

## On the Manorial Lordship Trade and Why ALL Lordships for Purchase Are a Scam

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Over the last twenty years, the trade in manorial lordships has been discussed intermittently in the British media. These ‘Lordships of the Manor’ (which do not entitle the owner to call himself ‘Lord’ but rather, ‘Mr John Smith, Lord of Wherever’) have been bought-up by a variety of wealthy businessmen and even some celebrities. There are a number of websites that warn against the purchase of fake manorial titles, encouraging people to use only the reputable ‘Manorial Society’ and their ‘genuine’ manorial lordships.<sup>1</sup> I will suggest here, however, that even these ‘genuine’ Lordships of the Manor could be argued to be scams.

To demonstrate this, it would be useful summarising the history and distinctive nature of the English nobility. Manorial lordships date back to feudal England, essentially 1066 up to the mid-fourteenth century.<sup>2</sup> Under feudalism, the King owned all the land but let parts of it to so-called ‘Tenants in Chief’ who held the land in return for leading an army of knights in defence of the realm. They let parts of their land to ‘mesne tenants’ who were protected by the ‘Tenants in Chief’ in return for knightly service. These ‘mesne tenants’ (manorial lords) let parts of their land to free farmers, with the same conditions, and beneath these were the bonded ‘serfs’ who worked their lord’s land in return for a small farm on which to grow food for their families. Serfs were effectively property and could not leave the manor without permission from its lord.<sup>3</sup>

This system fell apart in the wake of the infamous Black Death. The Black Death (1348 – 1350) disproportionately affected the serfs and led to a sudden loss of labour, with labourer numbers declining by 85 percent in some areas. The chaos of the period meant that, despite laws to stop it, serfdom could therefore be escaped from and a village abandoned. Wages for labourers were thus introduced where before they had simply worked on their lord’s land in return for being allowed a small plot to farm. Shortage of labour meant that their wages were hugely increased and the value of land fell.<sup>4</sup>

This allowed peasants to charge for their labour in a competitive marketplace and substantially undermined the feudal system. In the chaos of the mid-fourteenth century, people were able to move from serf to rich farmer in just one generation. These changes to the social structure, and general social mobility, in the wake of the Black Death, resulted, by the end of the fourteenth century, in a reaction whereby a new age of deference to ancestry commenced and the development of an increasingly complex hierarchy began.

Previously ‘peers of the realm’ were simply barons, usually holding land directly from the king, who were favoured at court. By the end of the fourteenth century, they were becoming a hereditary class with only *their* heirs-male being ‘peers of the realm’ and part of the *separate* House of Lords. They distinguished themselves from the ordinary ‘Lords of the Manor’ with a series of titles, in ascending order of superiority: Baron, Viscount, Earl, Marquis and (non-royal) Duke, and these titles were passed on to the eldest son. The other manorial lords thus became the ‘gentry,’ an amalgam, during this period, of manorial lords (usually knights, or later baronets, or descended

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<sup>1</sup> E.g. Bradford (2012).

<sup>2</sup> However, a kind of ‘bastard feudalism’ remained in the more lawless parts of England up until the time of the Tudors. The local magnate would protect a farmer from disorder in return for that farmer fighting for him in one of his power struggles with another magnate or paying him protection money (see Storey 1972).

<sup>3</sup> Regarding English Feudalism see Douglas (1939), Hollister (1963) or Carpenter (2000).

<sup>4</sup> Byrne (2012, 141)

from them) and their relatives. Coss observes that, ‘By the end of the fifteenth century only peers were considered truly noble . . . the rest of the nobility – the English gentry - enjoyed mere ‘gentility,’ a watered-down version, as it were, of nobility.’<sup>5</sup>

This Age of Deference also led to a clearer distinction between lower nobility (the ‘gentry’) and those who were simply wealthy. The lower nobility distinguished themselves from other merely wealthy farmers and the like by their right to bear a coat of arms. They were ‘gentle born,’ able to trace their family history, through a legitimate male line, back to a knight or noble.<sup>6</sup> As such they were ‘gentry’ (and ‘patrician’) in contrast to the ‘plebeian’ yeomen farmers, these being the wealthiest rank amongst the plebeians.<sup>7</sup>

