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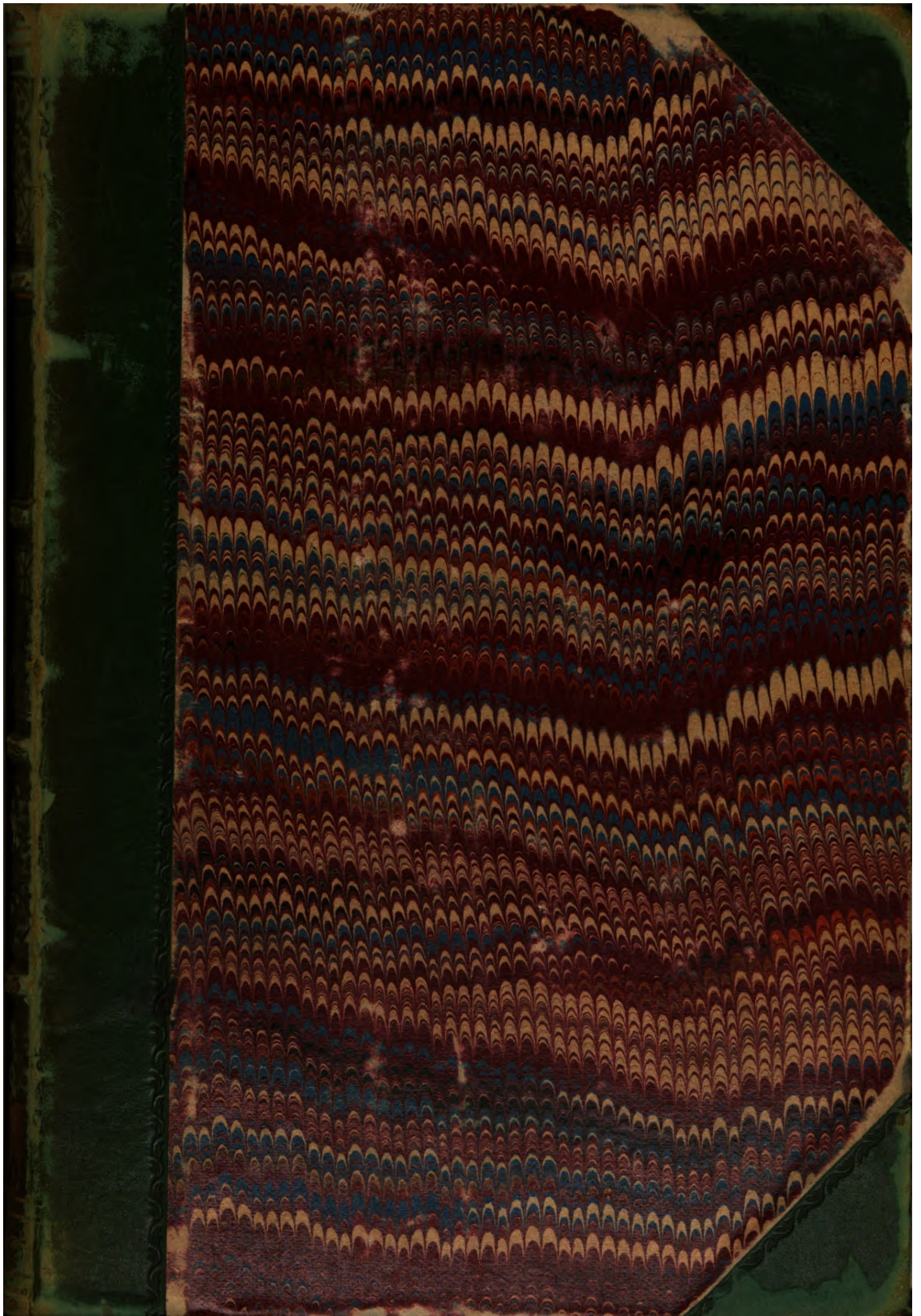
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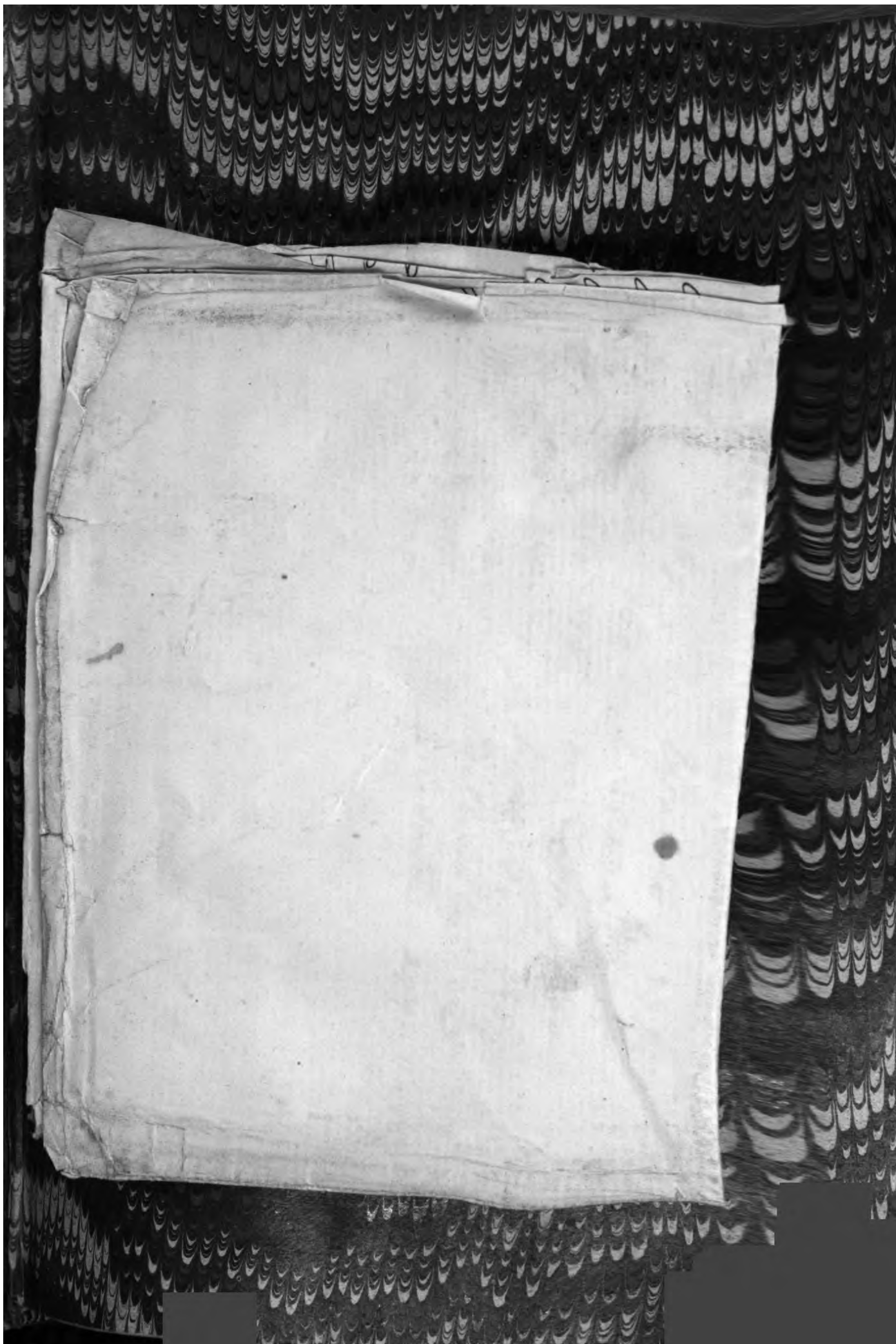


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Mary Lee from the figure is  
Painted Marble  
Quarries near Aylesbury Bucks.  
1611

Lee's of Quarries (High Enstone 127/13)  
See Herod + Genealogist ii 340



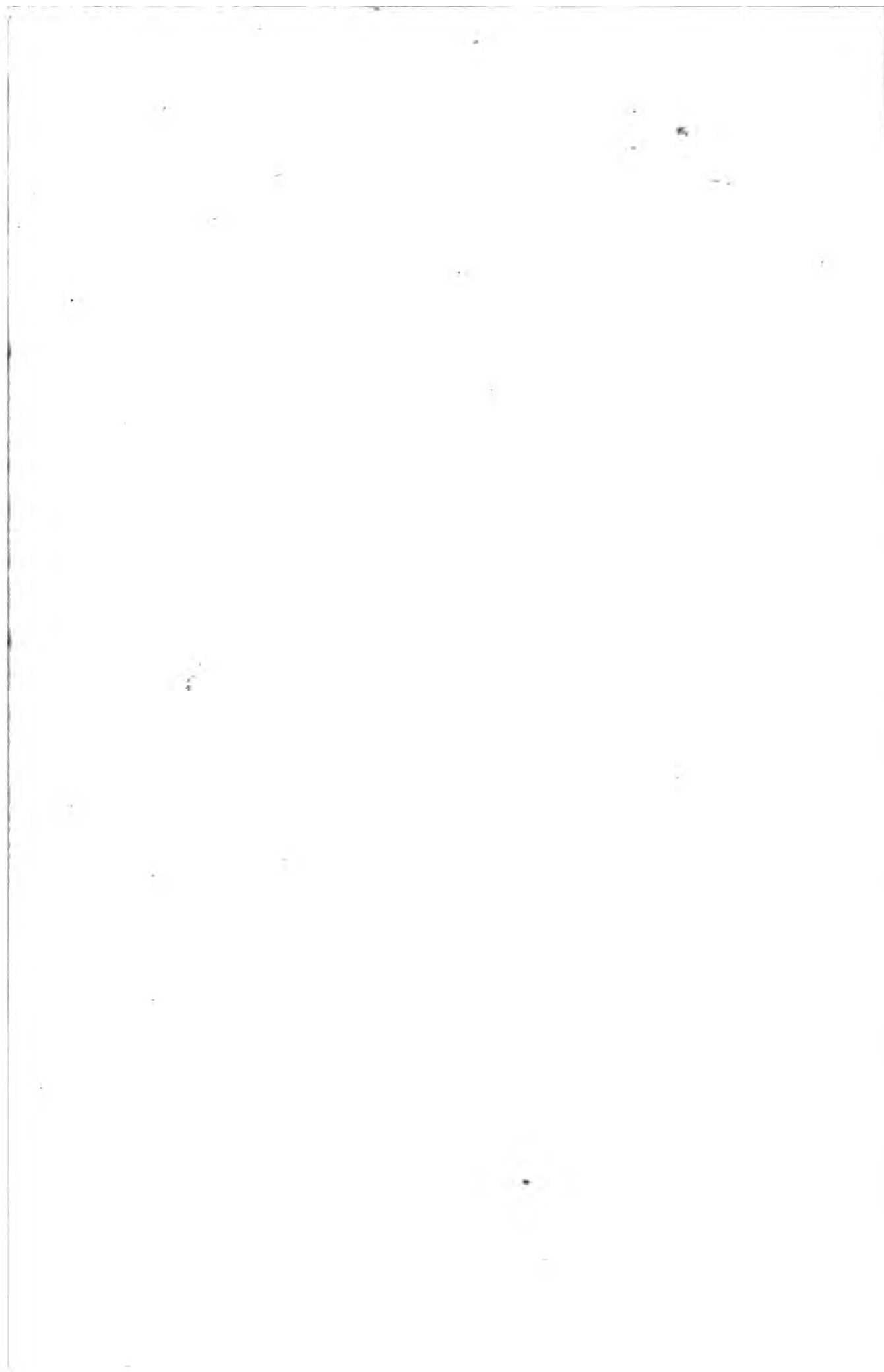
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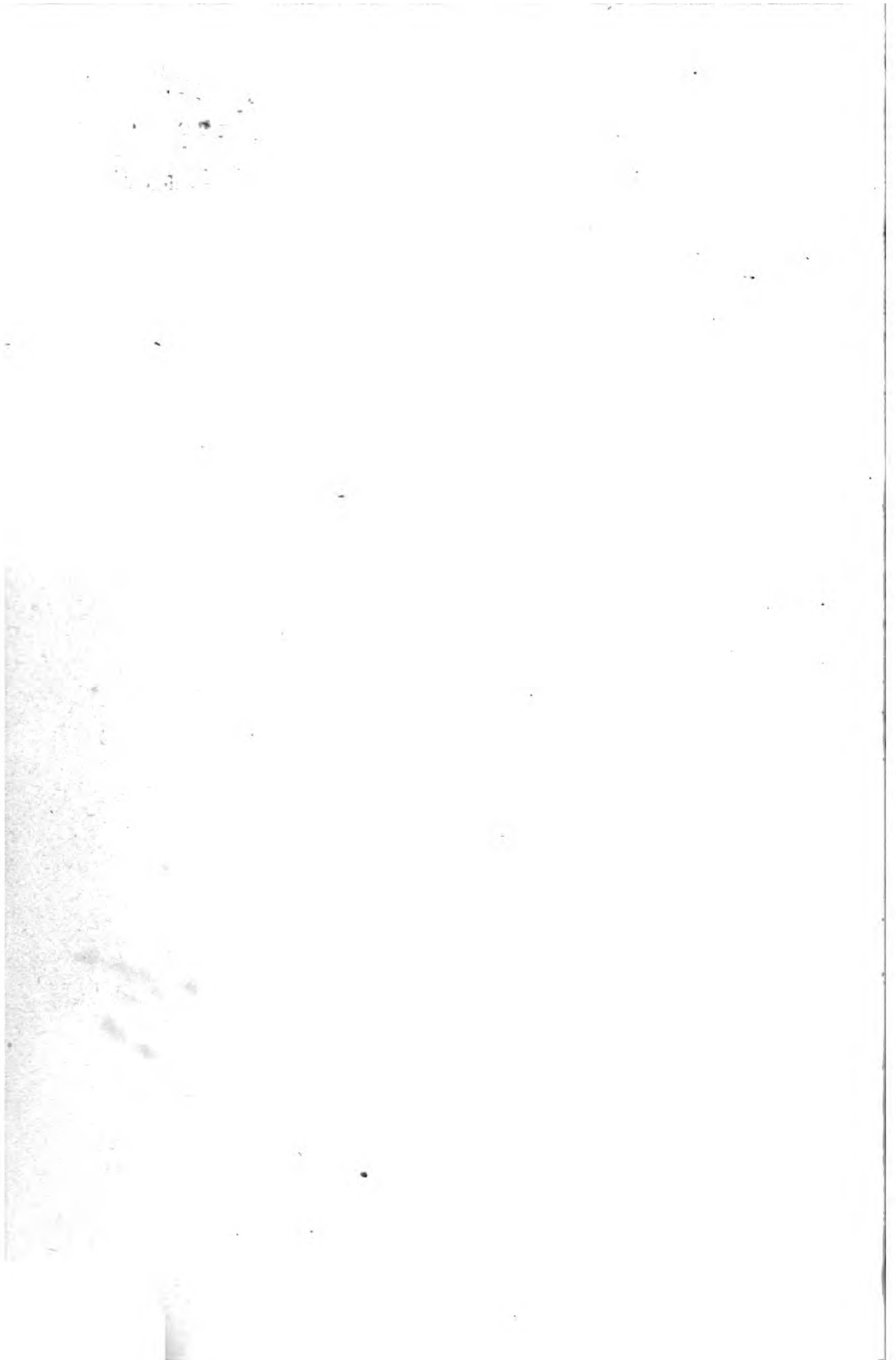
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Manning 8° 330





A  
PAROCHIAL HISTORY  
OF  
ENSTONE,

IN THE COUNTY OF OXFORD;

BEING AN ATTEMPT TO EXEMPLIFY THE COMPILATION OF PAROCHIAL  
HISTORIES FROM

ANTIQUARIAN REMAINS,  
ECCLESIASTICAL STRUCTURES AND MONUMENTS,  
ANCIENT AND MODERN DOCUMENTS,  
MANORIAL RECORDS,  
PARISH REGISTERS AND ACCOUNT BOOKS,  
&c., &c.,

BY THE REV. JOHN JORDAN,

VICAR OF ENSTONE, OXON.



LONDON:

JOHN RUSSELL SMITH, 36, SOHO SQUARE.

OXFORD:

HENRY ALDEN, 35, CORN MARKET STREET.

1857.





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#### ADDENDUM.

“ENSTONE IN THE COUNTY OF OXFORD.—At a Vestry held there this day, June 22nd, 1857, it was stated by the Vicar that he had received a communication informing him that it is the desire and intention of MRS. OAKLEY, if acceptable to the parish, to provide a Clock for the Church, and that she had appropriated the sum of £105 for the purpose. Whereupon it was resolved:—

“I. That the vestry have heard with very great satisfaction, and accept with most cordial gratitude, the handsome donation of a Clock for the Church, which MRS. OAKLEY is about to make; and they desire to tender to her their most respectful thanks for a gift not only valuable in itself, but even more so for its great utility to all the parishoners.

“II. That the Vestry now assembled wait upon MRS. OAKLEY personally, to acknowledge their acceptance of her gift, and their gratitude for it; and to present to her a copy of these proceedings signed as below by the Vestry.

J. JORDAN, Vicar.  
 W. BAYLISS, } Churchwardens.  
 J. WILSDON, }  
 W. KIBBLE, Overseer.

JOSH. STEELE.  
 J. BROWNE.  
 C. CARTER.  
 J. JOLLY.”

## Dedication.

---



TO THE RIGHT HON. CHARLES HENRY DILLON LEE,  
VISCOUNT DILLON, OF COSTELLO GALLEN, IN THE COUNTY OF  
SLIGO, HIGH SHERIFF OF THE COUNTY OF OXFORD.

MY LORD,

Many reasons, public as well as private, not merely justify, but demand the dedication to your Lordship of the following History of the Manor and Parish of Enstone. Your Lordship, as proprietor of the soil on which it stands, and as Lord of the Manor, is the owner of that ancient memorial, the ENTA STAN, which gives the name to our parish, and which tells us of a period scarcely less than two thousand years past, and of manners and customs widely different from our own improved, because Christian, age. Again, your Lordship is, by the extent of your possessions here, consisting of nearly two thousand acres, or almost one third of the soil, besides a very considerable, if not a larger proportion of the dwellings of the inhabitants, the chief proprietor. As Lord of the Manor of Enstone, the ancient gift of the Saxon king Kenulphus, in the year 818, more than a thousand years since, to the Abbey of Winchcombe, your Lordship possesses all the rights, privileges, and immunities, that still survive and appertain to that lordship, and its Court Leet or Baron. As Patron of the Vicarage of Enstone your Lordship is charged with the most awfully responsible privilege, and duty, of appointing to the parish the minister, who is to have the spiritual cure and oversight of the souls dwelling here, and to exercise the functions attaching to the office of the ministry in the Established Church of England. And lastly your Lordship is the representative of two of the most ancient families in the kingdom, that of the Lees, originally, before the Conquest, of High Lee in Cheshire, then of Quarendon in Buckinghamshire, and at length of Ditchley in the County of Oxford; and that of the Dillons of still higher and nobler lineage, dating back to the very earliest times of Irish history, derived from a Royal race there, and eventually attaining to the rank of Viscount, in the peerage of Ireland, and already numbering in your Lordship the fourteenth Viscount in succession. All these are reasons that justly entitle your Lordship to the dedication of a History, relating so immediately to your domain, and the manorial and ecclesiastical rights connected with it.

But besides these public reasons there are special private ones, that peculiarly oblige me to tender its dedication to your Lordship, and to seize upon this, the first favourable opportunity I have had, of recording at once the favour for which I an

indebted to your Lordship, and my feelings of gratitude for it, so far as it is possible thus, however inadequately, to express them. In one of the most trying circumstances of my life, in consequence of an exercise of episcopal authority which Bishops have over Curates, and by which they can, of their own mere pleasure and motion, turn a Curate adrift, refuse to certify his good behaviour, and at the same time, contrary to all English justice, manners, and feelings, also refuse to assign reasons for thus condemning, without cause shown or defence heard;—in such untoward circumstances as these, your Lordship was most graciously pleased, at the suggestion of your uncle, the Rev. J. G. Browne, Rector of Kiddington, to whom, out of respect and affection for him, you had at first offered the tenure of this living, to transfer that offer to me, and, by conferring upon me the presentation, thereby to afford me the opportunity of claiming as a right, what before I could only have asked, and was forewarned I should be refused, as a favour. In the new position in which your Lordship thus placed me, I was enabled to stand and claim my rights, and, when I did so, soon found, that what was surreptitiously, I must say, refused me as a Curate, was of necessity yielded to me as an Incumbent; and the very same authority who thought me unworthy to be only a temporary minister in this diocese, was compelled to admit and receive me as a permanent one.

There may be those who may be inclined to ask, whether your Lordship was justified in such an exercise of your patronage; and I may be excused therefore replying to such a question, because, in fact, the justification of your Lordship will be that of myself, and of my discharge of the ministerial office. I think I can with confidence appeal to all my friends, as to whether I am in any respect a different person in views, opinions, and principles now, to what I was before I became Vicar of Enstone, unless indeed it be that I am now, even more than what I was then, convinced that my views, opinions, and principles are right. These views, opinions, and principles I have steadily acted upon, and been ruled by, in all my ministry here, and yet I can confidently challenge the most searching enquiry into my whole conduct as a minister of the Church of England, while at the same time that I have been faithful to my own Church, I have been able to maintain the most free, cordial, and liberal intercourse with those of my parishioners who are of other communions, but not differing in all great and essential truths. I trust, then, that I have thus justified your Lordship's appointment and your uncle's partiality, as well as my own course and conduct as a minister of religion.

But more than this. After some of the circumstances referred to above, and after having been refused as a Curate what I was enabled to claim as an Incumbent, it became known to me, that the alleged offence, chargeable against me, was, that I had written a dangerous and unorthodox publication, in the shape of a pamphlet I had published, entitled, "A Curate's Views of Church

Reform, Temporal, Spiritual, and Educational." It is a remarkable fact, however, that the Bishop, who condemned this very pamphlet while I was Curate, required several months after your Lordship nominated me to the Vicarage, to read and to judge of this very pamphlet which he had already condemned. But the pamphlet itself has been, I may say, altogether and entirely justified, by subsequent events. Would it not be tedious I could cite at considerable length a variety of speeches delivered in Parliament, some even by Bishops, but especially by the Ex-Bishop of London, in which all its great principles of temporal Reform have been advocated, and which have already become the law of the land, and the rule and order of the Church. In spiritual Reforms, there are not only many engaged, urging the principles I contended for, as in the Liturgical Revision and other kindred Societies; but, even in Convocation itself, not a few of them have been mooted, discussed, or even recommended. And finally, in Educational Reform, both the Universities have most materially, and for some years, improved the provision made for instructing students for the ministry, agreeably with suggestions that I had made. Not, indeed, that I would assume to myself to have been the cause, or the dictator, of these changes, for the need of them was itself by its own palpability demanding them; but I allege them, as well as all the other changes in accordance with my views, as the proofs, and the just and reasonable proofs, that my publication was not the dangerous and unorthodox one it was misrepresented to be; that I am not myself the dangerous and unorthodox person some would have inferred from my publication that I was; and that your Lordship was justified in exercising your patronage as you did, in behalf and in defence of one who was about to be condemned and rejected without remedy, and without relief.

The case which I have thus stated is the just and fitting ground of my unceasing and steadfast gratitude to your Lordship. But it has been far easier thus to detail it, and in detailing it to justify your Lordship and myself, than it is in any proper degree whatever to express the gratitude I have entertained, and do still entertain, towards your Lordship. Yet if this dedication shall be accepted as a small instalment of that debt of gratitude, and if it shall serve as a record to bear in remembrance both your Lordship's favour and generosity towards me, and my sense of gratitude for these, then the following History, which I have designed to be both interesting and instructive to the inhabitants of your Lordship's manor and domain of Enstone, will not have been written in vain, and if so accepted by your Lordship will be a full reward for all the labour it has cost, My Lord,

Your ever obliged and faithful Servant,

J. JORDAN,

Vicar of Enstone.

Enstone, Oxon.  
1856.





## LIST OF SUBSCRIBERS.

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In publishing the subjoined list of those who have kindly subscribed for the numbers of copies attached to their names, the Author begs leave at the same time to return them his very best thanks, for having thus enabled him to place in the hands of his parishioners a volume of local history, not only interesting in itself, but containing much information most useful and valuable to the inhabitants of the parish of Enstone and its vicinity.

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## A WORD TO THE UNLEARNED READER.

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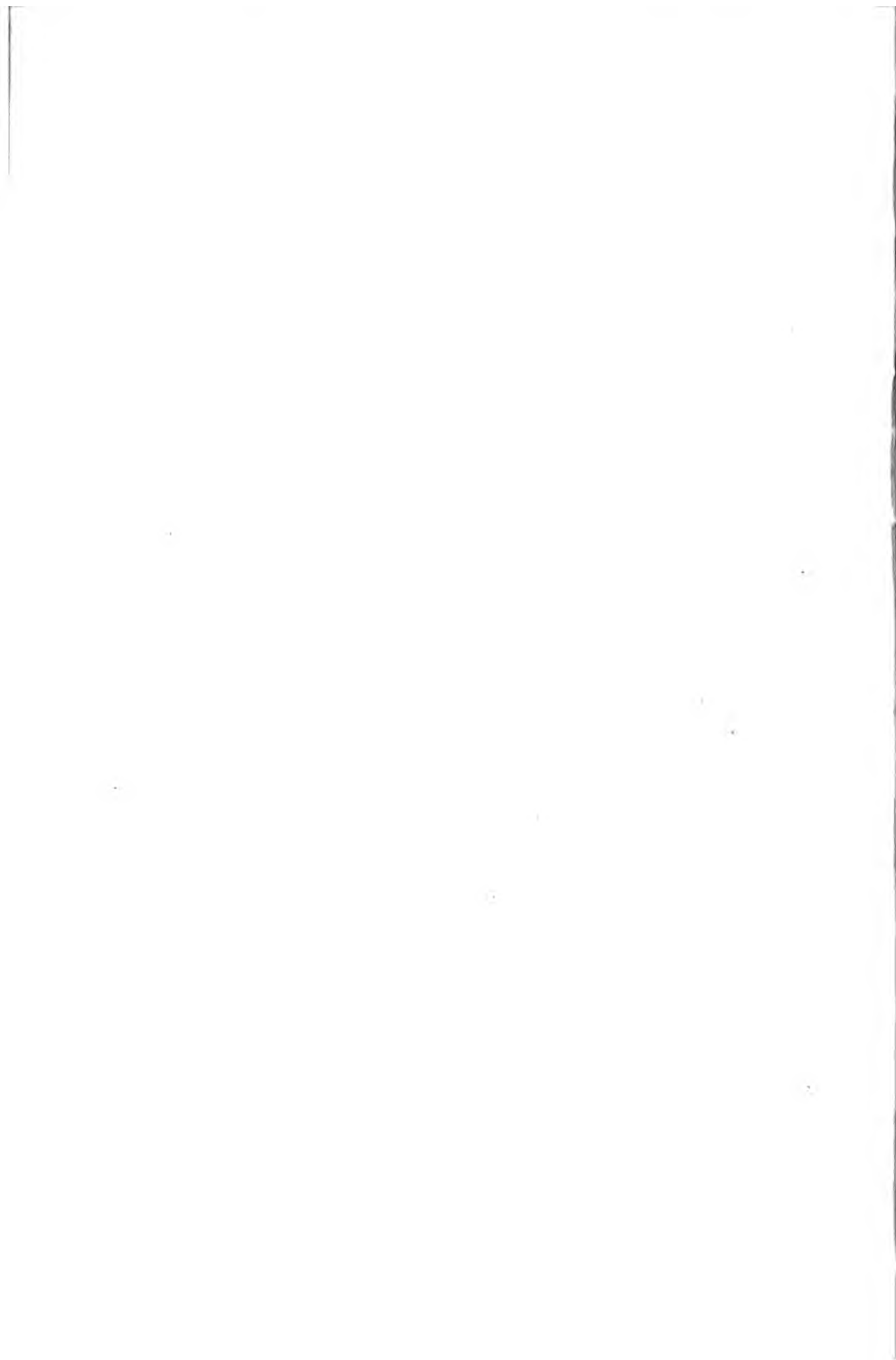
MY GOOD FRIEND,

IN walking over our parish you sometimes meet with stiles, either of wood or stone, that seem to be hindrances and impediments in your path. Yet this is not their purpose. Though hindrances in your way they have their use, and are beneficial to others in protecting their fields and crops. You, however, do not suffer yourself to be stopped by them, but, either lightly leaping, or leisurely bestriding them, you overcome their difficulties and pleasantly pursue your path. Just such difficulties are you likely to meet with in the following pages, which yet were written for your reading, but also for the benefit of others. Some things will you find in Latin, and some in other words which you cannot understand, yet such hard words were not used to hinder your progress in reading, but for the gratification of others, who desire to see such things in their original form. To aid you, however, the English sense is given of such difficult words, so that if you will only do with them as you do with the stiles—*get over them*—you will find your course smoothed for you into plain English, which you can understand for yourself. One part of my work let me specially commend to your notice. This is the last Chapter, in which I have endeavoured to give you a sketch of the history of our country in connection with the history of our parish, weaving the two together, so that while you read the History of Enstone you may, at the same time, read the History of England. Commending these to you, as my fellow-parishioners and fellow-countrymen,

I am,

Your sincere friend,

THE AUTHOR.



## INTRODUCTION.

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No regular and satisfactory History of the County of Oxford has ever yet been written. Wood collected many materials, but they have never been elaborated and methodized. Plot, in his Natural History of Oxfordshire, wrote of much that was remarkable in his day, but which later science and intelligence have rendered obsolete and almost useless. Warton tried his hand upon one parish, the adjoining one of Kiddington, and attempted to show how, in every parish, a similar history might be composed. The object of the present account of the parish of Enstone is to repeat the experiment made by Warton, and to endeavour thereby to stimulate others to do better in other parishes, what has now been attempted here.

The History of Kiddington, by Warton, was not sufficiently popular either in character or cost. It did not descend to compile genealogies of families amongst our middle and labouring classes, who not unfrequently have as noble an ancestry in their line as that of many a baron in the land. I have repeatedly heard the yeoman justly boast of the tenancy of himself and his forefathers for two centuries and more under the same family of landlords, and in our own parish we have had examples of this kind in the families of Blackwell and Hartley. But Warton's History, failing to make mention of such instances, failed to interest a class of persons, who have as deeply rooted and abiding an attachment to their native place, and as just a sense of the credit, not to say honour, belonging to a long and honest line of ancestors, as any of our noblest aristocracy. In our day, however, the labouring people even are more regarded, thought of, and provided for in every way than they were in Warton's. In his time they would have been incapable of reading such a history had it been written, or of comprehending it had it been read to them. But they are wonderfully changed since then. An individual of this class, John Cuthbertson by name, a coal-hewer by trade, in the employment of the Marchioness of Londonderry, when proposing her ladyship's health, on the memorable occasion of her entertaining at a banquet three thousand pitmen, gave utterance to these striking and truthful words:—"For ourselves, as working men, we are thankful indeed that we live in so bright an age—an age of light and intellectual improvement, characterised as it is by every facility for acquiring information. The most useful and important learning is not now confined to the higher walks of life—to those in affluent circumstances. Those days have passed away, and a brighter and more luminous age has burst upon our path way."

Since Warton's time, indeed, the schoolmaster has been abroad, education has spread and is valued, intelligence is increased, and even our labouring classes will care to peruse the history of their parish, and to make themselves acquainted with the names at least, if not the doings, of their predecessors here. If the choicest of our English Poets, Gray, could find in a country Church-yard the subject of his beautiful Elegy, and therein could describe how,

Beneath those rugged elms, that yew tree's shade,  
Where heaves the turf in many a mouldering heap,  
Each in his narrow cell for ever laid  
The rude forefathers of the hamlet sleep,—

surely it may be allowed us to revive what recollections we can of the past, and to interest and instruct the present, without exciting either the suspicions or offence of the wealthy,

Nor grandeur hear with a disdainful smile  
The short and simple annals of the poor.

If again, in the assembled Parliament of the kingdom, when proposing a vote of thanks to the soldiers who had fought the battles of Alma and Inkerman, Lord John Russell could say, "I am confident that these children of the peasantry of England are of no less worth in blood and courage than the sons of the highest and noblest in the land," then indeed may we be justified in gathering up any memorials of them we can, and proving their nobility from antiquity and descent, as well as from their present acts and daring. It may indeed be imagined by some that the labouring classes are indifferent to the distinctions of birth. Yet the fact is very much otherwise. They delight to remember and to tell of their preceding generations, and their lines of descent. They are careful of, and even jealous respecting, their rights of precedency. No one can have observed the funerals of our working people, without marking how particular they are in taking their places, according to their relationship to the deceased; and how frequently some of the most important connexions are for the time placed in abeyance, that the due precedency may be yielded to blood relations, over these who are connected only by intermarriages. I have known an instance of two young children, the eldest only about fourteen, the younger about eight, complaining that at the funeral of their great uncle their mothers had walked before them, although they were the nearer in blood. Her Majesty herself could not be more careful of her precedency over Her royal mother than were these children.

It has been then one of my principal objects, in writing this Parochial History, to make it one that should include whatever may relate to families of the middling and labouring classes, as well as to those of the higher and wealthier, under the conviction that such a work, and others similar to it, would tend to give to people a deeper and more abiding interest in, and regard for,

their parish, than even already the English people are remarkable for. On this account, therefore, I desire to avoid another inconvenience peculiar to the time and position of Warton. In his day the size in which his book appeared was doubtless such as was alone becoming to any composition of such a poet and such a wit, but this rendered it altogether unfit for the people of his parish, by placing it beyond the reach of their means. But now the people are not only educated, but they are provided with cheap literature, and it is my object also to present this History in such a reasonable form that all may be able to afford themselves a copy, and thereby make themselves acquainted with information connected with themselves, their forefathers, their parish, their church, their charities, and many other topics that cannot fail to interest them.

The fact of this History having been written for such a purpose as has been explained, will at once account for and excuse many detailed explanations, which otherwise might have been altogether unnecessary, as well as some occasional gossip chiefly of local interest. Had the author been writing only for the archæologist and the educated, he would have forborne commenting upon many things, which now he has felt himself bound to explain and to clear up. What then might, under other circumstances, have the appearance of an unnecessary display of reading and observation, will he trusts be excused, when it is remembered that he did not write for the learned, but for those who, not having the means of informing themselves on various points connected with their parochial history, will be glad to have them in the condensed and unpretending form in which they are here presented to them. This is his excuse, and he trusts his justification also for giving in his Chronological Record so much general history of England interwoven with his Parochial History; this, as he conceives, being an admirable method of making the people acquainted with, and interested in, the history of their country as well as their parish.

Such were the first intentions with which the history was undertaken. In the course of its compilation, however, it has grown in the author's hands to a size that he never at first contemplated, and now fears may be regarded as almost extravagant. Yet parts of it became so interesting, and expanded themselves so freely, that he has found it difficult to curtail or discard any portion of it. The Memorials of the Lec family multiplied, as if in agreement with an old adage in the County of Chester, whence they originally came, that there "Lees are as plentiful as fleas." The Ecclesiastical History, and the parts relating to ancient documents seemed to demand all that has been written upon them. Nor must it be supposed, from so much having been said upon the subject, that this Parochial History has been composed exclusively for the classes referred to. Although certainly designed for them, and to show what such histories might be, we have had other

classes also in view, and have endeavoured to frame a work at once useful to the parishioners and interesting to other readers. As has been before stated, the present attempt is nothing more than an enlarged repetition of the experiment made by Warton; and its object is to exemplify how, out of existing parochial records, such as the Registers, Account Books, Ancient Deeds where any exist, Monumental Inscriptions, the very walls of the Church, ruins and relics of antiquity, even the serried surface of the earth, records of the past may be revived, and the manners and habits of our predecessors here may be learned and contrasted with our own.

And yet, after all the reasons and excuses that he can offer for having written thus, the author feels that he may be liable to the imputation of having been too diffuse, and of having accumulated upon his parish, which is not often regarded as one of much interest or beauty, so large an amount of matter and information. It may perhaps be alleged against him, that he has occasionally suffered his imagination to supply the place of research, or even to originate some of his details. He would fain hope that he has not been guilty of any such dereliction of duty to Truth, which is the vital spirit of all history. Yet if in preparing this account of the parish of Enstone he has seemed so to err, let those who so judge of him bear in mind the circumstances alluded to in his Dedication; and when they note the remarkable Providences by which he and his family were placed in this parish, and remember for how long a period it has been to him and them their home upon earth, provided for them of their Heavenly Father, they will not be surprised at his having so many solemn and grateful associations connected with it, and out of those associations may find an adequate excuse for his feeling so powerful an interest in it, and writing so diffusely of it.

# Parochial History of Enstone.

## CHAP. I. TERRITORIAL HISTORY.

“I doe love these auncient ruines !  
We never tread upon them, but we set our feet  
Upon some reverend historie.”

1. SITUATION, &c.—The parish of Enstone is situated in the county of Oxford, in the hundred of Chadlington, the town or village being about seven miles North East of Woodstock, and about five miles South West of Chipping Norton; the chief turnpike road of this district, and the main public highway between the city of Oxford and the two important provincial towns of Birmingham and Worcester passing through Enstone, to and from the towns of Woodstock and Chipping Norton before named. Besides this road, the parish is also traversed in two other directions, due East and West, by the turnpike road from Enstone to Bicester, and due North and South by a similar road from Charlbury to Banbury. It thus has communications with all the leading towns of the vicinity and the metropolis itself, while at Heyford, on the Bicester road, and at Charlbury, it has still more extended communications through the railroads that have stations at both those places.

The parish is bounded on the North by Chipping Norton parish, on the East by Heythrop, Tewe, Sandford, and Kiddington, at its extreme Southern point by Stonesfield, and along the whole Western side by Spelsbury. It is a singularly shaped elongated parish, having a length of nearly six miles from its extreme Southern point to its Northern limit immediately beyond the Chipping Norton turnpike gate, which stands within the parish. Its greatest breadth is from its boundary adjoining Spelsbury at Ditchley, across to Radford, where it is about four miles wide, but in most other parts it is considerably less, and down towards its Southern extremity gradually tapers off to a point between Kiddington and Spelsbury. It contains rather more than 6,000 acres, which are almost entirely arable, there being but little grass except in the hollows of the valleys, and along what few meadows there are; while it has scarcely any wood lands, except some few plantations that have been made since the enclosure of the townships of Neat Enstone and Church Enstone, in the years 1843 and 1844 respectively. In a subsequent division of this work, and under the head of Modern Documents, where will be found an account of the apportionment of the Rent Charge, there is a more exact statement of the various portions of arable, meadow, and wood lands of



which the parish consists than is here given. It lies entirely on the Great Oolite formation, so that it is of a rocky dry nature, the soil being somewhat light and friable, and easy of cultivation, very suitable for wheat, barley, and oats, and forming also good turnip lands for sheep, but liable to have its artificial grass crops dried up with too much heat, or from excessive drought. Its climate generally is that which is common to its latitude and longitude, which are North latitude 51°, 56', West longitude 1°, 28'. Its position, upon and in the midst of hills, being an exposed one, makes it colder than more sheltered spots, but at the same time the rapid drainage of the hills makes the air dry, and imparts healthiness to the place. Of the nature of the rise and fall of the ground around us, some idea may be formed from the following series of heights with which I have been favoured by the officials recently engaged here (May, 1856), in taking the levels of the chief line of turnpike road, that from Oxford to Birmingham, which passes through the parish, under the authority of the Ordnance Department. They have fixed the royal mark, the broad arrow head, at various points in the parish along the line of road, and on one outlying object, the church tower. It will be found at Church Enstone on the base of the tower, near the door, and at Neat Enstone on the Bell and Plough public houses. This last is the lowest point they have taken here, and thus the relative heights of others may be judged from it. By means of the information thus afforded me, I have constructed the accompanying table, which will enable us to form some idea of the relative heights of the country immediately adjoining to the two Enstones.

Table showing the variations of level on the Oxford and Birmingham road, between Jolly's Ricks and the Turnpike Gate, according to the Ordnance Survey now (1856) in progress. The lowest level by the survey is one foot above the ground, and this is allowed for in the column of relative heights, the road at the Plough being stated as nought.

Ordnance Levels FEET INCHES	Relative height	Places where the variations occur	Levels that cor- respond with the foregoing places.
300.00	86ft.	Jolly's Ricks	15th Milestone
284.76	70	Bell Inn	Enstone Church
213.94	0	Plough Inn	
282.703	69	Enstone Church	Bell Inn
335.703	123	Top of Steeple	
302.90	88	15th Milestone	Jolly's Ricks
411.190	197	16th Milestone	
472.45	259	Chalford Farm House	
508.80	295	Turnpike Gate	

To apply this table practically, let us suppose ourselves approaching Enstone from Oxford, and arriving at Jolly's Ricks.

Here we find ourselves on the highest point of this road. Not of the country, be it observed, for the Charlbury road, which crosses the Birmingham at this very point, immediately rises above this level. But at Jolly's ricks we have attained in this direction the highest point of the Birmingham road. Now we begin to descend, and we do so continuously until we reach the Plough Inn, which is the lowest point of the road in the parish. Taking this part of the road, then, as the level of our base line, and calling its height nothing, Jolly's ricks are found to be 86 feet higher than it, and the Bell Inn 70. If we go up to Church Enstone, we find the ground on which the Church stands 69 feet above this spot, and also the top of the tower 123 feet. Looking from the Bell Inn to the Church, or from the church to the Bell Inn, these two are found to be almost on the same level, so that the eye, traversing the space between these two points, or viewing other points between them, may easily judge of their relative heights, by bearing in mind that the ground on which the Church stands, and that where the Bell Inn stands, are nearly on the same level. Now returning to the Birmingham road, and proceeding on towards Birmingham, we soon find ourselves on rising ground again, and by the time we reach the first milestone along the road, which is the 15th from Oxford, and the 24th to Stratford, we have attained a height of 88 feet above the road at the Plough, and are on a level now with Jolly's ricks. Looking back from this point we can now, as before with respect to Church Enstone and the Bell Inn, observe the relative heights of the spot about the milestone and Jolly's ricks, as well as of any intervening places. But now we begin to rise altogether above this level, which, as was said before, was the highest point of the road coming from Oxford to Enstone, and at the 16th milestone we are 197 feet above Jolly's ricks, and 74 feet above the top of the Church tower. Proceeding on to Chalford Farm House we rise again to a height of 259 feet above the road at the plough; and lastly, at the Turnpike Gate, which is the last spot and the highest ground in the parish, we are 295 feet above the level at the Plough, 209 feet above Jolly's ricks, and 172 feet above the top of the steeple. This piece of road, from the Plough Inn to the Turnpike Gate, and the length of which is more than three miles and a half, is perhaps as trying a piece for draught as can well be imagined, for it is a continuous ascent almost through the whole length of it, the rise in the whole being nearly 300 feet.

It has been customary with some to speak of the parish of Enstone as "Enstone with its seven towns," implying what is the fact, and which will account in some degree for the wide, straggling, character of the parish, as well as for its many hamlets, or ancient townships; that the parish, as it now exists, is an agglomeration of various places that formerly were independent manors, parishes, or chapelries, until they became appendages to the original manor

of Enstone, and to the principal church and parish of Enstone, forming thereby together what we now have as the parish and manor of Enstone, including all the rest. For this reason, in the rolls of the manor court, the manor is always described as that of Enstone, with its members. What these members were, and indeed are, for they all still maintain their separate and distinct proportions and boundaries, we will now enumerate. As at present subdivided into portions of land, the parish or manor consists of the following several fields, if not townships; for although at this day the hamlets, villages, or towns may be wanting to make them townships, yet doubtless in ancient times such things existed in all the fields, though now the towns may in some instances no longer remain. They were then, Church Enstone, Neat Enstone, Lidstone, Charlford, Broadstone, Gagingwell, Radford, Cleveley, and Ditchley, and taking the two Enstones to mean Enstone, in the saying "Enstone with its seven towns," there are besides those seven distinct divisions of the parish, making however in all nine such divisions, each clearly recognizable at different times as such, as it will be easy to show. For that Church Enstone, Neat Enstone, Gagingwell, Radford, and Cleveley, are each of them distinct and separate fields, there can be no doubt; each of them having been in various ways separately and independently enclosed, and each of them having separate and distinct rights and immunities of their own, as their own tithingmen and road surveyors, their own pounds, and the like. Then again the Ditchley field, or portion of the parish, is entirely separated and disjoined from any other field, the field of Cleveley in fact coming in between it and other parts of the parish which belong to the estates of the owners of Ditchley, so that there is an entirely separate portion of the parish disjoined from any other. So also with respect to Lidstone, which has its own tithingman, and its own boundaries distinctly severing it from either Charlford or Broadstone. Charlford is distinctly mentioned as a chapelry annexed to Enstone, showing that it was originally a separate portion of the parish. And lastly Broadstone is enumerated in a list of the possessions of Colde Norton Priory, thus, "Great Bradeston, Dunthrop, Lidston," where its position, distinct from even Lidstone, with which it seems most naturally connected, plainly shows it to have been a separate portion also. Thus we have it most clearly and satisfactorily established that there have been in former times, and in fact that there still exist, as many as nine distinct and separate portions of the parish, forming fields or townships.

Besides the subdivision of the parish into fields or townships, it is most probable that it consisted of as many tithings. Six of these still exist, and have been already enumerated, but as there seems every reason to believe, that there was a hamlet formerly at Ditchley, and as we have very good evidence that there was a village or town at Charlford, so there also were most probably tithings. Nor is it at all unlikely that Broadstone was one also.

Long before there was any church at Enstone, there were already in the Saxon times, a manor, and manorial rights, as will be fully explained when we come to speak of the Ecclesiastical history of the place. The manor had derived its name evidently from a large massive stone, or heap of stones, that stood on the highest point nearly of the hills adjacent, its site commanding an extensive and almost panoramic prospect. Until recently, since the enclosure, and since the forming of some plantations near and around it, this stone stood like a beacon on the hills, a mystery to most, and a subject of conversation and enquiry to all who passed this way. Now in some very ancient deeds of the years 1350 and 1400 that we still possess in this parish, the word or name, that we now write Enstone, is written and spelt Ennestan and Enstan. This word at once denotes its own Saxon origin, and that the termination of our name Enstone is not *ton* a town, but *stone*, from *stan* the Saxon for stone. But as the termination is of Saxon origin, so no doubt is the first part of the word also. Nor is there wanting a most obvious derivation for it in a word expressive either of the hugeness of the stone, or of its supposed primitive erectors. This word is the Saxon *ent*, signifying a giant, the plural genitive of which is *enta*, so that Enta-stan would be "the stone of the giants," or "the giants' stone." But since the two syllables *ta* and *stan* are uneasy of pronunciation, Entastan would soon be corrupted into Entstan, spelt in our old deeds Ennestan and Enstan.

Similar names have been met with in ancient Saxon documents, although the places that bore them are not readily traceable at the present day, so much will time and usage vary the pronunciation and spelling of the names of places. Thus the names Enta-dic, or the Giants' ditch, and Enta-hlew, or the Giants' hill, occur, and so doubtless this was the Enta-stan, or Giants' stone, from whence has come our modern name, both in spelling and pronunciation, Enstone.

Now the fact of the place Enstone having derived its name from *the Entastan, the Giants' stone*, plainly implies the existence and planting of this stone here before the Saxon times, for had it been placed here in their times, and by them, it must have had some purpose, which purpose would have given it its name, and not merely its size and hugeness. So, again, since its name only expresses its size, and that in Saxon terms, it follows that the Saxons knew nothing of either its origin or design, but that its purpose, whatever it was, was a mystery even to them, so that they could only call it and describe it as *the Giants' stone*. Thus, therefore, we are, in our enquiries and thoughts respecting it, evidently drifted back to a period much more remote than the Saxon one, to a time of which even the Saxons in their day had no tradition, for they had not even a name to guess by handed down to them; and thus, consequently, we are cast upon the earliest primitive ages of our country, when the Britons, our aboriginal ancestors, inhabited

England, and dwelt hereabouts, and left us this the only and the unlettered record of their residence here. Had we this stone alone to address ourselves to, we might in vain ask it of its whereabouts, its origin, and design; but fortunately history does not leave us altogether in the dark respecting relics similar to this, and therefore we will at once enquire what can be learned from other sources, if not of this individual stone, at least of his fellows elsewhere.

2. OF THE ENTASTAN, OR GIANTS' STONE.—It is no uncommon error of antiquarians to be too credulous of the tales that they collect from traditions amongst the people, who are quite as prone on their part to invent, to believe, and to propagate fancies as any others. Of this we have a most memorable example in the account of the stone, whence the parish of Enstone has obtained its name, to be found in the *Archæologia* of the London Society of Antiquaries. It occurs in a paper entitled "Observations on certain ancient Pillars of Memorial, called Hoarstones," and is as follows.

