

## The Enfranchisement Manor Court Books of Cheltenham, 1854-1935

To enfranchise is to confer freedom. In this case, the three enfranchisement books of the Manor Court of Cheltenham, record the transactions that turned the copyhold land held '*in the hands of the Lord of the Manor*' into freehold tenure.

The earliest record of manorial copyhold tenure in England is in 1306. By the 1440s it was the most common form of manorial tenure and copyhold transaction were dealt with in *court baron* proceedings. This transaction between tenant and the lord of the manor was *enrolled* in the manor court books and the tenant held a copy of the entry, thus a copyholder. Such transactions formed the bulk of court proceedings by the seventeenth century.

The Copyhold Act 1852 ensured that a copyholder could demand that copyhold was, on payment of 'consideration' money, changed into freehold tenure. The amount of money paid was fixed within the Manor, reflecting the value, location and extent of the property. The 1922 Law of Property Act abolished the holding of property by copyhold tenure: all land was either held as freehold or lease hold. Prior to becoming freehold, copyhold land, when passed from one tenant to another was *surrendered* into the *hands of the Lord of the Manor* and a new tenant was *admitted*. This ensured that the Manor retained some control over the manorial lands. For a fuller explanation see pp.xv-xxvi, Cheltenham Manor Court Books, 1692-1803, ed. J Hodsdon, GRS 24.

Enfranchisements continued to be recorded in the third book after 1922 up to 1935. It has been suggested that this was to establish rights to water from Cheltenham's numerous springs. However, it could be to establish freehold tenure by heirs at the termination of leases. Further research is needed.

The three Cheltenham Manor Court Books, while not unique, are an 80-year record of property tenure that is unusual. A small number of references to Cheltenham's enfranchisements are held at The National Archives: MAF/20/40/623; MAF/9/109/16-18 and ED/27/1335. It is proposed, that at a future date, a detailed article will appear in Cheltenham Local History Society's Journal.

The books contain approximately 2,800 transactions covering many premises and parcels of land. The double page entries are arranged in columns: date, name of the property owner (enfranchiser), the sum of money paid (consideration), date of the last copyhold tenant's admittance as recorded in the manor court books, the folio number, details of the property enfranchised, and occasionally, additional pencilled information.

The **key contents** have been transcribed into Excel spreadsheets.

### Excel Columns

Col. A Finding Reference (Gloucestershire Archives D2025/Box 35471-3)

Col. B Page number  
Col. C-E Date (year, month, day) of record  
Col. F Enfranchiser's name/s  
Col. G Consideration money (£ s d changed to decimal currency)  
Col. H Date of last admittance (manor court proceedings)  
Col. I Folio number  
Col. J & K Property enfranchised, with additional information (abutments, etc)  
Col. L Names of **all** parties recorded in the transaction  
Col. M Additional remarks including later annotations  
Col. N Digital image numbers

Information within cells is separated by the use of semicolons. Some enfranchisements, such as those of the railway companies and Cheltenham Council (Sanitary Authority) are very long and have been split into two or more lines. This division is clearly marked by **(Continued from previous enfranchisement)** in bold.

Some parcel and field names have been standardised: for example, the numerous spellings of 'Grotten', etc has been rendered as Grotton.

#### **Queries relating to the spreadsheets**

These can be referred to Sally Self [projects.clhs@btinternet.com](mailto:projects.clhs@btinternet.com)

#### **Conventions and abbreviations**

Enfranchisers' names – transcribed exactly

Property enfranchised – précised, giving property, location (not always given), land measurement, Enclosure Award and Ordnance Survey numbers (included where applicable)

Additional information – abutments, freehold land, party walls, width of back roads,

Names of parties – all names included, including the enfranchiser/s, and also recording names of abutting property owners

*Addition notes – mostly q=query*

Image numbers – pages have been digitised and can be made available for **queries concerning individual properties only**

#### Abbreviations

Compass points as N, S, E & W

Land measurements a = acre, r = rod, p = perch; terms also include, selions, headlands,

NB: Column headed **Folio of Index** number – source not identified