DOCUMENT: CCA-U63_70254_024RH_025_026LH

SOURCE: Canterbury Cathedral Archives

LANGUAGE: English

DATE: 4/12/1749

SUMMARY:

4th December 1749 Reply from Dr Milles, of Exeter Cathedral to D & C Canterbury about queries Canterbury have raised about Doccombe Manor. The explanation of the Copyhold system at Doccombe; the Lessee grants 3 Lives with possibly 3 widowhoods (for the estates on the manor) the equivalent of 6 Lives but only 1 widowhood at one time.
It is very disadvantageous to the Landlord (Canterbury) as the Lessee can grant Lives up to the last day of his Lease which could last 40 years. And also can be very immoral as the Last Life can be persuaded to marry on his deathbed, even when he is unable to walk or speak & then the widow lives in public fornication as if she married she would forfeit the estate.
To assess the Renewal they gain information either by a survey or by gathering information. The extended yearly value they take 1/5th for adding 7 years to 14 & if a Life is renewed a ¼ of that 1/5th also - this is considered very fair.
If more information is needed it will take more time to send a servant the 11 miles. The manor has already been surveyed & is reported to be worth £350 a year so 1/5th of that is £70 for adding 7 **years** to the Lease but could be less or more. If there are considerable woods it might be worth a separate calculation.

Outside:
1749 Dr Milles & Mr Moor about Doccomb[e] Man[o]r

Inside:
Dear Sir

Exon Dec[embe]r: 4th 1749.
Dear S[i]r

I take the first opportunity of answering
in the most satisfactory manner that I am able, the Queries
contain[e]d in your letter, which was brought to me yesterday
by our Chapter Clerk, by whom I am inform[e]d that the
custom of the mannor of Docomb[e], tho, possibly
very different from any in your part of the country, yet is
the same with most of the mannors that are held of
our church, and is a Tenure exceedingly common
in this county. The Custom of these mannors is that
the Lord, or Lessee under him grants the Copyhold
estates of the mannor for three lives, & a widowhood
in reversion; that is to say, the life first named in
the Copy, who is therefore in possession of the estate, entitles

his widow to the reversion of that estate during her widowhood, in preference to the other two lives to whom the copy is granted. But if the first life should dye unmarried, the same right devolves to the 2^{d} life being in possession of the estate, & so to the third; so that it is very possible, that an estate of this kind may be held for six lives; viz for the three lives mentioned in the Copy, of their three widows. With respect to the Lord indeed, it is only four lives, because there can be but one widowhood on the estate at a time & consequently <it is> held only upon one life after the decease of the three lives mentioned in the Copy.

It is certain that this tenure is a very disadvantagious one to the Landlord, & attended likewise w[i]th many other inconveniences: For the Term w[hi]ch our Lessees are empowered to give to their Copyholders the very day before the expiration of their Lease is equivalent to 40 Years; so that after a mannor of this kind is come into a Lords hand, it may be 20 years before he receives any advantage from it. And it is likewise the frequent occasion of great fraud & immorality: for it often happens that the last life in a Copyhold is prevailed on even at his deathbed to convey this right of widowhood in his estate, to some friend, or acquaintance, by marrying her when perhaps he is scarcely able to speak or walk, & on the same act many widows who enjoy their estates on this Tenure live in publick Fornication w[i]th other men, because they do not chuse to forfeit their title to the estate by marrying. We have been allways so sensible of these inconveniences that some years ago when a mannor of this kind accidentally fell into our hands, the Chapter procured an act of Parliament to alter the tenure <to grant copies only for three lives absolute>
This being the nature of the Tenure, our method of treating for renewals is this. We examine either by our Surveys or by other the best information we can get what <is> the extended yearly value of the Copyholds held under the mannor, of which yearly value we take a fifth part for adding 7 years to 14; if a life is required to be renewed, we add a quarter of that fifth part to it. It is true this is but an uncertain method of computation; but the nature of the Tenure will not allow us to make one more exact; & I must observe to you at the same time, that in our renewals at this rate, we are esteem[e]d, & I believe not undeservedly,

the most reasonable church Landlords of any in the Kingdom.

As to the value of your mannor, if you want more particular informations ab[ou]t it, you must allow me more time than you have mentioned in the letter, for as the place is eleven miles distant, I could hardly send a servant there time enough to bring an answer for your present chapter; besides our chapter Clerk tells me that you have already had it carefully survey[e]d by one Mr Maunder of this country, by whose act the mannor is reported to be worth £350 a year – according to our rule the fine at that computation would be £70 for adding 7 years to their Lease, but it may not be worth so much or it may be worth more, according to the conveniences & situation of the place which in this case seems not to be very advantagious. I observe in Mr Norris's letter there is mention made of woods, if they are considerable, a separate calculation may be made for them, according to the interest which your Lessee has in them. If you derive any further particulars ab[ou]t the real value of the mannor I may be able in time to get more certain information. with regard to the other points, I hope I have explained them as fully, as the compass of a letter would admit of.

I am, Dear S[i]r
yours most Sincerely
& Aff[ectiona]tly

J Milles