"OXFORDSHIRE. *The warstone* at Enstone. This conspicuous object is said by the country people to have been set up *at a French wedding*; and in that tradition may be found some vestiges of truth; for the Saxons called the Norman settlers by the name of *Frank*, or *French*, the *Francigenæ* of Doomsday book, and a wedding would be a likely cause for a division of property, either in frank marriage or dower. A view and description of this stone are given in the *Gentleman's Magazine* for Feb. 1824, by Edward Rudge, Esq., who judiciously deems it to have been originally a *Cromlech*, supported after the manner of Kit's Coty-house, upon three stones of smaller dimensions, which are still remaining close to it. The tradition ascribing its erection to a French wedding seems to point out the Norman Æra for its appropriation *as a terminus*; when, forgotten in its primary character, though well known as a fixed and permanent block, it assumed its new office of marking the limits of some patrimonial acres." Vol. xxv. p. 54.

Here are indeed errors enough. After a long residence in this parish as vicar, I can safely affirm that I never yet heard a whisper amongst any persons, high or low, of the stone being the memorial of a French Wedding, and yet at the time of the enclosure there were frequent enquiries and cogitations as to what might have been its origin. It was commonly called the Hoarstone at that time, which does not mean, as many seem to imagine, a boundary stone, but an aged stone, a venerable stone. Indeed so far is this from being a boundary stone, that it stands some distance from the confines of our parish, and is moreover one of several stones, all together having originally formed a constructed monument, or work of a specific character. In the account of the battle of Hastings, fought between King Harold and William Duke of Normandy, and recorded in the *Saxon Chronicle*, it is said that "King Harold then gathered a great force, and came to meet him at the hoar apple-

tree;" that is, to meet Duke William at the old appletree. See Sax. Chron. in Monum. Histor. Britan. p. 463.

As to its ever having had the name of the *War-stone*, a name directly at variance with its imputed origin, *a wedding*, nothing can be more absurd; while it is easy for any one acquainted with the broad pronunciation of Oxfordshire to understand how easily a stranger visiting the spot might mistake the broad sound of Hoar for War. Indeed the writer of the paper here referred to, or his informants, whoever they were, seem to have been deceived in a similar manner elsewhere, for in one instance he has made the word Hoar into the vulgar word Whore.

That it could have had nothing to do with the Normans, Franks, or any French wedding, is obvious from the derivation of its name, which is pure Saxon, *ent* a giant, and *stan* a stone; and inasmuch as this name must have originated long before there was a church here, for Church is the specific designation of one Enstone, as Neat is of the other, and as the church here was dedicated to St. Kenelm, whose death occurred in 819, it is quite clear that the name of Entastan, the giants' stone, since become Ennestan, and thence Enstone, must have originated previously to that time. From the fact of this Saxon name implying only the size of the stone, and not any purpose or object, as it would if such purpose or object had been known to those who so named it, the inference seems reasonable that it must have existed previous to the Saxon times. In fact, there can be no doubt that the opinion of Mr. Rudge, cited above, is the right one, and that this is a very ancient British monument, called a Cromlech.

The account of this stone, by Mr. Rudge, as given in the Gentleman's Magazine for 1824, is to this effect. "I was induced, a few years since, to take a near view and measurement of it, by having the ground removed and cleared to the base of the stones, which convinced me that it had been a Cromlech (i. e. an inclined stone) originally standing upon three stones of smaller dimensions, still remaining near it, but from which it had long since been thrown off, and set upright in the ground, with only one of the stones on which it had rested, standing in its original position, close by its side. . . . . The large upright stone is of a semicircular form; its height above the surface of the ground is eight feet two inches, its greatest width is six feet ten inches, three feet six inches thick, ten feet nine inches from the top to its extremity under the soil, and it is in the same rough state as when taken from the quarry."

These measurements correspond very accurately with the size of the chief stone referred to by Rudge, but his idea of its being of "a semicircular form" is somewhat erroneous, for it is much more angular than circular.

It is, however, altogether a mistake to suppose that this stone, which remains standing, was supported on the three others that

lie near it, for the standing one appears evidently to have been always an upright stone, and to continue still *in situ* as at first planted, while a broad flat one on the ground would seem to have been, as it is best suited to be, the top or coping stone. There can be little doubt that it was a Druidical erection, however uncertain in all such cases its purpose may have been. Only a few years since, it was visited by Sir Henry Dryden, Bart., of Canons Ashby, Northamptonshire, who dug beneath it, and endeavoured to discover any relics denoting its original use and design; and upon writing to him, and requesting him to favour me with any information respecting his search, and its results, I received the following very satisfactory reply. "Several years ago I opened your Cromlech, and measured, and drew it. I found lots of small bits of pottery of various ages, but all subsequent to Roman invasion. I think they are Roman, or late Romano-British. Lots of animals' bones, in bits. It must have been often opened, I think, or the pottery was mostly broken *when put in*, and it had been opened *once or twice*." Similar relics are reported by Rudge, in his letter already quoted from, to have been found beneath some Cromlechs in the immediate vicinity of Kit's Coty House, in Kent, for he was informed by a person who had examined one of them, "that human bones and pieces of armour were found beneath it." Sir Henry Dryden's examination then of our Cromlech plainly shows it to have existed, as was before inferred, before the Saxon times, and that the Saxons themselves had no knowledge of its design and use; but, finding it already here, gave to it a name at once denoting its existence, their ignorance respecting it, and the only characteristics of it with which they were acquainted. These were its vast size and consequent impressiveness, both of which may be understood to have been implied in its name, the Enta-Stan, or Giants' Stone.

This our Cromlech is, according to a drawing (No. 38), published in Knight's Old England, the exact counterpart of a similar antiquity that exists near Maidstone in Kent, called Kit's Coty House. Indeed the side upright stone that we have standing is the very model of one of the Coty House. Our other side upright has been broken in two, half of it remaining *in situ*, and the other half having pitched forward, while the top stone has in consequence been projected sideways upon the ground, where it lies flat. The back stone, standing between the two uprights, also agrees exactly with the one so placed in Kit's Coty House. Even the sizes and weights of our stones must be as nearly as possible the same as those of the Coty House. And thus there can be no doubt that the same rude art, or vain superstition, that devised and erected the one, caused the existence also of the other.

Kit's Coty House means Kit's coit house, or house built of coits, for our English word *coit* is derived, according to Johnson,

from the Dutch word *kote*. Rudge informs us that it was "so called from Christopher, the name of an old shepherd, who formerly made it his habitation for a number of years, from which it became distinguished by the vulgar, as Kit's Cote, or Cottage, and not as erroneously supposed, from its having been the burial place of Cottigern, to whose name it bears no relation." The origin of the name Kit is reasonable enough, but not so that of Coty; for as it is called Kit's Coty House, if Coty meant a Cottage the word House would be an useless redundancy; whereas if Coty refer to coits, then House is a proper expletive. I prefer, therefore, the derivation I have given, and that the more because, as I will presently show, it is confirmed by many similar uses of the same word. In agreement, therefore, with the same idea ours also might be called a coit house, or house formed of coits. Indeed in several instances we may detect the ruins and remains of similar erections, from their having been thus called *coits*. Thus, for instance, at Stanton Harcourt, in this county, there are a set of stones called "the Devil's Coits," that is Cotes or Kotes, according to the Dutch derivation of the word, which are evidently the fallen ruins of a cromlech, and have given name to the place itself, for Stanton is the Stone-Town. There is again, in the neighbourhood of Bristol, about seven miles southward of it, another Stanton, called Stanton Drew, or the Stone Town of the Druids, which derives its name from a similar antiquity, surviving there, in a better state than that at Stanton Harcourt, and which Stukeley esteemed one of the oldest Druidical remains in the kingdom. Again, there stood formerly at Kennet three upright stones, which Dr. Plot regarded as ancient British, that is Druidical deities, and which had been called, from time immemorial, "the Devil's Coits," but which were unquestionably neither the playthings of the evil one nor the gods of his misguided servants here in Britain, but relics of such a monument as that which remains with us at the present day.

Our Cromlech is by no means a solitary monument of the kind, in this vicinity. Within the hamlet of Dean, and not far distant from some ancient tumuli, there stands a large stone, called the Hawk Stone, which may have been so called from hawks occasionally settling there; but is more likely to have had its name corrupted into hawk from hoar, the common appellation of such stones. In the the neighbouring hamlet of Taston there still exists the stone that gave name to this place, which was originally called Torstan, and of which a more particular account will be met with presently, under the article Gagingwell. At Barton, which was anciently written Bereton—*bere* being the Saxon word for barley, and this therefore being the Barley Town—there are the ruins of a Cromlech such as ours was. But the most eminent remains of the kind are those at Rollwright, where there exists an entire Druidical circle, consisting of a large number of stones, and



having connected with them several other relics, one a single stone called the King stone, and the other an assemblage of several stones, called the Knights. Respecting these latter stones there are very ridiculous legends reported amongst the people, which are quite as veritable and credible as their fancy of the impossibility of counting the number of stones forming the great circle, and which only serve to prove the popular ignorance respecting them, and the insufficiency of tradition to teach us the originals of such monuments, without something better than mere oral stories to rely upon. There can be no doubt, indeed, that all these various remains, whether here at Enstone, in the adjoining field of Dean, at Taston, at Rollwright, or at Barton, are all of them ancient British and Druidical remains, as we shall hereafter find that the different tumuli around us also were.

It may assist us at least to form a conjecture as to the probable use of such a construction as this at Enstone, if we regard its exact form and position. Its form may be said to resemble that of a huge and massive sentry-box of stone. The dimensions of the principal upright still standing, as well as of its mutilated fellow, and the fallen coping stone were as follow :

Principal upright.	Height, greatest	10 ft. 9 in.,	least	8 ft. 2 in.
	Width,	6 ft. 10 in.,	„	5 ft.
	Thickness,	3 ft. 6 in.,	„	2 ft.
Coping stone.	Length,	9 ft.	„	8 ft.
	Width,	8 ft.	„	7 ft.
	Thickness,	3 ft.	„	2 ft.

Supposing the broken upright restored, and the coping stone replaced to form the roof, we have, as has been said, a building at once corresponding to the famous Kit's Coty House, and also resembling somewhat a soldier's sentry-box. Now regarding this, first, as an ancient place of Druidical sepulture, of old esteemed sacred on account of the bones or ashes of the mighty dead entombed here ; and therefore, secondly, as a place of sacrifice and of worship, this erection formed as well both a sepulchre and an altar, as in its interior a dwelling place for the Druidical anchorite who dwelt here, to minister to and to cajole the deluded votaries who came to worship at such a shrine.

There is one characteristic of our Cromlech, which I have not observed noticed with respect to any others, but which it is impossible to disregard in our speculations as to its probable use, and that is its position and bearings with respect to the points of the compass. Now this of ours, if viewed in the light of a cell, or dwelling, as well as that of a sepulchre and altar, must have had its opening directly towards the East, for that is the exact position which the main upright still standing has. Such a position as this, immediately facing the rising sun, and yet affording at the same time an easy view of the polestar, round which might be seen the stars of the firmament nightly circling, would enable

the priest of the shrine to acquaint himself with the heavenly bodies, and to assume that importance and pretence of foresight, which all astrologers, whether ancient or modern, have always employed to impose upon and delude the ignorant. This was in fact one of the occupations of the Druids, and one of the means by which they exercised the terrible influence that they did amongst the people, to whom they were both the ministers of justice and the priests of religion. The Roman Emperor Julius Cæsar, who was the first Roman General who landed in Britain, and subdued its inhabitants, writes thus of the Druids, whose origin he believed to have been in Britain itself. "Of all their doctrines this is the primary one, that the souls of men do not die, but after death pass from one to another; and this they conceive encourages bravery by a disregard of the fear of death. Besides this, they discuss amongst themselves, and teach the young many things about the stars and their motions, about the grandeur of the world and the earth, about the nature of affairs, about the might and power of the immortal Gods." For saluting the rising sun, and observing the stars of the Northern hemisphere, no position could have been finer than this where our Cromlech stands.

As the ancient relic, thus described, plainly indicates the residence here of our British ancestors; so the word Enstone, being of Saxon origin, evidences the possession and enjoyment of this locality by persons of that race; while the names Church and Neat prefixed to that of Enstone as distinguishing titles prove, that in those early times the locality had some kind of territorial character, before the erection of a church, and the formation of a parish, whence the name Church Enstone is derived, and also before the introduction of Neat cattle, whence the name Neat Enstone is derived. And this was in fact the case, for the manor of Enstone existed, and had been conferred upon the Abbey of Winchcombe, before the murder of St. Kenelm, in honour of whom the church was built, and to whom it was dedicated.

3. CHURCH ENSTONE derives its name, as has already been intimated, from the Saxon name of the district Enstone, distinguished by the prefix Church, arising out of the fact that the church stands here, which either was originally the mother church to the surrounding hamlets, or has eventually become the sole surviving church in this wide and scattered parish. It is a very healthy and pleasantly situated village, and is very easy of access in all directions; the turnpike roads from Charlbury to Banbury, and from Enstone to Bicester, crossing one another at right angles close to it, while the great London and Birmingham road also just skirts it. These turnpike roads again all communicate with main lines of railroads, at Heyford and Charlbury, as well as Oxford, Bicester, and Banbury. The village consists of the Church, the Vicarage house adjoining, the National Schools, two private res

dences, two farm houses, two public houses, a mill for corn, eight tradesmen's and other shops, and about forty dwellings for persons of the labouring class. The population, according to the census of 1851, was 263, and the inhabited houses 53. An inclosure of the field of Church Enstone was made in the year 1843, when it was found to consist of a little over 1191 acres; of which 572 acres belonged to Viscount Dillon, 519 to Rev. Edward Marshall, nearly 23 to the Rectorial Glebe, nearly 25 to the Vicarial Glebe, 7 to Wadham College, and 22 were in roads. The principal residents are Rev. J. Jordan, Vicar, Mrs. J. Jordan, and family; Mrs. Oakley, relict of the late Rev. T. Oakley; Mr. Joseph Steele, Farmer, Mrs. S. and fam.; Mr. William Bayliss, Churchwarden, and Mrs. B.; Mr. Checkley, Farmer, Mrs. C. and fam.; Mr. T. Hawtyn, Parish Clerk and Carpenter, Mrs. H. and fam.; Mr. J. Gregory, Miller, and Mrs. G.; Mr. T. Bennett, Tailor, Mrs. B. and fam.; Mr. Drinkwater, Farmer, Mrs. D. and fam.; besides a baker, a blacksmith, three shoemakers, a collarmaker, two shopkeepers, and many labourers.

Church Enstone has at various times had, in and around it, many residences of influential families. Formerly, indeed, the gentry of England dwelt much more in rural districts than they now do, and in many of our villages there were not only the manor house, the grange, and the parsonage, but frequently besides these the lodge, or the park, where gentlemen resided, and by their hospitality and benevolence exercised an important influence around them. Very many traces and evidences of such families, and their residences, having existed here are to be found in every part of this parish, as it is our purpose to show. From a lady who has been resident here for the greater part of a long life, and whose information was derived from those who were well acquainted with the facts, I have learned that there were at one time, in Church Enstone alone, no less than three families, each keeping their coach and four. The carriages of that time were necessarily strong, heavy, and cumbersome, on account of the state of the roads, so that they required that number of horses to drag them along the ruts and quagmires of which they were composed. They were attended by servants, who walked beside them, and whose duty was not merely to guide the horses and to pick the easiest road, but not unfrequently to afford a propping hand to the carriage to prevent it falling over. These attendants were called, from the circumstance of their walking beside the carriage, footmen, and sometimes running footmen, whence domestic menservants still retain the same name. On the ground that now forms the paddock and part of the gardens of the present Vicarage, formerly stood the mansion of one of these families, and the last old piece of building pulled down there, and which had for many years formed part of the stabling of a farm house into which the mansion had decayed, has been pointed out by the informant al-

ready referred to, as the coach house of one of the three coaches before spoken of. But changes have passed over the land. The rapidity of travelling, introduced by the system of post horses first, then by post coaches, and lastly by the vast improvement of our roads, made a residence in a town, in London, or occasionally by the sea side, a sort of necessary to relieve the monotony of country life, and at length has weaned almost all our country gentry from their rural life. What may be the effect of the still greater celerity of railroads, which are yet but in their infancy, remains to be seen, but it is not impossible that it may tend to bring some back again, since with such remarkable means of locomotion, they may reside in the country with all the advantages of the town or city so much at command, as almost to realize the Irishman's idea of being in two places at once, without becoming birds.

Having referred to the many residences that there have been from time to time in this parish, it may be well before mentioning any one in particular, to describe the nature of the grounds about them, since they appear to have been formed very much in one style, the differences amongst them arising chiefly from the variety of form given by nature to the spot thus appropriated. Our parish, as has been before remarked, lies entirely upon the Great Oolite formation, the surface features of which stratum present a succession of round undulating hills, with valleys more or less deep and sloping intersecting them. The sides of these valleys have been selected by our forefathers as the sites of their residences, as being more sheltered than the tops of the hills, and descending nearer to the several streams that run through the valleys. The natural verdure of the hill sides was retained as most grateful to the eye, and trees were planted to afford shade in the summer, and that most agreeable of all additions to a country residence, a rookery. But the green hill-sides were not left uncultivated. They were formed by art into terraces one above another for gardens or pleasaunces, or even for extensive, carriage drives, when the grounds assumed the more ambitious design and title of a park. We have instances of both of these remaining here at Church Enstone. Whatever gardens or grounds may have been around the mansion in the vicinity of the Vicarage have altogether disappeared, and all now visible there is entirely modern, but there are distinctly to be seen at the present time the most evident traces of the design and laying out of two other residences.

These were the Rectory and Woodford Park. The Rectory was situated on the sloping side of a hill facing about due west, and descending nearly to the stream that runs below it, and beyond which the ground rises very boldly in front, with distant hills behind. These hills were formerly wooded, for even the last common that was cleared a few years since had its scattered trees, and its brushy underwood. Thus the exterior of the Rectory grounds afforded a very rich prospect to them, while the ground

themselves in front of the mansion, which stood near the top of the hill, were laid out in terraces rising one above another, of various breadths, one being sufficiently broad to contain two very handsome fishponds or stews, serving at once both for ornament and preserves of fresh-water fish. Within the last sixty years there yet remained the remnants of a flight of handsome stone steps, that were in the centre of the uppermost decline, and even now may be observed beneath the turf traces of the gravel walk that led from them across the next terrace. The site of the mansion too may be occasionally seen; but, with the exception of two large massive stone gate-posts that stood at the entrance, no relics of the house remain, except such as may have been built up into the present farm house. The barn, however, that stands here, and which is of immense size, and built with buttresses, like a church, is of considerable antiquity, as appears from an ancient Latin inscription on it, which has almost become illegible, but fortunately has been preserved by Warton in his history of Kiddington. From this it appears that the barn was erected in the year 1382, at the desire of Robert Mason, at that time bayliff of the Manor, by order of Walter of Wyniforton, Abbot of Winchcombe, the Abbey then being the possessor of the manor, and this Abbot at least, if not others, making this an occasional place of residence.

Woodford Park is mentioned in the Registers in the year 1695, as the residence of one Mr. St. John Harry Tilliard, but this is the only occasion on which that family is spoken of, or the Park referred to. And yet it must have been a handsome place in its time. It occupied all the best part of the round hill that lies near to Woodford westward of Charlbury turnpike road, and between that road and the stream, which last winds almost entirely round the hill which formed the park, and thus bounded it in. All the other limits of the park are equally discernible, notwithstanding it has been cut in two under the enclosure, and apportioned to two different proprietors, Lord Dillon and Rev. Edward Marshall, by a hedge fence commencing at the original north-eastern boundary of the park, and running transversely across its breadth. If however, this north-eastern point, where the hedge begins, be taken as the commencement of the original park in this direction, and entering here the observer begins his survey at this point, he will at once detect the principal features of the park and grounds. They slope down to the low valley along which the Charlbury road formerly crept, but halfway down the hill side was formed a handsome broad terrace or carriage drive, which continues the whole way round the hill to the north-western limit of the park, which is distinctly marked by the termination of this drive, where it dies against the wall separating between Lord Dillon's and Rev. E. Marshall's property. Thus the park ran all round the sides of the hill, while the top of the hill was enclosed off from

the park by a wall taking the circuit of the hill parallel to the drive that has been described, so that the park was included between this upper wall and the stream below. The site of the mansion, but its site only, is plainly visible near the southern aspect of the hill, and as it here faced a handsome rising ground opposite, and was well wooded, as the very name of this locality, Woodford, indicates, it must have had a very delightful and agreeable view.

Another residence here was that of the Marshall family, now become a farm house, but the sloping hill side, on which it is situated, appears to have been formerly laid out in pleasure grounds, and at the lower part, just overhanging the course of the stream, there are the signs of a broad terrace walk with trees ornamenting it, which must have had a pleasing effect. The road, now become a turnpike road with a broad bridge across the stream, and which still bears here the name of Marshall's Lane, was only fifty years since a deeply rutted and almost impassable way, closely shut in on each side by large trees, the roots of which obtruded themselves from the soil across the whole breadth of the road, by no means improving by their interlacing its miry ruts, while the bridge at the bottom of the hill was only a narrow low one, such as was common in the ancient highways before carriages were in use, and was very frequently a cause of complaint in the court of the Lord of the Manor. The mansion before referred to, as having stood on part of the Vicarage grounds, is said to have been the residence of a Sir Edward O'Brien, and to have been a handsome building with towers to it as high as the Church tower. The last remnant of it, which had been the kitchen, and beneath which was a large stone vaulted cellar, was used as a farm house until about the year 1845, when it was pulled down, the cellar arch broken in, and the walls buried about the middle of the paddock in front of the Vicarage house. No mention, however, of any such name occurs in any of our records, and I only learn the fact of such a family having resided here from the memory of one professing to have heard a tradition to the fact. It is, however, very doubtful whether such a family did ever reside here. In the map to Plots' history of Oxfordshire two mansions are represented as being at that time at Church Enstone, one westward of the Church, in the occupation of the Coles' family, which was the Rectorial residence; the other eastward of the church, in the occupation of the Eyans' family, which is the one here referred to. This latter family was long resident here, and an account of them will be given hereafter, but it is most probable that the name of Eyans had through tradition been magnified into Sir Edward O'Brien.

4. NEAT ENSTONE. The prefix Neat, which has been added to the name Enstone, in order to distinguish this part of the parish from the adjoining township of Church Enstone, is derived from the Saxon *neat*, or *nyten*, signifying black cattle, or oxen, and as

anciently, before the enclosure, and down to the very time when it took place, there were large rights of common for cattle, whether cows or oxen, over all the open fields of Enstone; this is, no doubt, the reason why this part of the parish, being a distinct field or township, was thus called. From the fact of Neat Enstone containing within it the ancient British monument, the Entastan, from which the parish derives its name, it is very probable that it was the original manor, granted to the Abbey of Winchcombe, on its first foundation; although perhaps that manor may have included Church Enstone also, for we have nothing to tell us what the extent of that manor was.

The village or town of Neat Enstone lies upon the high road from Oxford to Birmingham and Worcester, and was, until a few years since, when the neighbouring railroads diverted the traffic from this course, a posting station of considerable importance. It still contains the principal Post Office of this vicinity, but formerly a large number of stage and mail coaches changed horses here, both day and night; a very good business was done here with post horses, which were supplied for the use of the nobility and gentry travelling up and down this road, and very many large stage wagons also passed to and fro here every week. The present road has been made within the last hundred years, or more, the original London road having run along the top of the hill by Lidstone and Charlford, and thence towards Chapel House.

The village contains within it four substantial farm houses, six public houses, the chief post office of the surrounding district, a Wesleyan Chapel, several good shops, and about 70 other residences. According to the census returns of 1851, the inhabited houses were 91, and the population 418. An inclosure of the field of Neat Enstone took place in 1843, when it was found to contain 1189 acres, which is remarkable from the fact that this number is within two of that of Church Enstone, and would seem to imply that these two fields were at some former time set out according to some similar and equal measurement. Of this field the principal proprietors are Viscount Dillon, who owns 316 acres, the Earl of Shrewsbury 105, James Banting, Esq. 516, Brazenose College 115; while of Rectorial Glebe there are 21 acres, and in roads 26. The principal residents are Mr. John Jolly, one of the wealthiest proprietors in the county of Oxford; Mr. John Brown, farmer, Mrs. B. and family; Mr. Joseph Blackwell, farmer; Mr. John Hughes, farmer; Mr. W. Kibble, Postmaster, Mrs. K. and family, &c.

In the survey of England, made by William the Conqueror, and registered in that most valuable and interesting record, Dome's-day Book, we have the earliest measurement existing of Enstone, which is thus expressed. "Land of the church of Winchcombe. The Abbey of Winchcombe holds 24 Hides in Henestan Land to 26 Ploughs. There are in the Demesne 3 Ploughs and 6 Bondsmen. And 25 Villanes, and 4 Freemen, with 7 Bordans have 18

Ploughs. There are 4 Mills of 19s. 50 Acres of Meadow. Pasture 4 Quarentines long and 2 Quarentines broad. Wood  $1\frac{1}{2}$  mile long, and 4 Quarentines broad. Of this land Urso has of the Abbot 2 Hides, and therein 1 Plough. And 3 Villanes, and 2 Bordars have 1 Plough." To understand and apply this a few explanatory notes will be useful. Such measures as Hides and Ploughs, Acres, Quarentines, and even Miles, were in those times most uncertain. The two first especially so. They varied as the Yard Land or Virgate did, which contained from 20 to 30 of our modern statute acres, and, as four Yard Lands made a Hide, this last varied from 80 to 120 acres. The Quarentine measured 40 perches or poles. Now in applying these measures to the present known admeasurement of Enstone we will take the Yard Land to have been 20 acres, and the Hide consequently 80, from which we shall have the following results.

24 Hides at 80 acres each	-	-	1900 acres
Meadow	-	-	50 "
Pasture 4 Quarentines by 2 Quarentines			80 "
Wood $1\frac{1}{2}$ Mile by 4 Quarentines	-	-	480 "
			<hr/>
Total	-	-	2510 "

Now the two Enstones together make, according to their present measurement, 2382 acres, which is only 128 acres less than that imputed in Dome's-day Book as shown above. It has already been pointed out how almost exactly equal the two fields are, indicating that they were laid out by some certain measurement of the time, and here we have a confirmation of this, by the agreement of the present measure with the ancient, allowance being made for the variations that have meanwhile occurred. But hence we obtain a most important result, for here we learn the limits of the ancient Manor of Enstone either as originally given to Winchcombe, or subsequently increased. Hence too we learn the further fact, that, at the time of Dome's-day Book, these two fields, or townships, on either side of the stream that divide them, were in reality but one, and thus have confirmed to us the idea before relied on, that the two together make the Enstone, which was the head of the seven towns belonging to it.

There have been several mansions here in former times, but few traces are now recoverable of them, though they appear from what is known respecting them to have lain chiefly on the eastern side of the road. One of the last of these was burnt down no great many years since, being then the property of Mr. John Phillips, whose monument is in the side wall of the Chancel. This house stood opposite to the Litchfield Arms Inn, and some of the offices still remain, converted into cottages. The ancient Inn at Enstone was the house in which the Blackwell family have lived for more than a century, and which formerly belonged to a family



of the name of Bolton, distinguished in the Registers as Bolton of the Inn. In a work written by that remarkable character, Taylor the Water Poet, as he styled himself, giving an account of a Journey he performed in the year 1641, and in the course of which he visited many towns in Oxfordshire and other counties, he enumerates the various Inns or Taverns that he visited, and mentions two as being kept in Enstone, the one by Richard Canning, the other by Mary Ayldworth. As at the same time Chipping-Norton had but two; Woodstock "sometimes but one Taverne and sometimes two, according to the pleasure of Mr. Thomas Mayer;" and Banbury, though "a goodly faire Market Towne and famous for Calves, Cheese, and Zeal," had but three; it may be inferred that Enstone, which had two, was no inconsiderable village at that time. The Talbot appears to have superseded the ancient Inn, just as the Litchfield Arms was erected in rivalry of the Talbot. The railroad however, like a torrent, has swept away the rivalries and glories of all, levelling them without distinction beneath its iron tread, and conveying their benefits and their means of acquiring wealth to other and more distant scenes, and almost restoring Enstone to its original seclusion and rusticity. One memorial of its former grandeur, for that which obtained royal patronage may well deserve the expression, yet requires to be mentioned, and merits at least the special notice which we are about to give in the following account of

THE ENSTONE WATERWORKS.—In, or about, perhaps somewhat before the year 1626, there came to reside here one Thomas Bushell, Esq. and Isabell his wife, for they had a son Francis baptized the 8th of June, 1626. This Mr. Bushell was a person of considerable talent, attainments, and ingenuity, all which he exercised in so admirable a manner here, as to have constructed some highly interesting and effective waterworks, which became so celebrated, that they were visited by numerous and distinguished persons, and were at one time one of the most remarkable hydrostatic displays existing in this kingdom. They have, however, been suffered to fall into decay, and entirely to perish, yet to rescue them from utter oblivion we have collected the following brief record of them from various sources.

DR. PLOT, in his Natural History of Oxfordshire, gives two good engravings both of the exterior and interior waterworks formed at Enstone, and very fully describes them. They were situated on the East side of the road passing through Neat Enstone, and on the North bank of the stream that runs beneath the road. There, in former times, was a spring, which from its rich freshness was called Goldwell. In its vicinity Mr. Bushell had his residence, of which, however, there are no remains, and but few traces in the adjoining fields. In cleansing this spring, at that time overgrown with briars and bushes, he was attracted as well by the richness of the water as by the peculiarity of the

rocks around it, and deeming the whole place capable of much improvement, "he made," says Plot, "Cisterns, and laid divers Pipes between the rocks, and built a house over them, containing one fair room for banqueting, and several other small closets for divers uses, beside the rooms above." It was not, however, the Goldwell alone that afforded a sufficient supply of water for the ornamental display here contrived, for the pipes spoken of above were designed to bring additional force of water from a distant spring, which Plot describes as "rising in a piece of ground called Ramsall, between Enston and Ludston." Within the last few years these very pipes, made of freestone and carefully cemented together, were met with, in digging the foundation of the small house that stands on the left hand side of the road, at the top of the hill going out of Neat Enstone, towards Chipping Norton, and are now employed in supplying that house with water, in its cellar, which has an unfailing well within it, of most excellent water, derived from the very spring, and brought by the very pipes, that originally fed the once celebrated waterworks.

Upon the completion of his works by Bushell, in 1636, they were specially honoured by a royal visit from Charles I. and his queen Henrietta, the latter commanding that they should thenceforth be called by her name. Yet such is the uncertainty of all human honour, that the names of Goldwell and Henrietta are alike unknown at Enstone, and would not now probably survive, but for the record of them by Dr. Plot. I have met with only one exception to this, that of a lady resident here from her youth, who remembers the waterworks well, when she was a girl, seventy years since, under the name of Queen Henrietta's Waterworks, and describes them as remarkable not only for their play of water, but for the imitation of a nightingale's notes ingeniously contrived by the action of water pressing upon and expelling air from artificial tubes. The ceremonies and compliments performed on this remarkable occasion are described by Plot with his customary quaintness and indistinctness, thus: "As they were entering it, there arose a Hermite out of the ground, and entertained them with a speech; returning again in the close down to his peaceful urn. Then was the Rock presented in a song, answer'd by an Echo, and after that a Banquet, presented also in a sonnet, within the pillar of the table; with some other songs all set by Simon Ire." Should the curiosity of the reader be excited to acquire further information as to how a Rock can be presented in a song and a banquet in a sonnet, he is referred to a publication of the time, entitled "The several Speeches and Songs at the Presentment of the Rock at Enstone to the Queen's Most Excellent Majesty," 4to Oxon. 1636, and to "Wood's Athen. Oxon." vol. iii. p. 1007, ed. Bliss, as well as to "Evelyn's Diary," vol. i. p. 383, ed. 1850. Indeed the last named authority we will cite, as the passage is not very long. In Sep. 1664, Evelyn came, in

company with Viscount Cornbury, and as his Lordship's guest, to Cornbury Park, and on the 20th he writes thus, in his usual quaint style. "Hence to see the famous wells, natural and artificial Grotts and Fountains, called Bushell's Wells, at Enstone. This Bushell had been Secretary to my Lord Verulam. It is an extraordinary Solitude. There he had two mummies: a Grott where he lay in a Hammock like an Indian."

Bushell's works were confined only to the rock, and within the building erected by him, and these having become neglected and fallen into decay during the period of the Commonwealth, they eventually lapsed into the hands of the Earl of Litchfield, who, in the year 1674, both restored them and added also all the exterior works, which were even much more remarkable than the former, as the descriptions of Plot will in some degree explain, though certainly not so effectively as his engravings do. As, however, his is probably the only record remaining of them, we must content ourselves with his account, such as it is. Yet since it is impossible to give extracts even, or an epitome of his description without the illustrations accompanying them, we can do no more than refer the reader to his work.

At a later period, and when these waterworks were last in vogue, they were let to the tenant of the Litchfield Arms Inn, and were used by him as a place of assembly for the neighbouring gentry. From a member of the family of a former vicar of Enstone, Rev. S. Nash, whose wife's family, the Rodds, had a residence at the upper part of Neat Enstone, on the same side of the road as the waterworks, I have learned, that in the memory of Mrs. Nash, balls took place in the banqueting room described above, and that she had known of as many as sixteen carriages and four attending on one such occasion, and on another a carriage and six, all being coal black horses. The parties thus assembling met in the morning about ten, and having spent the day in conviviality, left on their return home as the evening approached.

Within the last few years all remains of the waterworks and the banqueting house have been demolished. For a long time the banqueting house had become a carpenter's shop, in the middle of which was still visible the square opening through the vaulting beneath, and the kind of cellar that had enclosed the rock still existed. But about the year 1846, even these relics were ruthlessly destroyed, the banqueting house was pulled down, and its materials used to build a small house adjacent; the vaulting of the cellar thus became exposed, and fell into decay; and now at last almost the very site is swallowed up in ruins, more thick and impervious than the briars and bushes from whence Thomas Bushell first emancipated the Goldwell.

In the open field of Neat Enstone, before the enclosure, there was a remarkable piece of land, called "*No man's Land*," which was owned by no one, and was never cultivated, but remained an

unclaimed plot, till at that period it was blotted out. It seemed to have originated from the fact that in ploughing all the adjoining pieces, this could not be touched without intrusion upon a neighbour, and thus it lay as a sort of debateable land, to which none could establish a claim. In the village of Neat Enstone is a peculiar knoll, or hill, rising just above the stream, which bears the name of *the Knap*, a word which being of British origin, and signifying a protuberance, and thence a swelling prominence, is strictly appropriate to the form of this hill. On the South side of the village, a short distance along the London road, is a spot where the Charlbury road crosses the London one, which has obtained the name of Jolly's ricks, from the fact of a proprietor of Cleveley having chosen this corner of that field, the nearest to his homestead at Neat Enstone, to accumulate there all the produce of his extensive ploughed lands, occupying nearly the whole of the Cleveley field. This spot is so named in our county maps, it having become celebrated for its vast assemblage there of ricks of corn, assuming sometimes the appearance of a town. Of late years, however, the ricks on this property have been more widely dispersed than they used to be, but enough always remain to keep up the name and character of the place.

5. LIDSTONE. In an ancient deed of 1350, this name is written Lydynstan, and is frequently in other deeds written Lydston. There has been a fanciful idea started that the name was originally Lud's-town, and that it was the abode of the ancient king of that name, but the termination *ton*, or rather *ston*, so common in this vicinity, as in Enstone, Lidstone, Broadstone, Taston, and the like, is not derived from *ton* or town, but from the Saxon *stan*, a stone, as in the present instance Lydynstan is Lydyn-stone. Lydyn is probably derived from the ancient British word Llydan, signifying Broad, (see Rudder's Gloucestershire Preliminary Matters, p. 14,) and so forming a name of the same meaning as Broadstone, derived from Broadstan. This is the more probable as in various places about the village, and the line of hills on which it stands, there lie a great number of large broad stones, that have either been dragged out of the way of the plough, or naturally crop out on the surface in the situations where they are found.

The hamlet of Lidstone at present contains a mill for grinding corn, a farm house, and about twenty other dwellings. According to the census of 1851, the population was 197, and all the inhabited houses were 36, but this includes Broadstone and Charlford. The chief landowners are Brasenose College, Oxford, whose lessee, the Earl of Shrewsbury, being a Roman Catholic, has been the means of late years of importing into the parish several Roman Catholic families. The mill and adjoining premises are the separate property of Mr. William Kibble. No inclosure has ever been necessary here, nearly the whole field belonging to one proprietor. It consists of about 360 acres. Besides the main turnpike road that

passes near to Lidstone, there is an ancient road, running parallel to the turnpike road, along the hills on the West side of the valley, which was formerly the principal highway of the neighbourhood, and which extended through Charlford, to Chapel House, and onward.

The most ancient monument existing at Lidstone, and that of the early British times, when Lidstone had its name Llydinstant, is one that is to be found in the field above the village, the field having its name apparently from the monument itself. It is called Roundhill field, from its containing one of those ancient tumuli of which there are several in Charlford, and also in the adjoining hamlet of Dean. That these tumuli are of British character and times, is well known; and here we have a confirmation of this in the name of Lidstone, which is of British origin, and tells us of a period when the earliest inhabitants of our country, the aboriginal Britons, dwelt in the land, and that too before the time when our Blessed Saviour was born into the world.

Although we are not aware of any traces at present discoverable here of the remains of a church or chapel, or any record existing in the parish of such, yet in Taylor's Map of Oxfordshire for the year 1776-7, there is marked at Lidstone the "Mill Chapel;" and in a later map, 1797, by R. Davies of Lewknor, there is a church still marked. There has been an idea amongst the people here, that the ruins of a mansion in a field called Cane's Close, which we shall presently speak of, were those of a church and churchyard; but this is evidently erroneous, while the fact mentioned above, of the name "Mill Chapel," being found in Taylor's Map, implies a site more adjoining the mill than Cane's Close, as that of the church or chapel that may have stood here.

Lidstone has had its country gentry, and their residences, in times past, and there still remain sufficient signs of these to give us some idea as to what they may have been. Thus, on the South side of the cross road that passes through the hamlet, there is a grass field on the hill side showing evident proofs of terraces, one above another, and indicating that there has been here a residence and grounds, such as we shall trace the evidence of in other places along this valley to Charlford, and beyond it. Indeed it is scarcely possible to conceive a more charming spot, or one more capable of being beautified by the gardener's art, than the portion of ground between the two stiles, where a fine piece of water might most easily be formed, and the steep sides of the valley being judiciously planted, a rich hanging wood would adorn its banks. The southern stile, and the boundary in which it is set, form the limit of Lidstone in this direction.

In a large field, known by the name of Cane's Close, are the remains of what has evidently been a large and handsome mansion, with extensive yards, gardens, and premises adjoining. Cane's Close is a grass field, sloping down the hill-side, and having in

front of the site of the mansion long lines of ornamental terraces, such as we have before noticed in other parts of the parish. It stands about the middle of a set of fields that are all the property of Brasenose College, Oxford, and from their contiguity and connexion evidently formed a small but compact estate. It was approached from the high road along the side of a field called the Water Gate Ground, from the fact of there being a gate at the narrow end of it, where it touches upon the stream. The road thus formed along the side of the field, was in immediate connexion with that to Broadstone Hill and Heythrop, and thence across the country eastward; and it formed moreover the boundary between Lidstone and Charlford, for all that part of the parish northward of it belongs to the last-named hamlet or township. In the year 1728, a Mr. John Cane served the office of overseer, but with the exception of that name occurring once or so in the registers, it is almost unknown in our records; and yet, notwithstanding, for some cause or other, it has become impressed upon this particular piece of land. An older origin for its name has been suggested to me by Rev. J. A. Ormerod, Bursar of Brasenose College, who conceives that it may be derived from the British word *Cae*, which signifies an enclosure, and the plural of which would be Cayane, a word still in use in the same sense to this very day in Wales. It is very possible that this may have been the origin of it, for there can be no doubt that this piece of land is a very ancient enclosure taken in from the common fields.

As early as the year 1350, we learn from our ancient deeds that Robertus Aubyn de Lydynstan, that is, Robert Aubyn of Lidstone, dwelt here. In 1363 we have Johannes atte halle, that is, John at the Hall; and again, in 1399, William Attehalle de Lydston, or William at the Hall of Lidstone. The Hall here mentioned may very probably have been the mansion, of which there are extensive remains and old foundations still existing, in Cane's Close. In the Memorials of Oxford, by Dr. Ingram, he mentions, amongst the Benefactors of Brasenose College, "Humphrey Ogle of Charlford, or Salford, Oxfordshire, Archdeacon of Salop, who provided exhibitions in 1543 for two scholars." As Brasenose College has no lands within Charlford, this gift no doubt refers to some part of the estate it has here in Lidstone, adjoining to the town of Charlford where Humphrey Ogle lived. Where the family of Aubyn, referred to above, resided at Lidstone does not at all appear, but as has been already noticed, there are evident signs of gardens and ornamental grounds on the south side of the village, and others again on the north side, facing the mansion and grounds in Cane's Close; so that unquestionably in former times Lidstone was a place of some size and repute, as we shall presently see that its neighbour Charlford also was.

6. BROADSTONE. It has been already stated that this part of the parish is enumerated in a list of the possessions of Colde Norton

Priory, thus: "Great Bradston, Dunthrop, Lidston;" a mode of reference which plainly separates it from Lidstone, and distinguishes it as an independent member of the manor or parish. It contains at present one farm house, and a comparatively modern private residence adjoining it, around which lies a tract of land that originally formed the field of Broadstone. Yet it must formerly have been of more importance than it now is, since it had officers of its own. Thus in the years 1672, and other years, Road Surveyors were appointed for Broadstone and Lidstone together, from which it is evident that at some previous time they had been separate, for it was thus by the junction of such offices as their duties became few, that the offices themselves gradually passed away. Yet at a later time, as in 1691, Broadstone had its own road surveyor, as well as Lidstone and Charlford. As Lidstone separates Neat Enstone field from Charlford on the west side of the high road, so Broadstone again separates the same two fields on the east side of the high road. Its name Broadstone is of the same signification as that of Lidstone, but Lidstone being derived from a British word, and Broadstone from a Saxon one, it is evident that Lidstone had a name and had become a local habitation at a much earlier period than Broadstone did. This is of course confirmed by the fact that the chief road of this vicinity formerly passed by Lidstone, while Broadstone, as lying off the high road, would naturally continue uncultivated for a much longer time. This, indeed, may account for the remarkable incident that occurred here in the year 1501, when Paul Bombyn, a London merchant, was waylaid and robbed in Broadstone, near Enstone, of the sum of £200. (Req. Linc. fol. 70. Beesley's Banbury, p. 190.) The thieves were in this instance "clerks," that is in fact priests, and were upon conviction detained in the castle of Banbury. Whether they belonged to the Priory at Colde Norton does not appear, but as this field was part of the property of that priory, and as the London merchant was here astray from the high road, which passed through Charlford and Lidstone, it is highly probable that he was misled by the thieving clerks into a district so well known to themselves, and that they then robbed him of the sum of £200, which was equal to at least £2,000 at the present time. These clerks or priests were therefore no ordinary robbers, but they struck for a high reward, and no doubt thought themselves justified in such an act, or not likely to run any very great risk by the committal of it, since such was the state of the law affecting the priesthood, that they claimed to be exempt from its jurisdiction, and above its power. Every church, abbey, or consecrated place, was a sanctuary in the times of popery; and all persons who had committed crimes, or were otherwise in fear of their lives, might secure themselves from danger by flying to them. In the time of Richard III. a nobleman fled thus for sanctuary to an abbey, and was pursued by the king, who was on the point of

rushing in to seize him, when the abbot presented himself in the gateway, bearing the Holy Sacrament in his hand, and Richard turned away, not daring to violate a sanctuary so guarded. (Markham's History of England, p. 239.) This privilege still survives in a degree now, for no person can be arrested for debt in any church or church yard. Trusting probably to this power, and hoping to ensure it by a share of their plunder, these clerks waylaid and robbed the wealthy merchant, but themselves were detected and imprisoned by the authority of the Bishop of Lincoln, then the Bishop of this diocese, in the castle at Banbury.

7. CHARLFORD. The name Charlford, being variously spelt, Chalford, Chaleford, and Charlford, which last most nearly expresses its present pronunciation, though that might be more accurately expressed Chawlford, might give rise to much discussion as to its origin and derivation. In fact I have been led by the variety of spelling I have met with to form several derivations for the word, though I must eventually confess, after all attempts, that I have not formed one entirely satisfactory to myself. It is, however, the first part of the word only that presents the difficulty, the latter part being aptly descriptive of the position of Charlford, which, as the termination of its name implies, is situated at a ford of the stream, which has its course through a considerable length of this parish. The syllable *charl* might be derived from the old word *cærle*, a husbandman, so that this might have been the *cærle's* or husbandman's ford. There is another possible derivation for the name of Charlford, and this is to be found from an authority which will be hereafter more fully cited in reference to Radford. Here we shall for the present content ourselves with directing attention to that part only of the quotation there made which relates immediately to Charlford, the words of which are "Galli aratrum *charrue*, quasi *charroue* vocant." This rendered into English is, "the French call a plough *charrue*, as if it were *charroue*," and supposing this to be the derivation of *Charl* in our Charlford, that would imply that it was originally "the plough ford," making its name similar to that of Radford. Another authority, Bailey, in his Dictionary, makes Chafford to be a corruption of Cedric's ford, thus giving it a distinct Saxon derivation.

And yet it must be confessed, that, controversial of all these derivations, and consequently of all the deductions from them, is the fact, that so early as the time of Domes'-day Book, in the register of the lands of England, made by order of King William the Conqueror, and which was completed in the year 1086, that is 770 years since, we have Charlford itself distinctly mentioned, and that twice, under the name of Celford. The passages in which it occurs are in the following connexion. "LANDHOLDERS IN OXFORDSHIRE. XXIII. LAND OF HENRY DE FERIERES." Places mentioned, Begevord, now supposed to be Begbroke; Celford, that is Charlford; Scipforde, which is obviously Sibford Ferres; Fifield,



supposed to be Fyfield; Dene and Celford, now Dean and Charlford; Asce, now Ascot; and Cestitone, now Chastleton. The passages themselves relating to Charlford are these. "The same (Henry de Ferieres) holds three hides in Celford. Land to three ploughs. Now in the demesne three ploughs. A mill of 3s. 4d. Four acres of meadow. It was worth 60s., now 30s. Robert holds it of him. Alric and Alnod freely held it. The same Henry holds eight hides in Dean and in Celford. Robert holds them of him. Land to eight ploughs. Now in the demesne five ploughs and four bondmen. And thirteen villanes, with three bondars, have eight ploughs. There are two mills of 5s. And thirteen acres of meadow. Coppice one mile long, and two quarentines broad. It was worth in king Ed's time, and afterwards, £7. Now £9. Henry holds five hides of this land of the king. And three hides he bought of Edwin the sheriff. Bundi freely held these lands in king Ed's time." It has been erroneously supposed that the word Celford is to be understood as Yelford at the present time, but this is altogether a mistake, for it may be safely said that in almost every instance the C before a vowel has become Ch. Thus from Cadelinton we have Chadlington, from Celgrave Chalgrave, from Cereston Chesterton, from Cestitone Chastleton, from Cesterton Chasterton, and from Cercelle Churchill, which are examples enough. Besides, Y is not thus introduced, for we have an instance of its use in Yarnton, made from Hardintone, just as now-a-days early is vulgarly pronounced *yarly*, and earnings *yar-nings*. Celford consequently is the original of Charlford, and this is still further confirmed by the fact that the estates of Dean and Charlford, though now in different parishes, for Dean is in Spelsbury while Charlford is in Enstone, are still, and seem always to have been, under one proprietorship as mentioned above. When, and to whom, they first passed from Henry de Ferieres into other hands does not appear; but in or about the year 1471 they were already in the possession of another proprietor, for Dr. Ingram, in his Memorials of Oriel College, tells us that "Thomas Wylcot or De Wylcot, about 1471, enfeoffed the society with an estate at Chalkford, or Chalford, in the county of Oxford; which is entered in the Valor Ecclesiasticus of Hen. VIII. as held by indenture of lease under the college at that time, together with the manor of Deane and certain tenements there, in the deanery of Chipping Norton." The entry thus referred to is the following:

"The House of the B. Mary at Oxford, commonly called Oryell College.

Oxfordshire. Deanery of Chipping Norton.

The Manor of Deane and Tenements let on Lease.....	£13	11	10
And the Manor of Chalforde let under the same Lease . . . .	13	6	8
Deductions.		£26	18
To Thomas Penelstone Collector of the Rents .. 0	6	8	} 0 12 8
To the Lord of Chadlington a Quit Rent . . . . . 0	6	0	
		£26	5 10

Further deductions claimed but not allowed.