And even *within* the class of lower nobles (nobles who were not peers) there was a further hierarchy. By 1611, the highest rank was ‘baronet,’ an hereditary knighthood introduced by James I.<sup>8</sup> Beneath this were knights, with knighthoods often running in families even if they were not officially hereditary. ‘Esquire’ ceased to refer to the son of knight in training for knighthood. It became, instead, the eldest son of a knight in perpetuity and the eldest sons of the youngest sons of peers in perpetuity.<sup>9</sup> The younger sons and their male-line descendents were ‘gentlemen’ in perpetuity, this being the lowest rank of the nobility. Esquires were thus ‘gentlemen’ but further distinguished by their line passing only through elder sons. In this regard, Sir Edward Coke (1552 – 1634) stated that, ‘Every esquire is a gentleman and a gentleman is defined to be one *qui arma gerit*, who bears coat armour . . .’<sup>10</sup>

This strict definition, of course, meant that there were many yeomen (by status) who could be wealthier than gentlemen (who had this status but not the wealth to go with it). To be accepted, in status terms, as ‘gentry’ a coat of arms – and thus, usually, a knighted or ennobled, legitimate male-line ancestor – was required, though the wealthy but un-knighted could also attempt to persuade the College of Arms that they should be granted arms and so raised to the rank of gentleman.<sup>11</sup> This created a hierarchy within the category of ‘gentleman’ with ‘gentlemen by blood’ considered superior to ‘gentlemen of paper and wax’ who had merely been granted a coat of arms by the heralds.<sup>12</sup>

This history is important because it demonstrates that, under the English system, a ‘noble’ title absolutely cannot be purchased. The only way of doing this would be to find a corrupt herald at the College of Arms and persuade him to sell you, unmerited, a coat of arms – something that would

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<sup>5</sup> See Coss (2006, 41).

<sup>6</sup> Coss p.66.

<sup>7</sup> A plebeian can be knighted rendering his eldest son ‘esquire’ and his younger ones ‘gentlemen.’ However, it is possible for a plebeian to be raised to the rank of ‘gentleman’ as we will discuss. In addition, it was possible to be raised to the rank of ‘esquire’ by the monarch, usually senior personal servants of the monarch (Pegge 1791, 29).

<sup>8</sup> Official Roll of the Baronets (2012).

<sup>9</sup> Coke (1606, 688) or Comyns and Kyd (1793, 465). The Earl Marshal, however, stated in 1615 that the ‘heir male’ of a knight is an esquire (*Patrician*, 1848, 114). This means that if the eldest son predeceases the father, the second son is an ‘esquire.’ Comyns and Kyd (p.465) also emphasise that a gentleman can never lose this rank no matter how impoverished he becomes. There is, however, some confusion regarding the distinction between an ‘esquire’ and a ‘gentleman.’ The herald William Segar (1602, 228) stated that, ‘And who so can make prooffe, that his Ancestors or himselfe, have had Armes, or can procure them by purchase, may be called Armiger or Esquier.’ But, in general, it appears that Coke’s definition was adhered to.

<sup>10</sup> Young (1851, 53). See Coke (1606).

<sup>11</sup> Various historians have noted evidence of heralds taking bribes in return for granting arms to ‘unworthy’ people (e.g. Fellows 2006, 169), forging pedigrees (Jones 1948, 373) or spinning out the process of arms assessment to collect assessment fees (Goodey 2011, 110).

<sup>12</sup> *Patrician* (1848, 107).

raise you to ‘gentleman’ which is the lowest rank of the nobility and akin to the Continental ‘untitled nobleman.’ Purchasing a Lordship of the Manor does not make you noble. It simply makes you a person with sufficient spare funds to purchase a Lordship of the Manor. The irrelevance to noble (and social) status of these lordships is evidenced by the fact that those who held them in the sixteenth and seventeenth centuries would not term themselves ‘John Smith, Lord of Wallop’ but rather ‘John Smith, Esq.’ or ‘John Smith, Gent.’ because it was these titles which evidenced nobility. So websites which suggest that ‘nobility’ will be achieved by purchasing one of these manorial titles simply don’t understand England’s system of nobility.

The feudal system was substantially abolished in 1660 and had anyway been torn apart by the Black Death, as we have seen. The feudal form of landownership ceased to be recognised in 1926 but occasional associated rights, such as to minerals under the land, will remain recognised as long as they are registered by 2013. Even so, you can buy manorial lordships, and peers, in particular, have been selling them, especially since the 1980s.<sup>13</sup> These titles fetch an average price of £7000.<sup>14</sup> The Manorial Society is the recognised auctioneer of manorial titles and there are many other companies scamming people with fake ones.

