	D/FR/D/401/8
16 December 1944	Lord Cottesloe	D/BASM/89/1/23
18 December 1944	Lord Cottesloe	D/FR/D/401/9
6 March 1946	Miss Baker	D/FR/D/401/10
7 March 1946	Lord Cottesloe	D/FR/D/401/11
2 September 1946	Millard	D/BASM/89/1/26/2
6 September 1946	Lord Chesham	D/BASM/89/1/26/4

REFERENCES

Woodman A Vere 1951 'Chesham Court Rolls',
Recs Bucks **15**, 331