In pure alms to a Priest saying Mass for the souls of Thos. Wylcot, and his parents, and preaching a Sermon for Ric. Longan .....	3	6	8
In alms to a Priest saying Mass for the souls of John Carpenter and Alexander Ryshton .....	2	13	4
In perpetual alms for the obsequies of the said Thomas Wylcot .....	1	0	0
The same for John Carpenter .....	1	6	8

From the two documents thus cited, namely Dome's-day Book of William the Conqueror, and the Valor Ecclesiasticus of Henry VIII. it appears that the two manors of Dean and Charlford have been always one property, as they continue to this day. Furthermore it is observable that Charlford was a Manor distinct from Enstone, although now included in it.

Charlford at the present time consists of two good farm residences, a mill for grinding bones, and about ten cottages, besides the turnpike-gate house. All these, and their inhabitants, are included in the population returns of Lidstone hamlet, as if they were a part of it, whereas formerly they were a separate township and field, as at this day they are all one property, belonging to Oriel College, Oxford. The present Lessees of this property residing here are Mr. Mark Bayliss, farmer, Mrs. B. and fam.; and Mr. Hodges, farmer, and Mrs. H. The Charlford field contains about 850 acres. This town and township formed the most northern part of the parish, and appears to have consisted at one time of an extensive line of buildings, besides having three or four residences at least of gentry, such as we have before noticed in other parts of the parish. At the present time the whole of Charlford is the property of Oriel College, but there have existed in former times some three or four residences, besides the village or town, that is still traceable.

Immediately adjoining to the road before described as the northern boundary of Lidstone, and about the same position and elevation as Cane's Close there referred to, is a field called "The Park," a name which at once indicates that here was in all probability one of the several residences that occurred along here.

Shortly after this we come to two fields, called "Further Towns" and "Near Towns," and having between them a small enclosure called "Cuckoo Close," or "Cuckoo Coppice," where recently there have been erected two cottages. The stone for building these was obtained by digging up ancient foundations, and I am informed that amongst these were found several stone balls, and other specimens of ornamental stone work, such as a decayed mansion would have. But the field called "Further Towns" bears all the external signs of containing beneath its surface very extensive foundations, which are also traceable in "Near Towns," and which, when coupled with the name they still have, fully

bear out the belief that there stood here formerly a village or town of no inconsiderable size. But in the northernmost part of "Near Towns" is the evident site of very extensive terrace gardens, which must have belonged to another fine mansion, if we may judge of what the mansion must have been from the number of the terraces, their extent, and general formation. There remain no less than six of these terraces, rising one above another, and sweeping along the concave slope of the hill; and though they are not as wide as some others that remain, yet they must, when adorned with flowers and shrubs, have presented a beautiful appearance. But gardens and grounds are the least of the remnants of habitations about here; the whole hill-side, from the road bounding Lidstone up to Old Charlford farm, giving evidence of buried foundations and ruined buildings, and testifying everywhere to the number of the dwellings, and the extent of the town.

Passing the "Towns" we arrive at Old Charlford Farm, and that this was anciently a residence there is no doubt. The approach to it formerly was not down the road now leading to it, but an older road to the north of it, deeply shut in with trees and hedges, and crossing the stream by a narrow stone bridge. Passing on from Old Charlford Farm along the valley, we reach a set of five cottages, formed out of an old barn and premises, and having a few elm trees standing in front of and below them. Here again was another residence, which had, like those at Lidstone and Old Charlford, its own road of approach. Thus it will be seen that all along this valley there were anciently residences of the gentry, both at Charlford and Lidstone, besides hamlets or villages, not to say small towns, at both these places.

We can even trace out some of the gentry that in former times have dwelt here. For at Charlford, in the year 1341 lived Alice le Veysi, the daughter and coheirress of Roger of Stonhard, and at that time a widow, but having with her her son and heir John Brown. Here again in 1415, according to what Wharton had collected from the Ashmolean MSS., resided Thomas Willicotes, Esq., who gave his estate at Charlford to Oriel College, and founded an obit in the church of Spellesbury, where he was buried, and another at the tomb of his father in the church of Great Tew.

It is worthy of remark, that adjoining the Further Towns is a coppice called "Walker's Coppice," and that at the same time that John Willycotes, of Great Tew, became interested in the charity lands here, William Walker, of Great Tew, also did so; which renders it exceedingly probable that he must have had property here, and that this coppice may have been a part of it. So late as the year 1754 occurs the death of "Mrs. Sarah Walker, of Chafford," so that even at that time there was a family of respectability residing in this vicinity. It is further highly probable

that were this coppice broken into and built upon, as Cuckoo Coppice, referred to above, has been, the remains of a residence might be found here; for at Cane's Close, as well as in Cuckoo Coppice, trees and underwood have taken root and sprung up amongst the ruins that have been there found, and thus it may be surmised that Walker's Coppice also may contain within it the ruins of a decayed mansion, which may have been that of the family of Walker, who certainly at one time lived here. Whether this family of Walker of Charlford was connected at all with the family that lies buried in the chancel, and which at one time lived at the rectory at Church Enstone, we have no means of tracing.

At Charlford there was certainly a chapel in ancient times, for there exists a distinct record of the fact, and a memorial of it yet remains in the names of two fields, which form part of the estate belonging to Oriel College, and are called "First Chapel Hill," and "Second Chapel Hill." But besides this intimation it is distinctly referred to in the Bull of Pope Alexander III. conferring the possessions of the Abbey of Winchcombe in these words, "Ecclesiam de Ennestana cum capella de Chalfordia et omnibus pertinentiis suis," and again "Villam de Ennestan, &c." Dugd. II. 303. The rendering of which is "the Church of Enstone together with the chapel of Charlford and all its appurtenances," placing beyond doubt the fact that there was a chapel here. The site of the chapel would evidently seem to have been in either First or Second Chapel Hill, the name plainly indicating this as having been its locality, but I have been unable to trace any remains of its foundation.

Both at Lidstone, as has been already stated, and at Charlford there are funereal relics of considerable antiquity. At Lidstone, in a field belonging to Brasenose College, called Roundhill field, and along the southern hedge of which the footpath from Lidstone to Dean runs, there is an ancient tumulus plainly discoverable because the footpath crosses a part of it. Further on in Spelsbury Parish there are two similar tumuli. Whether they have ever been opened and examined I am unable to say, but it is remarkable that they all have on them and about them heaps of stones, many as large as walling stones, that seem to intimate that they have been examined at some time or other, unless these stones remain from the first digging of these burial places, and the accumulation of the mound of earth above them.

At Charlford, however, are the most remarkable of these ancient tumuli, there being no less than three, or to speak more properly the remains of three, for they have all been opened and examined a few years since. My information respecting them I have from Mr. William Bayliss of this parish, who was born and bred at Charlford, and who superintended the opening of two of them. These two are remarkably situated. They are in a ground called

Lower Disslings, which is on the western side of the stream, and here overhangs the valley and the stream below, forming a steep cliff facing the east, and gradually sloping both northward and southward, down to the level of the valley. Thus this western cliff as it faces the east, presents a bold and threatening front to the opposite side. This, the eastern side, stands almost as erect and bold as the western one, though its face is not so steep, but admits of the plough being worked over it, which the western will not. The name of the ground on the eastern side is Roundhill, which it has evidently acquired, as that at Lidstone, from the fact of a round hill or tumulus existing in it. All three of these tumuli, the two in Lower Disslings, and the one opposite in Roundhill ground, are still plainly perceptible, and on stepping them appear to have been of the diameter of twenty-four yards. The first opened was the southern one in Lower Disslings. The reason for opening it was that it was of such a height, at least eight feet perpendicular, as to form a serious impediment to the progress of the plough. It was opened therefore with the intention of reducing it, should that be found practicable. It proved to be eminently so, for the hill consisted of an enormous mass of black and red ashes, and charred earth, amongst which were some small relics of burned metal, though of what kind I have never been able to learn. Several hundred cart loads of these ashes and charred earth were drawn away and spread over the field for manure, and the land thus enriched, while the obstruction to the plough was removed. The success attending the examination of this tumulus, led to the opening of the northern one, which was found to consist of the same kind of material as the southern, though less productive from the tumulus being lower.

The third tumulus, that on the eastern side, situate in Roundhill ground, was now opened by the tenant of the farm in which it was situated, with the hope of obtaining from it the same valuable products that the two western ones had afforded, but in this he was entirely disappointed, for instead of any charred remains at all being found in it, there were nothing but vast heaps of stones, many cart loads of which were drawn away for the use of the roads and repairing walls, and the broken refuse, or *debris*, of which are now from time to time plainly visible, scattered around the mound and along the hillside, as the plough and the harrow in turn disperse them.

These remarkable tumuli, of which there are many similar ones throughout England, carry us back to the earliest times of our country and forefathers, when as yet neither Romans, Picts and Scots, Saxons, Danes, or Normans, had intruded upon us, but the Britons dwelt alone in the land, its aboriginal inhabitants, and its sole possessors. Of this period Lidstone or Lydynstan is an obvious memorial. The Britons, our oldest forefathers, were in religion heathens, and were the earliest votaries, if not the inventors, of the

system known as Druidical, from the titles of their priests, who were styled Druids. The Roman Emperor Julius Cæsar, who first visited and obtained a conquest in Britain fifty-five years before the birth of Christ, tells us that though the Gauls, now the French, had the Druidical religion, they acquired it from Britain, and all "who wish to be more accurately versed in it for the most part go there in order to become acquainted with it." Whence he justly infers that "the system of Druidism is thought to have been formed in Britain." It is a remarkable fact that there is a district in France called Chartrain, which name is derived from that of the principal city of the district, Chartres, which was formerly the central or chief place of a people called Carnutes or Charnutes, who were settled there before the Romans invaded Gaul or France, that is in fact before they came into Britain. Now it was in the territory of this people, which Cæsar says was the central region of Gaul, that the Druids held their great annual convention, and as the name Charnutes probably had some derivation from the rites of Druidism, so the name of Charlford may seem to have had its origin in something similar here, where we find assembled together no less than three large tumuli on the banks of a stream and adjacent to a ford of it. Whether the burning or *charring* the sacrifices offered by the Druids, or in the burial of the dead can have had any share in the origin of the name is at least surmisable.

That there had occurred in this vicinity vast burnings or char-rings of sacrifices or of the dead, the several hundred cart loads of burnt or charred earth, dug out of the mounds at Charlford, attest. But whatever may have been the purport or the origin of these memorials we cannot pretend to say more of them, than has been already discovered and written by others. The greatest monument of this kind that exists almost anywhere in the world is that of Stonehenge on Salisbury Plain, where there are great numbers of these tumuli, called in the following account of them barrows. "On every side of Stonehenge we are surrounded with barrows. Wherever we cast our eyes we see these grassy mounds lifting up their heads in various forms. Some are of the shape of bowls, and some of bells; some are oval, others nearly triangular; some present a broad but slight elevation of a circular form, surrounded by a bank and a ditch. The form of others is so feebly marked that they can scarcely be traced, except by the shadows that they cast in the morning and evening sun. This is the great burial-place of generations long passed away. . . . These graves have been unmolested by the various spoilers who have ravaged the land; and, what is more important to their preservation, the plough has spared them in these chalky downs, which rarely repay the labours of cultivation. But the antiquary has broken into them with his spade and his mattock, and he has established their sepulchral character, and the peculiarities of their sepulture. . . . These

remarkable monuments contain not only the bones and the ashes of the dead, but various articles of utility and ornament, domestic utensils, weapons of war, decorations of the person, perhaps insignia of honour, the things which contributed to comfort, to security, and to the graces of life. Mela says that the Druidical belief in a future state led the people to bury with the dead things useful to the living. The contents of these barrows indicate different stages of the arts. In some there are spear-heads and arrow-heads of flint and bone; in others brass and iron are employed for the same weapons. In some the earthen vessels are rudely fashioned, and appear to have been dried in the sun; in others they are of regular form, as if produced by the lathe, are baked, and ornamented. But, whatever be the difference in the comparative antiquity of these barrows, it is a remarkable fact that in those of South Wiltshire, which have nearly all been explored, nothing whatever has been discovered which could indicate that this mode of sepulture was practised after the Roman dominion had commenced in Britain. The coins of the conquerors of the world are not to be looked for here." Knight's Old England, pp. 9, 10.

This last observation applies equally to the barrows or mounds that have been carried away and dispersed, rather than opened and examined, at Charlford. No coins were found in them, but burnt and broken bones, rusted bits of metals, and vast quantities of charred materials and earth were. The plough had been unequal to subdue and level these mounds. One was so high and steep that the horses lost their power over it by being unable to continue their full draught upon the plough in its ascent, the fore horses being over the summit before the thiller could attain the slope of the mound. The cultivator of the soil resolved to clear away this obstruction if possible. Making his assault upon the barrow with very different views from that of the wisdom-seeking antiquary, he sought to subdue rather than to rifle and pillage this tumulus. At most he hoped to obtain only additional soil for his fields, and had no idea of discovering relics of antiquity, and the tokens of by-gone ages. Broken bones, charred earth, and rusted metal, were the reward of his labours to enrich his soil. But thus unhappily have been lost to us some of the memorials of the past, which might have told us of the manners and habits of our British forefathers at Charlford. Enough, however, we do know to be satisfied, that these and other tumuli round about this vicinity were of the early times we have referred to, and have existed in this place at least two thousand years. Let us, while pondering over this fact, not be unmindful of the improved state of our country with which we are now blessed. Druidism, which was a bloody, merciless, and tyrannical thralldom, exercised by a crafty and designing heathen priesthood has passed away; Christianity, with its humanizing and civilizing influence, has been given to us; under its benign sway our noble British constitution

has sprung up, and we in our day have to be thankful to our God that we live not in Druidical but in Christian Britain.

During the time that this work has been in preparation, a very remarkable tumulus has been opened, the account of which, as given in the *Times* of April 23, 1855, is so illustrative of our own, that I cannot better conclude the subject than by inserting it here. "During the last fortnight Mr. P. M. Mynons of Treago, in the parish of St. Weonard's, in the south-west corner of Herefordshire, has caused the immense tumulus situated on his estate in that parish to be excavated under the direction of Mr. Thomas Wright, F.S.A., who was on a visit at Treago. There are many of these large mounds scattered over the border of Wales, and they have been supposed by some to have been intended as places of defence, or to have served as watch towers or beacons. The mound of St. Weonard's, which stands on the summit of a rather steep hill, and commands a wonderful prospect of the country around, is about 30 feet high by full 50 yards in diameter at the base. The cutting was made on the south-western side, which was the most accessible, 14 feet deep by 8½ feet wide, which was carried a little beyond the centre of the mound, where there was found a mass of ashes, intermixed with fragments of burnt wood and of calcined human bones forming a layer of about a foot and a half thick, and nine or ten feet in diameter, which left no room for further doubt of the sepulchral character of the tumulus itself. A small mound of sand appeared to have been raised over these remains of the funeral pile, over which large rough stones were built, so as to form a kind of rude vault. Unfortunately no articles were met with calculated to throw any light on the date of this huge monument, but it presents the general character of the remains which have been usually ascribed to the British period, and probably belong to the commencement of the Roman domination in this island."

8. GAGINGWELL. In several of the ancient deeds bearing date in the year 1339, this word Gagingwell is spelt Gadeligwelle. The origin of the termination *well* is of course obvious enough, and it is no uncommon one in this neighbourhood, as Fullwell, Ledwell, and the like, for the springs or wells of water that issue from the hills are many of them exceedingly good, and this of Gagingwell is remarkably so, besides being unfailing, it never having been known to cease flowing in the very driest seasons. The hamlet contains two good farm houses, a public house, and a dozen or more cottages. By the census of 1851 the population was 76 and the inhabited houses 16. No inclosure has ever taken place here, but a step towards it was made many years back amongst the proprietors, who agreed to take in the six various quarters, as they were termed, in which the field was at that time by common consent worked, each his own quantity in a single plot, and thus the lands of the proprietors continue still intermixed, though separate. Gagingwell contains more than 500 acres, of



which more than 300 belong to Viscount Dillon, and 111 to Wadham College. The residents here are Mr. Alfred Wilsdon, Churchwarden, Mrs. W. and fam.; Mr. W. Sanders, farmer, Mrs. S. and fam.; and Mr. Carter, farmer. An old Mr. Drinkwater also lives here, the representative of the family that have been here about three hundred years.

At Gagingwell, on the green, near the road side, and not far in advance of the spring, or well, that gives its name to the hamlet, there stands the relic of an ancient cross, having a large plain square basement or foundation, with three steps rising from it, and on the top of them the lower portion of the stone upright, whence formerly sprung the lofty cross itself. The basement and steps stand askew to the road, the four angles bearing exactly on the four cardinal points of the compass. This cross is probably one of the oldest surviving relics of antiquity remaining to us. Such crosses had their origin and use in the earliest ages of Saxon Christianity, when as yet parishes had no existence in the land, and the clergy lived in religious houses, such as was Winchcombe Abbey, and again Cold Norton Priory, and other similar establishments. All these institutions, and their inmates, were under the government and supervision of the Bishop in whose diocese they were situated, and they supplied from time to time, from their monks or friars, clergymen to visit different places in their vicinity, and to afford to the people the consolations of religion in sickness, and in health, the necessary offices of the Church, and such instruction as in that age they were capable of giving. Where there were churches, which were but few and small in our villages, they exercised their functions within the walls of the sacred edifice; preaching, however, on the outside of them, in the open air, whenever they were inadequate to the accommodation of the numbers that might assemble. Where there were no churches, crosses by the wayside, or central in our hamlets, were erected, at which the ministering clergy dispensed their offices and instruction, at stated times, to the people who met together here to receive them. And such consequently was the use and benefit in former times of the cross which anciently stood here, and of which all the lower portions still remain.

Many such crosses will be found in this vicinity, some where churches have since grown up, as at Sandford; and others, where, as at Gagingwell, no churches appear to have ever existed, as at Upper Kiddington and at Taston. Those at Sandford and at Taston are singularly like ours at Gagingwell, and as we conceive that for that at Taston we can trace a very early origin, so we might thence infer an equally early one for ours. The name Taston, according to its derivation, implies a very early origin indeed of the hamlet, or township, there; for in a deed of ours, of the year 1317, we have mention of one Henricus de Jacob de Torstan, that is, Henry the son of Jacob of Torstan, now become Taston.

But Torstan is unquestionably a corruption of Thor's stan, or the stone of Thor. Now of all the Saxon deities, whom our Pagan forefathers worshipped, Thor was one of the chief. Indeed the names of their principal gods still continue to be employed by us to designate the seven days of the week; as the Sun's-day, or Sunday, the Moon's-day, or Monday, Tuisco's-day, or Tuesday, Odin's, or Woden's-day, or Wednesday, Thor's-day, or Thursday, Friga's-day, or Friday, and Seater's-day, or Saturday. Thus, then, the Saxon deity Thor, who has given name to our Thursday, has also given a name to the neighbouring hamlet of Thorstan, Torstan, or Taston. Thor was reckoned the eldest and bravest of the sons of Woden and his wife Friga, and he was believed by both Saxons and Danes to have reigned over the heavens, which composed his palace, and consisted of 540 vast halls, whence at his pleasure he launched forth his thunders and his lightnings; directed the meteors, the winds, and the storms; dispensed disease or health, fair or seasonable weather; and caused either fertility and abundance, or barrenness and want. Amongst the Romans, this day of the week, called by the Saxons Thors-deag, or Thursday, was named *dies Jovis*, the day of Jove, or Jupiter, and as Jupiter was deemed the chief god of the heavens by the Romans, and was styled by them the Thunderer, so no doubt the Saxons derived the name of their god Thor from that of Jove. For, supposing the letter *o* in Jove to be pronounced like the diphthong *au*, that is in fact like *or*, then Jove would be pronounced as if spelt Jorve, and from that to Thor the change would be easy. Nor would this change be more remarkable than that which we know has actually taken place in the mutation of Taston for Torstan. But, however this might be, certain it is that the name Torstan, or Thor's-stan, leads us back in our ideas to the time when this place had its name from some stone that stood there, either as the idol Thor himself, or to his worship and honour; or with the fabulous notion, that such a stone had been at one time launched from heaven itself to earth by the thundering Thor. And in very truth such a stone does still remain there, and in such a position as to give considerable encouragement to the ideas just broached. It stands by the roadside immediately adjacent to the remains of the ancient cross that has been erected here. Now we know that it was always the crafty policy of popery to seize upon and appropriate to its own religious uses the places, the buildings, and even the idolatrous statues of heathenism, endeavouring as it were to embezzle and transfer to itself the religious feelings, affections, superstitions, and devotions of the pagans, and to cheat them into a nominal Christian worship under the mask of heathen delusions. In the famous letter which Pope Gregory I. wrote into England, to Augustine, first Archbishop of Canterbury, in the year 601, he expressly advocates this system, in the following passages. "Let those places of heathen worship be sprinkled with holy water: let altars be

built, and relics placed under them : for, if these temples are well built, it is fit the property of them should be altered ; that the worship of devils be abolished, and the solemnity changed to the service of the true God : that when the natives perceive those religious structures standing, they may keep to the place, without retaining the error ; and be less shocked at their first entrance upon Christianity, by frequenting the temples they have been used to esteem. And since it has been their custom to sacrifice oxen to the devils they adored, this usage ought to be refined on, and altered to an innocent practice." He advises, therefore, that "upon the anniversary of the saints, whose relics are lodged there, or upon the return of the day the church was consecrated, the people should make them booths about those churches lately rescued from idolatry, provide an entertainment, and keep a christian holiday ; not sacrificing their cattle to the devil, but killing them for their own refreshment, and praising God for the blessing : and thus, by allowing them some satisfactions of sense, they may relish Christianity the better, and be raised by degrees to the more noble pleasures of the mind." Collier's Church History, b. ii, s. 73. As Popery thus early commenced such a system of craft and chicanery, so does it continue it still, for it is well known that to this day, at Rome, an ancient statue of the Roman god Jupiter is revered as that of the apostle St. Peter, giving occasion to the waggish sarcasm that old *Jupiter* is now the *Jew Peter*. In a somewhat similar manner, as it would seem here, has the immediate vicinity of the Thor's-stan been seized upon, and the Christian cross erected, as if in defiance of it, in the very place where the heathens had long been accustomed to assemble ; and thus their place of meeting, in honour of their Saxon god, has been converted into one for disseminating Christian instruction, and for the meeting of a Christian congregation. But these facts would almost, if not certainly imply the erection of the cross at Taston, in the earliest Saxon times of Christianity. And if so with respect to Taston, then may the same also be implied with respect to Gagingwell, and we might justly infer, that these crosses, or, if not these very ones, others that preceded them, must have stood here, memorials through so many centuries, of the introduction and teaching of Christianity in the land.

Indeed the angular bearings of the base of the cross at Gagingwell, are so rigidly exact, as to leave no doubt that it was laid by the careful guidance of the compass, and this fact would materially tend to prove that the present cross could not be older than the twelfth century, when first the compass was known to be in use. The oldest mention of it on record is in an old French poem of the year 1150. In a History of Jerusalem, of the year 1200, it is also mentioned. And that it was well known to the Northern nations, and so would have come into use here, is evident from what appears in a History of Norway, of the year 1266. (See Art.

Magnetism in Encyc. Britan.) Thus, then, our present cross, which must have been erected with the aid of the compass, could not have been erected before this period, though in all probability there was an earlier one in the same place.

Having thus been led to these observations relating to our own cross at Gagingwell, and to others in this neighbourhood, we may add a few more on some of the most notable structures of the kind elsewhere. In Oxford, for example, there stood, not many years since, in the central part of the city called Carfax, an ancient structure, representing or supporting a cross, which was in fact the Market Cross, around which the farmers were accustomed to meet, and sell the produce of their lands. When this was removed, in order to widen the highway, it was placed in the grounds of the then Earl of Harcourt, at Nuneham Courtney, and still remains there. A more modern structure of the nature of an ancient cross, is the Martyrs' Memorial, erected in Saint Giles' street, before the North side of St. Mary Magdalen church. The most remarkable edifices of this kind, still existing in England, are those built by the command of Edward I, in memory of his queen Eleanor. She died at Harby in Nottinghamshire, and Edward accompanied her corpse from thence to Westminster Abbey to be buried, causing a cross to be erected to her memory at every place where the funeral procession rested on the way, the last of these being at the village of Charing, as it then was, but now become the famous and spacious opening in London called Charing Cross. Three of these memorials to queen Eleanor still exist, at Geddington, Northampton, and Waltham; the last, which is the handsomest, consisting of four stories based on an hexagonal ground plan, and ornamented with various figures of the queen, and other rich work; the whole being surmounted with a crocketed spire, bearing a cross on its summit. At Salisbury and Chichester there are crosses constructed so as to have an open chamber in the basement; at Winchester also there is a very fine one; and near Ely, on the road to Downham-market there is a singularly formed long slender cross, on the top of which are richly carved niches projecting from its sides.

The names of several fields adjoining the hamlet of Gagingwell, plainly indicate where formerly residences have existed. Thus immediately opposite the cross is a long sloping grass ground, called "the gardens," bearing all the appearance of having formerly been private grounds, adorned with lofty elms, many of which within the last two or three years have fallen beneath the woodman's axe. As this field is on the north side of the road, as it bears towards Sandford, so on the south side of it there are a series of grounds, five or six in number, and all having the name of Prigborough, shewing that they were one property originally, though now subdivided, and the site of some family residence. Amongst other similar memorials, traceable on the surface of the

soil, and in the names that yet survive, there is just being blotted out at Gagingwell the form and the mound of a small triangular piece of land, which is accurately delineated on the Tithe Map, and described in the Rent Charge Appropriation, as "The Vineyard;" a name which tells us of the time when the vine was cultivated in England, and we were not so dependent upon the foreigner as we now are for wine. That exhilarating potion, "wine that maketh glad the heart of man," as the Scripture describes it, is one of the oldest inventions, or discoveries, of man. The patriarch Noah, who had lived before the flood six hundred years, brought with him, through that tremendous judgment, the knowledge of the art of making intoxicating drinks, and was himself the first of whom we read as becoming the victim of his own intemperance. The name by which it was known to Noah, and therefore to the inhabitants of the world before the flood, was, according to Moses, the Hebrew word *yah-yin*, from which was made the Greek word *oinos*, and thence the Latin *vinum*, the Italian and Spanish *vino*, the French *vin*, the Gothic *wein*, the Welsh *gwin*, the Cyenbric *uin*, the German *uwin*, the Danish *viin*, the Dutch *wiin*, the Saxon *yin*, and lastly our own English *wine*; showing a marvellous similarity of language, as well as a long continued acquaintance with the subject, from the very earliest ages to the present.

Although wine was eschewed by our British forefathers, according to the famous speech of Boadicea, in which she describes herself and her people as living on the simplest food, and having "*water for wine*," yet about the year 278, the emperor Probus conceded both to Gaul and Britain the privilege of planting vines and making wine, and accordingly wine was actually made here in A. D. 280. Bede, writing A. D. 731, says, "*vineas etiam quibusdam in locis germinant*;" that is, "in some places they even grow vines." Holinshed also produces the following proofs. "That wine might have growne in this island heretofore: first, the charter that Probus the emperor gave equallie to us, the Galles and Spaniards, is one sufficient testimonie. And that it did grow here, beside the testimonie of Bede, the old notes of tithes for wine that yet remaine in the accompts of some parsons and vicars in Kent and elsewhere, besides the records of sundrie sutes commensed in diverse ecclesiasticall courts, both in Kent, Surrie, &c.; also the inclosed parcels almost in every abbeie yet called vine yarges, may be a notable wnesse. The ile of Elie also was in the first times of the Normans called *le ile des vignes*." Winchester is supposed to have taken its name from its wines. Bishop Hamson sent to Edward II. "a present of his drinks, and withal both wine and grapes of his own growth, in his vineyard at Halling." Captain Nicholas Toke, of Godington, in Kent, says Philpot, "hath so industriously and elegantly cultivated and improved our English vines, that the wine pressed and extracted out of these grapes seems not only to paral-

lel but almost to outrival that of France." In Dome's-day Book mention is made at Rageney, in Essex, of "one park and six arpennies of vineyard, which, if it takes, will yield twenty modii of wine." Few of our religious foundations were formerly without vineyards. Dr. Ralph Bathurst, president of Trinity College, Oxford, made as good claret, in 1685, as could be wished for. "At Arundel castle, in Sussex," says Mr. Millar, "a noble vineyard, belonging to the duke of Norfolk, annually yields considerable quantities of wine; at this time, 1763," says he, "there are in his grace's cellar above sixty pipes of excellent Burgundy, much better than quantities annually imported." To all which instances I may add one within my own knowledge and experience, for my father, being fond of making experiments of all kinds, determined, when I was about ten years of age, in the year 1813, to try what kind of wine he could make from ordinary English grown grapes. Accordingly he purchased, in Covent Garden market, a large quantity which I well remember seeing mashed in a large rectangular washing tub, and from them he made such an excellent dry wine, of the appearance and character of sherry, that when it was drank at dinner could not be detected; for it completely deceived one friend, who questioned whether any such wine could be made, and who is at this day one of the principal judges of the land.

"The best wine," says Holinshed, "was called *theologicum*, because it was had from the cleargie and religious men, unto whose houses manie of the laitie would often send for bottels filled with the same, being sure that they would neither drinke nor be served of the worst, or such as was anie waies mingled or brued by the vintner: naie, the merchant would have thought that his soule should have gone streightwaie to the divell, if he should have served them with other than the best." In 1198, King John set a rate on the price of wines: Rochelle wine was to be sold for twenty shillings the tun, or fourpence for a single gallon; wine of Anjou twenty-four shillings the tun, or sixpence the gallon; no other French wine was to be above twenty-five shillings the tun. Twelve honest men, in every town, should superintend the assize. "But this ordinance did not last long, for the merchants could not bear it; and so they fell to, and sold white wine for eightpence the gallon, and red, or claret, for sixpence." (Holinshed.) In the reign of Henry III. who began to reign in 1216, a dolium or thirty-six gallons of the best wine could be bought for forty shillings, and sometimes for twenty. The parliament of Ireland, in the year 1471, fixed the following as the highest price: a gallon of Rochelle wine sixpence, a gallon of Gascoine wine eightpence, a gallon of Spanish wine tenpence.

Since, then, there was at one time a parcel of ground at Gagingwell in this parish used as a vine-yard, and retaining the name to the present time, so the foregoing facts will explain to us under what circumstances it was so cultivated, and how its produce was

applied in former times to the manufacture of wine for home use. Yet before leaving this subject, as I have shown above the derivation of the word wine from the ancient Hebrew, so I may add here the derivation of another practice and word connected with the use of wine from the same ancient source. It is still customary at great feasts, as at those of the City of Oxford, and in many of our Colleges where such olden manners are preserved, to have a cup passed round at the end of the meal when the cloth is withdrawn, which is partaken of by all the guests in succession, and is called the Grace Cup, or the Cup of Blessing, because each in tasting it should bless his neighbour, and all mutually therein bless God for his bounty. The fact Goldsmith refers to thus when he writes

“ That the coy maid, half-willing to be prest,  
Shall kiss the cup to pass it to the rest.”

This custom, and even the cup itself, has obtained the name of Wassail, or the Wassail bowl; and it always used to be introduced at Christmas time, when the Yule log, or Christmas log, was burned on the hearth, and all relatives and friends met together to be happy, and mutually to wish each other blessings. The custom and the cup obtained their name from the words made use of in partaking of it. Thus, as one held the cup he said to his neighbour, “ Waes Hael,” and the other replied “ Drink Hael,” whereupon the first drank and passed it to the second, who turning to his neighbour did the same again, and so the Cup of Blessing or the Grace Cup passed round to all the guests, who thus wished and drank blessing, health, honour, glory, praise, or in fact any suitable good wish that the word Hael could comprehend. From it has come our English words *health* and *hail*, both being immediately derived from the meaning and use of the old Saxon word Hael. But this Saxon Word has itself an older derivation, and shews us, that, not the word only, but the custom, was learned from a much more ancient source than that of our Saxon ancestors. It is in fact from the manners and customs of the Hebrew nation. They in all their festivals, but especially at that of the Passover, ended their feasts with a cup which was called the Cup of Blessing, and was so called, says Dr. Lightfoot, “ because the blessing or grace after meat was said over it.” This cup was also called “ the cup of Hallel,” for the Hallel, or Psalms of Praise to God, the Hallelujahs were going on at intervals during the feast, and at the taking of this cup they were completed, and the blessing of the hymn of praise was concluded. But Hallel is evidently the original of our Saxon word Hael, and the cup of the Hallel is as evidently the origin of the grace cup, that even now continues in use, and thus we have this practice descending to us from the Saxons, and derived by them from the ancient Hebrews.

In the year 1339, according to two of our oldest deeds, there dwelt at Gagingwell Johannes Zane Wyrthe de Gadeligwelle,

that is John Zanewyrthe of Gagingwell, who appears to have been the tenant of three acres of arable land in Cleveley which he held of John the Fuller there, and which were part of the charity lands belonging to our parish. In the year 1558, the family of Drinkwater was already settled there, for we find one member of it registered as a sponsor, and they have continued to reside both here and in other parts of the parish from that period to the present.

9. RADFORD. The latter part of this name both bespeaks its own derivation, and indicates the position of the place so named to be in the vicinity of a river or stream, as in fact it is, being situated upon the small stream, the Glym, which passes through a considerable part of the parish of Enstone, and in its course turns no less than five mills between Charlford and Radford. The former part of the name, however, is not so easily understood, nor is its derivation at all certain, there being several sources from which it may have originated. A common idea, but obviously an erroneous one, is that, the banks of the stream being infested with rats, this was called the Rat-ford, and thence Radford; but as there is nothing at all peculiar in rats thus infesting the banks of such a stream, so it is not at all likely that this could have originated the name. There is another, and a much more probable derivation for the word *rad*, which is to be found in the *Archæologia* of the London Society of Antiquaries, in a paper entitled "Lucian's *Agmuis* Illustrated." The author of the paper was a German of the name of Schmidt, and his paper is in Latin, from which we give the following extract:—"Distinctio terminorum respectu loci apud veteres in vulgus nota est. A Septentrione ad Meridiem *cardo*, ab Oriente ad Occidentem *decumæna* vocatur; *Cardo* contracte est *cherrad*, id est, versura aratri. *Cher* et *cheran* est vox antiquissima, unde Latini *gyrare*, et Græci *guroun* dicunt; *rad* vero Celtis est rota et aratrum; conferatur Chaldæum *redah*, *arare*; Galli aratrum *charrue* quasi *charroue* vocant. Non aliunde Græci suas *cheradas* quam a Celtica voce sumserunt. *Cherades* autem limites et terminos significant." Vol. i, p. 272. The understanding rather than the translation of the above, is this: "Boundary marks among the ancients were commonly distinguished thus. Those from north to south were called *cardo*, that word signifying a line, such as a pathway running across the fields, from north to south. Those from east to west were called *decumana*, which means *the tenth*, implying such a division or portion. *Cardo* is formed from the word *cherrad*, which signifies *the turning of the plough*, and the two parts of which word are thus derived. *Cher*, or *cheran*, is a word of very great antiquity, from which, it is said, have been derived the Latin word *gyrare*, to turn, and the Greek word *guroun*, which also means to turn. *Rad*, however, is a Celtic word, meaning either *a wheel* or *a plough*; and may be compared with the Chaldee word *redah*, signifying to plough. The



French also call a plough *charrue*, or *charroue* as it were. In the same manner have the Greeks derived their word *cheradas*, as if from a Celtic word, the word *cherades* meaning with them *limits*, or *boundaries*." According to this authority then, the word *Rad* is supposed to be of Celtic origin, and may thence probably have been so brought into use here. For the tribe of the Belgæ, who were of the Celtic race, were some of the earliest inhabitants of this island, particularly of this southern part, and they may have introduced the word as meaning a plough, and thus have given occasion for this ford being called *Radford*, or the ploughford.

There is another possible derivation of the word *rad*, for it may have been formed from the Anglo-Saxon word *rade*, which signifies *a counsel*, and so it would imply that this was the place of some famous ancient *counsel at the ford*, thereby originating the word *Radeford*. For such a purpose as this the place is peculiarly well adapted, for supposing that two tribes or clans had met here in debate on any difficulty or matter of contention between them, the form of the hills, on each side of the ford, being steep and approaching near together, they would make an excellent position for each party thus to confer with the other. For this interpretation of the word *rad*, see Rudder's Gloucestershire, p. 14.

There is, however, yet another source from which the name of *Radford* may have been derived. It is written in some of our oldest deeds *Radeford*, a mode of spelling which would alike favour the last suggested derivation, and that which we are now about to speak of. Johnson, under the word *Road* tells us that that word is formed from the French word *rade*, meaning a road, so that this might after all be the *Roadford*, which it might well be called in former times, since it lay upon the chief highway leading to Oxford, as is again and again mentioned in various old deeds.

The present hamlet of *Radford* contains two substantial farm houses, one of them being evidently an ancient manor house, and possibly having belonged to the Abbey, with which certain lands here must have been formerly connected. There are besides, a corn mill, and about a dozen cottages, and in the fields another small farm house. According to the census of 1851, the population was 67, and the inhabited houses 15. These have since been increased to 17. Of late years there has been erected here a Roman Catholic chapel (in 1841), and adjoining to it a small conventual building has been added. The acreage of the field of *Radford* exceeds 600, the proprietors of which are the family of the late Mr. Nathanael Parsons, Mr. Hickin, and Henry Hall, Esq. In the year 1772, an inclosure of the common fields of *Radford* took place, when, besides the old inclosures at that time existing, there were 606 acres unenclosed, so that the field cannot be less than 650 acres.

In ancient times there probably stood here a monastery, or re-

ligious house of some kind, for as names of places will often retain or recall the memory of institutions that otherwise might have become entirely lost and forgotten, so is it here, where the names of various fields, all adjoining, and originally, no doubt, all connected, plainly indicate the site of an old religious house. These names are the following. *Chapel Close*, a field belonging to the late Mr. Nathanael Parsons, and containing within it, very distinctly, the old boundary of an enclosure around a chapel, the old foundations of the chapel, many other evident appearances of extended buildings connected with the chapel, and signs of garden terraces and grounds around. Adjoining to *Chapel Close*, and belonging to Mrs. Hickin, are *Abbey Close*, and *Abbey Ground*, and *Lower Park*, and *Upper Park*, all of which plainly denote an ecclesiastical establishment of no mean pretensions. In confirmation of the antiquity of these names, in the Radford Award *Chapel Close*, and *Abbey Close*, are both specially mentioned as *ancient enclosures*, it being necessary to mention them because they were to be exchanged, and the inference being obvious that all the others similarly named were also ancient enclosures, having been long appropriated to some religious establishment here.

In the ground called *Chapel Close* there still remain the evident marks of the foundations of the chapel that stood there, and of the mound or hedge that enclosed the chapel yard. Mr. Parsons, who was the late proprietor, informed me (1854) that he had been told by those who had the means of knowing the fact from those who had lived before them, that this was a chapel of ease to the parish church of Enstone, and that he himself removed the mound enclosing the chapel yard. How late this chapel continued to stand here is not known, but in Cole's Map of 24 miles round Oxford, begun 1624, there is a church marked at this place. As, however, Warton makes no mention of its existence in his time, and as no record is traceable of its having been in use within the last two hundred years, I should conclude that when noticed by Cole it was already passing into decay.

But besides the signs of the chapel foundations and of the enclosure of the chapel yard, there are in the *Chapel Close*, to the eastward of the chapel foundations, very extensive signs of other old foundations, and of garden terraces on the side of the hill, overlooking the grounds called the *Abbey Close*, *Abbey Ground*, and *Lower and Upper Parks*, so that here no doubt was probably the site of the abbey or monastic building that may have anciently stood here. I have, however, in vain searched every accessible authority for information respecting it. In none of the lists of religious houses, suppressed at the time of the Reformation, can I find any mention of any place at all corresponding to this.

I am disposed to think that any religious house that had existed here, must have been destroyed long before the Reformation. My reasons for so thinking are, that our old deeds, connected with

our Church estate, go back for a period of at least five hundred and sixty years, and although, among the names in some of the oldest of these, there are to be found those of persons, belonging to, and enjoying property in, Radford, yet there is no reference whatever to any persons connected with any such religious house there; and so indicating, as I conceive, that the institution, whatever it was, had been before this time suppressed. Now from Barnes' History of Edward the Third I learn, that not only did that king in his reign, and during his long wars with France, for the replenishment of his own exchequer, and for the spoliation of his enemies, suppress, and confiscate, many religious endowments in this country, known as Alien, or Foreign, Pories; but that his grandfather Edward the First in the 23rd year of his reign had also done the same thing. It is, therefore, exceedingly probable that the Abbey that once stood here was one of these Alien Pories so suppressed.

The nature of these religious institutions is thus described by Collier in his Ecclesiastical History, during the reign of Henry VI. "In his fourth year, during the war with France, all the pories alien, which were not conventual, were dissolved by act of parliament, and granted to the crown. By the way, we may observe, that these alien pories were most of them cells to monasteries in France. They were of two sorts: some had monks, with a prior to govern them, but not under conventual establishment: that is, they had not the privilege of a body like other religious houses, but might be removed at the pleasure of the foreign abbey to which they belonged. Others were of a more independent constitution. And though, like a colony, they paid a regard to the French abbeys, yet they were an independent society to all intents and purposes. The first were accountable to the principal monasteries for the issues and profits: but the latter were proprietors, and received the revenues for their own benefit." Vol. 3, p. 334.

Yet, while I thus conceive it possible that the monastic institution at Radford may have been an Alien Priory, I must again confess that I can nowhere find any mention of its suppression, and so proofs of it having existed as such. Ducarel in his account of the Alien Pories has no reference to any one here. Thus in fact, beyond the history which the ground itself bears, and the records that evidently survive in the names that still endure here, we have no other information, nor any certain intelligence as to the exact nature of the religious house that may have existed, and in all probability most certainly did exist, at Radford.

Having made a very extensive search in quest of any historical notice of a religious building here, it may save others the trouble of a similar one if I state here the authorities and works I have consulted, but without success. In mentioning this search, I must take the opportunity of thanking Rev. H. O. Coxe, one of the Librarians of the Bodleian Library, for the very kind and effi-

cient aid he has afforded me in it. The authorities that have been examined are the following. 1. Speed's Catalogue of Religious Houses in his History of Great Britain. 2. Camden's History. 3. Dugdale's Monasticon. 4. Tanner's Notitia Monastica. 5. Harpsfield's Catalogus Œdium Religiosum. 6. Pegg's Life of Grostete, Bp. of Lincoln. 7. Barnes' History of Edward III. 8. Bandell's Priorat. Alienigenorum, &c. 9. Weever's Fun. Monumen. 10. Clem. Reyneni Apostol. Benedictinorum. 11. Ducarel's Account of Alien Priors. While engaged in this pursuit I was favoured with the following communication relating to it from Albert Way, Esq., Secretary of the Archæological Institute of Great Britain and Ireland. "I think it probable that by your account there may have been some Abbey Grange at the place which you mention, but I can scarcely think there was any Conventual Establishment, which has escaped the notice of Oxfordshire Topographers. I have repeatedly found the name of Abbey thus adopted, after the Reformation, by those who obtained possession of some of the estates of the dissolved Monasteries." This idea, I think, may be taken as suggesting the probable and very likely solution of the question we have been considering, so that some such property, once that of a religious body, may be regarded as having existed here, and as having connected with it the small church or chapel of which the site and chapel yard still remain plainly visible.

At Radford as well as at Cleveley, as we shall immediately have to show, there were fulling mills regularly worked, for in the Records of the Court Baron of the Manor of Enstone for the years 1771 and 1772 we have these entries.

"1771. It was presented that the Bridges and Mill bank at Radford Fulling mills were out of repair, and the same were ordered to be cleansed and amended by the said first of May next under a penalty of thirty shillings, to be paid to the Lord of the said Manor.

"1772. That the Fulling Mill Bank at Radford was out of repair and it was ordered to be repaired by the several Proprietors before May day next, O. S. under the penalty of twenty shillings on each defaulting proprietor."

In the early part of the eighteenth century, that is about the year 1720, a family of the name of Whiter, who also had property at Wootten, held and worked these fulling mills, as I have learned from the fact of a legal adviser of their descendants coming here to search the Registers for their name, which however does not occur here.

We have frequent mention of different persons or families residing here, and indeed the nature and formation of several grounds around here, indicate that there were several places belonging to such country gentry as formerly dwelt in this vicinity. In a deed of the year 1371, we have mentioned Willielmus le Heyr de

Radford, that is William the Heir of Radford; and this name or title, whichever it may have been, continued in use there for a great number of years. In 1349, occurs in another deed the name Robertus de Louches de Radeford, that is, Robert Louch of Radford. The family of Vaudrie or Fawdrey, which first appears here in the Registers in 1558, was for some time settled and had property at Radford.

10. CLEVELEY. Johnson, in his Dictionary, states that *cleve, cliff, or chive*, at the beginning or end of the proper name of a place denotes it to be situated on a rock or hill." He also says of the termination *ley*, that it is spelt indifferently *ley, lee, or lay*, being derived from the Saxon *leag*, a field. By this derivation Cleveley means *the hill field*, and this most appropriately describes the steep and even rocky declivities forming the site of Cleveley. At one part where the road, after crossing the stream on a narrow bridge, ascends the hill, it does so almost on the face of a cliff. The road thus referred to, after traversing the side of the cliff, crosses at an acute angle the ancient road from Enstone to Oxford, through Radford, Kiddington, &c., and thus these two roads bound and enclose between them a large triangular shaped grass field, which slopes down the side of the hill, having its base formed by the brook that skirts it. This field has signs remaining of terraces or garden walks, and retains the name of Bissel's Close, the next adjoining field being called Bissel's Ground, but the registers do not supply the name of any such family resident here. Besides this property, denoting as it does the residence here of some family, there are to be traced on all the hill sides around, proofs of the same kind of country houses with ornamented grounds about them, of which we have already met with so many. Nor indeed is this to be wondered at here in Cleveley, when it is considered that two of the principal highways of this vicinity passed through Cleveley. The ancient house attached to our charity lands, and still standing here, is constantly described in our old deeds as "abutting on the king's highway leading to Oxford." From Church Enstone this road commenced with a lane, now called Clingclang Lane, from having formerly had a gate that swung backwards and forwards with a clingclang noise, and crossing the Charlbury turnpike road, proceeded direct to Cleveley, near to which it is still to be found in its original narrow and enclosed state. Passing through Cleveley, and also for some short distance through the river there, it ascends the hill and takes its course for Radford, continuing thence to Kiddington, Glympton, and so on to Oxford. At the top of the last mentioned hill it branches off along the side of the hill, descends again into Cleveley, crosses the stream by a small bridge, and issuing out from Cleveley at the further end, keeps its way along the valley of Bagnall to the end of Fulwell, where it rises the hills on that side, and formerly skirting Neat Enstone, took its way to Lidstone and Charlford, forming the chief high-road northward.

The hamlet of Cleveley contains two corn mills, and a number of dwellings chiefly cottages. One of these is constructed and appropriated for use as a Baptist Chapel. By the census of 1851, the inhabitants of Cleveley were 228, and the inhabited houses 48. No inclosure has ever taken place here, but by the amalgamation of estates, and peculiar law proceedings, the lands have been separated, and assigned to the various proprietors. The whole field contains more than 600 acres, of which 530 belong to Mr. John Jolly, 56 to the Enstone Parish Church Estate, and the rest to other small proprietors.

From the oldest deed we have it is to be inferred that Cleveley was at that time a separate manor, for Margery of Dychelye, the grantor of that deed, was the daughter of Willielmus le Colonna of Cleveley, and had held the land, therein granted by her, by payment of the quit rent of a rose every year, in the month of June, to her father. But besides these, the most ancient names connected with our parish, and dating back about six hundred years at least, we have more frequent mention of residents at Cleveley in those earlier deeds, than any other part of the parish. Nor is this to be wondered at, for almost all of them were dated and done at Cleveley, another proof of this having been a separate manor, and consequently the inhabitants of Cleveley were necessarily required to attend the courts at which they were executed, and to assist in their execution. Accordingly we have, in a deed of the year 1295 mention of William Colonna who had been the father of Margery of Dychelye, and must have been resident here about the year 1250, for at the time of the deed Margery was herself a widow of some age, since she had a daughter also a widow, so that the grandfather of this daughter must certainly have been living at Cleveley about 1250. About the same time we have Roger Gardiner, and John the Fuller both resident here. In 1317 we have John Newman and John Sibell; in 1339 Radulfus Jordan; in 1350 Willielmus Follar de Clyvele Capellanus, that is William Fuller of Cleveley, Chaplain or Officiating Priest, implying that there may have been some house of worship here; besides many more, both in these deeds and in the registers, from which it may well be inferred that this was a place of some little note.