The methods used by the conmen are sometimes ingenious, though I don’t want to dwell on them as they have been discussed in detail elsewhere.<sup>15</sup> Their titles fall into two categories: Firstly, the ‘fake’ title must surely be obviously fake to the buyer but it allows the buyer, by linguistic loophole, to pass himself off as a ‘Lord.’ An example is having your name legally changed to ‘Lord Smith’ via a fake title company. Secondly, and more perniciously, there is the forgery. This involves finding a manorial title which nobody has openly used for centuries (presumably because feudalism is defunct), registering it as a trademark and then selling the trademark (legally-speaking a ‘title’) for £1500 as a Lordship of the Manor ‘title.’ One of the websites that sells these forgery lordships might be more persuasive if it did not try to sell people ‘principalities’ for £300,000.

Then there are the ‘genuine’ titles sold through the Manorial Society. Prominent purchasers of genuine manorial lordships - though even these are usually only based on a few documents (such as a family tree) and, or, simply a ‘statutory declaration’ by the owner - have included the boxer Chris Eubank, who paid £45,000 to be ‘Lord of the Manor of Brighton’ in 1996, though he was selling his title in 2009.<sup>16</sup> Also, the late Abdul Latif, who ran an Indian restaurant in Newcastle and was often mentioned in the British humorous magazine *Viz*, purchased the Lordship of Harpole for £5500, a price which was closer to the going-rate, in 1994.<sup>17</sup>

But it should be emphasised that even with ‘genuine’ titles, purchasers are effectively reliant on the word of the person selling the title. In that these titles have long been defunct, it seems difficult to believe that the seller can be sure that he really owns the title. Accordingly, a question-mark must hang over even the genuine titles. You would not purchase a house based on the ‘owner’ simply pledging that they owned it and showing that some of their distant ancestors owned it. You would want indisputable evidence of ownership, certainly if you were going to part with serious money. This is not forthcoming with most Lordships of the Manor and, accordingly, there is a degree to which the buyer is being scammed and simply has more money than sense.

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<sup>13</sup> Clark (6<sup>th</sup> December 2000).

<sup>14</sup> Manorial Society (2012).

<sup>15</sup> See Baronage (2000).

<sup>16</sup> Loomes (29<sup>th</sup> July 2009).

<sup>17</sup> Anon (24<sup>th</sup> January 2008).

Indeed, in that Lordships of the Manor are incorporeal property under English Law but treated - for anachronistic reasons – as if they were land, it has been suggested (though this is a legal gray area) that, as with English property, a manorial lordship could be squatted upon (perhaps by calling yourself by the title) and as long as this is not contested for twelve years it would become the squatter's property.<sup>18</sup> There has been no test case but this, potentially, evidences a significant problem in purchasing the right to call yourself something which has little social significance. Other people can call themselves by it as well and if you contest this you will not only have to part with a lot of money but you will appear precious and old-fashioned and open yourself up to ridicule. All you have, in such circumstances, is the knowledge that you are the real 'Lord of the Manor' but, as we have already discussed, you can't really be absolutely sure that the seller was the real Lord of the Manor either.

And, indeed, once you start using the 'genuine' manorial title, you are either misleading others or making a fool of yourself. People are impressed by a person being a 'Lord of the Manor' because they are impressed by ancestry.<sup>19</sup> They assume that he can trace his, in the direct, legitimate, male line, back to a knight who was made Lord of the Manor in the Medieval period. If he is not clear about the fact that he cannot do that, he is misleading people. And, secondly, as genuine Lords of the Manor do not stress this status (indeed, increasingly, nor do peers of the realm) by emphasising his title, he is doing little more than embarrassing himself. He may as well have 'nouveau riche' branded on his forehead. Those who sell manorial lordships are, in essence, selling something which will lead to the buyer, if he uses it, being made a laughing stock; rather like a person who has been scammed.

As such, I would conclude that the whole trade in manorial lordships – fake and forgery but also 'genuine' – is really just scam and should be avoided, much as you'd avoid the Nigerian offering you a windfall via internet spam. If English people want to find a connection to the nobility then they should trace their family trees. Statistically, almost all English people are descended from King Edward III.<sup>20</sup>

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<sup>18</sup> Baronage (2006, 8). See Bradford (2012) and Baronage (2000 and 2006) for a detailed examination of the feudal title trade, and especially the fake title trade.

<sup>19</sup> This, along with ability and wealth, appears to be one of three basic components of social status. See Morris (2002) for an interesting popular discussion.

<sup>20</sup> Millard (2011).

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