One of the names most frequently met with in our old deeds is that of Le Ffollar, which evidently is nothing more than the Fuller, as we have the Mason, the Taylor, and others. But the Fuller plainly implies, that there was here formerly a branch of the woollen manufacturers, for which, ever since the time of William the Conqueror downwards, England has ever been remarkable. Of this manufacture *fulling*, as it is one of the last parts of the process, so is it one of the most perfecting and valuable, for it is that which renders our cloths so compact and effectual, that the whole piece seems formed of one substance, and not of interlacing threads as when first woven, nor is it liable, like other woven goods, to un-

ravel when cut with scissors. Although it is not to be supposed that this system of fulling was formerly here brought to the perfection that it now is, yet doubtless it was already in progress, and the stream at Cleveley which now turns two corn mills was in all probability employed, in the time of Edward the Third, when John the Fuller lived there, to work mills producing cloths of more or less excellency of finish. Indeed we might almost give a guess as to the kind of cloths manufactured here, for in a deed of 1403, in which John Sclater, of Cleveley agrees to supply William Newman with various articles, one of these enumerated was a robe or gown of russet or frieze. Now this last-named material for dress was that for which Wales became remarkable, when Edward III brought over a number of skilful Flemings, to improve the cloth manufactures of England. This idea is the more deserving of credit when we find, at a somewhat later period in the history of our parish, many Welsh names, such as Vaughan, Owen, Evans, and the like; so that in fact we may confidently conclude that Cleveley was at one time a seat of the woollen manufactures, although from various causes they have decayed and passed away. That there were actually fulling mills at Radford has already been shown, and that undoubted fact makes the existence of them at Cleveley also all the more probable.

Until recently, when it was repaired, and thereby materially impaired in appearance, there existed at Cleveley the ancient house belonging to the church lands, which was in an ecclesiastic style of architecture, of about the thirteenth century, having an exceedingly good gothic arched doorway. Unfortunately, however, when this ancient house was repaired, a few years since, this doorway was taken down, without the slightest necessity for disturbing it, and instead of its being restored again, as it might have been, the arch alone was rebuilt, and the well worked sides of the door frame were mercilessly mutilated, and being turned into coins, were used in forming the corner stones of the building. Whether this ever was a religious house, which it may possibly have been, is altogether uncertain. One of the Fuller family, who were so long connected with and were the tenants of the church lands, in the fourteenth century, is described as Capillanus, a Chaplain, which Warton tells us only means an officiating clergyman, yet whether so at Cleveley or elsewhere does not appear. Near adjoining to the village, according to the terrier of lands we have, there was land known as *the glebe*, which always implies land belonging to an ecclesiastical benefice, and further a field was an extensive furlong called St. Mary's furlong, whence again it may be inferred that there had been here anciently some endowed chapel or other religious institution.

There was at Cleveley formerly a piece of land called *the Litter Acre*, from the fact of its having been given to provide straw or litter for the floor of the church. This was in ancient times esteemed a luxury even in the houses of the great, for Fitzstephen,

the Secretary of the famous Archbishop Becket, in the reign of Henry II., writes of him, that "in winter his apartments were every day covered with clean hay and straw, and in summer with green rushes or boughs, that the gentlemen who paid court to him, and who could not, by reason of their numbers, find a place at table, might not soil their fine clothes, by sitting on a dirty floor." Even as late as the year 1662, the church of Burford was not paved, a fact which we have on the authority of Anthony Wood; for he, writing in his *Athenæ Oxonienses* of the burial place of William Lenthall, speaker of the Long Parliament, thus relates it. "As yet he hath no monument, nor so much as any stone over his grave, the floor being (now, or at least lately,) covered only with sand, and unpaved." Vol. ii, p. 205. There is mention in our terrier of a small piece of land in what is called "Rush Pitts Furlong," which may have been the Litter Acre.

11. DITCHLEY. This name is spelt in the oldest deed we have, about A. D. 1295, Dychelye. Ditch or Dyche is derived from the old Saxon word *dic*, which maintains its sound still in the word *Dike*, and which is strictly synonymous with *Ditch*. *Ley*, as before shown, means a field, so that Ditchlye means *the ditch field*. It has acquired this name from a very ancient and large ditch or dike, which has sometimes been called the Devil's ditch, and which is easily to be traced at the present day, and is a very important relic of antiquity. Various opinions have been formed respecting it, Dr. Plott conjecturing it to have been the site of an old Roman road, and Stukeley guessing it to have been British. The best account of it seems to be that given by Dr. Warton, who, without giving Stukeley much credit for his guess, yet confirms him in it, and thus writes respecting it.

"I have lately examined this road, or boundary, in company with Mr. Price of the Bodleian Library. We were inclined to determine it to be a boundary, and not a road; and to be either British or Saxon. It is, perhaps, too rude even to be a Saxon work. The foss is westerly. It might have therefore been formed by the interior Britons of Arden, to counteract the advances of the Romans. I rather think it to be British against British. Amidst the complication of barbarous wars, and among the various allotments of territory, which have happened in this country, during the unsettled and uncivilized state of England, it is, indeed, difficult to determine by whom or when it was made. But that it was a boundary, and not a road, certainly not a Roman road, the irregularity of its course, and its conformation, are sufficient evidences. As to its appellation Grimesdike, or the ditch made by magic, it is common to other works of the same sort; and indiscriminately applied to ancient trenches, roads, and boundaries, whether British, Roman, Saxon, or Danish." Warton's *Kiddington*, pp. 54, 55.

As these remarks are very just and appropriate, so the description that Warton gives of this famous dike, or ditch, is, as far as it



goes, most accurate. He writes of it thus. "From the Lodge (of Colonel Cooke, in Plot's time, but of Mr. Smallbones in Warton's time) in Blenheim Park, its curved and irregular ridge may be followed, by the keen eye of an antiquary; to Ditchley-gate. Thence it shoots partly up the road to Ditchley, and turns off to a lone house called the Sart Farm, otherwise the Sarts, that is the Essarts, a forest phrase for a cultivated spot. Here we lose its doublings, which yet are frequently discernible in the roughest parts of the surrounding woods. Running towards Glympton, into Oak and Ash Lane, and avoiding the river Glym and its meadows, it reverts in a sweep to Kiddington; and from the south of the turnpike there, appears for almost a quarter of a mile in many high and massy ridges, covered with a fine turf down the winding declivity of a very broad lane, or waste. Here, although the foss and vallum are confounded, are proofs that it was a work of prodigious labour. Mounting the hill north of Asterley, and passing Ditchley house, near the late Lord Litchfield's Gothic barn, it presents a deep foss of considerable breadth and length, often called Grimesdike, but more commonly Love-Lane. Hence, a little to the south-west of Charlbury town, it rises into a bold vallum, broad and lofty, which it preserves in a straight line through a field called Bagwell, down to the edge of Blandford Park. Just within the wall of the park, I remarked an accumulation of some strong and spacious earthworks, very antient, affording no slight pretensions to a connection with our boundary, as they were rudely constructed, and of a shapeless and unintelligible configuration." Warton's Kiddington, p. 60.

Warton's description of the boundary is so far very accurate, and Plot's though not so complete is quite reconcilable with Warton's. Plot lost the traces of it at Glympton, and when he found them again at Kiddington bearing exactly across the line of direction where he had lost them, he supposed this to be a new boundary. With this difference their conceptions of its course, though not their accounts, appear to have been similar. Warton's, however, is much the more full and complete. This remarkable earth work is still to be traced as described above, although very recently it has undergone some changes. It is plainly visible now across the Glympton Assart farm, but in one part of its course here has been greatly modified only last year, 1855. In order to render it more subservient to the plough the escarpment has been considerably lowered, and the material, of which the boundary was formed, has been spread over the ground it encloses. The work thus done, under our eyes at the present time, tells us how in previous ages, at other points of the course of this boundary, the same process of demolition has gone on, and will account for the absence of it altogether at various intervals. A former lowering and levelling of it is discernible in the ride up to Ditchley house, where this ancient earth-work or boundary is first visible in our parish, for as it shoots slantingly athwart the middle of this

ride, just about halfway between the gate at the Kiddington boundary and the Ditchley Park gate, it has been sloped as much as possible so as to render the road level to the eye, though a rise in it is still quite evident. This is the portion of it described by Warton as "mounting the hill north of Asterley, and passing Ditchley house," although the road north very inaccurately indeed expresses its proper bearing; and this is the particular part of it which occurs in our parish, for when it passes Ditchley house it at the same time passes out of Enstone parish into Spelsbury, and so away for Charlbury.

But since Warton's time two very interesting discoveries have been made in its immediate vicinity, which throw more light on it, as we conceive, than it has hitherto received, and seem to leave no doubt as to its having been a Roman boundary. The two discoveries are, the one in the year 1813, of the Roman village or encampment in the parish of Northleigh, the other that of a Roman villa, or small encampment, in our own parish, and within that part of it called Ditchley, of which we are now treating. It will have been noticed, that Warton traced it from Blenheim Park, through Glympton and Kiddington, across Enstone and Charlbury, and lost it again in Blandford, now Cornbury, Park. But he had thus discovered a very considerable part of the whole circuit, which it may well be believed to have made, and supposing it to have been continued on, so as to enclose within its bounds the Roman village at Northleigh, and passing by Coombe to re-enter Blenheim Park, then its whole course will have been described. In confirmation of this, it is further observable, that the ancient Roman way, called Akeman Street, which is traceable on both sides, eastward and westward of this enclosed space, must have completely traversed it, and divided it into two parts.

Of the Roman village at Northleigh it belongs not to us in this place to speak further than we have done, but of the ancient Roman remains, such as they are, at Ditchley, we have collected what information we can. Their site is in a field now called Watts Wells South, and is just on the brow of the hill, sloping beautifully to the south, and with well featured grounds in front of it. The site is plainly perceptible, both by its rising above the level of the adjacent ground, and from its being thickly strewed with stones, and many pieces of broken brick or tile, with some occasional remnants of pottery. Its examination, however, would seem to have been very rudely conducted, and little care bestowed upon it, if indeed it has ever been properly and worthily explored.

There can be no doubt that this extraordinary earth-work, whatever its original design and purpose, was the origin of the name by which the noble estate, that is the Park and Mansion of Ditchley, are distinguished, that name being, as before explained, the Ditch Ley, or the Ley within the Ditch. How considerable a tract of this ancient Ley is now included within the Ditchley property is

evident, both from observing the course of the Ditch, in the immediate vicinity and precincts of the park, as well in Enstone as in Spelsbury and Charlbury parishes; and from the fact of the Roman Villa, which has been discovered here, being within its bounds. That there was, within the limits indicated above, a hamlet or village here, of the name of Ditchley, we shall presently give the clearest evidence of. We must first of all point out how it is that in our own parish of Enstone there is a distinct and separate part of it, which, as we are about to show, consists of a large tract within the ancient Roman boundary, and which as being quite separate from every other field or division of our parish, must be called the Ditchley field. For, first, be it observed, that this part of the parish is perfectly distinct from all the other fields or townships. Excluding from it the Winchcombe Assarts, which were not originally a part of the Ditchley estate, although they subsequently became so by intermarriage with the family of the Earl of Downe, this part of the parish touches upon no other part whatever of the present parish of Enstone. It is a separate and distinct field, bounded on the north by the Winchcombe Assarts, on the east by Kiddington, and on the west by Spelsbury and Stonesfield. It tapers down to the south to such a point as to have strictly no southern boundary at all. It forms no inconsiderable part of the park of Ditchley itself, for although the whole of the mansion, and all the adjoining premises, including the stables, and the farm house and buildings, with the exception of the garden house, are in the parish of Spelsbury, yet the parish of Enstone extends for a considerable distance through, and adjoining to the park, so that even the most southerly lodge, and the wood beyond it are within this latter parish. The boundary of this tract of land between it and the surrounding parishes of Spelsbury, Stonesfield, and Kiddington, is throughout the whole length of it an ancient dike or ditch of very great width. It begins at the northern end of Winchcombe Assarts, and is distinctly traceable up to the woods, and even through them, but is lost at the garden and farm yard, through which last the boundary passes. It is discoverable again in front of the mansion, although it has been much levelled there, and is then visible down the declining valley through which it falls. Here it is called the Devil's Ditch, or dike, and adjacent is a ground called Devil Pool Hill. It continues its course until it reaches the narrow stream that then becomes the boundary between Enstone and Spelsbury and Stonesfield. Its eastern boundary is of a similar character, except that there from usage it has acquired the name of a freeboard, the right to the use of which belongs to Kiddington. Thus the boundary of this portion of the parish is a broad blind ditch, or freeboard, as it is called, at different parts of its course, and this might almost have originated the name of Ditchley. But inasmuch as there was in connexion with it, though in another parish, a district also called Ditchley, and like it also within the bounds of the great

Roman earthwork, it is most probable that it did not receive its name from its own boundary, whether ditch or freeboard, but from the more ancient and larger work. However, it is because of the position of this part of our parish, both within the bounds of the great earthwork or ditch, which originated the name of Ditchley, and separate, and detached, from every other portion of the parish, that we have given to it the rank of an independent township or tithing, and the title of Ditchley, or perhaps more properly of Ditchley in Enstone: and, still further, for the very same reasons we conceive, that there was hereabouts in ancient times a hamlet, even within the bounds of our own parish, of the name of Ditchley, forming at one time a manor by itself, and afterwards a distinct member of the manor of Enstone, although when it became so connected we cannot certainly show.

That there was such a hamlet, village, or township, and that it was a tithing, in the parish of Spelsbury, and that too immediately adjoining to and in close connexion with the lands in Enstone, which I have called Ditchley, there is the very strongest and plainest proof of; and since the township and tithing of Ditchley, in Spelsbury parish, have now entirely passed away, and are lost, it may fairly be presumed that there was also a part of the same township in the adjoining lands of Ditchley in Enstone parish. We will, therefore, first give the proof of the existence of the ancient township and tithing in Spelsbury, this being derivable from both Rent Rolls and Manorial Court Rolls that still exist, and are exceedingly interesting and instructive.

### I. SPELLSBURY RENT ROLLS.

ROLL 1. ENDORSEMENT. "Rentale de Spellesbury fact. per J. Harp. Audit. Ao. xxvto. Re. Henri. Vith. (1446-7.)

SPELLESBURY, with its mems. Recognitio of the tenants there, separately sworn and examined . . . . . the xiith day of the month of December in the xxvth year of King Henry VI. (1446)." First come the tenants of Spellesbury, who are divided into two classes, 1, lib. ten., that is free tenants, of which there are four; and 2, de bound, that is of bondage or bondsmen, of whom there are twelve, holding messuages with small farms attached to them, at a yearly rent of vs. and iid. each; and five holding cottages at a rent of iis. iiid. each.

FULWELL has of bond-tenants eleven, holding messuages with small farms at different rents. TORSTAN has of the same twenty-five. Then follow the free tenants of the assart land. FFULWELL, eleven inhabitants of it hold portions of assart land, varying in size from four acres to twenty-seven. At length comes DYCHLEY. "Will. Lytton acknowledges himself to hold of the lord a cottage with a garden, the yearly rent thereof being viiid. and for two acres of land vis. xiiid. Richard Chalon acknowledges himself to hold of the lord a cottage and seven acres, the

yearly rent thereof being xxis., and for one acre and a half, called Herdley, iiiid., and for a garden, called Newhay, iid., and for one ..... Will. Bentley acknowledges himself to hold of the lord one acre, the yearly rent thereof being iid. Rich. Smyth acknowledges himself to hold of the lord a cottage, with a garden, the yearly rent thereof being iid. Rich. Tyler acknowledges himself to hold of the lord a cottage, with a garden, the yearly rent thereof being viid. Thomas Tabley acknowledges himself to hold a cottage with a garden, the yearly rent thereof being viid. Henry Aubyn acknowledges himself to hold of the lord a cottage, with a garden, the yearly rent thereof being iiiid., and three acres and a half assart land, the yearly rent being xd. And TORSTAN. Twenty-three tenants, some of land only, and a few of cottages and gardens. Lastly comes ASSART LAND, of the Lord of the Manor. Imprimis iii acres lying in Dychehalfe, lately that of John Tailor of Dycheley, xiid. Item one close, called Rycroft, xiid. Item one acre lying in Medley, iid. Item one acre in Dychehalfe, lately that of Th. Clement, iid. Item one acre in Dychehalfe, lately that of — Buntynge, iid. Item one parcel of land in Dycheley, called *Losses*, lately of the lord's waste, iiiid. Item one parcel of land in Dycheley, lately that of John Tailor, iiiid.

ROLL 2. "SPELLESBURY. Accompt of Willi Coke, steward.... (Præpositus) there from the Feast of Michael in the xxxiid. year of the reign of Henry VIth. to the same Feast of Michael in the xxxiiid. year of the aforesaid king, that is to say for one whole year, (1454-5.)"

The items with which this account commences are, Arrears of the last accompt; rents of the free men (*assisæ libere*); rents of the natives (*nativorum*) or villiens; rents of the assart land, at the conclusion of which is "Sum of the whole accompt with arrears, lviii lb. xis. xid. ob. ii." Then follow accounts of other lands, and amongst these the same as before, relating to both Dychehalfe and Dychley. Besides this Roll, there is another precisely similar, for the year 1457-8, in both parts of which the officers of the manor are said to be Robert Hardecanute, senechal of the court here, and Thomas Bernard, warrener and woodward of the lordship of Spellesbury. The two rolls also contain much that would be interesting in a History of Spellesbury, but we must forbear here referring to them any further than thus serves to illustrate our present enquiry respecting Ditchley.

## II. SPELLSBURY COURT ROLLS.

ROLL 1. SPELLSBURY. View of Ffrank Pledge held there the xxvth day of October, in the xxth year of the reign of King Henry VIth. (1441-2.)

CHADLYNGTON. William Lette, tithingman, there sworn and commissioned, comes and presents with his whole tithing that

John Hewes is a common trespasser, and has broken the bye-law. Fined vid. And that William Cowell is a rogue and sells rotten meat. Fined iid. DYCHELEY. John Thomson, tithingman, there together with his whole tithing, sworn and commissioned, comes and presents that Hugh Abury permits . . . . . at Tassewell . . . . . FFULWELL. To this court comes Hugh Abury, tithingman, &c. and presents that a horse of a black colour of the value of iiis. iiiid. remained as overstocking at the Feast of Saint Michael, in the xvi. And long before the day aforesaid came Thomas Harryson and proved that the said horse was his own proper chatell and not a *remanet* and gives to the lord for forfyng vid. TASTON. John Legette, tithingman, &c. comes and presents that William Waklyn unlawfully and against the peace of the lord the king broke *le punfold*, the pound, of the lord the king. Fined vid.

ROLL 2. SPELLISBURY. View of Frank Pledge with the court held there xviiiith day of October in the first year of the reign of King Henry VIIIth. (1509-10.) ESSON. Null. CHADLYNGTON. The tithingman there presents that Thomas Wheler is a common trespasser at a yearly fine of vid. and that all else is well. DYCHELEY. The tithingman there sworn presents that Margery Blaclet is a free tenant by the taking of Colemanbond of a yarde of land the view being as yet unknown and the widow by whom it is to be surrendered. But it is said that since the death of the aforesaid taken it has paid no release, and that the lands the view of which is unknown pay to the lord yearly iis. iiiid. Let that therefore be for the present the release. And with respect to all other things well. But let the day for giving seizin be the next for holding the court of this manor.

Without giving other rolls so fully as the foregoing, because we shall exhibit some of these at length in our account of Manorial Records, we may yet add here such extracts from them as bear immediately upon our present subject of enquiry, the existence of a township and tithing of Ditchley, in the parish of Spellsbury. Thus, in a Court Roll of the manor of Spellsbury, dated the 17th of October, in the second year of Henry VIIIth., (1510-11). we have the following:

“DYCHELEY. The tithingman there presents that William Smith owes suit and service.”

So again in another Roll of the same court, dated the 20th day of July, in the 15th year of Henry VIIIth. (1523-4), we have a similar entry, thus: “DYCHELEY. The tithingman there in his own tithing presents to the jurors aforesaid,” &c. And yet, within a very few years afterwards, in a Court Roll of the 25th of Henry VIIIth. (1533-4), Fullwell, Taston, and Dychley are all mentioned together, as if they were but one member. In another Roll, of the 33rd of Henry VIIIth. (1541-2), none of the members are mentioned severally; and subsequently, as later rolls show,

Ditchley ceased to be mentioned altogether, and no tithingman was appointed to it, or has been so for a very great number of years.

But besides being a tithing of Spellsbury, and so a member of that manor, Ditchley was itself a manor, nor was it the only one of the members of Spellsbury that was so, for Chadlington East End was also a manor, and had not only its own tithingman, but its own constable also. The source from which we learn the fact of Ditchley having been a manor is, an ancient lease, of the year 1611-12, by which the tithes of the manor of Ditchley, being then in the possession of Richard Pinson, of Studley, were by him leased, for the term of five years, to Sir Henry Lee, of Ditchley, the tenor of this lease being in the form and words that follow :

“ THIS INDENTURE made the twelveth day of July in the nynthe yeare of the Raigne of our Sovraigne Lord James by the grace of God King of England Ffrance and Ireland Defender of the Faith &c. And of Scotland the foure and ffortithe (1611-12) Betweene Richard Pinson of Studley in the County of Oxon yeoman of the one prt And Henry Lee of Dutchley in the saide County of Oxon Barronet of th other pte WITNESSETH that the said Richard Pinson as well for and in consideracon of the yearly Rent hereafter in and by these prts resvd as for divers other good causes and consideracons him thereunto moving Hath demised granted and to ferme Letten and by theis pnts doth demise grante and to ferme Lett unto the saide Henry Lee All those his Tithes yssuing and arising out of his Mannor of Dutchley aforesaid and being due and payable unto the Psonage of Spillesbury in the said county of Oxon. . . . To Have and to Hold. . . . from the first day of Maie last past . . . unto the full end and Tearme of ffive yeares. . . . YIELDING and paying yearlye. . . . unto the said Richard Pinson. . . . (at or within the Mansion and now Dwelling house of the said Henry Lee in Dutchley aforesaid) the full somme of Twenty Pounds.”

But besides being a manor, as is here evident, it is no less so that its tithes were separate and distinct from other tithes, and that in this respect also it was independent. And this would lead us to expect, that it must have had its own place of worship, as in fact we find that it had. For in the registers of Wootton Church, the clergyman of which was apparently the officiating minister at Ditchley, there is mention of a chapel here. Thus in the baptisms for the year 1659 it is stated that “ Anne Lee, the daughter of Sir Henry Lee, baronett, lately deceased, was baptized at Ditchley chappell.” But since baronets have never had the privilege of having private or domestic chaplains, as peers have, these last enjoying their right by a statute of Henry VIII., but baronets having never existed as an order until the time of James I. ; so the Lees of Ditchley could not have had either a domestic chaplain or a private chapel, and the Ditchley chapel referred to

in the register must have been the place of worship of the hamlet.

Such is the evidence, then, by which we have been enabled to shew most clearly that there was originally, in the adjoining parish and manor of Spellsbury, a hamlet, village, or township of Dycheley, which was also a manor of itself, at first independent, but eventually becoming a member of the larger manor of Spellsbury. The documents that we have here referred to, and of which we shall hereafter give some more particular account, when we come to speak of Manorial Records, show that this Dycheley had its own tithingman and was a distinct tithing; they make mention of residents owing suit and service to the lord of Spellsbury; they speak of transgressors, amongst these residents, against the byelaws of the manor; they summon into court, and take bail of for their attendance, Sir John St. John, and Thomas Eton, gent. both of them owners of lands and tenements in Dycheley; and lastly we have a lease of the tithes of the manor, taken in 1611 by Sir Henry Lee, the then lord of it. From all this then it is quite evident that there was here formerly a manor and a village. Equally so is it evident, that that manor, with its tithing, gradually sunk into and was included in the manor of Spellsbury, that the village passed away, and that now the traces of it, if they at all exist, are entirely unknown.

But what has occurred in Spellsbury is quite as likely to have occurred also in Enstone, in that part of the parish which I have called Ditchley, and which adjoins the Ditchley in Spellsbury, and now together with it forms the park and domain of Ditchley. I have not indeed been able to find any rolls or other documents of the manor of Enstone so early as those of Spellsbury, for the earliest of Enstone are only 1711, while those of Spellsbury go back to 1441. But still it may be argued, that if within the period defined, that is between 1441 and 1711, Ditchley had ceased to be recognised as a tithing of Spellsbury, and to have a tithingman appointed to it, is it not quite possible, and even probable, that that large outlying part of the parish of Enstone, which I have called Ditchley, which is totally unconnected with any of the other members of Enstone, and, finally, which adjoined and touched upon the tithing of Ditchley in Spellsbury manor, formed within the manor of Enstone a tithing of the very same name, it being no uncommon thing at all to have places, and even parishes, of similar names, though of course with some additional cognomen to distinguish them. Thus, for example, in our own parish, we have two Enstones, Church and Neat, and of Bartons there are three, Wescot Barton, forming one parish, and Middle Barton and Steeple Barton another parish. Or to take a case more exactly similar to the one we have supposed, and within our own parish and that of Chipping Norton. There are two several Charlfordes, one in Enstone and the other in Chipping Norton, and



if this be so now at one end of the parish, it will not surprise us to learn that in former times at the other end of the parish, there was a Ditchley in Enstone and a Ditchley in Spellsbury, and these having both come into the same hands, have been moulded into one estate, and even into one park, the boundary between being broken down, although the traces of its course still remain plain and evident.

I believe, indeed, that we have very strong indications of this if not actual proof in some of our very earliest deeds, for one, the date of which is about the year 1295, is a grant of land made by Margerie of Dychelye, at that time widow of Radulf of Dychelye, of a part of the estate at Cleveley, that has ever since belonged to the Church of Enstone. Now as that church was at the time in the hands of the Abbot and Monks of Winchcombe, and so was a well-endowed and well-cared-for church, it is not likely that a stranger to the parish would have conferred such a gift upon it. But if we understand these persons Radulf and Margerie of Dychelye to be parishioners and residents in the parish, inhabiting that very part of it to which all our enquiries and observations apply, then have we a strong presumption, if not an absolute proof, that this portion of our parish was originally called Dychelye, being adjoining to and touching upon Dychelye in Spellsbury, and being a distinct and separate member, that is a tithing, hamlet, township, or field of the manor and parish of Enstone. A fact yet to be added seems conclusively to determine this. Ditchley is not, as Enstone is, in the Hundred of Chadlington, but in that of Wootton. It was so in Speed's time, for in a list of towns and villages in Oxfordshire left by him he mentions Ditchley in the Hundred of Wootton. So still, according to Carey's map of the country, is it in the same hundred; and that not merely the portion in Spellsbury parish, but that also in Enstone, most completely establishing the original connexion and unity of the two, although subsequently they have been separated, and at the same time therefore showing our part of Ditchley to have been a distinct and independent part of Enstone. Such, however, is the conclusion to which I have myself from enquiry come, and I have no doubt that this isolated part of the parish did originally stand alone and independent as it now does, and also originally had its standing as a tithing, hamlet, township, or field. The whole of it, including even the Winchcombe Assarts, having passed into one family, and so having become one property, it has not required enclosure, as other parts of the parish have, but has by lapse of time obtained the nature and privileges of old enclosure. These last, however, the Winchcombe Assarts, did not come into the possession of the Ditchley family until long after the suppression of the Monasteries, and their acquiring by marriage the manor and lands which the Abbey had long held.

The Winchcombe Assarts contain 95 acres, and the rest of the

Ditchley estate within the parish of Enstone, and which formerly made what we have called the Ditchley field, or township, contains 443 acres. This last we separate from the Assarts, because we know that when these were purchased they belonged to the then Lords of the Manor, Winchcombe Abbey, whereas that which is strictly the Ditchley field was not only another estate but another manor, and we have every reason to believe another tithing, and in all respects an independent hamlet or township.




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## CHAP. II.

### MEMORIALS OF THE ANCIENT AND NOBLE FAMILIES OF LEE AND DILLON, NOW LEE-DILLON, OF DITCHLEY.

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“There is a history in all men's lives  
Figuring the nature of the times deceased.” Hen. IV.

HAVING thus traced out and shewn the portion, or share, that the extreme southern part of the parish of Enstone may fairly be presumed to have had in the ancient manor, tithing, and village of Ditchley, it will be but reasonable here to subjoin some account of the ancient and noble families of Lee and Dillon, now Lee-Dillon, that has for the last three or four hundred years, at least, possessed and enjoyed the manor and place of Ditchley.

The name of Lee, although itself a comparatively common one, having its origin as a surname from the Saxon *leag*, a field, spelt variously in English, as *ley*, *lee*, or *lay*, has been raised into eminence and enrolled by different individuals, who have from time to time borne it, and who have held high positions in the state, or have rendered themselves celebrated, either for their valour or their learning. In consequence of the use of the word as a surname, and its adoption as a family name, its orthography has been varied much more than when employed in its common acceptation as signifying a field; and this probably has arisen from a desire, on the part of various families bearing it, to distinguish amongst

themselves their several branches and ramifications. Thus we find it spelt Lea, Lee, Ley, Legh, and Leigh. What is very remarkable, however, is that we never find it spelt by any family of distinction Lay. This mode of spelling, which occurs frequently in the use of the word when employed to mean a field, and which is in fact but a vulgar corruption of the original Lea, or Ley, obtains amongst those of inferior rank who have acquired the name, and I have known several families amongst the labouring classes, of the name of Lay, but I do not observe amongst any persons of distinction any such spelling or pronunciation of the word. From the "*Ædes Hartwellianæ*" of Admiral Smyth, I have learned, since writing as above, that that eminent antiquary Dr. Pegge pointed out the five different modes of spelling the name of Lee which I have mentioned above, but I do not find that he has noticed the peculiarity I have observed respecting the form Lay.

As the word is of Saxon origin, so the family using it is said to have been similarly derived. Burke, in his peerage, writing of the family of Baron Leigh (Chandos Leigh) of Stoneleigh, in the county of Warwick, created a peer in 1839, observes, "the ancestors of this noble family assume their surname from the township of High Leigh, co. Chester, where they were seated before the conquest." Debrett, in his *Baronettage of England*, gives a yet more particular, though not so ancient, an account of the settlement of the family in the north of England, and of their subsequent migration to the south. In tracing the origin and descent of Leigh of South Carolina, created a baronet in 1772, he states, "at High Leigh, in the county of Chester, are two mansions and estates, called the East Hall and West Hall. At each has been settled, from the time of Edward I., a family of the name of Leigh, who bear different arms, and contend with each other for superior antiquity." This being the original site of the families, he thus accounts for their migration into the vicinity, when describing the family of Lee of Hartwell, in the county of Bucks, who were created baronets in 1660. "This family had flourished long in the county, previous to their advancement to the dignity of a baronet. It is stated that they are a branch of the Leighs of High Leigh, and Lymes in Cheshire; and that their immediate ancestor, retiring out of the way of the persecution which the family underwent, for taking part with Richard II., settled in the county of Buckingham, early in Henry the Fourth's time." This account of Debrett is authenticated by an inscription that still exists in an oratory belonging to the Lees of Lyme, in Macclesfield church, and which records the fate of one member of the family who fell a victim to the vengeance of Henry IV., and whose death was the cause of the flight and dispersion of other members from a vicinity where their haunts were known. The inscription is as follows:

“ Here lyeth the body of Perkin a Legh  
 That for King Richard the death did die,  
     Betrayed for righteousness  
 And the bones of Sir Peers his Sonne  
 That with King Henrie the Fift did worrne  
     In Paris.”

“ This Perkin served King Edward the Third, and the Black Prince his Sonne, in all their warres in France, and was at the Battell of Cressie and hadd Lyme given him for that service: And after their deathes served King Richard the Second, and left him not in his troubles, but was taken with him, and beheaded att Chester by King Henrie the Fourth, and the sayd Sir Peers his sonne served King Henrie the Fift, and was slain att the Battell of Agencourt.

“ In their memorie Sir Peter Legh of Lyme, Knight, descended from them, finding the sayd ould verses written uppon a stone in this Chappell, did reedifie this place Ano. D’ni 1620.”

The circumstances attending the death of this Perkin a Legh, who died the death for his righteousness to the cause of Richard II., were these. When Henry IV., after winning his bloody victory at Shrewsbury, where Douglas and Hotspur were vanquished, marched against Chester, the family of Lee endeavoured to propitiate the favour of the triumphant king, and Sir Robert and Sir John a Legh were commissioned to make their submission to him, and to surrender whatever he might demand. These concessions it was hoped would have secured the king’s forgiveness, but no sooner was he in possession of the castle, than he ordered Perkin a Legh to be forthwith beheaded, and his head set upon the highest battlement of the walls. This severe act of vengeance, on so aged and valiant a knight, not only excited just indignation and pity, but also caused the family to become distrustful of a king capable of such things, and to disperse themselves in other parts of England, rather than abide his anger in the north.

Besides this monument to Perkin a Legh and his son, there are several others belonging to the family in Macclesfield Church, one of which is that of Roger Lee, who died in 1506, and Elizabeth his wife, who died in 1489, behind whom are represented kneeling their thirteen children. Between the figures is a plate, with the effigy of a mitred priest engaged in prayer, and under him this extraordinary inscription. “ The pdon for saying of V. paternost. and V. aves and a cred is XXVI. thousand yeres and XXVI. dayes of pardon.” An eminent and instructive example of the superstition and folly of Popery, which thus pretends to mete out to man the ages of eternity, and to decree at its pleasure what amount of pardon it chooses, in utter defiance of the glorious truth of God, “ the blood of Jesus Christ his Son cleanseth us from all sin.” 1 John i. 7. Let us then go to this eternal and all-

cleansing fountain, and utterly disregard all other worthless and "broken cisterns that can hold no water."

As Christian names will often assist us in detecting family relationships and alliances, where otherwise we might be unable to do this, so amongst some of the families of the name of Lee there is one Christian name that seems to have acquired especial favour, and to have been more or less connected with the fame of these families for some centuries, and through many generations. This Christian name is Henry, which we can repeatedly trace through successive generations, and reviving again, even when apparently lost, in the family of a younger son. Thus in the latter part of the sixteenth century there lived an eminent lawyer, who rose, through many important offices and gradations of his profession, to be Lord Chief Justice and Lord High Treasurer of England, and a Counsellor of State; who was created a Baronet, then Baron Ley of Ley, and eventually Earl of Marlborough; and whose name was James Ley, a younger son of Henry Ley of Teffent-Evias in Wilts, and grandson of Henry Ley of Ley in the parish of Bere-Ferres in Devonshire; and as both his father and grandfather had borne the name of Henry, so he, although he had ennobled himself, and might therefore have had some desire of perpetuating his own name of James, yet preferred that of Henry, and gave it to his own son who succeeded him. A similar instance is to be found in the account of Edward Leigh, Esq., who lived about the middle of the 17th century, the intimate and attached friend of the celebrated William Whateley, sometime Vicar of Banbury, who was the son of Henry Leigh of Shawell in Leicestershire, and himself left as his successor a son Henry Leigh, M.A. of Magdalen Hall, Oxford. So again about the same time as the last there was a John Lee, son of a Thomas Lee of London, and nephew by marriage of Dr. Warner, Bishop of Rochester, who was succeeded by a son named Henry. So that amongst these various families, in which the surname is variously spelt Lee, Ley, and Leigh, the continued, frequent, and revived use of the Christian name Henry, justifies us in implying amongst them some common bond of union and connexion, though what we are unable at this time of day distinctly to trace. The use of the name of Henry, however, by some of the families of Lee is so palpable as to enable us to connect them together, where otherwise we might fail to do so.

As the families of Lee multiplied and became ennobled they adopted other means of distinguishing themselves besides the mere differences of spelling. Thus as there was a Baron Ley of Ley, afterwards Earl of Marlborough, both which titles became extinct in 1679, so there was also a Baron Leigh of Stoneleigh, which title also became extinct in 1786, and again a Holt Leigh of Whitleigh or Whitley in the County of Lancaster. And thus we may understand, how there came to be the family of Lee of

Ditchelye, thus distinguishing itself from all its cognates, and surviving at this day as one of the most ancient and noble of all the families, through its many alliances and connexions. These, however, it must now be our business to seek out, and to memorialize, and thus, though we may occasionally refer to other branches of the family, we shall chiefly aim at illustrating that, connected with our own parish through their domain at Ditchley.

The oldest individual member of the family, of whom we have found mention, was Sir Perkin a Legh beheaded at Chester in 1403, and who, when he was desirous of propitiating the favour of Henry IV., sent as negotiators Sir Robert and Sir John a Legh, who doubtless were his own sons. Now of one of these we apparently find mention in contemporaneous history, for as early as the time of Edward III., in whose service Sir Perkin then was, there was about the year 1370, a Sir John Lee, who was Steward of the King's Household. What is also very probable is, that as that king most frequently resided, when at home in England, at his palace and domain at Woodstock, it may be presumed and inferred that the steward of the King's Household, Sir John Lee, would have some place of residence in the vicinity of the royal palace, and this might have been at Ditchley, where he would be most conveniently situated for discharging his high office about the court. Mention is made of him by the great Lord Bacon, in a paper drawn up by himself in his own defence, when he had incurred the displeasure and lost the favour of his sovereign, James I. Lord Bacon endeavours to palliate his own faults by pleading misdemeanors of others, and to propitiate a moderate judgment against himself by the leniency before shown to others, and amongst such cases he introduces that of Sir John Lee. Mr. Montagu, in his edition of Lord Bacon's Works, observes upon the document thus referred to, "this paper was probably drawn up on occasion of the proceedings and judgment passed upon the lord viscount St. Alban by the house of lords, May 3, 1621." The part of it referring to Sir John Lee is as follows: "Notes upon Sir John Lee's case, Steward of the King's Household. 44 Edward 3. His offences were, great oppressions in usurpation of authority, in attaching and imprisoning in the Tower, and other prisons, numbers of the king's subjects, for causes no ways appertaining to his jurisdiction; and for discharging an appellant of felony without warrant, and for deceit of the king, and extortions. His judgment was only imprisonment in the Tower, until he had made a fine and ransom at the king's will; and no more."

In forming an opinion of the character of this Sir John Lee in our own day there are many considerations to be taken into account. In the first place it must be borne in mind, that it was the interest, and therefore the object, of Lord Bacon to magnify as much as possible the faults of others, that his own might seem

the less by the contrast, so that we may very considerably diminish our estimate of the above charges by allowing for their aggravation on this account. Then again the smallness of the punishment, coming from such a monarch as Edward was, who was especially prone to vindictiveness, and more likely therefore to punish to excess rather than moderation, may satisfy us that the acts were not so wrong as the charge at first implies. But lastly, and this is all important, the charges themselves, though most culpable and deserving of condemnation in our day, when the rights and liberties of all men, high and low, rich and poor, are better understood and most jealously guarded by our laws and constitution, only imply acts that were necessary in the full discharge of his duty to the king he served, and who himself not overmindful of his subjects' welfare, was much more likely to approve the zeal of a servant in his cause, however illegal, than strict and even-handed justice that must have disappointed his own pleasure. A somewhat similar case, though of a more tyrannical character, was that of Warren Hastings, and such arguments, as Lord Erskine had the boldness to employ in relation to him, might with equal propriety have been used by Sir John Lee. "It may and it must be true that Mr. Hastings has repeatedly offended against the rights and privileges of Asiatic government, if he was the faithful deputy of a power, which could not maintain itself for an hour without trampling upon both." (Erskine's defence of Stockdale.) From such considerations as these, we must regard Sir John Lee only as a courtier out of favour for the time, some of whose peculations and extortions the king was desirous of sharing, in the shape of a fine or ransom; as in a later time king James I., on viewing the territory of one of his lords, is reported to have said, "What a bonnie traitor he would make," meaning thereby, that, if attainted of treason, the king would be the gainer of his confiscated estates, a system which we may well remember cost Naboth the Israelite both his life and vineyard. The times, in which this Sir John Lee lived, were both violent and lawless, and the powers of the sovereign were very great, and since Edward himself was not very scrupulous in wringing money from his subjects, to carry on his long and bloody wars, so it is not at all wonderful that a courtier exercised in such a school, should have, from over zeal in his master's service, strained and misused the authority entrusted to him.

There was a branch of the family of Lee settled at Lee Magna in Kent, of which Sir Richard Lee was twice Lord Mayor of London, and left a son Richard as his successor, who was the father of a most eminent ecclesiastic, Edward Lee, sometime Archbishop of York. He was sent to Magdalen College, Oxford, about 1499, and afterwards became Chaplain to Henry VIII., and his Almoner. He was, writes Wood, from whose Athen. Oxoniens. we abstract this account of him, "a violent antagonist of Erasmus,

but whether greater in learning than he, or his equal, was then doubtful; yet there be not wanting some that say, that he was a learned man, yet he was not a fit match for that polite person. Not long after the king employed him in several embassies, particularly in that to the Emperor with Sir Francis Pointz, and in another with the Lord Morley, and Sir William Hussey into Germany to Don Ferdinando, Duke of Austria, with the order of the Garter, an. 1523, and a third with Stokesley, Bishop of London, and Thomas, Earl of Wiltshire, to the Pope at Bonorie, about the intricate matter of marriage with Queen Catherine, an. 1529. In which year, in the beginning of February, he became Chancellor of the Church of Salisbury. After his return from the last embassie, he was made Archbishop of York, an. 1531. He was a great Divine, and very well seen in all kind of learning, famous as well for his wisdom as virtue, and holiness of life, a continual preacher of the Gospel, a man very liberal to the poor, and exceedingly beloved of all sorts of men, who greatly missed and bemoaned the want of him, when dead." Wood, after giving some account of his writings, proceeds thus respecting him. "Dr. Lee, Archbishop of York, died 13 September, in fifteen hundred forty and four, aged 62, and was buried in the middle of the South Isle, above the Choir of the Cath. Church there. Over his grave, as there is a little inscription to continue his memory in that place, so in the windows of the Founder's chamber at Magdalen College (over the gate leading into the quadrangle) are these two verses set up under his Arms (impaled by those of the See of York) by Dr. Lawr. Humphrey, an. 1556.

Unus erat Leyus velut inter sydera Phœbus,  
Sic vicit socios temporis ipse sui.

I have seen several letters written by this Dr. Lee to king Henry VIII., and in one he wonders that *the Pope's supremacy should be a cause for martyrdom, and that Fisher, Bishop of Rochester should dye in defence of it, when in other matters of faith, and errors against the same, he hath dissembled, and hath not been content with such as have written against them for the favor he bore to the party, in whose books they are found, &c.*"

Contemporary with Archbishop Lee, and in all probability his brother, was Sir Richard a Lee, who was a courtier in the times of Henry VIII. and Edward VI. The former king, Henry VIII., bestowed upon him the manor of Estone, now Aston-under-Hill, in Gloucestershire. But the latter king, Edward VI., added very considerably to this grant, when a further suppression of monastic houses took place in his reign. Thus he had bestowed upon him the manor and park of Beckford, of which manor Estone was only a member, together with the advowson of the vicarage, and the rectory and advowson of the vicarage of Grafton, another member of Beckford. Such of the tithes of the parish of Ashchurch as had belonged to the college of Fotheringay were also



granted at the same time to Sir Richard Lee. And lastly the manor of Newent, and a wood called Yarkledon were added to the foregoing. Sir Richard Lee, however, had no son, and his two daughters and coheiresses made a partition of their estates, which thus became again dispersed.

About the same time as both Archbishop Lee and Sir Richard a Lee, there lived a Lady Margaret Lee, to an acquaintance with whom we are led by a note in Warton's History of Poetry, vol. iii. p. 72. He therein refers us to Tanner's printed books at Oxford for Tottell's edition of "Songes and Sonnettes of Uncertain Auctors," 1557, in which he tells us that there is a poem, attributed to Grimoald, on the death of Lady Margaret Lee, in 1555. By the kindness of the Rev. Mr. Coxe, one of the librarians of the Bodleian, I have been able to obtain the following.

"AN EPITAPH OF THE LADY MARGARET LEE.

1555.

Man by a woman born this life what we may call  
 Blod, frendship, beauty, youth, attire, welth, worship, helth & al  
 Take not for thine: nor yet thyself as thine beknow.  
 For having these, with full great prayse, this lady did but show  
 Herself unto the world: and in prime yeres (bee ware)  
 Sleeps dooful sister, who is wont for no respect to spare,  
 Alas, withdrew her hence; or rather softly lede  
 For with good will I dare well saye, her ways to him shee sped  
 Who claymed, that he bought; and took that erst he gave:  
 More meet than any wordly wight, such heavenly gems to have  
 Now wold shee not return, in earth a queen to dwell  
 As shee hathe done to you, good frend, bid Lady Lee,  
 Farewell."

From Henry Howard, Earl of Surrey, and others' Songs and Sonnettes, Tottel, 1557.

This is no doubt the work to which Warton refers, though the title is somewhat different from that which he gives. It is observable, from the tenor of these lines, that this Lady Margaret Lee had died unmarried, and consequently that she was born a Lee, a fact of some importance as we shall have occasion hereafter to notice further, since it implies that the name of Margaret had been in use in the family.

A most eminent member of the Ley family, and the founder of one of its branches, was Sir James Ley, earl of Marlborough, of whom Wood, in his Athenæ, gives us the following memoir. "James Ley, a younger son of Henry Ley of Teffent-Evias, in Wiltshire, son of Henry Ley, of Ley, in the parish of Bere-Ferres, in Devonshire, Esq., was born at Teffents-Evias, became a commoner of Brasenose College, in the beginning of 1659, aged 17, or thereabouts, took a degree in Arts, and on the first of May, 1577, he was admitted a student of Lincoln's Inn, where, making great proficiency in the Municipal Law, which was much ad-

vanced by his academical learning, he became a Councillor of great repute, was called to the Bench 22 Eliz., and in the 44 of that Queen was Lent reader of that Inn. After which, his profound learning, and other great abilities deservedly raised him to sundry degrees of honour and eminent employment: for in the 1 of Jac. 1, he was called to the state and degree of Sergeant at Law, and in the year following he was constituted Chief Justice of the King's Bench in Ireland, in which place he continued till Mich. term 6 Jac. 1, and then, being a Knight, he was made Attorney of the court of Wards and Liveries in England. Shortly after he obtained a Privy Seal from the King's Majesty, dat. 15 May, 7 Jac. 1, to take place in the said court of the King's Attorney General, which till then was never used, but since hath constantly been observed. By virtue of that Seal, and by appointment of Rob. Earl of Salisbury, then Master of the said Court, he took the place the same day of Sir Hen. Hobart, Knight, then Attorney General to his Majesty. During his continuance in that place he was made a Baronet, and in the 18 Jac. he was removed from that Court, having been Attorney 12 years, and upwards, and was made Lord Chief Justice of the King's Bench in England. In 22 Jac. he was made Lord High Treasurer of England, and a Counsellour of State, and on the last day of the same month, he was advanced to the dignity of a Baron, by the title of Lord Ley of Ley, before mentioned. In the 1 of Car. I. he was created Earl of Marlborough in Wilts, and in the fourth of that king, he resigned his place of Treasurer, and was made Lord President of the Council. He was a person of great gravity, ability, and integrity, and of the same mind in all conditions. He ended his days in his lodgings in Lincoln's Inn, on the 14th of March, 1628, and was buried in an Isle joyning to the Church of Westbury in Wilts, in which parish he had purchased an Estate. Over his grave was soon after a stately monument erected by Henry Ley his son, who succeeded him in his honour, begotten on the body of his father's first wife, named Mary, daughter of John Pettie of Stoke Talmach and Tetsworth in Com. Oxon. Esq. This family, however, did not endure very long, for the Earldom became extinct in the year 1679.

But although the family thus soon became extinct, it has obtained a more enduring fame than all the honours and titles that the mightiest sovereigns can award and bestow, for it has been commemorated, and, as far as mortality can be, immortalised in the imperishable numbers of Milton, who addressed one of his best sonnets to the Lady Margaret Ley, daughter of James, first Earl of Marlborough. It is as follows:

Daughter to that good earl, once President  
 Of England's Council, and her treasury,  
 Who liv'd in both, unstain'd with gold or fee,  
 And left them both, more in himself content,

Till sad the breaking of that Parliament  
 Broke him, as that dishonest victory  
 At Cheronœe, fatal to liberty,  
 Kill'd with report that old man eloquent,  
 Though later born than to have known the days  
 Wherein your father flourished, yet by you,  
 Madam, methinks I see him living yet ;  
 So well your words his noble virtues praise,  
 That all both judge you to relate them true,  
 And to possess them, honoured Margaret.

The allusion to "the breaking of the Parliament" having "broken" the Earl of Marlborough, had its origin in the fact that the Earl died on the 14th of March, 1628, exactly four days after the dissolution of the parliament by Charles I., when he was pursuing that weak and vacillating conduct of being now abundant in his concessions, and now as unyielding and severe as before he had been generous and free, thereby encouraging demands at one time, and then stimulating the desire for them by refusals. The consequences of such a course might well have been foreseen by, and may have had their influence on the health of, the aged earl, as imagined by Milton, but at least the time and application of the fact are very happily employed by Milton, and are quite warrantable by the free licence of a poet. The Lady Margaret, to whom the sonnet was addressed, married Captain Hobson of the Isle of Wight, and, as Milton is believed to have been the frequent visitor of that lady and her husband in 1643, so it may be concluded, that it was about that time that he composed it.

Contemporary with the preceding, lived Gerard Legh, son of Henry Legh, or Leigh, of London, descended from the family of Sir Edmund Legh, of Baguly in Cheshire, Knight, who was born in London, where, says Wood, "being trained up for a time in Grammaticals, he was sent to Oxon. to complete them, and to obtain so much of the Logicals that he might the better conquer the rudiments of the Municipal Law. But such was the vigour of his natural genius to Heraldry, Genealogies, and History, that he postponed those beneficial studies, and totally gave himself up to those of honour and less benefit. All that he hath published is that fruitful and worthy treatise entitled, 'The Accedence of Armorie. Lond. 1568 and 1612, in qu.' Which being the first book of that nature that was ever printed in the English tongue, was a pattern or platform to those that came after." Wood assigns as the time of his decease the 18 Elizabeth, 1576.

Another member of the Lee family, and one whose connexion with the Ditchley family is undoubted, earned for himself, unhappily, a name and a fate equally to be reprobated and deplored. This person was Thomas Lee, who was, as Camden informs us, the kinsman of Sir Henry Lee, knight of the garter, and who, unhappily for his life and fame, took part with the unfortunate favourite

Essex, in the ill-advised conspiracy that he engaged in against Queen Elizabeth. The part that Thomas Lee took with Essex is given somewhat in detail by Lord Bacon in a state paper drawn up by him in the year 1601, and entitled "A Declaration of the Practices and Treasons attempted and committed by Robert, late Earl of Essex, and his complices, against Her Majesty and her Kingdoms." Now, amongst these the "complices" of Essex, Sir Christopher Blunt was the chief, for he was not only the marshall of his army, but he was also, as Bacon calls him, "his inwardest counsellor." But the Blunts having been an Oxfordshire family, from the time of the Norman conquest, and having resided at one time not far from Ditchley, for in the year 1349, according to some of our old parish deeds, Jacob le Blunt was resident at Faulor, an intimacy had no doubt thus arisen between the families of Blunt and Lee, and Thomas Lee was in this manner brought into connexion with Sir Christopher Blunt.

To understand the part which Thomas Lee took in the conspiracy of Essex, and which cost him his life, we must call to mind the circumstances under which that conspiracy originated. Essex, though quite unequal to such a task, had by his own misguided zeal, and the dissembled malice and jealousy of his rivals, obtained the command of Ireland at a most critical time. That country, long practised in rebellion and war, from the gross mismanagement and oppression of England, had proved itself more than a match for all the policy and tyranny which were incessantly arrayed against it, and at this time especially was under the influence of a chief of no common power and genius. This man was "Hugh O'Neil, nephew to Shan O'Neale, who had been raised," says Hume, "by the queen to the dignity of Earl of Tyrone; but, having murdered his cousin, son of that rebel, and being acknowledged head of his clan, he preferred the pride of barbarous licence and dominion to the pleasures of opulence and tranquillity, and he fomented all those disorders by which he hoped to weaken or overturn the English government." With such a leader as this Essex was utterly unable to cope, whether by force or stratagem, but himself instead fell into the wiles that Tyrone laid for him. At an interview that took place between them, in consequence of Tyrone having invited Essex to a conference, a truce, renewable every six weeks, but which might be broken at any time by a fortnight's notice, was agreed upon, and even very unreasonable proposals for peace were proffered and entertained; while besides all these amicable relations, which Essex was over-ready to conclude, a correspondence of a very unjustifiable, not to say treasonable, character was even then commenced. It was preparatory to these negotiations that Thomas Lee was employed, and the extent to which he was so is thus described by Lord Bacon, in his declaration respecting the Earl of Essex.

"After he (Essex) perceived that four months of the summer

and three parts of the army were wasted, he thought now was a time to set on foot such a peace as might be for the rebels' advantage, and so to work a mutual obligation between Tyrone and himself; for which purpose he did but seek a commodity. He had there with him in his army one Thomas Lee, a man of a seditious and working spirit, and one that had been privately familiar and entirely beloved of Tyrone, and one that afterwards, immediately upon Essex's open rebellion was apprehended for a desperate attempt of violence against Her Majesty's person; which he plainly confessed, and for which he suffered. Wherefore judging him to be a fit instrument, he made some signification to Lee of such an employment, which was no sooner signified than apprehended by Lee. He gave order also to Sir Christopher Blunt, marshal of his army, to licence Lee to go to Tyrone, when he should require it. But Lee thought good to let slip first unto Tyrone, which was nevertheless by the marshal's warrant, one James Knowd, a person of wit and sufficiency, to sound in what terms and humours Tyrone then was. This Knowd returned a message from Tyrone to Lee, which was, That if the Earl of Essex would follow Tyrone's plot, he would make the Earl of Essex the greatest man that ever was in England: and farther, that if the Earl would have conference with him, Tyrone would deliver his eldest son in pledge for his assurance. This message was delivered by Knowd to Lee, and by Lee was imparted to the Earl of Essex, who after this message employed Lee himself to Tyrone, and by his negotiating, whatsoever passed else prepared and disposed Tyrone to the parley. And this employment of Lee was a matter of that guiltiness in my lord, as, being charged with it at my lord keeper's only in this nature, for the message of Knowd was not then known, that when he pretended to assail Tyrone, he had before underhand agreed upon a parley, my lord utterly denied it that he ever employed Lee to Tyrone at all, and turned it upon Blunt, whom he afterwards required to take it upon him, having before sufficiently provided for the security of all parts, for he had granted both to Blunt and Lee pardons of all treasons under the great seal of Ireland, and so, himself disclaiming it, and they being pardoned, all was safe."

After these occurrences in Ireland, Essex returned to England, and there was received by the queen in disgrace, which being subsequently increased, though again diminished, urged the young and foolish earl to attempt an open rebellion against her. While planning this, and fearing that James, king of Scotland, who was next heir to the throne, might espouse the queen's cause, and so endanger his plans, he sent a messenger into Scotland to explain his intentions to the king. "Essex was descended, by females, from the royal family; and some of his sanguine partizans had been so imprudent as to mention his name among those of other pretenders to the crown," and to remove the suspicions, which

such injudicious suggestions might occasion, Essex communicated with James. According to Hume, the person employed in doing so was Henry Lee, but this I conceive to have been a mistake, for neither Sir Henry Lee, knight of the Garter, and master of the Armories, nor his successor Henry Lee, afterwards a baronet, were at all likely to have undertaken any such office; whereas if we correct Henry Lee into Thomas Lee, then we have the name of a far more probable person, the same that had been before engaged in the earl's secret intercourse with Tyrone in Ireland.

The name of Thomas Lee does not appear amongst those engaged in the attempt upon the liberty and government of Elizabeth, if not her life also, which the earl of Essex was preparing and concocting in his own house, when special messengers from the queen warned them that their assembling was known, and the authorities of the kingdom seized and imprisoned them. But if absent on that occasion, and from whatever cause, Thomas Lee was himself taken, a day or two after, in a plot of a more violent kind, by which he designed to seize upon the queen, and to rescue Essex and his friends from the Tower. The following is the account of this transaction, and of its fatal conclusion, as recorded by Camden.

“On the twelfth day of February, 1601, Thomas Lee (kinsman of Henry Lee, knight of the most noble order of the Garter) a man of the most noted daring, a military commander in Ireland, the intimate friend of Tyrone, and devoted to Essex (who, the very same night that Essex had refused to go to the council, had offered his assistance to apprehend or kill Essex) intimated to Robert Cross, a naval commander, that it would be something glorious if six brave men would go at once to the queen, and compel her by force to discharge Essex, Southampton, and the rest from custody. These words were presently reported by Cross to the council, and Lee being sought after was caught just at dusk, near the door of the queen's more private apartment, deep in thought, pallid in countenance, bedewed with perspiration, and continually enquiring whether the queen was already at supper, whether the council were in attendance. In this state, being taken and examined, being brought to trial the next day, being condemned by the evidence of Cross and his own confession, he is dragged to the gallows at Tiburn; where, confessing that he was a most guilty man, though innocent of this particular charge, and protesting that he had never even imagined anything against the queen, he suffered punishment for his offences. By reason of the times indeed this severity seemed salutary.”

The confession which Thomas Lee made before his death, most strongly implicated, and in a great measure decided the fate of the earl of Essex, for it is again and again referred to and dwelt on by Bacon, in his declaration and judgment of the whole case against Essex. He has given it in full as here subjoined.

"The confession of Thomas Lee, taken the 14th of February 1600 (1601), before Sir John Peyton, lieutenant of the Tower; Roger Wilbraham, master of the Requests; Sir Anthony Saintleger, master of the Rolls in Ireland; and Thomas Fleming, Her Majesty's Solicitor-General.

"This examine saith, that Tyrone sent a message to this examine by James Knowd, whom this examine by the marshal's warrant in writing had sent to Tyrone before himself went to Tyrone, that if the Earl of Essex would follow his plot, he would make him the greatest man that ever was in England, and that when Essex and Tyrone should have conference together, for his assurance unto the Earl of Essex, Tyrone would deliver his eldest son in pledge to the Earl. And with this message this examine made the Earl of Essex acquainted before his coming to this examine's house, at that time when this examine was sent to Tyrone.

"This examine saith, he knew that Essex, Tyrone, and the marshal Sir Christopher Blunt, were all one, and held all one course.

THOMAS LEE.

"Exam. per JOHN PEYTON  
ROGER WILBRAHAM  
ANTHONY SAINTLEGER  
THOMAS FLEMING."

If this were all the confession that Thomas Lee made, and it is all that Bacon has left upon record, it proves him to have been as ready a traitor to the master he professed to serve, that is to Essex, as he had already been in the service of that master against his liege sovereign Elizabeth, and however sudden and severe his sentence and its execution were, his conduct seems to have fully justified the terrible retribution he received.

Amongst the various interesting records that yet remain at Ditchley, there is a MS. volume entitled "The Discoverye and Recoverye of Ireland, with ye Author's Apologie," which is evidently the work of this Thomas Lee. It is in the nature of a report upon the then state of Ireland, "discovering" its condition, its misgovernment, the names and powers of the various rebels, and all matters connected with them. It implicates some of the members of the government for the time, especially the general in command of the forces, and charges him with favouring the enemy. It then presents a scheme for "recovering" Ireland, and concludes with some statements respecting the author himself. Both "The Epistle Dedicatorie" and the "Apologie" have the signature of "Thos. Lee," and without doubt he was the person of whom we have been speaking.

There was also somewhat contemporary with the last Lee, a John Lee, who, having been born at Warwick in 1513, became a student of Christ Church in 1601. The Lees of Quarendon were connected with Warwickshire, for, as we shall see hereafter, John

Lee of Quarendon married the daughter of — Wood of Warwickshire, sometime in the reign of Edward III., and some even affirm that they came from Warwickshire to Quarendon. Yet, however this might be, the inference seems obvious that this John Ley, born at Warwick, was allied to them. He was a clergyman, and in those changing times became an eminent minister amongst the puritans; for, according to Wood in his *Athenæ*, "he took the Covenant, was made one of the Assembly of Divines, Examiner in Latin to the said Assembly, Rector of Ashfield in Cheshire, and for a time Rector of Astbury or Estbury in the said county; chairman of the committee for the examination of ministers, and of the committee for printing; one of the ordainers of ministers, according to the Presbyterian way, &c., president of Sion Coll. about 1645, and afterwards rector of Brightwell." He died in 1662. A list of his works, of which he composed many, is also given by Wood, who further mentions a son of his, as he supposes, William Ley, a student of Christ Church in 1648, and afterwards minister of Wantage, in Berks, and author of some few publications.

As the Lees had spread themselves in several counties, as Warwickshire, and Leicestershire, besides Buckinghamshire and Oxfordshire, so it is quite conceivable that they had branches in Nottinghamshire, and very credible therefore that the inventor of the weaving machine was of this family. The story of this individual and his invention, which, amongst various accounts and much confusion of their writers, is most generally received, and is believed to be corroborated by a picture and an inscription, in the Stocking-weaver's Hall, runs nearly thus: William Lee, of St. John's College, Cambridge, was, about the year 1589, expelled from the university for marrying contrary to the statutes. Having no fortune, the wife was obliged to contribute to their joint support by knitting; and Lee, while watching the motion of his wife's fingers, conceived the idea of imitating those movements by a machine. Having taught the use of it to his brother, and other relatives, he established himself at Culverton, near Nottingham, as a stocking weaver. After remaining there five years, he applied to queen Elizabeth for countenance and support; but finding himself neglected, both by her and by her successor James I., he transferred himself and his machines to France, where Henry IV. had the sagacity to recognise the value of his invention, and to patronise it. On the death of that king, however, Lee suffered in the persecution then raised against Protestants, and such of his work-people as could fled to England, bringing back with them the invention thus providentially restored to us. It might have been supposed that William Lee would have found a patron in Sir Henry Lee, K. G., Champion to queen Elizabeth, but although his name and connexion might have justly raised a claim to his favour, yet it is but too probable that so mechanical an invention would find but little interest in the eyes of one addicted to martial



deeds and feats of arms, and that one whom his royal mistress had no delight in honouring would not be much regarded by her courtier.

Another contemporary of the preceding was Edmund Leigh, Esq., who was himself the son of Henry Leigh of Shawell in Leicestershire, and whose eldest son was also Henry Leigh, M.A. of Magdalen Hall, so that here we have the distinctive appellation of the Lees of Ditchley denoting connexion with that family, though what does not appear. This Edward Leigh was the intimate friend and admiring hearer of William Whateley, sometime Vicar of Banbury, for whose sake Leigh settled and continued there until Whateley's death in 1639, when he repaired to London, and took a very prominent part in the occurrences of that eventful period. Being a member of the House of Commons he was appointed to sit in the Assembly of Divines, where, says Wood, "he behaved himself as learnedly as most of the Divines then sitting." He was a colonel of a Parliamentary regiment, but was one of the members ejected from the House of Commons by the army in 1648, and imprisoned thereupon in the Public Inn called the King's Head, in the Strand. From this time until the restoration he employed himself in literary occupations, publishing a great many works, some on Divinity, others on Law, History, and other topics, up to the very year of his decease in 1671.

Besides Henry Leigh, the eldest son of the last-mentioned Edward, who belonged to Magdalen Hall, and continued some of the works commenced by his father, there was another son Richard Leigh of Queen's College, B.A. in 1669, who is mentioned by Wood as "having Poetry and other things extant," and therefore deserving of a place and name amongst the writers.

As we have mention of several John Lees so have we another about this same period, who although himself the son of Thomas Lee of London, yet left behind him a son named Henry Lee, Esq., thereby again evidencing connexion with the Ditchley family. He was created D.D. in 1660, and was both Prebendary and Archdeacon of Rochester, his mother being sister of Dr. Warner, Bishop of Rochester, and he being the Bishop's heir, in consequence of which he at times called himself Lee alias Warner. His being the son of a Thomas Lee of London makes it possible that he might have been the grandson of Thomas Lee engaged in Essex's conspiracy in 1601, and his leaving a son named Henry Lee looks like the returning again to the family from whence they had so long strayed. Of the family of Lee of Quarendon, hereafter to be spoken of, there was sworn amongst the Jurors of the manor of Quarendon for the year 1623, Thomas Lee, who may subsequently have settled in London, and so have been the father of this John Lee who left a son Henry.

Having thus given some memorials of various members of the

Lee family, more or less cognate with that branch of it that had settled at Ditchley, we will now return to a special consideration of it, since we shall be enabled distinctly to trace out its successions there, from the time of one of its noted members, if not the most so of all, Sir Henry Lee, Knight of the Garter and Master of the Armories in the reigns of Queen Elizabeth and her successor James I.

Previous, however, to thus tracing the family in connexion with Ditchley, we must do so in another quarter, where it was long settled, and whence it migrated to fix itself eventually here. It will be remembered that we mentioned a short time since, upon the authority of Debrett, the original source of the Lee families in Cheshire, and the retirement from thence into Buckinghamshire of some branches of them, in consequence of their being subjected to persecution, on account of the part they had taken in behalf of the unfortunate and guilty Richard II. One of these families settled at Quarendon in Bucks, and although at first apparently in an impoverished and humble position, they gradually rose in the course of time to that noble and distinguished one, in which we find the great Sir Henry Lee, Knight of the Garter, in the reigns of Elizabeth and James I. There remain at Ditchley some of the ancient Court Rolls and Rent Rolls of the Manor of Quarendon, some of the former going back even to the time of Richard II., and we propose to give from them a series of extracts relating to the manor, from which we shall be enabled to detect and trace out their origin there, although we may not be able to do so very fully.

#### CATALOGUE OF RENT ROLLS OF THE MANOR OF QUARENDON.

1. A.D. 1390-1. 13-14. Rich. 2. Robert Wheedon, collector of rents.
2. A.D. 1393-4. 16-17. Rich. 2. Robert Wedon, collector of rents. William Yongeman, prepositus. Separate accounts of each.
3. A.D. 1394-5. 17-18. Rich. 2. William Yongeman prepositus.
4. A.D. 1395-6. 18-19. Rich. 2. John, collector of rents. William Yongeman, prepositus. John Carter, prepositus. Three separate accounts.
5. A.D. 1398-9. 21-22. Rich. 2. John Yongeman prepositus and collector of rents. A.D. 1399. 22-23. Rich. 2. John Yongeman, prepositus and collector of rents.
6. A.D. 1399-1400. 1 Hen. 4. William Carter, prepositus and collector of rents. In a list of persons making payments at Quarendon this entry occurs. Item De Willo Yongh de Leya... . . . . xii.d.
7. A.D. 1402-3. 4. Hen. 4. Willm. Joly, prepositus and collector of rents.
8. A.D. 1405-6. 7. Hen. 4. John Joly, prepositus.

9. A.D. 1419-20. 7-8. H. 5. Willi Stephenes, prepositus.  
 10. A.D. 1422-23. 9. Hen. 5. 1. Hen. 6. John Joly, ppositus and collector of rents.  
 11. A.D. 1422-23. 9. Hen. 5. 1. Hen. 6. Willi Stephenes, prepositus.  
 12. A.D. 1428-9. 6-7. Hen. 6. Willi Stephenes, Bailiff and Collector of Rents.  
 13. A.D. 1431-2. 9-10. Hen. 6. Willi Stevenes, Bailiff and Collector of Rents.  
 14. A.D. 1433-4. 11-12. Hen. 6. Willi Wilmotte, Bailiff and Collector of Rents.  
 15. A.D. 1438. 16-17. Hen. 6. Rich. Spratt, prepositus.  
 16. A.D. 1439. 17-18. Hen. 6. Rich. Spratte, Bailiff and Collector of Rents.  
 17. A.D. 1443. 21-22. Hen. 6. Benedict Lee, Collector of Rents.

To give the reader an idea of the nature and form of these Rent Rolls we subjoin here a synopsis of the last one, both as being a good example of them, and also as being immediately connected with our main object, the giving such memorials as we can of the Lee family. The passages between brackets are illustrative notes.

#### ABSTRACT OF THE RENT ROLL OF 1443.

“ QUORUNDON. Compus Benedicti Lee collect reddus ibm ab moraftmo ffefti sei Michis Anchli Anno rrs Henr. VI. to XXI.mo usq. moraftum ejusdem ffefti sei Michis Anno pedicti Regis Henr. VI. to XXII.ds videlit p unum annum integrum.

ARRGIA. (Arrears due from preceding years.)

REDDUS ALO. (This contains a kind of survey of the various dues, rents, &c. to be collected.)

TALLAGIUM. (Talliages were taxes levied either by the national council, or sometimes by the will of the lord. All the latter were abolished by Edward I.)

VENDICO HERBAG. (This relates to the payments arising from the sale of the produce of grass lands, the crops apparently being sold standing.)

REDDUS DE NONO SEIST. (This was the tax of the ninths payable to the Crown.)

FFIRMA TERR A DMO. (Dmo means dominalis, and the subject is that of a farm of land belonging to the lord.)

FFIRM TERR IN MAN DOM EXIST IN BROKHEND. (This relates to a farm of land in the hands of the lord, which was in the manor of Brookende in Oxfordshire.)

VENDICO BOSCU. (Sale of fodder.)

PERPENS CUR. (Payments by the Court, such as fines, amerce-ments, &c., some of which are curious, as for licence of marriage to females, natives of the lord, or villains, &c.) Sma tot recepte cum arr.....ciilb. xs. 11d.

DECIMA SOLUT. De quibus comput in decima solut Rectori ibm  
pr agistament supices iilb. iis. p firmare ex conne sua.

RESOLUTIO REDDUS.

ALLOCATIO ET DECAS REDDUS.

UPENDE ALLOCATIO REDDUS IBM. (Upperend is the name of  
another place or manor in Oxfordshire, as Brookend was explained  
to be above.)

BROKENDE ALLOC REDDUS IBM.

LUELMENSTON ALLO REDDUS IBM. (Within these last three  
items are contained the names of the principal tenants together  
with the measure of their farms in yard lands, and description of  
their dwellings, whether messuage, tenement, or cottage.)

FFÆD ET VAD. (Among these fees is a customary annual pay-  
ment to a chaplain for celebrating divine service in the chapel  
of the lord, and which amounted to £4. pr. an. having been fixed  
at that sum by composition before the time of Richard the  
second.)

COMPTIO LIBS CUM FEOD WARRENN. (The copyists of these  
rolls have evidently been ignorant persons, and here we have a  
very strong example of this. The heading of this item as given in  
the Roll before us is this, COMPTIO BLE & STANR. Now this not  
only has no reference whatever to the matter treated of, which is  
the rights of free warren and fees arising therefrom, but really  
leads us astray as if there were something of the nature of the  
Stannary rights in Cornwall. By conferring this roll, however,  
with others, I have made out the above heading as the correct  
one.)

EXPENS SEN. LIS CUR CUM FFORM. (Expenses of the Steward  
of the Court, together with the formalities necessary to its due  
observance.)

CUST. & REPAR. (Customary charges and repairs of the  
manor.)

Such are specimens of the various items of which these rolls are  
composed. On comparing them with those of the Court, it will be  
found that although they are all of them done at Quarendon, and  
by the lord of that manor, yet they relate to rents and income  
derivable from other places as well as that manor, and, what is  
chiefly observable, from no part of what was Quarendon itself.  
Now this is very important, for it at once explains to us why we  
so seldom meet with the name of Lee. The Lees, or Leighs, we  
are told settled at Quarendon, and in the only instance in which  
we have a list of tenants there, in the roll for the year 1399-1400,  
we have mention of Will Yongh de Leya, which I understand to  
mean William Lee the younger. But the name could not occur in  
these rolls which relate only to parts of the manor, until as in the  
last one, Benedict Lee became the Collector of Rents there.

CATALOGUE OF AND EXTRACTS FROM COURT  
ROLLS OF THE MANOR OF QUARENDON.

1. A.D. 1396-7. QUERNDON. View of ffranc pledge held there on the Monday next after the feast of St. Mary in the 20th year of Richard the second. *Members of the Manor.* Estaston, Seybroke, Claydon, Adyngton, Balyngore, Querndon.

2. A.D. 1411-12. QUERNDON. View with the Court held there Oct. 12, 13 Hen. 4. *Members.* Berton, Claydon, Adyngton, Estaston, Seybroke, Balyngore, Querndon, &c. &c. La Lee and others. Bernewode. The Homage for themselves together with the witnesses present that William Baron de La Lee who held of the lord as a free man and by deed a toft lately built on containing one rood of land that he the said William Baron has closed a fine thereon to the lord after whose death there falls to the lord for a heriot an ox of the value of vis. viiid. . . . . And they also say that the same William Baron holds the toft aforesaid of the lord count by the service of guarding the woods of the lord the count at Bernewode and a heriot for all. And for presenting once in the year at the View of Querndon all attachments, &c. Bernewode. Attachments of John Baron the deputy lately of William Baron lately Wodeward there, &c.

3. A.D. 1411-12. QUERNDON. The Court held there 13 Hen. 4. In this roll William Willemote is mentioned as holding a cottage in Brokeende, and a toft and other lands in Ffleteinston.

4. A.D. 1412-13. QUERNDON. View with the Court held there 14 Hen. 4.

5. A.D. 1413-14. QUERNDON. A Court held there on Wednesday May 16, 1 Hen. 5.

6. A.D. 1414-15. QUERNDON. View with a Court held there 2 Hen. 5.

7. A.D. 1415-16. QUERNDON. A Court held there 3 Hen. 5.

8. A.D. 1421-22. QUERNDON. View of ffranc pledge held there 9 Hen. 5.

9. A.D. 1424-25. QUERENDON. View with a Court held there 3 Hen. 6.

10. A.D. 1425-26. QUERENDON. View with a Court held there 4 Hen. 6.

11. A.D. 1430-31. QUARENDON. View of ffranc pledge with a Court held there 9 Hen. 6.

12. A.D. 1431-32. QUARENDON. Ibid. 10 Hen. 6.

13. A.D. 1432-33. QUARENDON. View of ffranc pledge with a Court held there on the Monday next after the feast of St. Michael the Archangel 11 Hen. 6.

14. A.D. 1433-34. QUARENDON. View of ffranc pledge with a Court held there on the Wednesday next after the feast of St. Michael. 11 Hen. 6. John Baron keeper of the lord's wood presents that the Abbot of Thame and his servants have distrained

and taken away two elms of the value of  $\frac{3}{4}$  above what is due by the lord growing at La Lee in the county of Bucks without licence. (The name of this John Baron, who is evidently connected with William Baron de La Lee named above, frequently occurs among the jurors.)

15. A.D. 1434-35. QUORUNDON. A Court held there 13 Hen. 6.

16. A.D. 1436-37. QUORUNDON. View of ffranc pledge with a Court held there 15 Hen. 6. In this and several other rolls the jurors are described as "twelve free men sworn for the Lord the King."

17. A.D. 1438-39. QUORUNDON. View of ffranc pledge with a Court held there on the Monday next after the feast of All Saints 17 Hen. 6. *Members.* Quorundon, Est Claydon, Beerton, Adyngton, Seybrook cum Chedyngton, Estaston, Balyngore. QUORUNDON. Will. More, John Youngman, Robert Billyng, tithingmen of the chief lord and his castators there sworn give to the lord for a fine certain at this day xiiis. Also they present that Benedict Lee unlawfully vexatiously and of malice aforethought hath blocked up a certain common way at Haynesfield which was a common way to all tenants of Quorundon and that all tenants of Quorundon from a time of which there is no memory the afore-said common way there in going and returning were accustomed to use and of right ought to use. At that leet Benedict Lee presents his account and in person takes the oath. Subsequently are entered the accounts of the said Benedict Lee tendered to the Steward in full court leet.

18. A.D. 1440-41. QUORUNDON. View of ffranc pledge with a Court held there on the Thursday next before the feast of St. Luke the Evangelist in the 19th year of Hen. 6. Willm. Saunders and Willm. More there sworn come and present that Benedict Lee has stopped up the king's highway leading to a field called Haynesfeld against all passengers. He is ordered to open it before the next court on a penalty of xl. de. to the lord. XIIIm. jurors for the lord the king. Benedict Lee, &c. The Homage there, namely Richard Sprat, Benedict Lee, &c. To that Court came Benedict Lee and surrendered into the hands of the lord a messuage and a yerde land lately in the tenure of John Kynge, after whose surrender there falls to the lord for a heriot as the homage declare according to the custom of the manor 1s.

19. A.D. 1441-42. QUORUNDON. View of ffranc pledge with a Court held there on the Thursday next after the feast of St. Michael the Archangel. 20 Hen. 6. *B. Lee named constable.* At that leet Benedict Lee presents himself to the office of constable there in the place of Richard Clerk and was sworn to discharge his office to the lord the king and to cause it to be executed according to his laws. 12 Jurors for the lord the king namely Richard Smith, Benedict Lee, &c. The homage, namely Robert Byllyng, Benedict Lee, &c. present. To that court came Richard Dange-

nyle and surrendered into the hands of the lord a messuage and a yerde of land lately in the tenure of Benedict Lee, and before that of John Kyng, &c. It was proved by the homage that Benedict Lee had made repairs there for the lord as follows, being audited and approved before the steward.

20. A.D. 1471-72. QUARENDON. View of ffranc pledge with a Court of the most excellent prince the Duke of Clarence Count of ..... and ..... held there by his attorney holding it on the Thursday next before the feast of the Annunciation of the Blessed Mary the Virgin. 11 Edw. 4. Robert Lee, constable there, and John Kyng, the chief lord's tithingman, present, &c.

21. A.D. 1471-3. QUERNDON with its members. View of ffranc pledge with a Court of the most excellent Prince George, Duke of Clarence, Count of ..... and ..... held there on the Tuesday next before the feast of Pentecost, 12 Edward 4. *Members.* Balyngrove, Berton, Adyngton, Estclaydon cum Cottelle, Seybrook cum Chedyngdon, Estaston, Quarendon.

QUARENDON.

Item by a fine certain there at this day ..... xii.s.

Item Benedict Lee farmer (firmare) there for the value of a heifer of a Brown colour that belonged to the lord from extra stock remaining after a day and a year ..... v.s.

Sum Total of this lete ..... xl.s. xi.d.

22. A.D. 1484-5. QUARYNDON. View of ffranc pledge with a Court held there on the Tuesday in Easter Week. 2 Rich. 3. Edward Lee, Constable, Tithingman, and Castator to the lord there presents that they give as a fine certain at this day xii.s. Also that a foal of a bay colour of the value of iii.s remains . . . in the custody of Richard Lee; also that another foal of a black colour of the value of iis. viiid. remains in the custody of the said Richard; and that another foal of the colour of *bady* of the value of xx.d. remains in the custody of the said Richard.

23. A.D. 1485-6. QUARYNDON. View of ffranc pledge with the Court Baron held there on the Tuesday in Easter Week. 1 Hen. 7. Edward Lee is constable as before and Richard Lee his assistant.

24. A.D. 1486-7. QUARYNDON. View of ffranc pledge with the Court Baron held there on the Tuesday in Easter week. 2 Hen. 7. Richard Lee becomes constable, tithingman and castator, discharging all the duties himself, assisted by Edward Lee.

25. A.D. 1487-8. QUARYNDON. View of ffranc pledge with the Court there. 3 Hen. 7. Richard Lee holds the same offices.

26. A.D. 1488-9. QUARYNDON. View of ffranc pledge with Court there. 4 Hen. 7. Richard Lee continues to hold the same offices.

27. A.D. 1489-90. QUARYNDON. View, &c. 5 Hen. 7. Richard Lee, constable, &c.

28. A.D. 1490-1. QUARYNDON. View, &c. 6 Hen. 7. Richard Lee, constable, &c.

29. A.D. 1491-2. QUARYNDON. View, &c. 7 Hen. 7. Richard Lee, constable, &c.

30. A.D. 1492-3. QUARYNDON. View, &c. 8 Hen. 7. Richard Lee, constable, &c.

31. A.D. 1493-4. QUARYNDON. View, &c. 9 Hen. 7. Richard Lee, constable, &c.

32. A.D. 1494-5. QUARYNDON. View, &c. 10 Hen. 7. Richard Lee, constable, &c.

33. A.D. 1495-6. QUARYNDON. View, &c. 11 Hen. 7. Richard Lee, constable, &c.

34. A.D. 1496-7. QUARYNDON. View, &c. 12 Hen. 7. Richard Lee, constable, &c.

35. A.D. 1504-5. QUARYNDON. View, &c. 20 Hen. 7. John Clerk and Robert Lee, constables, &c.

36. A.D. 1590-91. QUARENDON. View of ffranc pledge with the Court Baron of Henry Lee Knight there held on the ninth day of April in the thirty third year of the reign of our lady Elizabeth by the grace of God of England France and Ireland queen Defender of the faith. *Members.* Adyngton, Ivingho, Aston, Chedyngton with Seybrooke ende, Balenger with ffieldsende.

37. A.D. 1623. QUARENDON. View of ffranc pledge with the Court Baron of Henry Lee Knight and Baronett there held on the Tuesday being the 25th day of April in the year of the reign of our lord James by the grace of God of England Ffrance and Ireland king, defender of the faith, the twenty-first, and of Scotland the fifty-sixth; by John Duncombe Esquire Steward there. Amongst the Jurors sworn for the View of ffranc pledge, and who are altogether different from those sworn for the Court Baron, is the name of Thomas Lee.

38. A.D. 1623. BURTON DE AYLESBURY. View of ffranc pledge with the Court Baron of Henry Lee, Knight and Baronett, held there on Wednesday 26th of April in the year, &c. as above.

From these long and interesting records, of which we have only been able to give a complete catalogue and partial extracts, as well as from other sources whence we can glean information respecting them, we will endeavour to give such successive memorials as we can of the family of Lee; which, from having long existed in Buckinghamshire, eventually settled in Oxfordshire, and became the Lees, now the Lee-Dillons of Ditchley. Referring once more to Debrett, and relying upon his authority, that the Lees, settled at Quarendon in Bucks, had been driven there, from their original locality in the County of Chester, in consequence of the persecutions to which they were subject for having espoused the cause of the unfortunate Richard II.; we shall find in these documents evidence confirmatory of this statement, as implied in the facts, that their first appearance there seems to be in a depressed and impoverished position, and yet that they were treated with a consideration, that indicates a station in life above the position to which they had been reduced.

Although there are Rent Rolls of the years 1390 to 1399, that



is from the 13th to the 23rd of Richard II., and a Court Roll of 1396-7, that is of the 20th of Richard II., yet there is no mention whatever in any of these of the name or family of Lee connected with Quarendon. This agrees with and confirms the statement of Debrett, that they did not arrive here until early in the reign of Henry IV. Then in fact do we first meet with them there, for in a Rent Roll of the year 1399-1400, being the 1st of Henry IV., there is included, on a separate slip of parchment, a list of tenants at Quarendon, of which there is no similar one in all these documents. Now in this list there occurs the following entry :

Item De Willo Yongh de Leya . . . . . xii.d.

Bearing in mind the quaint and imperfect nature of the Latin of these documents, this entry is to be interpreted, rather than construed, and will then be understood to mean William Ley the younger. His being described as William Ley the younger of course implies that there was an elder William Ley, whom we take to be the William Baron de La Lee, afterwards spoken of as Wodewarde of Bernwode, and the father evidently of John de La Lee, who acted as his deputy. So no doubt was he also the father of this William Lee the younger. The fact of this last holding a tenancy of no higher value than 12 denarii, or twelvecpence, making every allowance for the very different and superior value of such coin at that time, clearly indicates that his circumstances were not of the best, nor his position very favourable.

This view of the first condition of the Lee family at Quarendon is confirmed by a Court Roll of the year 1411-12, being the 13th of Henry IV. The entry in that Roll, to which we are about to refer, has already been given, and therefore instead of reciting it again we will point out its bearing on the history we are engaged in. It is a remarkable fact, both in this instance and in many others connected with the Lees in these Rolls, that their names are continually entered in the margin, for the purpose of drawing attention to them, although this is not done in other cases. These marginal notes it is well to observe are original ones in the Rolls, and not any subsequent additions. Now this fact must be regarded as denoting especial interest in them, and as impressing us with the conviction, that, however depressed in circumstances and position, they yet commanded and received an amount of respect suitable to the nobility of their origin.

This conviction is still further strengthened by the title attributed to the family even at that time, and under such circumstances. The individual mentioned in the entry before us is styled "William Baron de La Lee," and as we have, in a subsequent entry in this same roll, another of the family, mentioned as the deputy or assistant of William, and called John Baron, so we must understand hereby, that the family at this time were Barons de La Lee. We must not however imagine that the title of Baron which they then enjoyed was at all equivalent to that noble one now in use,

and the bearing of which makes the possessor of it a Peer of the realm. In these ancient times there were, besides such Barons as those last referred to, Lesser Barons, who were the tenants and feudal servitors of the former, to whom they stood in the same relative position that the Barons themselves did to the Sovereign. It is somewhat remarkable, that the Latin word *baro*, from which our English title Baron is derived, originally was employed in a contemptuous and derogatory sense, for Cicero uses it to denote a blockhead or stupid fellow. Persius, however, applies it to a common soldier that serves for pay, and this is evidently the sense in which it must have been first adopted amongst ourselves, and gradually came to signify the high and noble title of the Baron of England. But besides this exalted use of the word it was employed to denote that class of persons who held lands of a superior by military and other honourable services, and who were bound to attendance in the courts of that superior to do homage, and to assist in the various business transacted there. Accordingly we find Spelman quoting from the *Book of Ramsey* a writ of King Henry I. in which he speaks of the barons of the honour of Ramsey. In the earliest of the Pipe Rolls of the Exchequer there is mention of the barons of Blithe, meaning the great tenants of the lord of that honour, now called the honour of Tickhill. Selden in his *Titles of Honour* (4to p. 275,) quotes a charter of William, Earl of Gloucester, addressed to "all his barons and men of France and England," meaning the persons who held lands of him. The constitution of the Cinque Ports, that is the five ports of Sandwich, Dover, Hythe, Romney, and Hastings, as they at first were, though subsequent changes and additions have been made,—the constitution of these ports included the several offices of warden, *jurats* or jurors to serve in the courts, and *barones* or barons to defend their rights and immunities. The number of the barons must in former times have been considerable, for they had to send as many as thirty-two to attend on the king at his coronation, as is decreed in the Customal of Rye thus: "The barons of the five ports are to be summoned in the king and queen's coronation, by writing forty days before the coronation; and of all the ports there must come thirty-two barons, all in one clothing, and they shall bear the cloth over the king and over the queen, with four spears, of the colour of silver, and four little bells gilt, having above the cloth which is called the pall, and shall come from the king's treasury. And at every and each of these four spears shall be attending four barons of the said ports, and the said day, the said barons of the ports shall eat in the king's hall at dinner, next unto the king or queen, at the right hand." This charter was granted by Edward I., and the barons of the Cinque Ports, down to the time of George IV. discharged this office at the coronations of the kings of England. Even the courts themselves in which these tenants assembled to perform their services

were called the Courts of the Barons, the Curiā Baronum, whence they obtain to this day the name of Courts Baron. Thus, then, we see that use of the word *baro*, or baron, by which it signified the lord's tenants, or men who held of him by the doing of suit and service, as it was called, whether in his Court to counsel, advise, or assess for him; or in the field to follow and fight with him, and such must we understand William Baron de La Lee to have been.

He is represented as having held *a toft*, as a freeman, and by deed or charter (*per cartam*) and then as having closed a fine thereon; that being the form by which lands then, as now, were confirmed in the possession of the holder. In those ancient times a croft was the small piece of garden or field adjoining a dwelling house, and a toft was a piece on which a house had once stood; so that when it was intended to express the condition of a landless and houseless man, it was said that "he had ne croft, ne toft." The toft that this our Lee thus became possessed of is described as having been lately built on, and measuring one rod (*rodam*), which must be taken to mean a rood, though not of the extent of a quarter of an acre as the modern rood is. The heriot payable in case of death was fixed and certain, and was restricted to the sum of 6/8, or half a mark. It does not appear that any rent was chargeable upon the land, but only suit and service for the tenure of it. This consisted of guarding the woods of the lord at Bernwood, and of presenting once in the year at his View of Frank Pledge or Court Baron all attachments and complaints of any kind, and thus in fact our Lee obtained the office and functions of Woodward, which immediately afterwards we have him styled.

The office of Woodward, like many similar employments, gave rise to the family name of Woodward, which is one commonly to be met with in the vicinity of ancient forests or royal domains, as observable now in the neighbourhood of Woodstock, where it is a very common name, and where persons of the name are still employed in charge of the woods around it. In former times, no doubt, when woods and chases were more extensive than in modern times, such an office was not only far more onerous, but also more honourable than at the present day, and one which William Baron de La Lee might engage in without demeaning himself in station, however impoverished his condition may have been, for the noble art of *venerie*, which an accomplished woodward would of course have excelled in, was always held in honour and repute. Thus, then, he would be enabled to maintain himself in an independent position, from which he and his descendants might aspire to raise themselves again in life, as in fact eventually they did with very eminent success.

It has already been stated that John Baron de La Lee was the deputy of William, and subsequently we find him the successor,

apparently, and so probably, as shown above, the son of William. How strictly and faithfully he discharged his office, we learn from the fact, that in 1433-34, being the 11th year of Henry 6, this John made at the Court a presentation against no less a person than the Abbot of Thame, for having by his servants distrained and taken away two elms of the value of  $\frac{3}{4}$  over and above what was due by the lord. Such an act in Roman Catholic times, when the power of the priesthood was predominant, and when to assert their claims, however unfounded, was to justify them, argues no little independence on his own part, and zeal for the lord whose warden of the woods he was. The place, at which this unjustifiable act of the Abbot of Thame had been committed, is described as "La Lee in the county of Bucks." It will be remembered, however, that in 1411 William Baron de La Lee, whom we may safely conclude to have been the father of William Ley the younger of 1402, had been made Woodward of the lord. Hence, then, it appears, that the dwelling-place of the family there had acquired their own name, and thus we see them in this instance, as in so many others, jealous to preserve their name even by reduplication, as in the cases of Leigh of Stoneleigh, Leigh of Leigh in Devonshire, and Lee of Ditchley. It may be added that the names of William Baron, and John Baron, frequently occur in the lists of the Jurors and of the Homage, who attended and served at the Court Baron of the lord of Quarendon.

In tracing the successions of the family in these records, our account of them must necessarily be imperfect, because we can only follow the occasional notices we meet with respecting them in these documents. In 1438 then we meet with a new name, which, although we can with much probability, though not certainty, determine the relationship of its bearer to those who preceded him, yet at the same time carries us on in our historical narrative of the family. This person's name was Benedict Lee. He is first introduced to our notice as a trespasser against the public, and an obstructor of the king's highway. The chief officers of the Manor make a presentation against him before the Court, to the effect that he had unlawfully, vexatiously, and of malice aforethought blocked up a certain common way, leading to a field called Haynesfield, which was a common way to all tenants of Quarendon, and which had been so for a time whereunto the memory of man did not extend. Whether this act was done at his own pleasure, and for his own benefit; or whether it was done in the interest of the lord in whose service he was, does not appear. There seems to have been reasonableness in the act, even if was not strictly lawful, and this will enable us to understand with proper legal qualification such technicalities as "vexatiously and with malice aforethought." The road in question led to Haynesfield, and consequently led to traffic across it, and thereby to the damage of it, when used for its legitimate purpose,

the growth of hay. It was, therefore, but a reasonable act, and far from a vexatious and malicious one, thus to endeavour to protect so valuable a crop, and to rescue it from damage whether for himself or his lord. He was, however, ordered to open it again to the public under a penalty in case of not complying with the order.

We have supposed that this act of Benedict Lee may have been done in the interest of the lord whom he served, for at this time he held important and responsible offices. He was collector of all the rents and dues payable to the lord, and at the very same court, at which the foregoing presentation was made against him, he appeared in person and took the oath necessary to be made on tendering his accounts; and in a later part of this record a copy of these accounts is given, having been tendered to the Senechall or Steward in full court leet.

There is a vulgar saying, that obtains even at the present time, of offering to take one's "corporal oath" in attestation of any fact, which has its original indicated to us, in the terms made use of to express the fact of Benedict Lee taking his oath in person to the accounts he rendered. The Latin words denoting this are "corporale cepit sacrum," which might be grossly rendered "he took his corporal oath," but more properly, as I conceive, "he took his personal oath," that is, in his own person he took the oath:

At the Court held in the following year, when Benedict Lee was again presented for obstructing the highway leading to Haynesfield, he was himself one of the twelve jurors of the lord the king, and also one of the homage to whom the presentment was made; and he also on the same occasion made a surrender of a messuage and a yerde of land lately held by John Kynge. In making this surrender, however, it is most probable that he did it only as the attorney of John Kynge, and to bring it into possession of the lord, that it might pass to another, for we find such an interchange of it apparently in the following year. In that next year 1441, we first have Benedict Lee taking upon himself by presentation the office of constable, which, it is stated in the Roll, he "was sworn to discharge to the lord the king, and to execute according to his laws." He also continued to act as collector of rents, and as having such supervision of the estate as to direct and order all necessary repairs, the accounts of which are brought before the homage, and admitted as being audited and approved by the steward. In the year 1443, he was Collector of Rents, and there is extant, as will have been observed in the preceding catalogue, a Rent Roll made under his authority. Judging from the frequent changes of Collectors of Rents, as shown in the Rolls given above, it would seem that this office was only an annual one, and was probably a parochial one, somewhat analogous to our tax collectors

at the present time; for in fact these payments being due to the Crown were of the nature of taxes for the support of its dignity.

And now we have reached so remarkable and interesting a point in the history of the Manor of Quarendon in connexion with the Lee family, that we may well be allowed, and even expected, to make a few observations with respect to the nature of that manor, and especially its extent and members. And first of these last, which varied from time to time, and the variations and changes in which may assist in some degree to show the connexions and branchings of the family. From the Court Rolls already referred to, it appears that in the year 1396, the members of the manor were Estaston (East Aston), Seybroke, Claydon, Adyngten, Balyngore, and Quendon (Quarendon). To these by the year 1441, Berton (Bierton) had been added. Again, in 1438, the members are thus detailed, Quorundon, Est Claydon, Beerton, Adyngton, Seybrook cum Chedyngton, Balyngore. In the year 1472, we find them again stated thus, Balyngrove, Berton, Adyngton, Estclaydon cum Cottelle, Seybrook cum Chedyngdon, Estaston, Quarendon. Lastly, in the year 1590, when the great Sir Henry Lee had become lord of the manor of Quarendon, the members of the manor are thus given. Quarendon, Adyngton, Ivingho, Aston, Chedington with Seybroke ende, Balenger with ffielde ende. Most of these places are distinguished by their ancient names, though many of them have much changed in character, indicating the vicissitudes which from age to age have befallen their successive owners. The once royal manor of Quarendon, the head of so many members, has itself become a small and narrow property, its mansion gone, its chapel in ruins, and little more than its surface and its name to tell of its former greatness. Bierton, Adington, East Claydon, Chedington, are all well known to this day, and one especially, Ivinghoe, has been rendered classical, by affording a name to one of the most beautiful and historical of Sir Walter Scott's romances, who thus accounts for his selection of it. "The name of Ivanhoe was suggested by an old rhyme. All novelists have had occasion at some time or other to wish with Falstaff, that they knew where a commodity of good names was to be had. On such an occasion the author chanced to call to memory a rhyme recording three names of the manors forfeited by the ancestor of the celebrated Hampden, for striking the Black Prince a blow with his racket, when they quarrelled at tennis;—

"Tring, Wing, and Ivanhoe,  
For striking of a blow,  
Hampden did forego,  
And glad he could escape so."

Balyngore or Balyngrove, I do not detect in the maps unless it survives in the changed name of Blackgrove which is highly probable. In the last list of members, that of 1590, it will be ob-

served, that while Ivinghoe is added East Claydon is wanting. This latter had passed away to another member of the family, for when in 1570. Sir Thomas Lee married Eleanor Hampden, he was possessed both of Morton and East Claydon. This fact establishes the connexion between the Lees of Morton and the Lees of Quarendon, and as Eleanor Hampden, subsequently to her marriage, became the heiress of Michael Hampden, and so brought Hartwell to her husband Sir Thomas Lee, it also establishes the connexion between the Lees of Hartwell, the surviving branch of the family in Bucks, and the Lees of Quarendon, and thus supplies a link between the families which has hitherto been wanting. Of this branch of the family, however, the Lees of Hartwell, it will be unnecessary to say much, for they have already found an able memorialist in Admiral Smyth in his interesting work *Ædes Hartwellianæ*. Like all the other branches it has had its great men. One of these was Sir William Lee who was Chief Justice of England for seventeen years, while at the very same time his brother Sir George Lee was Dean of the Arches and Judge of the Prerogative Court of Canterbury, and was the confidential friend and adviser of Frederick Prince of Wales. This branch of the family was also remarkable for their very numerous progenies. Sir Thomas who married Eleanor Hampden in 1570, had by her no less than twenty-four children. Others also had large families. But one, a cousin of Chief Justice Sir William Lee, himself a William Lee of Abingdon, left at his death in his 91st year in 1736, seventeen children, seventy-eight grandchildren, and one hundred and two great-grandchildren, in all one hundred and ninety-seven. Grainger quaintly enough remarked of him, "Such men were greatly wanted at this period, to repair the depopulation of the Civil War." Supp. p. 225. Certainly he was one who completely satisfied the Vicar of Wakefield's idea of a good citizen, for he "always held that the man who married and brought up a family did more service to the state than he who lived single and only talked about population."

In thus reflecting over the changes of the manor of Quarendon, and some of the results of these changes, we have been led somewhat astray from our immediate subject, though not from the general one. We will return then to consider the nature of the manor. From the frequent mention to be met with of the jurors being those of the lord the king, it is evident that this was a royal manor, belonging to the king, who was the immediate lord of it. Indeed it is stated to have been a royal residence as early as the year 600, Eadburgh and her sister Eaditha, the two daughters of Trewald, a Mercian king, having been born there; as well as their still more celebrated niece, St. Oswyth. But in the years 1471-3, we find it in the possession and enjoyment of George Duke of Clarence, brother of king Edward IV. It is most probable that this manor was granted to the Duke of Clarence on

the occasion of his marriage with Isabel, daughter and coheirress of Richard Nevil, Earl of Salisbury and Warwick, the famous kingmaker as he has been called, because of the prominent part that he took in the different regal dispositions and restorations that occurred during his time. His other daughter and coheirress Anne, who had at first been married to Prince Edward, son of Henry VI., afterwards married Richard Duke of Gloucester, another brother of Edward IV., and himself afterwards king, so that the Earl of Warwick not only made kings, but allied himself with them. As the Duke of Clarence had received on his marriage various manors in right of his wife, as those of Northy or Northway and Pamington, both in the parish of Ashchurch, and that of Chedworth, all in the county of Gloucester, so the manor of Quarendon may have been bestowed on the Duke of Clarence at the same time. The manor continued in possession of the Duke of Clarence until the year 1474, when having offended his brother the king, already jealous of and displeased with him, he was impeached of treason and condemned to death. The only favour granted him by his brother was, to choose the manner of his death, when he is said to have made the extraordinary demand of being drowned in a butt of Malmsey wine, which was of course conceded to him. Upon his death under such circumstances the manor of course reverted to the crown, and once more became a royal one under the king as the immediate lord of it.

While these events so memorable in our national history were occurring, the house of Lee still held on the steady and even tenor of their way at Quarendon. In the Court Roll for 1471-2. Robert Lee, a son of Benedict, held the office of constable; and in the following year we have mention again of Benedict himself, now a man of some age, for it is thirty years since we heard of him as collector of rents, and described at this time, in the year 1472-3, as farmer (firmare) at Quarendon. The family now seem to have possessed themselves of the office of constable, and to have acquired almost a prescriptive hereditary right to it, so many of the family held it in succession. Thus, as in the years 1441 to 1473, Benedict Lee first, and Robert Lee after him, held the office, the latter probably continuing to hold it for some time after; so in the years 1484 to 1486 Edward Lee discharged the office, being assisted in it by Richard Lee, who himself eventually became in 1486-7, constable, tithingman, and castator, and continued to fulfil these offices without intermission until 1496-7. He was succeeded in his turn by Robert Lee, whom we find recorded as one of the constables in the year 1504-5. We must not, however, suffer ourselves to be misled by the modern use of the title constable, and thereby to suppose that the office referred to above, and held so continuously by the Lee family, was the same petty one now exercised by the ordinary parish constable of our day. In these ancient times, and by its origin, it was a far more important



and honourable office than it has since become, for it corresponded in the feudal manors to that great and noble one of Lord High Constable of England, which was one of the most influential and illustrious, if not the most so, of all the chief officers of the Crown. Lambard describing the origin and derivation of the inferior constables of manors, and referring to the office of Lord High Constable, writes, "Out of this high office the lower constableness was first drawn and fetched, and is (as it were) a verie finger of that hand; for the statute of Winchester, and was made in the time of Edward I., and by which the lower constables of hundreds and franchises were first ordained, doth, amongst other things, appoint that, for the better keeping of the peace, two constables in every hundred and franchise should make the view of armour." As then the Lord High Constable, whose office was of great dignity and power both in peace and war, had the command of the army and the regulation of all military affairs, so the constables had similar duties to perform amongst the militia or trained soldiers that were supplied in all the manors or hundreds of the kingdom. Thus it was in fact a military office, though, from being charged with the conservation of the king's peace, and from the growth of permanent standing armies, it passed into comparative insignificance, and became that inferior office which it is at the present time, and which is itself dissolving away before the advances of the more modern and more effective police.

But since the office of constable, when held and exercised by the Lee family from the year 1441 to the year 1505, was of the higher and nobler character described above, it will not surprise us to find, that although they came to Quarendon in some degree of obscurity about the year 1400, yet that they soon acquired in this their new sphere both honourable service and dignified station. From holding at first only a small tenure in Quarendon, as we learn that William Ley the younger did, the family acquired a more important one at Bernewode, in the possession of which we find William Baron de La Lee, and subsequently John Baron de La Lee. But about the year 1438, we meet with another member of the family, Benedict Lee, who either then already, or at a later period, appears to have become the lessee of the manor under the Crown. Certain it is that about this period, by some said to be 1460, but as appears, according to the evidence of these rolls, considerably anterior to that date, the Lees had become lessees here to some extent. Benedict Lee is expressly described in 1472 as farmer (*firmare*, the corruption evidently of the French *fermier*), and he had been so in all probability some years, for in the years 1438-41, he is mentioned as engaged in various ways in the manor, as Collector of Rents, acting in the capacity of a Juror, holding the office of Constable, himself brought before the Court for stopping up a highway, all which facts imply that he was in a position of some importance. The word farmer did not in those times

mean a cultivator of land, but a lessee or tenant, who, himself holding land for the discharge of some service or office, would be so occupied with them as to be unable to give himself to the cultivation of the land he leased. Even so late as the end of Elizabeth's reign, Sir H. Lee, K.G. was, according to a deed still existing, "Farmer of the Manor of Charlbury," and so we must understand Benedict Lee to have been the farmer or lessee of the Manor of Quarendon. A writer in the *Gentleman's Magazine* for 1817, vol. ii. p. 200, informs us that Sir Henry Lee, K.G., and Master-General of the Ordnance, &c. to Queen Elizabeth was lineally descended from Benedict, fifth son of John Lee, of Lea, in the county of Chester, by his wife Elizabeth, daughter of — Wood, county of Warwick, temp. Edward III. These without doubt are the Benedict Lee, and John Lee, or John Baron de La Lee, who are mentioned in the manorial records we have just been referring to, and thus we are carried back to the very time, when the family migrated from High Lee in Cheshire to the county of Bucks, William Baron de La Lee, and John Baron de La Lee, being the first migrators and settlers in the South at Quarendon. The next member of the family mentioned after Benedict was Robert Lee, who served the office of constable of Quarendon in 1471. Two others are also named about this time, Edward Lee and Richard Lee. Of these the first, Edward Lee, served the office of constable in 1484 and 1485, in the latter year having as assistant the second, Richard Lee, who continued in the office from 1485 to 1496. Now that Benedict Lee had a son named Richard there is no question about, for a writer in the *Gentleman's Magazine* assures us of the fact, and tells us at the same time that this Richard altered his arms to Argent, a fess between three crescents sable. The Richard, then, who was constable from 1485 to 1496, was doubtless this son of Benedict, and equally so it may well be believed were both the Edward and the Robert before named. But now their family names of Richard and Edward would seem to direct us to another, who very possibly was the brother of Benedict. This is Sir Richard Lee, who was twice Lord Mayor of London about this time, and who had a son Richard, and a grandson Edward, Archbishop of York.

Here it will be proper to introduce some mention of another branch of the family that had by this time settled in the immediate neighbourhood of Quarendon, at Morton, Moreton, or Moor-ton, now in the parish of Dinton, and about four miles S. of Quarendon. The first of whom any record remains at Moreton was William Lee, who, according to the inscription on a brass inserted in a long stone slab, bearing the effigies of a man and woman, died in 1486, and was buried in the church at Dinton, together with Anne his wife. Another brass plate in the same church invites the reader to "pray for the Sowle of Joh'n Lee of Morton gentleman the whiche Joh'n lythe buried in the parysch chirche of Seynt

Olyffe in Silver Street in the Cite of London, and he died the VI. day of Marche the yere of our lord A. M.V.<sup>c</sup> and iii. (1503) on whose Sowle ih'u (Jesu) have mercy. Amen." Now it will be remembered that the first Lees we met with at Quarendon were William Baron de La Lee and John Baron de La Lee, who seem to have stood in the relation to each other of father and son. Moreover the latter was the father of five sons, as we learn from the fact of Benedict having been the fifth; and since Richard, Edward, and Robert were apparently three others, what more probable than that William Lee of Moreton was another, so that thus we should have all five sons of John. Or it may be that William Ley the younger, of whom we had early mention at Quarendon, and who would seem to have been the son of William, and brother of John de La Lee, originated the Moreton branch. There is a corroboration of either of the hypotheses in the fact, that William, being the son of John, had himself a son John who died and was buried in London, but yet had an inscription to his memory in Moreton Church. Thus no doubt the Lees of Morton were derived from those of Quarendon, and the Lees of Hartwell, who are also descended from those of Morton, came also from the same stock. There is a third brass plate in Dinton church connected with the family, which records the decease and burial of Francis Lee of Moreton (Generosus) and Elizabeth his wife in 1558. He is habited in a furred civic gown with long hanging sleeves, and this dress would imply a connexion with the city of London, and so both with John Lee who died there in 1503, and with Sir Richard Lee who had been twice Lord Mayor. In the memorial of John Lee who died in 1503, it is observable that the word John is spelt Joh'n. This is the first instance of such a mode of spelling the word, that we have met with. But, however singular it may look, it is quite in accordance with its origin and derivation, for it is made from the Greek *Iohannes* and the Latin *Johannes*. *Johannes* being shortened to *Johan*, this again would be cut down to *John* by leaving out the *a*, which last change is expressed by the apostrophe over the word, thus Joh'n.

And now we must endeavour to find out the period of another member of the family whose monument survives at Aylesbury, though without name or date. It has however always been believed to belong to some influential member of the Lee family. It was dug up some years since in the ruins of the Church of the Grey Friars. Browne Willis supposed it to be that of Sir Henry Lee, and attributed to it the date of 1460. This guess of Browne Willis was subsequently corrected by Cole, who has the following note relating to it. "At Aylesbury was buried in the Frier's, as I learn from the Cotton Collection, Sir Robert Lee, grandfather to Sir Henry Lee who lived 1580. His tomb was removed from the Friars into Aylesbury Parish Church." Harleian M.S.S. 4170. Coles' statement, given upon authority of the Cotton Collection,

must be taken as the more reliable one, and we must understand the monument to be that of a Sir Robert Lee, and not Sir Henry Lee, as Browne Willis supposed it to be. But what Sir Robert Lee? Certainly not the grandfather of Sir Henry Lee, for he was buried at Quarendon, as the monument to Sir Anthony Lee the father of Sir Henry Lee asserts, when it records of Sir Anthony that he was

“ Sonne to Sir Robert who here tumbled lies.”

Sir Robert Lee, therefore, grandfather of Sir Henry Lee, cannot have been the tenant of the tomb at Aylesbury. Who then was this earlier Sir Robert, and was not he rather the great grandfather of Sir Henry Lee, the son of Benedict Lee, and the same that served the office of constable in 1471. The date assigned to the monument by Browne Willis and others is merely conjectural, as stated to me in the following extract from a letter of the Rev. A. Newdigate, a member of the Architectural and Archæological Society for the County of Buckingham. “The monument is a recumbent figure in chain armour. I am not aware that the exact date is fixed further than that the armour is certainly not later than 1460. It might I believe be 1400. The armorial bearings are almost obliterated. The crest is a lion’s (query or dog’s) head. On the shield there appear to be two lions’ heads and a chevron. But it may be almost anything.” The period thus assigned to the tomb at Aylesbury is not later than 1460, and this would militate against the idea of the Robert Lee constable of Quarendon in 1471, being the person buried in it, and yet not necessarily so. The style of the armour would of course point out the time in which the wearer had lived and flourished, but might not determine that in which he died, for his death might not occur until many years after his feats of renown and knighthood had been done, and then he would of course be portrayed in the habit in which he had accomplished them. We see no reason then for doubting that the Robert Lee, constable at Quarendon in 1471, was the Sir Robert Lee buried at Aylesbury. Bearing in mind that that office was then, as being a military rather than a civil one, much more noble than now, and also that the Lord of the manor of Quarendon at this very time was no less a person than the celebrated Duke of Clarence, brother to the reigning king Edward IV., it need not surprise us to find in the office of constable to this prince one of knightly quality, nor to wonder at the fact which seems palpable, that Robert Lee, constable of Quarendon, was Sir Robert Lee, Knight, afterwards buried at Aylesbury. In fact there can be little doubt that this was the case. And this being allowed to be so, we thus distinguish him from the Sir Robert Lee who served the office of High Sheriff of Bucks in 1522, and in whom we recognise the Sir Robert Lee, buried at Quarendon, father to Sir Anthony Lee, and grandfather to Sir Henry Lee, K. G. We are, however, thus somewhat forestalling the proofs that w-

have to give of some of these facts, and consequently must proceed to detail them.

Of this second Sir Robert Lee, high sheriff of Bucks in 1522, we have mention in an interesting document, still existing at Ditchley, and which affords an additional proof in itself of the increasing wealth and power of the family. It is an Indenture bearing date "the xxvth yere of the reigne of kynge Henry the viiith," from which it appears that "Sir Robert Lee Knyght by his Wrytyng beryng date the iiiith day of December in the xxiiiith yere of the reigne of Kynge Henry the VIIIth demysed granted and to fferme lett....his manor place within Hardwyk in the county of Bucks for the terme of fferty yeres." This was in the year 1531-2, and hence it appears that besides the manor of Quarendon where he resided, this Sir Robert Lee, who was the grandfather of Sir Henry Lee, K. G. was possessed of "the manor place of Hardwyk."

When this family first became settled at Ditchley, it may be difficult with certainty to determine, and equally so to show in what manner they became possessed of an estate there. Our oldest charity deed, which is of the date of the year 1295, tells us of a Radulfus de Dychelye, then already dead, and of a Margeria de Dychelye, his widow, who was a no inconsiderable benefactress to our parish, bestowing two messuages and one yarde land for charitable purposes. Whether these persons, Radulf and Margery of Dychelye, were among the immediate progenitors of the family that we eventually find settled there, or whether the Lees by intermarrying acquired any rights there it is quite impossible to say. One thing, indeed, is worthy of note, as rendering some such connexion plausible at least, and that is that as Margery was the name of this ancient widow, so we subsequently find Margaret a family name, as in the instances of Lady Margaret Lee, who died in 1555, and of the Lady Margaret Leigh, to whom Milton's sonnet was addressed about 1643. For in neither of these latter instances was the name of Margaret imported into the family by marriage, but both of them were daughters in their generations, and both of them, therefore, imply, so far as such implication can be depended on, that Margaret was a family name in the 17th and 16th centuries, and encourage consequently the inference that Margery of Dychelye in the 13th may have been their common ancestress, and the Lees therefore settled here as early as 1295. In point of fact, however, until the reign of Henry VIIIth we do not find the name of Lee absolutely in connexion with Dychelye. In the reign of Edward III. indeed, about the year 1370, there was a Sir John Lee, already spoken of, and whose case is cited by Ld. Bacon, who was Steward of the Royal Household; and as the King's palace then existed at Woodstock, and the Court was frequently held there, it is not at all improbable that this Sir John Lee may have acquired possessions so near to the vicinity of the

royal domain, as to be almost a part of it. For the great earth-work whence the name of Ditchley is derived has its commencement within the bounds of the present park of Woodstock, and issuing thence passes northward until it doubles back again westward and southwestward towards Charlbury. What might well be regarded as corroborative of such an assumption as this, is the fact of the estate being called Ditchley, and thereby having the family name of Lee or Ley interwoven with it, as we observe this family to have been addicted to, both from their first derivation at High Leigh in Cheshire, and from the same practice being observed amongst them in other places, as at Lee in Kent, Leigh in Devonshire, and Stoneleigh in Warwickshire. And thus here in Oxfordshire, where we find them in possession of an estate named Ditchley, we may infer that the origin of that name was from the family enjoying the estate, and if this may be conceded then is it highly probable that Radulph or Ralph and Margery of Dychelye whom we find to have been resident there about 1295 were the ancestors of the family here, and might well be the immediate progenitors of the Sir John Lee mentioned by Lord Bacon. All this, however, must be admitted to be hypothetical, for records and documents are wanting to inform us with certainty, but quitting the realms of conjecture in which the histories of most families commence, as those of nations do in fables, we are enabled to proceed upon safer ground, and to give more certain details as to the family at Ditchley.

There exists, then, a certain indication of there being connected at least with the vicinity of Ditchley, if not actually in possession of it as early almost as the time of their first settlement at Quarendon. In one of the oldest Court Rolls of that manor, which we have already cited, in that namely dated 1411-12, John de La Lee is spoken of as Woodward, or as he would now be styled Ranger of the woods of Bernewode. But Bernewode appears to have been a vast tract of forest land, stretching from the vicinity of Brill in Buckinghamshire, where the name of Bernwood Forest is still known and occurs in modern maps, across Oxfordshire and into Gloucestershire. This its extent we can trace from different documents. How impervious and uncultivated a tract of land it was is noticed by Kennet, who remarks upon Bernwood as one of those parts of England where no Roman coins or antiquities are to be met with, which though generally true is not wholly so. From him we also learn that King Edward the Confessor resided at Brill, in the county of Bucks, where he had a Royal Palace, to which he retired for the pleasure of hunting in his forest of Bernwood. We next trace it in Oxfordshire in the neighbourhood of Benson, for from Dome's-day book we learn that in the County of Oxford, "in Half Besintone (Bensington or Benson) Hundred, in Berneveld (Bernwood) the king had half a hide waste, of which Hervey had the benefit (beneficium) unjustly." Again upon the

same authority we can detect it again in Gloucestershire, thus "Land of St. Peter of Gloucester in Dudstane Hundred. St. Peter of Gloucester held Bertune with the adjacent members in Bernewode, &c." A similar entry relating to this same property occurs in the Taxation of Pope Nicholas thus. "Taxation of Temporal Goods in the Archdeaconry of Gloucester. Abbey of Saint Peter of Gloucester. They have in the manor of Bernewood four hides of land, also two mills, &c." Thus then there was a manor of Bernewood even in Gloucestershire, but our next authority brings us back into Oxfordshire, and informs us that anciently even Ditchley itself was included within the forest of Bernwood. For about the year 1337, Almeric de St. Amand, whose family had long held an estate of a knight's fee in Bloxham (Testa de Nevil 101 and 104) laid claim to the wood of Ditchley, within the forest of Bernwood, as pertaining to his manor in Bloxham, and established his right thereto (Escheat 3 Ric. II. No. 5). Now this opens up to us two interesting and important facts, the one that Bernwood in which Ditchley stood was in this our immediate vicinity; the other that both William and John de La Lee, who were successively woodwards or rangers of the forest of Bernwood, were already connected with this neighbourhood, although they may not as yet have acquired Ditchley. Almeric de St. Amand who had received possession of Ditchley in 1337, did not very long retain it, for only the next year he alienated his manor in Bloxham, and of course with it its appurtenance Ditchley in Bernwood to Roger de Beauchamp, who died possessed of them in 1379. The name of Bernwood even now survives in this vicinity, though almost extinguished, for I learn from an old inhabitant of Ramsden, that a part of Ramsden heath although almost denuded of timber, still bears the title of Bern Coppice, and that the ancient mound which formerly enclosed is still traceable.

Besides Bernwood in this vicinity which as we have seen the Lees were connected with, the records of Quarendon also show connexions with two other places, called Upper End and Brookend, at both of which rents were receivable. Upper End is still noticed on the maps as a hamlet, but Brookend is not. This last was a manor belonging to Eynsham Abbey, and in a Roll in the Augmentation office, of 31 Henry VIII. reciting the annual receipts of the Abbey, there occurs this mention of Brookend amongst other manors in Oxfordshire.

**MANOR OF BROOKENDE.** Value in Farm of this Manor together with all the lands, pasturages, and meadows thereunto belonging, and all rents both of Freemen and of the natives and customary tenants belonging to the manor, according as by agreement they are demised to one John Hacker, the assign by Indenture of William Barton for a certain term of years to pay annually £6 6s. 8d.

Again in the Valor Ecclesiasticus of the same reign in enumerating the receipts of the Abbey of Eynsham, the manor of Brookend is mentioned at the same value as before. It appears, indeed, from the foregoing, that at this time the manor of Brookend was farmed by others than those who had formerly held it, but the documents serve to indicate to us its vicinity, and to show that the Lees when connected with it were thereby connected with this neighbourhood.

How soon the Lees acquired possession of Ditchley after coming to this vicinity does not appear, but in a list of the gentry of the County of Oxford, returned by the commissioners in the 12th year of Henry VI., 1434, I find the name of John atte Lee, which is John at the Lee, or rather a translation of the name John de La Lee, and consequently the very person already named in the Quarendon Court Roll as Ranger of Bernwood. We thus have him recognised as one of the gentry of this county, and therefore as resident here already, though whether as yet at Ditchley or not is of course doubtful. In the future notices we are about to make of the family, it will be observed how repeatedly they increased their possessions here by politic marriages, and in this manner they may have acquired Ditchley itself. However this might be, in the course of a few generations we find them fully settled and established there.

For now at length, having traced them from High Leigh in Cheshire to Quarendon in Buckinghamshire, and to Ditchley in Oxfordshire, we meet with that member of the family, who, from being himself illustrious, has shed the lustre of his name on those who have succeeded him; and who seems to be the person, who, if he did not absolutely originate, yet transmitted to his descendants, by means of his own achievements, the honourable name of Henry Lee. Having died at the age of 80, in the year 1610-11, he must have been born in the year 1530-1, when, as we learn from the deed recently cited, his uncle Sir Robert Lee, was possessed not only of the manor of Quarendon, but of Hardwyk also. At the time of his birth there was a branch of the family settled at Teffent-Evias in Wiltshire, who already used the name of Henry, and did so for several generations afterwards. Thus there was a Henry Lee about the year 1500, who had a son Henry, and it may be from this source that Sir Henry Lee of Ditchley derived the name which he afterwards rendered so eminent.

The father of Sir Henry Lee was Sir Anthony Lee, as we learn from inscriptions that formerly were to be read on monuments that once existed in the chapel of Quarendon. Fortunately some of these inscriptions survive, though the monuments on which they were have been utterly destroyed, and the chapel, that contained and once sheltered them, itself stands in ruins. The inscriptions, though somewhat imperfect, have been preserved in the Gentleman's Magazine for the year 1817, together with some



account of the monuments on which they were. The monuments were three in number, were all situated in the chancel, and are described as having been "large and apparently very elegant and expensive," which may well be believed from the melancholy fact immediately added, that "the floor was strewed with fragments of the statues, cornices, and ornaments of the monuments." The first of the three, that we will particularly refer to, was on the South side of the chancel, and is thus described in the Gentleman's Magazine.

"It is a large altar tomb with pillars of Sussex marble (which appear to have been broken and repaired with white stone) supporting a canopy or entablature, under which are recumbent figures as large as life, of an armed knight and his lady. The feet towards the altar: the hands pressed together in a devotional attitude, but the fingers and part of the feet broken off. These figures, as well as the rest of the tomb, are of alabaster, and well sculptured: but the features, as well as the more delicate work of the ornaments, defaced. On a blue stone, at the back of the recess in which the effigies repose, on rolls of well-imitated mats, is an inscription much injured by the corrosion of time and the damp, the following words only being now legible:

" ——— Anthony Lee, Knight of worthy name,  
 Syre ——— Sr. Henry Lee of noble fame,  
 Sonne ——— Robert — here tombed lies  
 Wher ——— fame an— memory never dies;  
 Grea— fountaine whence himself did runne  
 But greater in the greatnesse of his sonne.  
 His body's here, his soule in heaven doth rest.  
 What scorad the earth cannot with earth be prest."

On each side are trophies and fretwork ornaments richly carved. The front of the tomb is divided into compartments, with tablets corresponding with those on the opposite monument of Sir Henry, and inscribed with about an equal number of lines, probably in metre, but so much injured, that the word Margery and some few letters here and there are all that can be read. Under the canopy, but above the inscription, is a stone shield with the paternal coat of Lee, in a field Argent, a Bar and three Crescents Sable; impaled with another coat, probably that of the Wyats. And above the monument the same Arms repeated as on Sir Henry Lee's Coat, but without the Garter."

There will not be much difficulty we conceive in restoring those parts of the above inscription which are defective, and which supply some very important facts in the history of Sir Henry Lee's family. The defective part of the inscription when restored would read thus:

Here lies Sir Anthony Lee Knight, of worthy name,  
 Syre to Sir Henry Lee of noble fame,

Sonne of Sir Robert who here tombed lies,  
 Whereby his fame and memory never dies ;  
 Great fountaine whence himself did runne  
 But greater in the greatnesse of his sonne.

Now this reading of the inscription supplies a most important omission, which the writer in the Gentleman's Magazine could not repair. For one of the three monuments, already referred to, was so grievously injured that it was impossible to discover from its ruins for whom it had been erected. "The remains were only the basis, and the projection of the cornice or arch with some small portion of the pillars of Sussex marble, which formerly decorated as well as supported it. Enough is left to show that it was of the same workmanship as the others: the materials of which it is composed being the same, but differing in form of the arch, and the circumstance of its being of considerably smaller dimensions. Neither arms nor inscriptions can be traced." But yet, as we have said, the latter defect is in some measure supplied by the lines that we have restored above. For those lines tells us plainly that Sir Robert Lee, father of Sir Anthony Lee, and grandfather consequently of Sir Henry Lee, "lies tombed there," that is in fact is buried in the third tomb whose inscription is wanting. He is described as the "great fountaine whence Sir Anthony himself did runne," and so as a worthy grandsire of such a descendant as Sir Henry proved. Nor was his origin less noble and excellent on his mother's side, for she was the daughter of Sir Henry Wyatt, an honourable servant and counsellor of two famous kings, Henry VII. and Henry VIII., and sister to the elder Sir Thomas Wyatt, and aunt to the younger Sir Thomas Wyatt, both of Allington Castle in Kent, where Sir Henry Lee was born and passed the early years of his childhood.

Of the family of Sir Anthony Lee we are able to find various traces, besides the important one of all, Sir Henry Lee, K.G., of whom we shall speak more at large immediately. Thus he had a son Sir Robert Lee, at one time settled in Yorkshire, and the father of Sir Henry, the first Baronet, and the immediate successor and executor of his uncle Sir Henry Lee, K.G. Several of Sir Anthony Lee's children intermarried with the family of Cheyne, spelt variously, Cheney, Chesney, Caneto, de Querco, for my information respecting which I am indebted to the kindness of Rev. W. Hastings Kelke, Rector of Drayton Beauchamp, Bucks. The parties that so intermarried he has thus described to me. "1. John Cheyne, Lord of Drayton Beauchamp and Chesham Bois, married secondly Joice, daughter of Sir Anthony Lee of Quarendon. She died in 1578, and was buried at Drayton, leaving several children. 2. Elizabeth Cheyne, sister of the above, and daughter of Robert and Elizabeth Cheyne, married Benedict Lee of Hulcott, and left issue. 3. Isabel Cheyne, sister of the above Elizabeth, married Roger Lee of Pitson, by Ivinghoe, and had issue. There is a

small brass memorial to an infant son of Roger Lee, in the Church at Chesham Bois, with this inscription: 'Of Roger Lee Gent Benedict Lee Crysom.' "

From this point, then, let us look back upon the course through which we have traced the family of Lee, and without attempting anything like a formal pedigree, but, taking as it were a birds' eye view of their lineage, show, as we can do very satisfactorily, their origin in Cheshire, their settlement in Bucks, and their arrival here at Ditchley in Oxfordshire. The family, as we have seen, had been long settled in Cheshire, and were most loyal to the legitimate sovereigns of England. Sir Perkin a Legh had served both Edward III. and his son the Black Prince in all their wars, and had fought at the battle of Cressy, and when Richard II. succeeded his grandfather Edward III., his father the Black Prince having died without becoming king, Sir Perkin remained faithful to the king, guilty and unfortunate as he was, and thereby drew down upon himself and family the vengeance of Henry IV. Sir Perkin a Legh is spoken of as a very aged man, and no doubt he was so, for supposing him to have been twenty-five years of age at the battle of Cressy in 1346, he would have been 82 at the battle of Shrewsbury in 1403, immediately after which he was beheaded. Now the members of his family sent to propitiate Henry IV. were Sir Robert and Sir John a Legh, whom we may safely conclude to have been his sons, and here we first have the names Robert and John which occur again afterwards. But since Perkin was so old a man, his sons must have been past the middle age also, and would themselves be fathers by this time, so that the William and John de La Lee, who are the first we meet with at Quarendon, were doubtless grandsons of Sir Perkin a Legh, and this is confirmed by the fact of William being called William Lee the younger, implying him to have been the son of a William, who was of course a brother of Robert and John and a son of Perkin. Thus, then, we have Sir Perkin a Legh succeeded by his sons Robert, John, and William, and next as the first settlers at Quarendon William and John. Of these two William would seem to have been the founder of the Moreton, now the Hartwell branch, and John to have continued at Quarendon. He, John, had a numerous family, for Benedict, who was constable at Quarendon in 1441, was his fifth son. Benedict had also many sons, for one, Richard, we know of certainly, and others as Robert and Edward we find mentioned in office at Quarendon. Robert was constable there in 1471, and was buried at Aylesbury about 1480. He was succeeded there by another Robert, high sheriff of Bucks in 1522, who was the father of Sir Anthony Lee, whose son was the Henry Lee, of whom we are now about to detail such incidents as we can collect, and whose birth took place at Allington Castle in Kent about the year 1530-1, where also the early days of his childhood were passed.

At the early age of fourteen he entered into the service of king Henry VIII., and was employed about the court of that magnificent prince, acquiring thereby an intimate acquaintance with the ways and manners of courtiers, and not less so of arms and military skill. After enjoying the peace and serenity of the too brief reign of Edward VI. he was employed, during that of Mary, in the war in Scotland, which she was engaged in, and continued there until the time of her successor.

He took part in many of the occurrences of Elizabeth's eventful reign, and ultimately rose to an exalted station and authority in the realm. He is repeatedly mentioned by Camden in his annals of England and Ireland during the reign of Elizabeth. He was the intimate friend of the Duke of Norfolk, who endeavouring to effect the liberation of Mary Queen of Scots from imprisonment and from the power of Elizabeth, was himself seized, attainted of and condemned for treason. Henry Lee, though not in any degree implicated with the Duke, yet testified his friendship for him on the scaffold when he expiated his offence by the loss of his head. Such an act as this, so much in agreement with the fidelity shown by his ancestor Perkin a Legh to Richard II., may well be regarded as equally generous and honourable on the part of Henry Lee. Had he been himself implicated he would not have ventured on such a risk, so that his loyalty may be regarded as impeachable, while the act itself towards the unfortunate Duke, denotes his fidelity and attachment to him. It was on the 2nd of June 1572, at eight in the morning, that the Duke was led forth on a scaffold erected on the hill adjoining the Tower of London, accompanied by Alexander Nowell, Dean of St. Paul's, who had attended to console him in his last moments. The Duke, having addressed the people at some length, turned to Henry Lee, and, having embraced him, whispered a few words in his ears, and in those of Dean Nowell, who, turning to the people, said, "The Duke requests you with one voice to pray to God to have mercy upon him, and to be silent, that his mind may not be disturbed."

Henry Lee was employed the following year, in 1573, in an enterprise of very great importance. Sir William Drury, Governor of Berwick and Marshall, was ordered to march into Scotland and attack the castle of Edinburgh, and amongst other noble persons spoken of by Camden as having accompanied him was Henry Lee. After a siege of some weeks the defenders of the castle requested a conference with Drury, and two hostages being sent into the castle, for the safety of those who ventured out to the conference, Henry Lee was one of the two selected for this important yet perilous duty. His mission accomplished he returned to his compatriots, while the rebel garrison, whom he had visited, being refused all the conditions they asked, were forced to surrender at discretion, and their chief, Kirkaldy, being taken, was tried, convicted, and executed as a felon.

Among the records still remaining at Ditchley we are enabled to acquire some little information as to the private history of Sir Henry Lee. Thus from a document of the year 1582, we learn that besides Ditchley he was in possession of, or at least resident at, another place in Buckinghamshire, for it sets forth that in the 25th of Elizabeth, Henry Lee of Briddlesthorpe in the county of Bucks, knight, and Benedict Wilson of Wolvescroft in the county of Leicester, entered jointly into a bond of one thousand pounds (*mille libris*), an immense sum at that time, with Radulph Sheldon. Again, in a Court Roll of the Manor of Quarendon for the year 1590, he is mentioned as the Lord of the Manor there, and was, as we have before had occasion to show, in possession of that Manor and all its privileges. It is observable here that he is only described as knight, so that he had not attained to that high nobility in knighthood that he subsequently did, for a few years after the above date, in the year 1598, from a similar deed, a bond, though not for so large a sum, we learn that he had been raised to the rank of a knight of the garter, and was resident at Ditchley. He is described in this latter bond as "Henry Lee of Ditchley in the county of Oxford of the most noble order of the Garter Knight." The parties bound with him in this deed are "John Powlter of Spelsbury in the county aforesaid and Thomas Symons of Bladon in the county of Oxford aforesaid yeoman." It is hence apparent that in the interval between these two bonds, that is between the years 1582 and 1598, he had been made a Knight of the Garter.

About the same time we learn that there were other branches of the family settled in distant parts of the kingdom. Thus, from a power of attorney, executed in the 34 Eliz. 1591-2 by two sisters, Isabelle and Elizabeth Heeton, daughters of Thomas Heeton deceased, we learn that there was a Robert Lee of Thorne in the county of York, Esquire, who was thereby appointed their attorney, one of the witnesses to the document being Henry Lee.

In one of the manuscripts to be referred to more particularly hereafter, Sir Henry Lee is described as both a courtier and a soldier. The occupation of the first in the reign of Elizabeth was to compose, or to provide, for her amusement, poetical effusions and dramatic representations, and there exists a manuscript volume of poetry, that seems to have been thus prepared, and that indicates that Sir Henry Lee so far played the courtier as to provide this entertainment, if he did not actually compose. The volume has neither title nor author's name, but on the vellum cover bears this inscription. "Sir Henry Lee delivered being champion to the quene delivered to my lord cumberland deli by william Simons." This inscription is certainly not that of the great Sir Henry Lee, for we have his handwriting in several documents, and it differs altogether from this. Neither is it by the same hand that wrote the interior, for that is of a much more polished

and elaborate character. It seems rather to be the memorandum of a later period, designed to explain the origin of the work, and may imply, though it does not necessarily do so, that Sir Henry Lee was the author as well as the presenter of the work. One fact, however, we learn from it, and that is, that Sir Henry Lee was Champion to the Queen, and held this distinguished office during this part at least of her reign.

The Earl of Cumberland to whom the volume was "delivered," that is presented, was one of the adventurous persons of the age, who like Drake, Raleigh, and others made expeditions against the fleets or ships of neighbouring countries, returning laden with the treasures of the East. The Earl of Cumberland fitted out at his own expense six ships, and had besides another given to him by Elizabeth. But although thus fitted out, and strengthened by the royal commission, his enterprise was unsuccessful. He sailed, says Hume, "towards the Terceras, and took several prizes from the enemy, the Spaniards; but the richest, valued at a hundred thousand pounds, perished in her return, with all her cargo, near St. Michael's mount in Cornwall." The whole expedition ultimately failed, and but few of those engaged in it escaped and returned. It is to the credit of the Earl of Cumberland, that, when the unfortunate Earl of Essex was examined before the Privy Council, respecting his government of Ireland, and was condemned on account of it, though not so severely as he would have been if tried in the Star Chamber, the Earl of Cumberland, as Hume relates, "made a slight opposition to the sentence; and said that if he thought it would stand he would have required a little more time to deliberate; that he deemed it somewhat severe; and that any commander-in-chief might easily incur a like penalty. But however, added he, in confidence of her majesty's mercy, I agree with the rest." Such a nobleman, then, was well worthy of such a presentation as was made to him by the "deliverance" of this manuscript poem to him by Sir Henry Lee.

The occasion, on which this deliverance or presentation took place, was that of Sir Henry Lee's resignation of his high office. "On the 17th of November, 1590, Sir Henry Lee, 'being by age overtaken,' resigned his office of Champion to Queen Elizabeth, to George, Earl of Cumberland; the Sovereign and the Court being at the same time entertained with great splendour and magnificence by Sir Henry Lee." Nor was this the only occasion on which he displayed both his hospitality and his genius to his Royal Mistress. "A long dialogue, in verse, between 'Constancie and Inconstancie,' made part of the entertainment given by him, in 1593, at the Queen's last Progress."

But, besides being exercised in poetry, the genius of Sir Henry Lee appears to have been employed in military affairs, and besides being Champion to Queen Elizabeth he appears to have held the office of Master of the Armouries both in her reign and

that of James I. There is a very interesting document, made on the occasion of the death of one of his sub-officers, and the appointment of a successor, which is an inventory of the armour at that time remaining in the Tower of London and at Woolwich. It was made in the last year of Elizabeth, in the beginning of the month of January, 1603, and, as she died on the 24th of March following, it gives us the state of these things at the conclusion of her reign. It is as follows:—

**ENDORSEMENT.** A Coppie of the Remaines of the Armour of the Tower and Woolwich, Anno. 1603.

Th' office of Th' armory. A Booke conteininge ye severall pcells of Armor. yt weare found remaininge in ye severall Armories hereafter followinge, after ye death of Mr. John Lee, wch weare nombred ye iiiith, vth, and vith daies of Januar, 1603. Annoq. Reg Jacobi primo. And committed to ye charge of John Cowper by the commandment of the right honorable Sr Henry Lee Knight of ye honorable order of the garter, And Mr of highnes Armories, the pticulars wherof herafter followe.

Ffor Lannces.

vizdt:

Back and Brest	- - - -	mcccxxxi
Close headgeer	- - - -	miiiixviii
Collers	- - - -	mxlix.
Vambracs with Poldrons	- - - -	mccxlviiii. pr.
Cannons & Gardes on shorte Vambracs	- - - -	ccxxx.
Cushes	- - - -	mcciiiii iv pr.
Gauntletts	- - - -	VIIIC XII.

Ffor Fflanners Corssetts.

Backs and Brestes with iiiilbiiii oz That are chequered of the Almayne ffashion, but nombred for fflanners, because their Vambracs have Cannons and Gardes	- - - -	vc xxxii & xxxii od backs
Vambracs with o IIII IIIIOz that are chequered of the Almayne ffashion, & to be nombred for Fflanners because of their Cannons and Guardes	- - - -	ccxlvii

Ffor Almayne Corsletts.

Backs and Brestes	- - - -	mmIIIIxli. & cxlvii. od brests
Collers and Bombardes	- - - -	mmccxxix.

Curaces vizd.

Curacs of Proof	- - - -	IIIIxvi
Hedgeers of Proof for ye same	- - - -	IIIIxvi
Curaces	- - - -	xli.
Collers for curacs	- - - -	clxxvi.

Diverse other furniture & other od prlls of Armor.

Brigandines	- - - -	cxlij.
Jacks of plate	- - - -	xl.

Shirts of maile with sleeves	-	-	C IIII V
Shirts of maile without sleeve	-	-	CC IIII IX.
Sleeves of maile - - -	-	-	CCVIII. pr.
Burgonetts and huskins	-	-	VI VI lviii.
Murrions - - - - -	-	-	VI VI IIII.
Murrions of the Spa. fashon	-	-	VI lxx.
Sculls - - - - -	-	-	M MCC IIIIV.
Steele Saddles - - - -	-	-	lxiii.
Arminge Swordes - - - -	-	-	XXXIX.
Shaffornes whole - - - -	-	-	CCCXXI.
Slaffornes - - - - -	-	-	XXX.
Targett plates - - - - -	-	-	XX.
Targetts of proof - - - -	-	-	XXX.
Barbes of Steele - - - -	-	-	II <sup>od</sup> .



Unserviceable which weare in the ould hall and taken as in ye former Remaines vizd.

Backs for Almaine Ryvetts	-	-	lxiii.
Brests for Almaine Rivetts	-	-	IIII xi.
Hedgeers close - - - -	-	-	IIII V.
Burgonetts - - - - -	-	-	VIII lIIII.
Murrions - - - - -	-	-	CCxlvi.
Polorons for Lanc - - - -	-	-	IIIlvi pr.
Vambracs with polorons for lances	-	-	VII. pr.
Vambracs short for lances - -	-	-	XXI. pr.
Collers for Fflanders corsletts	-	-	IIIIXXXV.
Polorons for Fflanders Corsletts	-	-	clxiii. pr.
Guards for fflanders vambracs	-	-	CCCIII. pr.
Jacks ould - - - - -	-	-	xvi.
Arms nothings worth - - - -	-	-	IIII <sup>on</sup> .
Steele Bowes - - - - -	-	-	xlvi.
Vambracs for fflanders Corsletts	-	-	clxxiiii pr.
Cryvetts with Chaines - - - -	-	-	v.
Chaines of wier - - - - -	-	-	XXI.
Swordes broken & nothings worth	-	-	X.

At Woolwich as in the former Remaine taken.

Backes & Brests for Almaine Corslets	-	-	IIII IIII IIII & I od back.
Collers with Bombards - - - -	-	-	IIII lxxv.
Burgonetts and huskins - - - -	-	-	IIII xlvi.
Murrions blacke - - - - -	-	-	CCCXXXIII.
Burgonets old and nothing worth	-	-	XII.

This is a true copy of the Remaine of Armor taken at y<sup>e</sup> Severall places aforesaid by us whose names are hereunto subscribed

J. KENION.  
LEE.

JOHN COWPER.  
SYMONDS.

A still more interesting document, apparently the composition of Sir Henry Lee, is a manuscript treatise on military affairs, in f



dialogue between two fictitious characters named Ricado and Allounso, which commences thus.

“ RICADO.

“ Frynde Allounso, I am suer your eares are open (as are all others of the Martiall professyon) to the newes from our Counte of Tolledo: The certayntie of which with the greate desyre to performe some service agreable to my singuler good Lorde, the Comandador major of Castile, Who (as reporte giveth furthe) is by Queene Elizabeth and Fferdinand appointed Generall of the whole force to this intended Enterprise, to the Base Countreyes: As also duetie to the worthie and noble Lorde his brother Don Ambrosio de camonte, moves mee (as by the waye of a watchfull warninge to prevente hurrie) to sett downe my opynion or rather ffantazie to the preparation or adresse to the ffield, of sutch a like force as is esteemed the saide Lorde shall have or rather suche as wee moste comonlie use to sett furthe of this little countrey. Yt will in parte redeeme the tyme as not idle or evill spente, these longe wynter nyghtes, whiche shal be of 6000 footemen, and 1000 horsemen. And fyndinge in my fervente accompte of this Martiall Arte, to command all others to their quyett and disquiett, to dispose and depose Kyngs in and from their Seates, to rule Empyres, Realmes, and Countreyes, and to ruyne the same. Mee thinks this discourse shall be for non so fytt, as for hym whoe hathe the helme in Englande to guyde and governe in these greate and weightie matters of State. Wherefore wee will in the begynnyng commend our travaille to the most worthie and noble counsellor don Francisco de Mendosa, whoe hathe soe greate intereste and power over Ricado that hee maye will to amende what is amysse, and further to commende Ricado in all, and all.”

“ ALLOUNSO.

“ Sir your invention likes me verie well, but first we muste agree in opynion, whether you will adresse yt after our olde names, all in single bands answeringe to their Generalls of ffootemen and horsemen or ells by Regyments or Collonell Shippes as dothe the Ffrenche, and other nations within Europe savinge wee of this Ilande onlie, whiche in your opynion is the beste and moste sureste waye.”

These opening passages of this treatise, which is without Title or Date, will be sufficient to explain the nature of it, and will assist us somewhat in determining the time of its composition. It will have been observed that there is a reference in the first passage to Queen Elizabeth, which might lead to the supposition that it was composed during her reign. But at the end of the treatise is a list of the necessary officers, which directly militates against this idea, for the very first mentioned in it is “the kinges Liftenente Generall,” a title which would never have been employed during the reign of a queen. We may therefore safely conclude that this treatise was composed about the commence-

ment of the reign of James I., when Sir Henry Lee was Master of the Armoury. And this is still further confirmed by a reference to the "Reign of Elizabeth" as past, and by frequent mention of the Prince, in whose interest the treatise seems to have been written. It will, however, explain the purport of it more fully if we give some few of the marginal notes relating, and directing, to the subjects treated of in the text. Such are, "the manner of Levie; bandes of adventurers; to forbear to put the best men to the first brunt of an Assaulte; Bowes; bowes not to marshalled alone; how bowes are formidable; the Muskett; the difference for the muskett stock; Targets; order for men by platt; dividinge and marshallinge 6000 fotemen; Horsemen; placing of the Same; division of the light horse; Corporalls of the Batailles; Civill warres brede no good discipline to a souldier; Artillerie; Officers for the ordinance."

These will sufficiently indicate the contents of this treatise, and satisfy us that, however well adapted to the period in which it was written, it would not be so to us of the present age. At the conclusion of the work are two tables, both of which are still of much interest, and which therefore we will give below. The first is a list of eminent military personages, and the other is a list of the principal officers of an army, with the pay appropriated to each. The first is as follows:—

● "These underwritten are loose from Chardge.	
Courtyers and Soldiers.	Mr W <sup>m</sup> Norries.
Sir Henrie Leye.	Mr George Delves.
Sir John Smithe	Mr Brian FitzWilliam
Sir Henrie Knevett.	Mr John Norries.
Sir Humfrey Gibberd.	Mr Edmund Buckley.
Sir W <sup>m</sup> Morgan.	Mr W <sup>m</sup> Knolles.
Sir Thomas Manners.	Mr Edward Stafford.
Sir George Varne.	Mr Edmond Yorke.
Sir Jerome Bowes.	Mr Rich <sup>d</sup> Elton.
Mr Raufe Lane.	Mr George Bowes.
Mr Henrie Knolles.	
Captaines lyeing loose upon	Sutch as have served in
the contrey.	the Lowe Contreys.
Cap. Edward Torn.	Cap. Morgan.
„ John Sewte.	„ Chester.
„ Bambroe.	„ Morrice.
„ Hinde.	„ Rowland Yorke.
„ Anstell.	„ Acres.
„ Nutty.	„ Cromwell
„ Dirwicke.	„ Ffenton
„ Tuttie.	„ Sheffield
„ Ffrancis Blunte.	„ Bowes
„ Chatterley.	„ Gainsford
„ Savage.	„ Pierce

Cap. Braybritch.	Cap. Plummer
„ Selbie.	„ Smith
„ Church.	„ Moore
„ Pierre Stanley.	„ Raynes
Liuetenantes.	„ Gill
Symon Wheler	„ Ellice
Roberte Weste	„ Cheshirt
Thomas Henworth	„ Digbie
Thomas Arden	„ Brookesbie.”
George Meche	Lieutenants.
William Moore	Benjamyn Hannam
Humphrey Blunte.	George Cawderley
James Cruze.	Luke Warde
Robert Longe.	Willyam Potter
William Stanley.	Edward Bishop
Laurence.	William
Thomas Hoode.	George Edon
Hamlet Harrington.	George Baynum.
John Croke.	
Roger Bingham.	

The second table we have referred to consists of a list of the various officers then deemed necessary for such an army as the whole treatise deals with, namely one of 6000. It mentions these in their order, and apportions to each a certain stipend in money, which whether it be a day's pay to each, or that of some other period, there is nothing to show; nor does it seem that any just conclusion in this respect can be deduced from a comparison between the stipends, for although that of the lowest seems no more than adequate for a day's pay, being 2s. a day or £36 10s. 0d. per annum, that of the highest, being £6 13s. 4d. a day or £2432 per annum, seems disproportionately large. However, the great difference may be accounted for upon the understanding that many charges were at that time thrown upon one in such a command. The Table is as follows :

	£	s.	d.
The kinges Leftenante Generall -	VI	XIII	IIIj
The Leftenant Generall of the Armie -	III	VI	VIII
The high Marshall of the ffield -	o	xl	o
The Treasurer of the Armie -	o	xx	o
The Mr of the Ordynance - -	o	xx	o
The Collonell or genrall of the footmen	o	xx	o
The Collonell or genrall of the demylances	o	xx	o
The Collonell or genrall of the lighthorse	o	XIII	III
The Sergeant major - - -	o	XIII	III
The Chamber or - - -	o	XIII	III
The Master m <sup>r</sup> of the Armye -	o	VI	VIII
The m <sup>r</sup> or Collonell of the and yomen - - -	o	VI	VIII

The provoste Marshall of the Armye -	o	VI	VIII
The Corporall of the ffield - -	o	VI	VIII
The m <sup>r</sup> - - -	o	v	o
The B <sup>k</sup> Maister - - -	o	III	III
The Mr of the Cariages and Tentes -	o	III	o
The Mr of the Conductors and guydes	o	III	o
The devyne mynyster - -	o	III	o
The harralde at Armes - -	o	III	o
The pursuyvante - - -	o	II	o
The Trumpiter - - -	o	II	o

These are all generall Officers, moste requysit and necessarie for the governmente of an Armye. Dyvers other Officers may and shall be used, but as the use of them do come so are they chosen and appoynted by Commission: as purveyors for Vuyttualles, Takers of horses, of Cartes, with dyvers others."

Sir Henry Lee appears to have been a philosopher, as well as a courtier and a soldier, for there is a manuscript volume of epistles in which such topics as the true happiness and its dependence upon wisdom, as well as other subjects are discussed. It is, like the other volumes, deficient of title page and author's name, and has moreover lost its cover, but the writing is of the same character and age, and the paper is precisely the same even to the water mark, so as to leave no doubt of its being the cotemporary of the preceding, and as little that it is of the same parentage, that is in fact the literary offspring of Sir Henry Lee.

After his retirement from public life he was not forgotten by Elizabeth, nor even after her decease by James her successor, so that to the end of his days he was the object of royal favour. In 1593, during the Queen's last Progress she was entertained by Sir Henry Lee, when, as was customary in that age, a long dialogue in verse between "Constancie and Inconstancie," was presented for her amusement, in the composition of which doubtless Sir Henry Lee was implicated. And here it may be fitting to introduce an account of our knight, while yet in the flower of his prime, and in the palmy days of feats and justs such as Elizabeth delighted to indulge in and to encourage, and which although but the mimicry of war, served at once to occupy and to exercise those martial spirits, which else might have wrought annoyance to and disturbance of her government. In the year 1571, on the first of May, and two following days, solemn Justs were held before the Queen at Westminster, in which the challengers were the Earl of Oxford, Charles Howard, Sir Henry Lee, and Sir Christopher Hatton. Of these we have alone to do with Sir Henry Lee, but of him we have the following sketch in Aikin's Memoirs of Elizabeth. "Sir Henry Lee was one of the first Courtiers, and certainly the most complete Knight Errant of his time. He was now in the 40th year of his age, had travelled, and had seen some

military service; but the Tilt yard was ever the scene of his most conspicuous exploits, and those on which he placed his highest glory. He had declared himself the Queen's own Knight and Champion; and having inscribed upon his shield the constellation of Ariadne's crown, culminating in her Majesty's nativity, bound himself by a solemn vow to appear armed in the Tilt yard on every anniversary of her happy accession, till disabled by age. This vow gave origin to the annual exercises of the Knights Tilters, a Society consisting of twenty-five of the most gallant and favoured of the Courtiers of Elizabeth. Sir Henry Lee appears to have devoted his Life to those chivalrous pageantries rather from a Quixotical imagination than with any serious views of ambition or interest. He was a gentleman of an ancient family, and plentiful fortune, little connected, as far as appears, with any Court faction or political party, and neither capable nor ambitious of any public station of importance. It is an amiable and generous trait of his character, that he attended the unfortunate Duke of Norfolk to the scaffold, received his last embrace, and repeated to the assembled multitude his request, that they would assist him with their prayers in his final agony. His royal Dulcinea (Elizabeth) rewarded his fatigues and his adoration by the Lieutenancy of Woodstock Manor, and the office of Keeper of Armoury: and moreover by the appropriate mode of admission into the most noble Order of the Garter. He resigned the Championship at the approach of old age with a solemn ceremony, died at his mansion of Quarendon in Bucks in 1611, in the 81st year of his age, and was interred in the Parish Church under a splendid tomb, with a long, quaint, and tumid epitaph." The epitaph thus described will be given below; meanwhile, in corroboration of the statement made above that Sir Henry Lee enjoyed the favour of James I., it may be mentioned that on the 15th of Sept. 1603, James I. and his Queen paid a visit to Sir Henry Lee, the ancient and redoubted champion of Queen Elizabeth, at his house in Ditchley Park.

If hitherto this great Sir Henry Lee has not lived much in history, his name has recently been revived in story by our great narrative dramatist in his tale called Woodstock. He has in fact done with our Sir Henry Lee what he has done with many other characters, by transferring them from their own æra to the one he was for the time interested in, and thus enriching his own chosen period with the treasures of others. The title of the story of Woodstock is, "Woodstock, or the Cavalier; a Tale of the Year 1651." Now at that time there was living at Ditchley Sir Henry Lee, Bart., whose father, Sir Henry Lee, Bart., had died in 1641, leaving him quite a child, so that in 1652 he must still have been a minor, was certainly unmarried, and could not have taken any such part in the events of the age, or have been of the years and maturity which Sir Henry Lee in the story of Woodstock is represented to have been. Moreover when we come to speak more par-

ticularly of the real Sir Henry Lee of 1651, it will be seen that at a later period he was evidently well affected towards some of the Puritan clergy, if not actually addicted to the Presbyterian system, rather than to that of the Church of England, and in this respect therefore he differed most materially from the character depicted in Woodstock. In fact our great Sir Henry Lee is the true and worthy prototype of Scott's noble and loyal knight, and as a Cavalier *sans peur et sans reproche*, may well be regarded as the great link between the mailed warrior of the Crusades, the devotions of whose life were war and love, and the great military captains who have since arisen, and have won glory, less by the prowess of their own strong arms than by their skill and dexterity in arraying and wielding masses of men on the battle field.

Two portraits of the knight, both from the pencil of Johnson, still remain at Ditchley, the one a full length one in the Library, the other a half length in the great Dining-room. The half-length is the most memorable one, as containing, on the same canvass with Sir Henry Lee, the portrait of a dog, who is here commemorated for having saved the life of his master from assassination, and whose remarkable act of fidelity, sagacity, and courage, is intended to be implied in the motto expressed in the words, "More faithful than favoured." In an interesting collection of anecdotes to be found in No. 15 of Chambers' Miscellany of Useful and Entertaining Tracts, the legend of this dog's faithfulness is thus detailed.

"Sir H. Lee, of Ditchley, in Oxfordshire, ancestor of the late Earls of Lichfield, had a mastiff which guarded the house and yard, but had never met with any particular attention from his master. In short, he was not a favourite dog, and was retained for his utility only, and not from any partial regard. One night, as Sir Harry was retiring to his chamber, attended by his favourite valet, an Italian, the mastiff silently followed them up stairs, which he had never been known to do before, and to his master's astonishment presented himself in the bedroom. Being deemed an intruder, he was instantly ordered to be turned out; which, being complied with, the poor animal began scratching at the door, and howling loudly for admission. The servant was sent to drive him away. Discouragement, however, could not check his intended labour of love; he returned again, and was more importunate to be let in than before. Sir Harry, weary of opposition, though surprised beyond measure at the dog's apparent fondness for the society of a master who had never shown him the least kindness, and wishing to retire to rest, bade the servant open the door, that they might see what he wanted to do. This done, the mastiff, with a wag of the tail and a look of affection at his lord, deliberately walked up, and crawling under the bed, laid himself down, as if desirous to take up his night's lodging there. To save further trouble, and not from any partiality for his company, this

indulgence was allowed. The valet withdrew, and all was still. About the solemn hour of midnight, the chamber door opened, and a person was heard stepping across the room. Sir Harry started from sleep; the dog sprang from his covert, and seizing the unwelcome visitor fixed him to the spot. All was dark; Sir Harry rang his bell in great trepidation, in order to procure a light. The person who was pinned to the floor by the courageous mastiff, roared for assistance. It was found to be the favourite valet, who little expected such a reception. He endeavoured to apologise for his intrusion, and to make the reasons which induced him to take this step appear plausible; but the importunity of the dog, the time, the place, the manner of the valet, raised suspicions in Sir Henry's mind, and he determined to refer the investigation of the matter to a magistrate, when the Italian, alarmed at his position, confessed that he had intended to murder his master and rob the house, and had only been frustrated in his evil design by the sagacity and courage of the mastiff." The source from whence the writer in Chambers derived his information of this fact does not appear, nor have I been able to trace it, but the fact is well understood and believed by the family to have occurred, and to be the true interpretation of the portraits of Sir Henry Lee and the dog with the legend attached to them, of the existence of which there is no question.

In Aylesbury Church there is a monument to Lady Lee who died in 1584, and who, as having been the wife of a Sir Henry Lee, there is every reason to believe had been married to Sir H. Lee, K.G., who survived her about sixteen years, and was most probably the author of the following poetical inscription remaining on her monument:—

If passing by this place thou doe desire  
 To know what corpse here shryd in marble lie  
 The some of that whiche now thou dost require  
 This scleder verse shall sone to the descrie  
 Entombed here dothe rest a worthie dame  
 Extract and born of noble house & bloud  
 Her sire Lord Paget hight of worthie fame  
 Whose virtues cannot sinke in Lethe floud  
 Two brethren had she Barons of this réalme  
 A knight heer feere Sir Henry Lee| he hight  
 To whom she bare thre impes which had to name  
 John, Henry, Mary, slayn by fortunes spight  
 First two being yong which caused the parents moan  
 The third in flower and prime of all her yeares  
 All thre do rest within this marble stone  
 By whiche the fickles of worldly joyes appears.  
 Good frend sticke not to strew with crimson flowers  
 This marble stone wherein her cindres rest  
 For sure her ghost lyves with the heavenly powers  
 And guerdon hathe of virtuous life possest.

A writer in the Gentleman's Magazine for the year 1817, has given the following information illustrative of this monumental inscription and confirmatory of the idea that it relates to the family of Sir Henry Lee. "It is certain that Sir Henry Lee, K.G., intermarried with Anne, daughter of William Lord Paget, from a branch of which family the Marquis of Anglesey is descended, and that Lord Paget's two sons were successively Peers of the realm, viz. Henry, created a knight of the Bath at the coronation of Queen Mary, and summoned to Parliament the 8th of Queen Elizabeth, and who died A.D. 1569. Thomas his brother succeeded him, and had summons to Parliament the 13th of the same reign."

Although Lady Lee had been buried at Aylesbury, where others of the family had also been interred, her husband Sir Henry was not buried with her, but at Quarendon, the chapel of which he had rebuilt and refitted after it had suffered from a terrible flood that occurred there in 1570. The account given of his tomb, and of the inscriptions both on it and connected with it, to be found in the Gentleman's Magazine, is the only remaining record of these memorials of his greatness. It is, however, very full, and we shall give it almost complete. Referring to three monuments, of which we have already described two, the account states: "The most perfect of the three monuments consists of a magnificent sarcophagus, on which is the recumbent effigy of a personage in a coat of mail, and over it the mantle and collar of the Order of the Garter: the whole of alabaster, painted and gilded in a very superb style. The head is towards the altar, resting on a helmet of beautifully polished alabaster; the left arm broken off at the elbow, as also part of the right hand, which, from the position of the arm, seems to have grasped (perhaps) a sword, and the point of the beard and nose of the statue are gone. The mantle is thrown back to display the armour; and the collar, as well as the garter, are delicately finished. The azure of the latter, and the gold letters upon it, are still quite fresh; but the colour of the mantle is much faded. The feet of the statue have been broken off, and a beautiful cornice which ornamented the canopy or awning over the figure lies in the fragments around. This canopy, which is exteriorly carved and painted to resemble small tiles of Delft, is, on the inside, divided into numerous compartments, ornamented with flowers richly gilt, and rests upon two pilasters with Corinthian capitals, next the wall, and in front upon Termini, of alabaster, highly finished, with the figures of warriors having on rich crested helmets. On slips of jasper, inserted along the front of the pediment, is the motto *Fide et Constantia*: and on a dark stone behind the effigy, the following inscription:

<i>Fide et Constantia</i>	}	Vixit Deo; Patriæ et Amicis, annos —
<i>Fide et Constantia</i>		Christo sp'vm; carnem sepulcro commendavi.
<i>Fide et Constantia</i>		Scio, credo, expecto mortuorum resurrectionem.



The rendering of this inscription is as follows: 'By faith and constancy he lived to God, to his Country and Friends — years. By faith and constancy I have commended my flesh, buried in Christ, to the tomb. By faith and constancy I know, I believe in, I wait for the resurrection of the dead.' On each side are trophies in well executed relief, and on the body of the Sarcophagus, below, on two tablets, these lines:

If Fortune's stoore or Nature's wealth commende  
 They both unto his Virtue praise did lende.  
 The warres abroad with honour he did passe,  
 In courtly justs his Sovereigne's knight he was.  
 Six princes he did serve, and in the fright  
 And change of state, still kept himself upright.  
 With Faith untought, spottless and deere his fame,  
 So pure that envy could not wrong the same:  
 All but his virtue now (so vaine is breath)  
 Tourn'd dust, lye here in the cold armes of death.  
 Thus Fortune's gifts and yearthly favours flye  
 When Virtue conquers death and destinie.

Above the monument, against the north wall, is the shield of arms, enclosed by a garter and motto. Dexter side: quarterly. In the first quarter, *Argent*, a bar and three crescents *Sabie*; 2nd quarter, *Gules*, a lion rampant *Or*; 3rd quarter, *Gules*, two wolves (or foxes) passant *Or*; 4th quarter, *Argent*, a bar and unicorn's heads *Sable*. Sinister side: in the first and fourth quarter, *Argent*, a bar and three roses *Sablè*; 2nd quarter, in a field, *Azure*, powdered with eight stars *Or*, an escutcheon of pretence *Ermine*; 3rd quarter, within a border *Azure*, with ten stars *Or*, a lion rampant *Azure*, in a field *Argent*."

As this is the third and last of the three monuments so carefully described above, and which unhappily are now entirely destroyed, it may be well to state here, that in the church of the parish of Spelsbury, in which the mansion of Ditchley now is, there is a monument to the Sir Henry Lee, Knight, who was the successor and executor of Sir Henry Lee, K.G., and was one of the first Baronets created, which monument was erected upon his decease in 1631, and answers in all respects to the character and style of those that have perished; so that though those originals are no longer preserved and to be seen, yet this their model or copy will help to give us an idea of what the former were.

To return, however, to Quarendon Chapel. Besides the monument erected in honour of Sir Henry Lee, K.G., there also existed in the wall of the chancel "a tablet within a frame of alabaster, bearing the date 1611, and the letters, 'Sustine do pergo,' with the following inscription in capital letters."

"Sir Henry Lee, knight of the most noble Order of the Garter, sonne of Sir Anthony Lee, and Dame Margaret, his wife, daughter to Sir Henry Wiat, that faithful and constant servant and counsellor to the

two Kings of famous memory, Henries the VII. and VIII. Hee owed his birth and childhood to Kent, and his highly honourable uncle Sir Thomas Wiat, at Alington Castle; his youth to the Courte and King Henry the VIII. to whose service he was sworne at xiii yeares olde: his prime of manhood, after the calme of that best prince Edward the Sixt, to the warrs of Scotland in Queen Maries days, till called home by her whose soddeine death gave beginninge to the glorious reigne of Queen Elizabeth. He gave himself to voyage and travaile into the flourishing States of France, Itally, and Germany, when soon putting on all those abillities that became the backe of honour, especially skill and proof in armes, he lived in grace and gracing the Courtes of the most renowned Princes of that warlike age, returned home charged with the reputation of a well formed traveller, and adorned with those flowers of knighthood, courtesy, bounty, valour, which quickly gave forth their fruite as well in the field to the advantage (at once) of the two divided parties of this happily united State, and to both those Princes his Sovereignes successively in that expedition into Scotland in the year 1573; when in goodly equipage he repayred to the siege of Edinburgh, then quartering before the Castle, and commanding one of the batteries, he shared largely in the honor of ravishing that maiden forte; as also in Courte, when he shone in all those fayer partes became his profession and vowes, honouring his highly gracious Mtris with reysing those later Olympiads of her Courte justs and tournaments (thereby trying and treyninge the courtier in those exercises of armes that keepe the person bright and steeled to hardinesse, that by soft ease rusts and weares) wherein still himself lead and triumphed carying away great spoyles of grace from the Sovereigne, and renown from the worlde, for the fairest men at armes and complete courtier of his times, till singled out by the choice hand of his Royall Mtris, for meed of his worth (after the Lieutenancy of the Royall Manour of Woodstocke, and the office of the Royall Armory) he was called up an Assessour on the Bench of Honour among Princes and Peers, receivinge at her Majesties hands the noblest order of Garter, whilst the worme of time gnawinge the roote of this plant, yelding to the burden, age, and the industrie of an active youth imposed on him, full of the glorie of the Court he abated of his sence to pay his better part, resigned his dignity of her Majties Knighte to the adventurous Compt George Earle of Cumberlande, changing pleasure for ease, for tranquility honour, making rest his sollace, and contemplation his employment, so as absenting from the world, present with himself, he chose to loose the fruit of publique use and action for that of devotion and piety, in which time (besides the building of four goodly mansions) he revived the ruines of this Chappell, added these monuments to the honour of his blood and frends, raised the foundation of the adjoining hospitall, and lastly, as full of years as of honour, having served five succeeding Princes, and kept himself reight and steady in many dangerous shockes, and three utter turnes of state, with a body bent to earth, and a mind erected to Heaven, aged 80, knighted 60 years, he met his long attended ende, and now rests with his Redeemer, leavinge much patrimony with his name, honour with the world, and plentifull teares with his friends. Of which sacrifice he

offers his part, that, being a sharer in his blood as well as in many of his honourable favors, and an honourer of his virtues, thus narrowly registreth his spread worth to ensunge times.

“ WILLIAM SCOTT.”

But for the signature to this long inscription, I should have concluded that it was the composition of Sir Henry Lee the executor and successor of Sir Henry Lee, K.G. Yet who this William Scott was, who here claims the honour of being not only the biographer, but “a sharer in his blood as well as in many of his honourable favors,” I am unable to learn.

The date of his decease according to the monument was 1611, which would make him to have been born in 1531. The five succeeding Princes whom he served therefore were Henry VIII., Edward VI., Mary, Elizabeth, and James I., whose reigns formed a period, during which there were indeed “many dangerous shocks.” The “three utter turns of state” that he witnessed were doubtless the renunciation of the Pope’s Supremacy and the progress of the Reformation under Henry and Edward, the restoration of Popery and the horrors of the reign of bloody Mary, and the return to Protestantism and its safe establishment under Elizabeth. The “four goodly mansions” he is said to have built were probably at Quarendon, Hardwick, Bridesthorn, and Ditchley, for of these manors in Buckinghamshire and Oxfordshire was he possessed, and possibly of others also. Thus by a deed of the 18th Oct. 34 Eliz. (1592) between St. John’s College, Oxford, and Sir Henry Lee of Ditchley, it appears that he was the Farmer of the manor of Charlbury. Of the Hospital here mentioned nothing is now known. The Chapel at Quarendon which he restored had been destroyed by a great flood that occurred there in 1570, when the losses he sustained in his estate were such as fully to justify the account of his “much patrimony,” for no less than three thousand sheep besides other cattle belonging to him were drowned on that occasion. In further confirmation of the wealth of his possessions, may be mentioned the fact recorded by Fuller in the *Worthies of Bucks*, “that one entire pasture, called Berryfield, in the Manor of Quarendon is let yearly at eight hundred pounds, and the tenant not complaining of his bargain.” Fuller’s *Worthies*, edited by Nichols, p. 133. This was about the year 1650, and so only forty years after the death of Sir Henry Lee. Of “honour in this world” he had abundance, for although he had no hereditary title or rank to leave behind him, yet he had held and discharged some of the greatest offices of the kingdom in military affairs. In the list of “Courtyers and Soldiers” given above, and which evidently comprised the principal captains of his time, his name stands first, having precedence of place and doubtless therefore of authority and honour before all others. He was Champion to Queen Elizabeth, Constable of the Tower and Master of the Armories to James I., and, more than all else, he

received that order of knighthood which only Sovereigns and the very highest persons in the state ever enjoy, for he was a Knight of the Garter, and adorned therefore with the Blue Ribbon, the George, and Garter of the order.

Besides "the monuments to honour his blood and friends" before referred to, there were wrought into the fabric of the building, as it were, other memorials of the family, to be found in the Lansdowne Collection of MSS. 874, in the British Museum, which were made by Nicholas Charles, Lancaster Herald. In the east window were the family arms; and in the centre compartment, arranged on a shield, were the emblems of the sufferings and death of Christ, the crown of thorns, the nails, the hammer, and the cross—surmounted by a helmet and crest; supporters were also given, the dove and the serpent, with the motto, *Hoo nobilitate beatus*, and the following quaint inscription:—

Why should earth's gentry make itself so good,  
 Giving coat arms for all the world to gaze on?  
 Christ's blood alone makes Gentlemen of blood,  
 His shameful passion yields the fairest blazon;  
 For he is ancientest, and of best behaviour,  
 Whose ancestors and arms are from his Saviour.

These last two lines remind us of the same idea so happily expressed by Cowper, thus—

My boast is not, that I deduce my birth  
 From loins enthroned, and rulers of the earth;  
 But higher far my proud pretensions rise—  
 The son of parents pass'd into the skies.

Indeed, the divinity of the poet is far better than that of the herald, who has made the serpent, the emblem of sin and Satan, one of the supporters of the shield bearing the symbols of Christ's sufferings and death for the salvation of mankind from evil and its author. It is to be hoped, indeed, that Sir Henry Lee, who may be presumed to have been the writer of the above inscription, himself fell asleep in confidence of the hope therein expressed, and having experienced Him who is the power and wisdom of God unto salvation. For of all his earthly buildings, foundations, revivals, monuments, patrimony, and honour, where are now the remains? His buildings are all gone to decay, his foundation hospital is unknown, his revived chapel is in ruins, his monuments are despoiled, his patrimony is dispersed, and could he speak from the grave his words might be the echo of the vanquished, yet unsubdued, Francis, when he exclaimed, "All is lost but honour." And what can even that now avail him? Others may justly take pride in it, and in their descent from him, but to him what is it? Past, gone, left behind, vain, valueless, and worthless; for in the world he has entered these things of earth have no place, are no source of happiness or joy, and no means of blessing or comfort.

In some memorials of the Lee family collected by Admiral Smyth in his "*Ædes Hartwellianæ*," he thus writes of the manor and chapel of Quarendon. "A little more than a couple of miles N. by E. of Hartwell House are the remains of the once interesting chapel of Quarendon. It stands in solitude and neglect, the devastation having been rapidly accelerated during the last twenty years, to my own knowledge: until very recently it contained some relics of the rich monuments formerly erected in honour of distinguished members of the Lee family; and I well remember, only in 1828, examining that of Sir Henry Lee, the "Queen's Champion," reposing in blazoned armour, with the insignia of the Garter. Near him the recumbent figures of his father, Sir Anthony Lee and his Lady Margaret; and a third of which the inscription was illegible, although the gold and colours were tolerably fresh in the wall. But neither sentiment nor taste were at hand to prevent wanton mischief and desecration; the chapel roof was even then off, the area was used as a cow-pen, and the whole was strewed with fragments of sculptured marble and alabaster. I was not therefore surprised in June, 1842, to find the destruction so complete, that the monuments had disappeared, there being merely undistinguishable pieces of them, torn down and thrown on the ground."

During the period when Sir Henry Lee, K. G., flourished, two other members of the family are made honourable mention of by Wood in his *Athenæ*, of the first of whom he writes thus. "Cromwell Lea a younger son of Sir Anthony Lea or Lee of Burston in Bucks, Knight, (by his wife the daughter of Sir Thomas Wyat, Knight) descended from the Lees of Quarendon in the said County, was educated in all inferiour arts in this University, and afterwards travelling and spending several years in Italy, he attained to so great knowledge in the common language of that country, that at his return he wrote a dictionary in Italian and English. Which though it reaches but to the word *Tralingnato*, and so consequently wanteth the following letters to the end of the Alphabet, yet is as big as a Church Bible. This book the author giving in MS. to the library of St. John's College in this University (of which coll. he had been sometime a commoner, about its first foundation) the Society did so highly value it, that one of them named Tho. Poticarie, M. of A. and Bach. of Civil Law, did transcribe it in a very fair character. Which being so done, it was reposed in their Library as a choice thing, and is at this day among the printed books, B. 31. This Crom. Lea, who had married Mary, the relict of Rich. Taverner, mentioned under the year 1575, died at his house in Holywell, in the North Suburb of Oxon, about the beginning of winter in 1601." It will be obvious to the reader of these memorials, that Cromwell Lee as he was the younger son of Sir Anthony Lee so he was also the younger

brother of the eminent Sir Henry Lee, K.G., whose progress we have endeavoured, however inadequately, to trace.

John Lea of St. John's Coll., Oxford, made Doctor of Divinity June 1, 1608, was, according to Wood, "of the gentile family of the Leas or Lees of Quarendon in Bucks, and of Ditchley in Oxfordshire, was Chaplain to the most noble knight, Sir Hen. Lea, was beneficed in the said counties, and dying about 1609, was buried in St. John's Coll. Chappel; to the adorning of which he was an especial Benefactor. He gave many books to that Coll. Library." From the fact of his having been a member of St. John's College, there is every probability of his having been the son of the foregoing Cromwell Lee, who had also been of that College, and consequently the nephew of Sir Henry Lee, K.G., besides being his chaplain.

Sir Henry Lee having died in the year 1610, was succeeded by Sir Henry Lee, Knight, shortly after created Baronet, as appears by two documents, the one a receipt in full and discharge of all claims upon the estate of the late Sir Henry Lee, and the other a Lease made by one Richard Pinson of Studley to Sir Henry Lee, Baronet of the Tithes of the Manor of Ditchley. The first of these documents, as distinctly marking the death of the first Sir Henry Lee, Knight, and the succession of Sir Henry Lee, Baronet, we will give as follows:—

"Be it knowen by theis presents, That I John Spicer of Bokinston, in the County of Somset ffreemason hove received of Sir Henry Lee baronett executor of the last will and testament of Sir Henry Lee Knight deceased knight of the noble order of the garter the some of ffoure pounds of lawfull money for the two last payments to me due at the ffeast of St. Michaell the Archangell, and the Annunciation of our Lady now last past by force of a deed of annuitie or rent charge of ffoure pounds yearly to me made by the said Sir Henry Lee knight, dated the ffourteenth day of June in the Three and Thirtieth yeare of the raigne of our late Sovraigne Lady Queen Elizabeth. And by these presents doe acknowledge myself hereby to be satisfied thereof and of all annuities rent charges and payments to me due or payable by the said deed of annuitie or rent charge, and doe acquite and discharge the said Sir Henry Lee baronett and all other the executors of Sir Henry deceased of and from all annuities and payments in the said deed of annuitie or rent charge and all payments for or by reason or of the said deed of annuitie or rent charge, and all other detts and demandes from the beginninge of the world until the day of the date hereof given under my hand and seale this Third of May in the Tenth yeare of his Majesties' Raigne over England, and of Scotland the ffive and ffortieth

"JOHN SPYCER's + mark.

"Sealed and delivered in  
the presence of us

"CLEMENT PIGOTT.

"WILLIAM HALL."

It is observable that the Sir Henry Lee, Baronet, referred to in this deed, is described as the executor of Sir Henry Lee, K.G., but he was the eldest son of Sir Robert Lee, who appears to have been the brother of Sir Henry Lee, K.G., so that he was the nephew as well as executor and heir of this last, and it was no doubt in honour of his noble uncle that he was one of the first Baronets created in the kingdom. This honourable order was instituted by James I. May 22, 1611, and, amongst the sixty-one persons thus distinguished, there were two of the families of Lee, Leigh of Stoneleigh in Warwickshire, and Lee of Quarrendon in Buckinghamshire; in the year 1618, two more were so honoured, Leigh of Newnham in Warwickshire, and Ley of Westbury in Wiltshire; and in 1620, another Lee of Langley in Shropshire. Of these the first four were afterwards raised to the peerage, by the respective titles of Baron Leigh, Earl of Litchfield, Earl of Chichester, and Earl of Marlborough. Again, in 1660, another branch, Lee of Hartwell in the county of Buckinghamshire, received the distinction of a baronetcy; while in 1772, Leigh of South Carolina, and in 1815, Leigh of Whitley in the county of Lancashire, each received the same distinction; thus making in all no less than eight families, who have at various times received hereditary honours, besides the many individuals who in former times acquired the personal one of knighthood.

Of the families thus distinguished and ennobled, that which both then was, and has ever since continued connected with Ditchley, is the family described as Lee of Quarrendon in the county of Bucks; for although so described at his creation in the month of May 1611, yet by a Lease dated the 12th of July in that same year we find him in possession of the "Manor of Dutchley," as it is called in that document, the tenor of which is as follows:—

"THIS INDENTURE made the twelfth day of July in the nynthe yeare of the Raigne of our Sovereigne Lord James by the grace of God king of England, Ffrance and Ireland Defender of the Faith, &c. and of Scotland the foure and fortieth between Richard Pinson of Studley in the County of Oxon yeoman of the one parte and Henry Lee of Dutchley in the saide County of Oxon Barronet of the other parte WITNESSETH that the said Richard Pinson &c. hath demised granted and to ferme Lett &c. unto the saide Henry Lee all those his Tythes yssuing and arising out of his Mannor of Dutchley aforesaide and being due and payable unto the parsonage of Spillesbury in the said County of Oxon, &c. TO HAVE AND TO HOLD &c. unto the full end and Tearme of ffive yeares &c YIELDING and paying therefore yearly (at or within the Mansion and now Dwelling house of the saide Henry Lee in Dutchley aforesaide) the full some of Twenty Pounds &c."

Hence, then, it is evident, that Sir Henry Lee of Quarendon was not only the executor of the former Sir Henry Lee, Knight of the Garter, but was also, either by will or heirship, the inheritor of the Manor and Mansion of Ditchley, and was the first Baronet settled there.

In the year 1613, being the 11th of James I., Sir Henry Lee, Bart., served the office of High Sheriff for the County of Oxford, on account of his tenure of the manor and mansion of Ditchley, besides his possessions in Charlbury. So again, some years after, in 1621, he served the same office for the County of Bucks, preserving his connexion with that county through his estates at Quarendon and elsewhere therein. As his immediate predecessor Sir Henry Lee, K.G. married into the family of the Pagets, so, according to a writer in the Gentleman's Magazine for 1817, who cites Dugdale as his authority, this Sir Henry Lee also married into the same family. Sir Henry Paget, the brother-in-law of Sir Henry Lee, K.G., succeeded his father William Lord Paget, and was the second Lord, being summoned to Parliament in the 8th of Elizabeth. He married Catherine, daughter of Sir Henry Knevett, knight, and had issue one sole daughter and heiress, Elizabeth, who married Sir Henry Lee, knight, and the same therefore whose memorial we here give. By some the issue of this marriage is said to have been one daughter, by others that there were no children, the wife dying young, and the latter is confirmed by the fact that Thomas Paget succeeded his brother Henry as Lord, and was summoned to Parliament in the 13th of Elizabeth. This would not have been the case if his niece Lady Elizabeth Lee had been alive, or had died leaving issue, for the title being a barony in fee would have passed to her or her issue. Sir Henry Lee, however, according to the following note of Anthony Wood, married a second time. "Spelsbury, 1675. On the north side of the Chancel, close to the wall, is a fair Table Monument erected of black and white marble, with the statues of a man and his wife lying at full length, and divers children kneeling at the head and feet, to the Memorie of Sir Henry Lee, who married Eleanor Wortley. This Sir Henry Lee died 1633. But this Eleanor married thrice after his death, viz. Ratcliffe Earl of Suma, Richard Earl of Warwicke, Montague Earl of Manchester." In this account there are apparently some things irreconcilable with other facts. Wood makes him to have died in 1633, whereas his monument says 1631, but this may have been only an error of the pen. But who is the lady that lies beside him? If his first wife, Lady Elizabeth Paget, who clearly died leaving no issue, how strange that, while a second wife survived him, the first should be placed beside him. If his second wife, when could she, who, after his decease, was the wife successively of three Earls, find her place here beside the first of four husbands? There certainly seem here some things not clearly reconcilable.

Sir Henry Lee the first baronet died in 1631, and lies buried in Spelsbury Church, where a splendid monument exists to his memory, which we have already referred to as exemplifying those that once existed in Quarendon Chapel, and of which an interesting account is to be found in the Gentleman's Magazine



for 1830. As it is still extant and in perfect preservation in the adjoining parish it is unnecessary here to do more than refer to it, as well as to the others also existing there, for such details as may carry on our narrative of the family. From this monument, then, we learn, that Sir Henry Lee, the first baronet, married Dame Eleanor Wortly, fourth daughter of Sir Richard Wortly, knight of the County of York, where it would seem, according to a deed before referred to, the father of Sir Henry Lee had resided. They had three sons, Henry, Francis, and Henry Anthony; and four daughters, Bridget, Anne, Louisa, and Elizabeth. His widow survived him, and not only erected this monument to his memory, but, according to the authority of Wood referred to above, married three times afterwards, and each time to an Earl.

The second Baronet was Sir Henry Lee, Knight, eldest son and successor of the first baronet. He was knighted by King James I.; the record of the occurrence being in these words: "1614, Aug. 26. King James arrived at Woodstock from Holdenby and Grafton. During his stay at the former place he knighted Sir Henry Lee: And on Sunday 28th, heard a sermon on Jer. 1st & 10, from Wm. Goodwyn, D.D. Dean of Christchurch." He succeeded his father, as we learn from the following MS. note of Anthony Wood.

"Spelsbury, 1675. In the north aisle of the Church is a great vault, where lie buried the bodies of Sir Henry Lee sonne and heire to Sir Henry Lee abovementioned. Sir Henry Lee (eldest sonne to this second Sir H. Lee) together with Anne his wife, D<sup>r</sup> of Sir John Danvers of Chelsea. Sir Henry Francis Lee, second son to this second Sir Henry Lee. These three Sir Henrys lie in this vault, where also lies the body of Henry Wilmot, first Earl of Rochester." We are hence enabled to deduce the successions of the first baronets very accurately. Sir Henry Lee who married Eleanor Wortley was the first baronet, and the second was Sir Henry Lee, the eldest son of the former, but of whom there are no further memorials either monumental or otherwise.

The third Baronet was Sir Henry Lee, eldest son of Sir Henry Lee, second baronet, who died in 1641. He was married in 1655, as appears from the following entry in the Register of Wootton Parish. "Marriages, 1655. Sir Henry Lee of Ditchley Baronett and Anne Davers (Danvers) were married at Ditchley by Mr. John Hoffman Minister of Wotton June 4, being Whitsun Monday." It does not appear that this Sir Henry Lee had any male heir, at least there is no record of his having had one, although there is of two daughters, one a posthumous one, being born to him. The birth of the eldest of these daughters we learn from the following extract from the Register of Wootton Parish. "1658. Ellenora Lee the daughter of Sir Henry Lee was baptized by me at Ditchley June 3." Sir Henry Lee and his wife were both of them cut off at a comparatively early period of life. The cause

of his death does not appear, but hers would seem to have been either in childbirth or very shortly after. Their deaths are both registered at Wootton in the same entry thus : " 1659. Sir Henry Lee of Ditchley was buried by me at Spelsbury March 31, and his Lady also about 4 months after." But before her death she had given birth to another daughter, whose baptism is thus recorded at Wootton : " 1659. Anne Lee the daughter of Sir Henry Lee Baronett lately deceased was baptized by me at Ditchley Chappell July 24." Now the fact of this daughter being baptized about four months after her father's death, which is the very time assigned as the death of her mother also, seems strongly to intimate that her decease was in or from giving birth to her, and may have been occasioned by grief for the loss of her husband. For my acquaintance with these facts I am indebted to the information of the Rev. W. B. Lee the present (1856) Rector of Wootton, by whose kindness I was further supplied with transcripts of the above Registers, all of which entries were made by the Rev. John Hoffman, for some years Rector of Wootton. In reflecting over them the word *Minister* in the Marriage Register, coupled with the date of the year 1655, five years before the Restoration, and when Presbyterianism still prevailed, led me to suspect, first that Mr. Hoffman himself must have been a Presbyterian minister, perhaps even an intruder upon the parish of Wootton to the exclusion of some other ; and secondly, that this Sir Henry Lee, who had sought the ministerial offices of Mr Hoffman, the clergyman of another parish and not his own, must have had some special reasons for doing so, and that if Mr. Hoffman should have been a Presbyterian it would give just occasion for inferring, that the tendencies of Sir Henry Lee were to the same principles. To obtain some resolution if possible of these surmises, I applied once more to Rev. W. B. Lee, and have been favoured by him with copies of two very interesting documents, very materially confirming the ideas that had suggested themselves to me. The first of these is as follows :—

*Endorsement.* Wootton Rectory, March 25, 1644. Copy of a petition of Dr. Thomas Fulwar to the King concurring this Rectory. Taken from a copy in the Warden's Lodgings, May 1826.

W. B. LEE.

To the Kings most Excellent Ma<sup>tie</sup>  
The humble petition of Thomas Fulwar. D.D.  
and Bishop of Ardfert in Ireland.

Most humbly shewing that whereas yr petitioner hath for above these two years past been forced from his Bishopricke by the fury and malice of the Irish, who have seized upon all the revenues thereof, and still detain it as being in their quarters at the time of the ; And tho' your petitioner hath found securitie to his person under your Ma<sup>ties</sup> protection here in England, yet continues still exposed to miserie with his wife and children for want of present maintenance.

And whereas one M<sup>r</sup> Hoffman a fforraighner hath your parsonage of Wootton in this y<sup>r</sup> countie of Oxford, and is notoriously knowne to bee disaffected to y<sup>r</sup> Ma<sup>tie</sup>, and to have been a fomentor of the present Rebellion, and is still a man factiously disposed ag<sup>st</sup> your government and leitourgie of the Church besides that the said Living is by Symoniacall Compact of right in your M<sup>ties</sup> gift; ffor which and many other reasons your M<sup>tie</sup> hath given order to have the same sequestered to the Bishop of Killallay, who in regard of your petitioner's former engagement hath relinquisht all claim thereto.

Your petitioner most humbly prayeth that y<sup>r</sup> Ma<sup>tie</sup> would be graciously pleased to appoint such persons, as y<sup>r</sup> Ma<sup>tie</sup> shall think fitt, to examine the truth of the premises, and by what right the said Hoffman holds the s<sup>d</sup> Rectorie and to sequester the profits of the said Living, if they shall see cause, for y<sup>r</sup> petitioner's use (hee discharging the cure.)

And (as in duty bound)

Y<sup>r</sup> Petitioner shall daylye pray &c.

At the Court of Oxford 25th March, 1644.

His Ma<sup>tie</sup> is graciously pleased to referre this petition to the Lord B<sup>p</sup> of Oxford, the L<sup>d</sup> Chief Baron, M<sup>r</sup> Solicitor generall, and D<sup>r</sup> Merrick or to any two of them, who are to examine the truth of the petitioner's allegations, and by what right the s<sup>d</sup> Hoffman enjoyeth the s<sup>d</sup> Rectorie, and thereof to certifie his Ma<sup>tie</sup> their opinions, what they shall conceive just and fitt to bee done therein; whereupon his Ma<sup>tie</sup> will declare his further pleasure.

Signed

EDWARD NICHOLAS.

According to his Ma<sup>ties</sup> order aforesaid wee have appointed to consider to the matters to us referred uppon Thursday next being the 23rd day of this instant May at the Audit Howse in Christ Church in Oxford at nine of the Clock in the forenoon, whereof all parties are to take notice, and to be present at the time and place aforesaid.

Given under our hands this 14th of May, 1644.

And the s<sup>d</sup> Hoffman is hereby further required at the time and place afores<sup>d</sup> to produce all such writings instruments and proceedings, as doe any way concern these premises, so as thereupon wee may certifie his Ma<sup>tie</sup> our opinions therein.

ROB. OXON.

RICHARD LANE.

THOMAS GARDINER.

WILLIAM MERRICK.

The other document is the following letter:—

*Endorsement.* Wootton May 20. 1644. Copy of a letter from M<sup>r</sup> Cary to Warden Pinke on the subject of Wootton Rectory. The original in the Warden's lodgings. May, 1826. W. B. LEE.

To my worthy ffriend, Doctor Pinke, Warden of New Coll, in Oxon, these.

Sir

Since I saw you, I have heard further of the business we had some conference about. I have by accident met with a Copy of a petition which was sent to M<sup>r</sup> Hoffmans house, which I have sent you, you may see by it what is in agitation, and whereas it affirms to

his M<sup>tie</sup> that there is something of simony still upon ye living, I believe their information is not right ; for I can assure you that Mr Fullham (after a tedious upon a *quare impedit*) did legally acknowledge a judgement, which is upon record against himself that the King's title was not good for the simony that was pretended.

Thus much I am bound (bould ?) to acquaint you with all that you maye looke to y<sup>r</sup> owne right in time. I had wayted on you myself, but that I have som earnest bussiness this day. I must needs goe into Wiltshire to my Lady tomorrow.

I am y<sup>r</sup> humble servant and affectionate  
ffriend to my power

May 20.

JOHN CARY.

In reviewing these documents it need not concern us to dwell upon the conduct of Bishop Fulwar in the matter, or to consider the question of Simony raised therein, for such matters however interesting in themselves belong not to our enquiry respecting the views and opinions of Sir Henry Lee. Neither, in judging of what Mr. Hoffman's principles and conduct were, may we rely too much upon Dr. Fulwar's statements in his petition, since, according to Mr. Cary's letter, he had been compelled to relinquish the charge of simony, and had thus been proved a prejudiced and unfair witness. Yet making all allowance for this, it may still be safely inferred that Mr. Hoffman's leanings were not towards such high church notions as were then too prevalent, and which too often made the holders of them as unscrupulous in accomplishing their ends, as it is to be feared, from his petition against Mr. Hoffman, Bishop Fulwar appears to have been, for his case is evidently a strained one to effect his own object of possessing himself of the Rectory of Wootton. From the facts, then, of all these accusations failing, and of Mr. Hoffman retaining his living still, continuing in it for many years after, and eventually closing his life there, it is rather to be conceived that he was a man of religion and sound religious principle, but desirous of seeing such improvements as might render the ministry more efficient for their great and responsible charge. These hopes would necessarily render him, in such an age, when party spirit, whether political or religious, ran so high, liable to the imputation of siding with those who were the most earnest in religion, as the Puritans unquestionably were. Hence, then, it must be also inferred, that Sir Henry Lee's tendencies were of the same character, and that he encouraged at least, if he had not embraced, those puritanical principles which the Presbyterian clergy and party espoused and propagated. It is further to be noted, that this Sir Henry Lee was the real one of 1651, and, instead of being, as represented in the tale of Woodstock, an aged man of high church views, was a young man apparently favourable to presbyterian principles.

The fourth Baronet was Sir Henry Francis Lee, who was the

younger son of the second baronet, and succeeded his brother the third baronet. He married Anne daughter of Sir John St. John of Lydiard Tregoz in the County of Wilts, whose family, like that of the Lees, had been one of the first honoured with the title of Baronet, at the institution of the Order in 1611. According to an ancient Court Roll of the Manor of Spellesbury, for the year 1532-3, which will be given in our account of Manorial Records, it appears that there was at that time a Sir John St. John, knight, the owner of lands and tenements in Ditchley, and supposing this property still to belong to that family, the fact in all probability led to the marriage of Sir Francis Henry Lee with the daughter of Sir John St. John, and thereby to the increase and consolidation of the Ditchley estate. How ancient and noble a family this of St. John was, is evident from the fact, that one of them had been a member of that most ancient and renowned order of knighthood founded by Richard I., and which preceded, and, as some conceive, was the original of, the order of the garter, which was instituted in the time of Edward III. Barnes, the historian of this last named king, states that Richard I., wearied with the siege of Acon, devised the scheme of giving his knights, as the reward and stimulus of their valour, a leathern thong or garter to tie about their legs, and that this originated an order of knighthood previous to that of the Blew Garter instituted afterwards by Edward III. in the year 1344. Thus this older, and indeed oldest, order of knighthood now existing amongst us, was founded in 1191, that is about 150 years before the incident of the Countess of Salisbury dropping her garter, and giving occasion for the king's courteous wit and the celebrated motto, *Honi soit qui mal y pense*, that is, "Evil be to him who evil thinks." Of the older order Barnes gives in his history a list of names, which he mentions "for antiquity sake," (p. 293.) and amongst these is mentioned Sir John St. John, who may well be understood to have been the ancestor of Sir John St. John, knight, who was for some time a proprietor at Ditchley, and whose descendant, as we have seen, intermarried with the Lees of Ditchley.

This Lady Anne Lee, who was descended from the St. Johns, was left a widow by the death of her husband Sir Francis Henry Lee in the year 1641, and subsequently entered into a second marriage with Henry Wilmot, Esq. In the ancient Court Rolls of the Manor of Quarendon there is frequent mention between the years 1411 to 1422, of several members of a family named Willemete, Willemot, or Wylmot, as Robert Willemot, Will. Willemot, and Willi Wylmot, who may possibly have been the ancestors of Henry Wilmot, and the vicinity of the properties of Wilmot and Lee at Quarendon may have led to this intermarriage of the two families. Henry Wilmot, Esq. was created Lord Wilmot of Adderbury, by Charles I. in the year 1644, and afterwards in the year 1652 by Charles II., Viscount Athlone and Earl

Rochester ; and, residing at Ditchley, had born to him, by the Lady Lee he had espoused, a son who afterwards rendered himself so sadly notorious, as the witty but infidel Lord Rochester. Our mention of him, however, will give occasion for here introducing to the reader another member of the family of Lee, a dramatic author of no inconsiderable repute, of whom we have collected the following account.

Nathaniel Lee, a celebrated poet and dramatist, the friend and even fellow labourer of the great John Dryden, for they mutually assisted each other in the composition of two Plays, was the son of a Clergyman, and, having been educated at Westminster school under Dr. Busby, and subsequently at Trinity College, Cambridge, came to London, and for a short time appeared on the stage as an actor. Not succeeding, however, in this effort, he adopted the more honourable position of author instead of actor, and, besides the two Plays already alluded to, composed eleven others, all of which were more or less well received, and obtained for him much credit and fame, as one, who though somewhat bombastic in his style, could yet describe and move the passions with great effect. His first Tragedy, *Nero, Emperor of Rome*, was dedicated in 1675, to the Earl of Rochester, which fact seems at once to connect him with the family at Ditchley, which was allied by marriage to that of the Earl of Rochester. His style is said to have been so pathetic, and his own delivery so powerful, that on one occasion, when reading a new play for approval to the company who were to perform it, the principal actor, Major Mohun, threw down the part assigned to him, exclaiming that it would be in vain for him to attempt to exhibit it, unless he could deliver it with the same feeling that the author read it. His end was unfortunate, for after having been afflicted with and confined on account of insanity, he perished in one of the night rambles in the streets to which he was addicted. According to the custom of the age in which he lived, Lee was mentioned by other authors, in ridicule or in praise, according as their taste or judgement, their spleen or friendship prevailed. Thus Rochester, alluding to Horace's tenth Satyr of the first book, observes—

When Lee makes temperate Scipio fret and rave,  
And Hannibal a whining amorous slave,  
I laugh, and wish the hotbrained fustian fool  
In Busby's hands to be well lashed at school.

A very different spirit, however, from that of the profligate and caustic Rochester, viewed Lee far more favourably, for Mr. Evelyn classing him with Otway, writes of them both,

When the aspiring Grecian in the East  
And haughty Philip is forgot in the West.  
Then Lee and Otway's works shall be suppress.

“The aspiring Grecian” is an allusion to the fourth tragedy writ-

ten by Lee, and which appeared in 1677, entitled "The Rival Queens, or the Death of Alexander the Great." It was on the appearance of this play that Dryden addressed to him a poetical epistle, in which he thus compliments him :

"Such praise is yours, while you the passions move,  
That 'tis no longer feign'd, 'tis real love,  
Where nature triumphs over wretched art,  
We only warm the head, but you the heart ;  
Always you warm ; and if the rising year,  
As in hot regions, brings the sun too near,  
'Tis but to make your fragrant spices blow,  
Which in our cooler climates will not grow."

Addison has also complimented him thus : "Among our modern English Poets, there is none who was better turned for tragedy than Lee ; if, instead of favouring the impetuosity of his genius, he had restrained, and kept it within proper bounds. His thoughts are wonderfully suited to tragedy, but frequently lost in such a cloud of words, that it is hard to see the beauty of them ; there is an infinite fire in his works, but so involved in smoke, that it does not appear in half its lustre. He frequently succeeds in the passionate parts of the tragedy, but more particularly where he slackens his efforts, and eases the style of those epithets and metaphors, in which he so much abounds. What can be more natural, more soft, or more passionate, than that line in Statina's speech, where she describes the charms of Alexander's conversation ?—

Then he would talk—Good Gods ! how he would talk !

That unexpected break in the line, and turning the description of his manner of talking into an admiration of it, is inexpressibly beautiful, and wonderfully suited to the fond character of the person that speaks it. There is a simplicity in the words, that outshines the utmost pride of expression." SPECTATOR, No. 39.

Lee's first tragedy was published in 1675, and his last in 1690. He died at the early age of thirty-four, apparently from the effects of an o'erwrought genius. Being seen in confinement by some conceited person, who had the cruelty to upbraid him with his misfortune by remarking "that it was easy enough for any one to write like a madman," Lee made the peculiarly happy and just retort, which displayed the vigour of his mind, when aroused, even under his affliction, and replied, "that it was not easy to write like a madman though it was to do so like a fool," thus aptly distinguishing between that power of the mind which by overstraining is liable to be unstrung, and that poverty of intellect which is incapable of being so excited itself as to arouse and stimulate others. (The sources whence the foregoing account of Nathaniel Lee have been derived, are "Longbaine's account of the English Dramatick Poets, 12mo Oxford, 1691," and "a Compleat List of all the English Dramatic Poets to the year 1747," append-

ed to Whincop's Scanderbeg or Love and Liberty, a Tragedy, London, 1747. The list, however, is attributed to John Metley. The last anecdote related of Lee I have since met with on the authority of Dryden. In a letter to Dennis, the Critic, he writes, "I remember poor Nat Lee, who was then upon the verge of madness, yet made a sober and witty answer to a bad poet, who told him it was an easy thing to write like a madman. 'No,' said he, 'it is very difficult to write like a madman, but it is a very easy thing to write like a fool.'" It is observable that there is a discrepancy as to the time of this anecdote, whether it occurred immediately before his confinement, or during it, but the authorities thus differ, as is often the case in similar instances.

The fifth Baronet who succeeded at Ditchley, was Sir Francis Henry Lee, son of the last named. He married Lady Elizabeth Pope, daughter and co-heiress of Thomas, third Earl of Downe, who was the immediate lineal descendant of Sir Thomas Pope, who had purchased the Manor of Enstone in the time of Henry VIII., when Winchcombe Abbey, at the suppression of the monasteries, surrendered the manor to the Crown. Sir Francis Henry Lee having married Lady Elizabeth Pope, and the Lord Keeper Guilford her sister Lady Frances, the property of the Earl of Downe appears to have been so apportioned between the two sisters, that the manor of Enstone, being adjoining to the ancient manor of Ditchley, was appropriated to the Lady Elizabeth, and through her passed to the Lee family, whose property thus became increased and consolidated at the same time. The signature of this Sir Francis Henry Lee is to be found in our account books for the year 1660, as that of one of the Magistrates before whom the accounts were passed.

Of the house and family at Ditchley in his day, and of the hospitality he received there, Evelyn has left the following notice in his Memoirs. "1664, Sep. 17. I went with my Lord Visct. Cornbury to Cornbury in Oxfordshire, to assist him in the Planting of the Park, and beare him Company with Mr. Belin and Mr. May, in a Coach with 6 Horses; din'd at Uxbridge, lay at Wickham." By the evening of the next day they reached Cornbury, taking two days to do a journey now easily accomplished in three hours. On Sep. 20, he again writes, "we went to Ditchley, an ancient Seat of the Lees, now Sir Hen. Lee's: it is a low ancient Timber House, with a pretty Bowling Greene. My Lady gave us an extraordinary Dinner. This gentleman's mother was Countesse of Rochester, who was also there, and Sir Walter St. John. There were some pictures of their ancestors not ill painted. The great Grandfather had been Knight of the Garter. There was a picture of a Pope, and our Saviour's Head. So we returned to Cornbury."

What was the family of Sir Francis Henry Lee does not certainly appear, yet besides Sir Edward Henry Lee who afterwards



succeeded to the Baronetcy, he seems to have had another son. So at least I judge from the fact, that, according to the register of Wootton parish, there was in the year 1687, a Mr. Francis Harry Lee residing at the Lodge in Woodstock Park. For in that register occurs the following entry. "1687. Mrs. Ann Elizabeth Lee the daughter of Mr. Francis Harry Lee was baptized Sept. 22, 1687, at the Lodge in Woodstock Park by myself." The Rector of Wootton at that time was Rev. Richard Rowlandson. The Lodge here referred to has been variously called at different times, having formerly been the Ranger's Lodge, and at present the High Lodge. Here it was that in June, 1689, the infidel Lord Rochester died, and as we find about twenty months before Mr. Francis Henry Lee, who was the nephew of the Earl of Rochester, resident at this Lodge, so perhaps this may account for the fact of the Earl's dying here.

The sixth baronet was Sir Edward Henry Lee, son of the preceding, who married Lady Charlotte Fitzroy, daughter of King Charles II. by Barbara Duchess of Cleveland, and was created Earl of Litchfield. This was in the 26th year of the reign of Charles II. 1674-5, when he was made Baron of Spelsbury, Viscount Quarendon, and Earl of Litchfield. The Barony and Viscounty were new creations, but the Earldom was the revival of one that had previously existed. It had been first created by Charles I., and bestowed by him on Bernard Stuart, the youngest of the five sons of the Duke of Richmond and Lenox, as the reward of his gallantry in defence of the royal cause near the city of Litchfield. He afterwards fell at the battle of Rowton Heath near Chester, Sep. 26, 1645, but succeeded in securing the retreat of the king, whose person was in great danger. Two of the Earl's brothers also fell in the rebellion, and are buried in Christ Church, Oxford; one at Edge Hill, the other, Lord John Stuart, on Chireton Down, while leading on a body of light horse to attack Sir W. Waller's army. Thus the earldom of Litchfield fell into abeyance almost as soon as it was created, and when revived again by Charles II. was bestowed upon Sir Edward Henry Lee.

The monument erected in Spelsbury Church to this, the first Earl of Litchfield, gives a somewhat interesting account of his domestic virtues and felicities, describing them thus. "He was son and heir of Sir Francis Henry Lee, of Ditchley, Bart., and the Lady Elizabeth Pope, daughter and heiress of Thomas, Earl of Downe: She, daughter of King Charles II., by Barbara, Duchess of Cleveland. . . . . It was justly observed, that at their marriage they were the most graceful bridegroom and most beautiful bride and that till death they remained the most constant Husband and Wife. Their conjugal affection was blest by their numerous offspring, 13 sons and 5 daughters. Though they were both framed for the honours and graces of the Court, they chose very young to retire from the splendor of it. Great in a private life, and disen-

gaged from pomp and magnificence, to obtain more leisure for charity and religion. The Earl Dyed the 14th July, Anno Salutis, 1716. *Ætatis suæ* 54. The Countess dyed the 17th Feb. Anno Salutis 1718, *Ætatis suæ* 55.

George Henry Lee, second Earl of Litchfield, succeeded his father in 1716. He married Miss Hales, of Hale's Place, near Canterbury in the county of Kent, the marriage for some reason being a strictly private one, a fact related by the present Dowager Lady Dillon. Of this Earl and his Countess there are full length portraits at Ditchley, but there is no monument or other memorial of them, except some MSS. note and account books, remaining. One daughter of theirs was baptized at Enstone, being the only member of the family entered in our registers, the record being in these words. "Frances ye Daughter of ye Right Hon<sup>ble</sup> ye Earl of Litchfield and ye Lady Frances his wife was baptized Decem<sup>r</sup> ye 16, 1721." There is at Ditchley a portrait of a brother of the Earl, Admiral Lee, and a large folio volume in MSS. containing the journal or diary of voyages conducted by him, the book being somewhat of the nature of a log-book, but not exactly in the modern form of such books.

George Henry Lee, third Earl of Litchfield, succeeded his father in . . . He was born in 1718, and died in 1772, aged 54, having married Diana, daughter and heiress of Sir Thomas Frankland, Bart., of Thirkelby in Yorkshire, who died in 1779, aged 60. This Earl was highly eminent for his natural talents and acquired attainments, so that, besides serving the state in the public capacity of a Knight of the Shire of Oxford in two Parliaments, and holding offices of importance in the Court of George III., he attained to the still higher honours, because dependent upon his own personal qualifications rather than any favour, of being elected High Steward of the University of Oxford, and afterwards to the higher dignity of Chancellor of the same great Institution, certainly one of the noblest honours that can be enjoyed in England. He was the Patron of Dr. Thomas Warton, some time Professor of Poetry in Oxford, and one of the best and chastest writers of his day, a most incomparable wit, and one who possessed so great a reputation, as well in literature as in wit, that he was accounted worthy of a place in the celebrated club of which Dr. Johnson was the master spirit, and Burke, Goldsmith, Garrick, Reynolds and others, were satellites worthy of such a luminary. He was for some time Rector of Kiddington and wrote a history of that parish. I conceive him to have been the composer of a very elegant inscription on the Earl's monument at Spellsbury, for it is quite worthy of the position he attained to of Poet-laureate, having succeeded Whitehead in that office.

Robert, fourth and last Earl of Litchfield, and brother of the second and uncle of the third Earl, succeeded to the title in the year 1772. He was already an aged man, for he had been born

in 1705, and consequently was on his succession of the age of 67. He died in 1776, at the age of 71, and with him terminated both the Earldom of Litchfield, and the direct male line of the ancient and noble family of Lee of Quarendon and Ditchley. He had married Catherine, daughter of Sir John Stonehouse, Bart., of Radley, Berks. In the year 1695, there had been buried here at Enstone, Sir George Stonehouse, Bart., who was the ancestor of the beforenamed Sir John Stonehouse, his mother having been a daughter of George Cole, Esquire, long resident at the Rectory here.

Thus terminated the direct male line of the family of Lee of Ditchley, but although the male line failed, the female line survived in connexion with another noble family, which to this day continues at Ditchley under the name of Dillon-Lee, or Lee-Dillon, they having united their own name of Dillon with that of Lee, in consequence of the intermarriage of the two families. Of the children of George Henry, second Earl of Lichfield, Charlotte Lee was the eldest daughter, and eventually the sole survivor, so that, on the death of her uncle the last Earl of Lichfield, she became the heiress of the estates of the Lees, Earls of Lichfield. She had married, on Oct. 26, 1744, Henry, 11th Viscount Dillon, who was in the service of the French government as Colonel of Dillon's regiment, but subsequently resigned his employment there, when the act was passed, preventing British subjects from entering into foreign service.

It will be necessary then, before we proceed further with our memorials of the Dillon-Lee family, to trace back the origin of the Dillon branch of it. In doing this, however, it is necessary to premise how it happens, that while our notices of the family of Lee have been so full, those of the family of Dillon must be necessarily scant and few. Although the family of Dillon is to be traced back to a period far more remote than that of Lee, and was also ennobled at an earlier time, thus being the older both in antiquity and nobility; yet from the fact of the chief scene of their exploits having been in other countries, as in Ireland, in Aquitaine, and in France, and as they did not become connected with the domain of Ditchley, or the Manor of Enstone, until a comparatively recent period, when by intermarriage with the Lees they became settled here, we have not been able to obtain more information respecting them, than we have given below. The very high and remote antiquity, as well as the very ancient nobility of the family, are evident from the fact that it derives its name from LOGON DELUNE, or Logon the Valiant, the surname DELUNE becoming changed by use into DELION, and thence into the modern form of the title DILLON. This Logon Delune was the third son of O'Nyal, or O'Neal, Monarch of Ireland, and fled his country in consequence of having slain in a duel his first cousin, Colemaan, King of Temonia, in Hibernia. This deed of blood, for which Logon

Delune became a voluntary exile, occurred about the year 595; but although he was thus expatriated, he subsequently rose to greater eminence, for, by marrying the heiress of the house of Aquitaine, he became the sovereign prince of that dukedom, which continued in his descendants for several generations. One of these, Thomas, Duke of Aquitaine, had a son, Sir Henry Delion, who was brought into England together with his brother Thomas, when an infant, by Henry II., after he had deposed their father. This Sir Henry Delion accompanied the Earl of Morton, afterwards King John, into Ireland, in the year 1185, and there obtained extensive territorial grants in the counties of Longford and Westmeath. The tract of country thus obtained was thence denominated *Dillon's country*, though at a later period, by a statute of the 34th of Henry VIII., its name was changed into that of the Barony of Kilkenny-West. Sir Henry Delion afterwards had conferred upon him the title of "Premier Dillon, Lord Baron Drumrany."

Descended from the Barons of Drumrany was Gerald Dillon, who had a son Sir Maurice Dillon, the direct lineal descendant of whom was Sir Theobald Dillon, Knt. of Costello-Gallen, in the county of Sligo, who on the 16th of March, 1621-2, was created Viscount Dillon of Costello-Gallen. Although he enjoyed the title thus acquired but a short time, for he died in 1624, yet he had attained a very considerable age, and was permitted to see so numerous a progeny sprung from him, that on one occasion he assembled around him, at his residence at Killenfaghny, above a hundred of his descendants. Of his two sons, however, neither succeeded to the title; but of the eldest, two sons and three grandsons inherited it, until at length it passed to the grandson of the second son. Thus, of the eldest son Christopher, Lucas first succeeded as 2nd Viscount, and marrying at the early age of fifteen, left one son Theobald, who became 3rd Viscount. He dying an infant, the title reverted to another son of Christopher, Thomas the 4th Viscount, who was succeeded by his son Thomas 5th Viscount. He having no issue the title passed to his first cousin, another grandson of Christopher, Lucas 6th Viscount, who also failing of issue was succeeded by a grandson of the second son of the first Viscount. This was Theobald 7th Viscount, who having attached himself to the failing fortunes of James II. was outlawed in 1690, and the title thereby forfeited. One of his sons, Henry, became 8th Viscount, and had a son Richard, 9th Viscount, whose only daughter Frances married her cousin Charles, who succeeded his uncle as 10th Viscount. The brother of the last, Henry, 11th Viscount, married Lady Charlotte Lee, sole surviving heiress of the third Earl of Lichfield, whose sister she was, and through whom he inherited the noble mansion and estates of Ditchley, in the county of Oxford, and, uniting the two ancient houses of Dillon and Lee, originated the Lee Dillon family that still enjoy them.

Having thus, then, brought down the history of the Dillon family, until the time of its intermarriage and blending with the Lees of Ditchley, so as to form the Dillon-Lee family that still continues there, we return to our direct memorials of the family thus formed, in which the ancient and honourable name of Lee still survives in connexion with the no less honourable one of Dillon. It is true, indeed, that the name of Lee, as evidencing this union, and the double nobility of the newly formed family, was not assumed until the time of the son of the Viscount Dillon, who had intermarried with the Lees; but, although the name had not been assumed, the fact had been consummated, and therefore we have not hesitated thus to denote them as the Dillon-Lee family.

The eldest child of this union of the houses of Lee and Dillon was Charles, who succeeded his father as 12th Viscount, and of whose marriage and family we will presently speak. We will, however, first mention the younger members of the family, and such of them as demand special notice, before we pursue our account of the direct succession. There were in all seven children, that is six besides the eldest, whose names in the order of their births were as follow:—1747, Frances; 1750, Arthur; 1752, Catherine; 1754, Laura; 1755, Charlotte; 1759, Henry. The two sons Arthur and Henry both formed high connexions in France, either directly by themselves, or by their offspring. Arthur, as his father had done before him, entered into the military service in France, became a major-general in the French army, was made governor of Tobago, and was colonel-proprietor of Dillon's regiment. He married twice and had by each marriage one daughter, and as he and his family lived during the stormy period of the French revolution, they were not only connected with it, and with some of the most eminent persons, who took part in it; but also had to bear their share in its terrible reign of blood. Thus his eldest daughter married the Count de la Tour du Pin Gouvernet, a French nobleman of high rank, and one of the most eminent members of the fatal Constituent Assembly of France. Arthur himself was guillotined at Paris, April 13, 1794. His youngest daughter became the wife of the famous general Bertrand the companion in Exile of the great Napoleon, and the faithful adherent and friend of the fallen emperor in adversity even unto death. Nor was Madame Bertrand less so, for she shared the fortunes of her husband in his labour of fidelity, and herself afforded to the captive-chief all the sympathy and attention she was capable of. The other son, Henry, also formed through his eldest daughter a noble connexion in France, for she became the wife of the Duke de Croy, peer of France, and a grandee of Spain. The daughters of this first generation of the Dillon Lee family who married were Frances married to Sir William Jerningham of Cossey, Norfolk: and Charlotte married to Valentine Browne Earl of Kenmare.

We return, then, to the family of the eldest son, Charles 12th Viscount Dillon. He married in 1776, Henrietta Maria Phipps, only daughter of Constantine, lord Mulgrave. This lady was the granddaughter of one, whose name is so associated with that of our great English Poet, Alexander Pope, that it must enjoy a fame as lasting as his shall be. Mary Lepell, the daughter of General Lepell, was not only one of the greatest beauties of her day, but one of those female wits of the court of Queen Caroline, who thought themselves honoured in making a kind of pet of our great poet: who, himself fond of greatness and flattery, was neither unwilling to be thus patronized, nor to boast of the favours accorded to him by persons of rank and fashion. She was one of those whom he describes as "taking him into their confidence, contrary to the laws against harbouring Papists," Pope himself being a Roman Catholic. In one of his letters, writing of the manner in which the Maids of Honour of Queen Caroline, of whom Mary Lepell was one, were occupied, he thus describes it. "To eat Westphalia ham of a morning, ride over hedges and ditches (hunting in Windsor Forest), come home in the heat of the day with a fever and a red mark on the forehead from a beaver hat; simper an hour and catch cold in the Princess's apartment; thence to dinner *with what appetite they may*; and after that till midnight walk, work, or think, which they please." In raillery against such a mode of life he subjoins, "I can easily believe, that no lone house in Wales, with a mountain and a rookery, is more contemplative than this court." He adds, however, a fact which shews, that the poet found here hours for contemplation most congenial to his ardent fancy, though tending too often to encourage in him most deceptive hopes. For he writes, "Mrs. Lepell walked with me three or four hours by moonlight and we met no creature of any quality but the King, who gave audience to the Vice-Chamberlain all alone under the garden wall." Equally strange to modern notions were both trystings, whether of the aspiring poet, or the timid King. What the Royal assignation may have resulted in we know not, but that of the Poet certainly did not effect such an alliance as his nature may have ambitioned. It was in vain that he celebrated her in verse in reply to the coquetish enquiry of Mrs. Howe—"What is prudery?"

'Tis a beldam,  
 Seen with wit and beauty seldom.  
 'Tis a fear that starts at shadows;  
 'Tis (no, 'tis n't) like Miss Meadows;  
 'Tis a virgin hard of feature,  
 Old, and void of all good-nature:  
 Lean and fretful; would seem wise;  
 Yet plays the fool before she dies.  
 'Tis an ugly, envious shrew,  
 That rails at dear Lepell and you.

Such compliments availed not to win the beauty, however much her wit might have found congeniality in that of her admirer. He had nothing but his wit to barter with, and neither personal appearance, nor title, beyond that of poet, to offer; and however charming such things may be in song,—

My lute and harp are all the store  
That I have left for thee,

they are insufficient either to win or to fix the affections of Maids of Honour, whose aspirations tend to something nobler and more substantial than notes of praise. Mary Lepell became the wife of John, Lord Hervey, of Ickworth, and the mother of a daughter named Lepell, who married Lord Mulgrave, and whose daughter Henrietta Maria Phipps was united in 1775 to Hon. Mr. Dillon, eldest son of Henry 11th Viscount Dillon, the first of the Dillon Lee family.

It would seem that the wit of Mary Lepell, which, added to her beauty, made her an engaging companion to Pope, descended in some degree upon her granddaughter Henrietta Maria Phipps, though she exercised her talents, as far as we have memorials of them, in the French language. There exist at Ditchley some elegant little poetical effusions of hers in that tongue, addressed to her husband, both before and after their marriage. Several of these were written to him during occasional absence, in the year 1776, the year of their marriage; one was sent the day before their marriage, with a present of a set of buttons studded with diamonds; another was composed in 1778, as from her infant son to his father; and another in 1779, was an affectionate reply to her husband, at that time absent from her in England, and who had chided her for not writing to him at sufficient length. Besides these original compositions, exhibiting considerable feeling and taste, she exercised herself in translating into French verse Mallet's ballad of "William and Margaret," and had designed to do the same with Prior's "Henry and Emma." In addition to these poetical labours, she has also left in prose a tale entitled "Themiere et Corylas. Idylle," which is dedicated to "Madame La Princesse de S\*\*\*," and the dedication of which is signed with the initials H. M. D. L. These of course mean Henrietta Maria Dillon-Lee, and at once imply that the surname of Dillon Lee had already been adopted.

After having given birth to two children, the one the son and heir, Henry Augustus, born in 1777; the other a daughter, Frances Charlotte, born in 1780, and eventually the wife of Sir Thomas Webb of Ostock, Wilts, Bart.; this lady deceased in 1782, without having attained to the title of Viscountess, for her husband, who had conformed to the established Church in 1767, did not succeed to his title until his claim was established by the House of Lords in Ireland, after a solemn hearing, in March 1788. His Lordship married a second time and had one daughter, Charlotte, married

in 1813, to Lord Frederick Beauclerk, shortly after which he himself died at the age of 68, his widow surviving him until 1833.

Henry Augustus Dillon-Lee, thirteenth Viscount, succeeded his father at the age of 36, having married in 1807, Harriet, eldest daughter of the late Dominick Geoffrey Browne, Esq., and sister of the present Lord Oranmore.

The issue of that marriage were the following :

1. Charles-Henry Lee-Dillon, 14th Viscount of Costello-Gallen, in the county of Sligo, who married Feb. 1, 1833, Lydia-Sophia, daughter of the late Philip Laycock Story, Esq., and had two daughters, Ethelred-Florence and Geraldine-Frances.

2. Theobald-Dominick-Geoffry.

3. Arthur-Edmund-Dennis, m. Ellen, daughter of the late J. Adderley, Esq.

4. Constantine-Augustus, m. Fanny-Dorothea, 3rd daughter of P. L. Story, Esq.

5. Gerald-Normanby, m. Louisa, daughter of Hon. Col. Fitzgibbon, now Earl Clare.

6. Henrietta-Maria, m. to Lord Stanley of Alderley.

7. Margaret-Frances-Florence, m. to W. J. Hamilton, Esq.

8. Louisa-Anne-Rose, m. to S. C. B. Ponsonby, Esq.

9. Helena-Matilda.

The arms of the family of Lee-Dillon are, Quarterly, 1 and 4, argent, a fesse, between three crescents, sable, for LEE; 2 and 3, argent, a lion, rampant, gules, debruised by a fesse, azure, between three crescents of the second, for DILLON. Crests. Out of a ducal coronet, or, a pillar, argent, thereon a falcon, azure for LEE; a demi-lion, rampant, gules, holding between the paws an estoile, argent, for DILLON. Supporters. Two angels, proper, vested, argent, wings elevated, the dexter with a sash over the shoulder, azure, each holding in the exterior hand a palm branch, proper.

Their motto is the remarkable one, *Dum Spiro Spero*, which means "While I breathe I hope." This was the favourite motto of the unfortunate Charles I. while imprisoned by his persecutors, and was most expressive of the doubtful and critical position in which he felt himself to be. It was found written by him in various books with which he relieved the tediousness of his confinement, as Fairfax's translation of Tasso, Harrington's translation of Ariosto, Spenser's Fairy Queen, and others. The motto *Dum Spiro Spero*, is what heralds call a *canting* one, that is a rhyming or jesting one, for the words *spiro* and *spero* rhyme in sound, and have besides that kind of jesting play upon them that we now commonly call a pun. It was thus that what were called *cant* words came into use, and thence the common expression now-a-days of cant, meaning something tricky, deceitful, or hypocritical.

It is but a fitting appendix to these memorials of the family of



Lee to make some mention, however brief, of the residences they have at different times possessed either at Ditchley itself, or in the vicinity of it. These have been no less than four, consisting of the Ranger's or High Lodge of the ancient royal domain of Woodstock, now become the Park of Blenheim; Lee Place, immediately adjoining to the town of Charlbury; Lee's Rest, which seems to have been the chief family residence, before the present mansion was built; and Ditchley House, the noble residence of the existing family. Of these, the High Lodge at Blenheim remains in its original state, as in the days when the sadly notorious Rochester ended there his wasted and abused talents and life. Of Lee's rest there remains some small portion, consisting of an ancient hall. The name is said to have been derived from the words of its founder, who, on arriving here, wearied and heavy laden with the toils of life, and choosing the spot for his future abode, is said by tradition to have exclaimed, "Here shall be my rest," whence the house was called Lee's Rest. There were in the old hall a massive oak table, and some large antlers of stags killed in the chase by King Charles II., and other illustrious visitors, as recorded in some rude lines engraved on brass plates affixed to them, but these have recently been removed as appropriate relics of the olden time to the present mansion of Ditchley. Round about the site of the house at Lee's Rest there are still traceable the signs of terraces and gardens, and even within the memory of some, the snowdrops and other spring perennials that formerly adorned the grounds have been found and gathered.

Lee Place, Charlbury, is at present the residence of B. J. Whippy, Esq., one of the magistrates of the county, High Sheriff for the year 1855, and a most kind and excellent country gentleman. To my enquiries, respecting the original and present state of this ancient mansion of the Lee family, he has kindly favoured me with replies, some of which are obvious and well known facts, but others he only gives upon such evidence as tradition is worthy of. He writes, "part of the house, now used as the kitchen and offices, is very old, perhaps 300 years, and was probably a small residence. The centre was built in or about 1640, and the wings and stabling in 1725. Of the Proprietor who erected this mansion I cannot give any satisfactory information, but it was most probably as it is at present while it was in the possession of the Lees. There is a tradition that the wings and stabling were erected by one of them named Robert. A few years ago I met with an old hunting picture, in which a large dog, said to be Bevis, is introduced, but I do not know on what authority." The fact of a Robert Lee having built the last additions to the Place, is exceedingly probable, as this was a Christian name of frequent use in the family from 1552, when Sir Robert Lee, knight of Quarendon was High Sheriff of Bucks, until Robert Lee became the fourth and last Earl of Lichfield. Indeed it is highly probable, and

quite possible, that this last named Robert Lee was the proprietor of Lee Place when the wings and stabling were built, in 1725, for since he died in the year 1776, at the age of 71, he was born in the year 1705, and consequently would have been 20 years of age in 1725, and so might well have been the Robert Lee, to whom tradition assigns the erection of these buildings.

For the only description we have of the house at Ditchley that preceded the present mansion, we are indebted to Evelyn, who visited it in Sep. 1664, while staying at Cornbury Park, and who thus writes of it. "Hence we went to Ditchley, an ancient seat of the Lees, now Sir Hen. Lee's: it is a low ancient Timber House, with a pretty Bowling Green.... There were some pictures of their ancestors not ill painted. The great Grandfather had been Knight of the Garter. There was a picture of a Pope, and our Saviour's Head. So we returned to Cornbury."

The present mansion of Ditchley is in the parish of Spelsbury, its eastern angles both of the wings and stabling forming the boundary mark between Enstone and Spelsbury. It is a large and noble fabric, having been erected by Smith in the space of a single year at a cost of £33,000. Its situation is a commanding one, overlooking Blenheim and Oxford to the south, and, but for the thickness of its surrounding woods, Heythrop to the north. It consists of a handsome massive central compartment, which is the principal part of the mansion, and two elegant wings connected with the centre by circular colonades. The interior apartments are all well arranged and of fine dimensions, and are adorned with a valuable collection of paintings by some of the best masters, as Rubens, Holbein, Vandyke, Sir Peter Lely, Johnson, Wotton, and others. The entrance hall is of stately proportions, and the ceiling, which is by Kent, represents an assembly of the gods. There is a very handsome library, containing an admirable collection of books. One room, hitherto the state, or velvet, bed-chamber, is unique of its kind. The rich Genoa manufacture, which covered the walls, and formed the hangings to the bed, was a present from Admiral Lee to his brother the Earl of Litchfield. The figure displayed in gold upon the dark ground of the velvet is, singularly enough, that of the heathen idol Budh. It is recorded that the loom in which it was wove, or rather the pattern from which it was wrought, was immediately afterwards destroyed, so that no second should be made like it. The room has been recently refitted by the present Lady Dillon, with equal richness and good taste, so that although it is very gorgeous in character, yet the gilding and colours blend and harmonize without offending even by their splendour; and thus an apartment, which heretofore has seemed by its peculiarity to interfere with the propriety of the noble suite contained in the mansion, has been converted into one of the handsomest and most ornamental rooms of all. It may be mentioned here, that several large folio MSS. volumes,

which formed a kind of daily record of events by Admiral Lee during some of his voyages, still exist here. The gardens, ornamental pleasure grounds, park, and surrounding plantations make this whole domain one of much beauty and grandeur. Horace Walpole, who visited it in the summer of 1760, and who had very peculiar, and somewhat contracted, views as to edifices and grounds, of such a character as these, was prejudiced respecting it by his own Gothic taste, which, however excellent of its kind, need not have deprived every other style of grace and beauty. He did it therefore but scant justice when he wrote of it, "Ditchley is a good house, well furnished, has good portraits, a wretched saloon, and one handsome scene behind the house. There are portraits of the Litchfield hunt, in true-blue frocks, with ermine capes. One of the colleges has exerted this loyal pun, and made their east window entirely of blue glass." Letter to G. Montagu, Esq.

The paintings that enrich the mansion of Ditchley, are deserving of much more than a mere passing notice, and may be regarded as of two or more classes, Allegorical, Scriptural, and Historical. Amongst the former should be mentioned, the assembly of Deities on the ceiling of the Hall, Venus giving arms to Æneas, and Æneas meeting Venus in the Wood, on the sides, all of which are by Kent; and a Sleeping Venus and Painter, by Titian. Amongst Scriptural subjects is the Angel Gabriel, by Guido. The Historical are of much interest, and are these. Henry VIII., full length, believed to be by Holbein. Sir Henry Lee, K.G., a full length in full costume, and a half length with his dog Bevis, and the motto "More faithful than favoured," both pictures by Johnson. Sir Christopher Hatton, by Cornelius Kettel, and Sir Francis Drake, both being the cotemporaries and intimates of Sir Henry Lee, K.G. Rubens and Wife, by himself, the animals by Scheigers. Charles I., and the Prince of Wales in petticoats, by Vandyke. Sir Francis Henry Lee, by Vandyke. Lady Rochester, by Sir Peter Lely. Charles II., Duchess of Cleveland, Lady Charlotte Fitzroy, and her brother the Duke of Grafton, the Duke and Duchess of York, and the daughters Mary and Ann, all by Sir Peter Lely; Mrs. Waters and the Duke of Monmouth. The second Earl and Countess of Litchfield, both in full length, by Akerman, and Admiral Lee his brother. The last Earl of Litchfield in a shooting piece, by Wotton, being the picture referred to by Horace Walpole. One particularly interesting portrait is a full length of a warrior in a kind of Celtic war dress, his whole legs from the thighs downwards being perfectly bare. The name inscribed on the picture is Sir Henry Lee, and he is said to be of Ireland, but the calling him Henry is, I suspect, the very same error that Hume has committed respecting the name of the Lee sent by Essex to James of Scotland, and I believe this to be the portrait of the person so sent, and whom I have already shown was in all probability Sir Thomas Lee.



## CHAP. III.

## ECCLESIASTICAL HISTORY.

1. OF WINCHCOMBE ABBEY AND THE CONNEXION OF ENSTONE WITH IT.—Enstone, whether as a manor or a parish, was long dependent upon, and an appanage of, the once famous Abbey of Winchcombe, in Gloucestershire; so much so, indeed, that, in giving a history of this parish and church, it would be undutiful not first to give some account of the parent stock, from whence our present church and parochial institutions were derived. We will first, therefore, offer some general view of the origin and history of Winchcombe Abbey itself, and then trace out those connexions and dependencies, which have from time to time subsisted between Enstone and the Abbey.

Previous to the erection of the Abbey and its noble Church at Winchcombe, there had been founded there in the year 787, by king Offa, a nunnery, in the place of which, as is generally said, King Kenulphus, in the year 798, laid the foundation of a very large monastery and a church, which last was dedicated with great pomp in the year 811. The king, accompanied by many princes, bishops, and nobles was present at the dedication of it, and graced that act with one of Royal Clemency. Before his reign, in that of Offa, there had long been war between the people of Mercia and the people of Kent, so much so, that, as Foxe the Martyrologist in his Ecclesiastical History relates, "Offa had such displeasure unto the citizens of Canterburie, that he removed the Archbishop's see, and lands of Lambrith, Archbishop of Canterburie (by the agreement of Pope Adrian) unto Lichfield." The spirit of Offa survived in his successor Kenulphus, who, after the short reign of Egfredus, became king, and whose prowess, piety, and clemency are thus detailed by Foxe. "Kenulphus keeping and reteining the hatred of Offa his predecessor against the Cantuarists, made war upon them, where he tooke Egbert their king, otherwise called Wren, whom he bound and led prisoner to Mercia. Notwithstanding, shortlie after being mollified with princelie clemencie, in the towne of Winchcombe, where he had builded the same time a church: upon the daie when he should dedicate the same in the presence of thirteen bishops, and of Cuthbert, whom he had placed in the same kingdome of Canterburie before, and ten dukes, and manie other great estates, king Kenulphus brought the said Egbert, king of Kent, out of prison into the church, where he enlarged him out of imprisonment, and restored him to his place againe. At the sight whereof, not onelie Cuthbert the foresaid king reioiced, but also all the estates and people being there present, made such an exclamation of ioie and

gladnesse, that the church (and not onelie the church, but also the streets) rang withall. At which time such bountifulnesse of gifts and jewels was then bestowed, that from the highest estate to the lowest, none departed without something given, according as to every degree was thought meet." Foxe's Eccle. His. v. I. p. 117, Fol. 1596. The charter of dedication is given in full in the Appendix to Rudder's Gloucestershire, and the names of the kings, bishops, and dukes who were present and assenting thereto are also given. The act of grace done by the king, at once displaying his magnanimity, and winning the just applause of the people, was quite in accordance with one of the main provisions of the charter, and may in fact be regarded as the first exercise and exemplification of it. The privilege thus granted and secured was that of Sanctuary as it was termed, which was unhappily an unrighteous and an unwise one, and was founded in the superstitious errors of the times to which it was but too well suited, and in the hands of a crafty priesthood too much perverted and abused to their own profit and the grievous encouragement of vice and crime. The nature of the privilege will easily be understood, both in its superstitious character and its vicious effects, from the following extracts from the charter. "I Kenulph have obtained the banner of the holy cross on which Jesus Christ our Lord did suffer, that it might be a safeguard and protection of my soul, and of all my temporal affairs, and of all my heirs, against the designs of the wicked one. And if any person whatsoever, be he great or small, shall attempt by violence to do wrong to this holy banner, let him be excommunicated and accursed, and by God's just judgement let him be severed from any benefit thereof, unless he shall make amends to the said church by full satisfaction. And know ye, that all this is corroborated by the favour of the blessed trinity, and by the protection of angels, archangels, patriarchs, prophets, apostles, martyrs, confessors, virgins, and all saints. And I Kenulph . . . do ordain and decree, that if any person who has forfeited his life, or is guilty of any other crime, open or secret, and shall escape to the bounds of my inheritance by me granted, and shall enter the church, and demand the holy banner of the cross, such person shall find entire safety and protection." It is needless, in these our days of scriptural instruction and gospel light, to point out the perversion of the truth, in the pretended power of the banner of the holy cross to protect the soul; the blasphemous assertion that the blessed Trinity corroborated what was directly opposed to the whole counsel of God and the especial grace and glory of the Son; and the protection and encouragement thus afforded to crime. An institution founded in such mingled folly, corruption, and sin, could not stand; and however sentimentally some might be disposed to lament over the fallen grandeur and entire obliteration of this once splendid abbey, and the scene of such pomp as has been described, the faithful servant of God will rejoice to know

that He who dwelleth not in temples made with hands however magnificent, is in our days nigher to those that believe Him than He ever was of old to such buildings as Winchcombe abbey, for He abides in their hearts, making them temples of the Holy Ghost, who is in them.

Indeed, as might well be supposed, neither the king himself, nor his heirs found any safety or protection from the church thus dedicated, or its banner, but in a very brief space of time afterwards both the family of the king perished by their crimes, and the kingdom he had reigned over became the possession of his rivals, as thus related by Foxe. "After Offa (as is aforesaid) succeeded Egbert." Offa had resigned the kingdom, and become a monk, in the year 794, and Egbert reigned only four months, Kenulphus the founder of the abbey following him. "After whom succeeded his sonne Kenelmus, who in his younger age was wickedly murdered by his sister Quinneda and Askebertus, about the yeare of our Lord 819, and in the church of Winchcombe was counted for an holie martyr. After him succeeded his uncle Ceolulphus, whome Bernulphus in the first year of his reign expelled, and reigned in his place. Who likewise the third yeare of his reign was overcome and expelled by Egbert king of the West Saxons, and afterwards slaine by the East Angles. And the kingdom of Mercia also ceased, and came into the hands of the West Saxons." Foxe, p. 119. Thus, in about ten years after the dedication of Winchcombe by king Kenulphus, with all the grandeur, superstition, pomp, and immorality exhibited at it, the king, his family, and kingdom, all alike unprotected by the holy banner, and unpreserved from murder and destruction, were all ruined and lost. The only remnant that remained was that which the superstitious priesthood of the monastery preserved, to stand them in stead for the future as a means of cajolery to the people, and gain to themselves. Princes and the wealthy easily become martyrs in the judgement of Antichrist, and thus the murdered Kenelmus was counted for an holy martyr, and became a saint for the edification of mankind, and the especial benefit of the monastery of Winchcombe.

Some further brief notices of the Abbey may be interesting, as we trace its career down the page of history. In the reign of Edgar, about the year 963, the house of Winchcomb is mentioned as one of "fortie monasteries," that the king at the instigation of Dunstan, Archbishop of Canterbury, Ethelwold, Bishop of Winchester, and Oswald, Bishop of Worcester, did "build either new out of the ground, or reedifie," Foxe, p. 137. Again, in the time of William Rufus, A.D. 1092, "in the fourth yeare of this king," writes Foxe, "great tempests fell in sundrie places of England, speciallie in Winchcombe, where the steeple was burned with lightening, the church wall burst through, the head and right leg of the Crucifix, with the image of our ladie on the right side of the

Crucifix thrown down, and such a stinke left in the Church, that none might abide it." Foxe, p. 167. And where we may justly ask was the protecting banner of the cross at such a time of need? But the answer is obvious, for it was where every refuge of lies must always be, utterly wanting and ineffective in the day of avenging; before the lightning of God's wrath. Not very many years after the foregoing event, according to Warton in his history of Kiddington, a calamitous fire happened at the Abbey, for, explaining why he can find no records, relating to that parish as connected with the Abbey, he writes, "the more antient muniments of Winchcombe were destroyed by fire in the reign of king Stephen." One ancient and authentic one, however, survives in the survey of William the Conqueror, called Domesday Book, the entry in which relating to this parish is as follows: "Land of the Church of Winchcombe. The Abbey of Winchcomb hold 24 Hides in the Henestan. Land to 26 Ploughs. There are in the Demesne 3 Ploughs, and 6 Bondmen. And 25 Villanes and 4 Freemen, with 7 Bordars, have 18 Ploughs. There are 4 Mills of 19/. 50 Acres of Meadow. Pasture 4 Quarentens long, and 2 Quarentens broad. Wood 1½ mile long and 4 Quarentens broad. Of this land Urso has of the Abbot 2 Hides, and therein 1 Plough. And 3 Villanes and 2 Bordars have 1 Plough." In illustration of the record it may be mentioned that Bordars were tenants of Cottages and small portions of land, for which they supplied the Lord with eggs and poultry; Bondmen were copyholding or customary tenants of the manor; and Villanes were attached to the soil, being bound to do whatever services the Lord commanded them. Of the measures here spoken of the Quarenten was 40 Poles, the Hide varied from 80 to 120 acres, and as 8 Hides made a Knight's fee there were three such fees here. Of the agreement of these measures or quantities with the present measurements of Enstone we have already written under the head of Neat Enstone.

From another public document again we can at a later period trace on the history our Parish. This document relates to the payment of the Ninths, a tax granted by the Clergy to the Crown at various times. Its origin and nature were these. The Popes having primarily claimed the right, by virtue of their Ecclesiastical supremacy, and on various pretences for the alleged benefit of the Church, of levying payments on all Benefices and possessions of the Church, occasionally granted them to the temporal rulers of countries under guise of setting forth a Crusade for the recovery of the Holy Land. Thus in the year 1288, Pope Nicholas IV. made such a grant to Edward I. to undertake a crusade. Before this grant there had already existed a survey, made in the year 1253, during the time of Innocent IV., called "the Norwich Taxation," but to render this of Pope Nicholas as productive as possible a new valuation was made, John de Pontois, Bishop of Winchester, and Oliver Sutton, Bishop of Lincoln, being charged with the

duty of making it. This survey continued to be the standard of all similar payments until the Valor Ecclesiasticus of Henry VIII. was made. Accordingly in the year 1340, the year unhappily signalised by the unjust assumption of the title of King of France, by our Edward III., there was granted to him to prosecute his war with France, which was fatally popular in the kingdom, "the Ninth lamb, the Ninth fleece, and the Ninth sheaf," besides other equivalent payments from the various classes of the community. Under this taxation, which was imposed by the power of Parliament, we find Enstone included. The names of the Verditors and Assessors in the County of Oxford were, The Abbot of Eynsham, John Giffard of Twyford, Richard of Williamscote, Thomas of Langelye, and the Abbot of Osnye. For the Deanery of Norton the Jurors were Hugh Pope, Roger Blaket, Reginald de Dene, John Gybbs, Rob. Peyntour, John Lordyng, Walter Edward, John Folewell, John of Barton, Will. Freman, John of Middleton, and Roger Colons. In their judgment "Ennestane was taxed at £25 6s. 8d., the ninths were assessed at £18 10s. 8d., the Glebe, Hay, and other Tithes at £6 13s. 4d., and there were not in the parish any men who had Chattles, nor Merchants, nor any who lived without Agriculture, or the Store of Sheep, or other Animals." This last remark is noticeable as implying that the valuation thus made could not have included various parts of the present parish, such as Cleveley, where certainly at this time there is every probability that fulling mills existed. One of the Jurors, moreover, was an inhabitant of Cleveley, his name being mentioned as will hereafter be noted in the oldest deeds we have. This is Roger Colons, or as he is described in our deeds Roger le Colonna, Roger the farmer.

In the Valor Ecclesiasticus of Henry VIII. the following is the account of the parish. "Enstone Vicarage. John Crewys Vicar. Ann. Value, £10 5s. 0d. Synodals and Procurations, £0 10s. 7½d. Clear Income, £9 14s. 4½d. Tenth, 19s. 5½d. Impropriators Abbey of Wynchcombe."

The Abbey at Winchcombe became one of no mean dignity, for at the time of the suppression of the Monasteries in the reign of Henry VIIIth, the Abbot was one of the twenty-seven Mitred Abbots who sat as Peers in the Parliament. Collier in his Church History thus refers to them. "Before I take leave of this part of the history, it may be expected I should give some account of the mitred abbots.—These sat all in the house of Lords, and voted there. They held of the King 'in capite per baroniam;' their endowment being at least an entire barony, which consisted of thirteen knights' fees." Thus they were advanced to the state and honour of spiritual lords, as appears by the Abbot of Tavistock's patent, who was made a mitred abbot in the beginning of this reign. The number of the mitred abbots are reckoned twenty-seven by Fuller, twenty-eight by the Lord Herbert, and twenty-nine by Sir Edward



Coke. The Lord Herbert's list is as follows: "St. Alban's, &c. Winchcomb, &c. The valuation extracted from Speed, may be seen in the records." On referring to these records printed by Collier we find the following:—"XLIV. The valuation of twenty-seven of the Mitred Abbeys, extracted from Speed. 22. Winchcombe, Gloucestershire, £756. 11s. 9d." It is also to be found in the *Valor Ecclesiasticus*, vol. ii. p. 456, where the dissolution of the Abbey in 26th year of Henry VIII. is recorded.

Having thus, then, traced out the original foundation of, and some of the incidents connected with, the Abbey of Winchcombe, we must now examine into the relations which have from time to time subsisted between both the manor and the parish of Enstone. In treating of these it will be well beforehand to advise the reader of what in the sequel will be abundantly proved, that the manor of Enstone existed as such before there was a church or parish of Enstone; and further that the ancient manor of Enstone was not originally coextensive with the parish, as it now is. That there was a place, a locality, here, known by the name of Ennestan, before there was a church or a parish is obvious from the fact of the distinguishing names Church and Neat being prefixed to that of Enstone. Besides, it is quite clear from all concurrent historical testimony that the manor of Enstone was bestowed upon the Abbey without any reference to either church or parish, and before the church of Enstone was founded. Warton in his history of Kiddington observes, "the manor of Endstone, being parcel of Winchcombe abbey, was granted by king Henry VIII. to Sir Thomas Pope, June 3, 1542. Pat. Hen. VIII. an. regn. 32<sup>o</sup>. part. 5. This was for a valuable consideration. In the statutes of Trinity College, Oxford, it is recited as one of Sir Thomas Pope's manors, cap. vi. It was given to that monastery by the Mercian king Kenulph, about 818. Dugd. Mon. I. 190. a." The express words of Dugdale, in the place referred to by Warton, are, "*dominium sive manorium de Enstona cum pertinentiis*," new edition, 1819, vol. ii. p. 302, which mean, "the lordship or manor of Enstone with its appurtenances," but the church and parish not being named, it is evident that as yet there were neither. In fact it was only about this time that parishes were being formed in England, and the progress of their formation occupied some considerable time. "Upon the spreading of Christianity, many laymen of great estates provided for the constant residence of some priest among them; that by this means the devotion of the neighbourhood might be encouraged, and themselves and their tenants assisted with the better convenience. To this purpose, chapels and churches were erected, and a maintenance settled for the incumbent; the bounds of the parochial division being commonly the same with those of the founder's jurisdiction. Some foundations of this kind were as early as Justinian the emperor. They are likewise mentioned by Bede about the year 700. . . . Christianity

going forward with great success, these private oratories became very numerous. . . . Before the year 800, they seem to have been founded in all parts of the nation, though not in the same number. Thus, by the canons made about that time, we may collect the settlement of parochial cures in most places. . . . And to come to a conclusion, the distinction of parishes as they now stand, appears to have been settled before the Norman conquest, 1066."

In fact the original name and dedication of the church at Enstone plainly tell us the period about which it was founded. It was at first named after, and dedicated to St. Kenelm, but as his murder, which was the ground of his martyrdom and saintship, did not take place until the year 819, that is the year following that in which the manor was bestowed on the abbey, so it is evident that at that time no church as yet existed here. How soon, or when exactly, after the murder the church of Enstone was built and dedicated to him is uncertain, but we may well conceive that the Abbey having become possessed of the manor, and thereby being the chief proprietors here, would not long leave the place in the uncared for condition it had hitherto been, and therefore we may conclude that the monastery speedily supplied this defect by building and endowing a church here.

In so doing, the Abbey, like a faithful parent, and in compliance with the apostolic injunction, that "the fathers ought to lay up for the children, and not the children for the fathers," had rightly made provision for the most essential want of its dependency. That provision the child continued to enjoy, until the parent stock became in the course of time, and by the increase of superstition, itself so corrupt, that it could not satisfy its own lust, without preying upon and ruining those whom it was bound by all ties to cherish and protect. As, however, this system was not peculiar to the Abbey of Winchcombe, but was a widespread and pervading cause of injury to the parochial clergy, it will be necessary here to explain the origin and nature of it. The system referred to is that of *impropriations*, as they have been justly called, according to Spelman, from the fact of their being the *improper* application of the funds of the Church. They arose thus. In ancient times the clergy consisted of two classes, those who lived in monasteries, secluded from the world, and assuming to themselves the title of the *regular* clergy; and those who, "living in the world though not of the world," sought to discharge the duties of their office amongst the people committed to their care, but who were regarded by the regular clergy as inferior to them, and were in consequence styled the *secular* clergy. The secular clergy were the hardworking parochial ministers, the regular clergy were the idle luxurious inhabitants of wealthy priories or monasteries. But this latter class was by far the more numerous and increasing one, ease and indolence, under the name of a religious, and too often a lustful life, having strong attractions for men in whom religion had

no vitality, but who contented themselves with a form of godliness, and denied the power of it. As they multiplied, the religious houses were put to shifts and expedients to keep up their establishments, and one that they devised was to put in parishes a minister called a Vicar, that is a substitute or deputy, who should discharge all the arduous duties of the parish, and should receive in payment for his labours only the tithes of small things, which were both difficult and troublesome to collect, while the great tithes were taken up by some religious house, and appropriated, or more properly impropriated, to their own use and profit. The robbery and spoliation which the church thus exercised upon itself, by the regular or indolent clergy thus robbing the secular or working clergy of their earnings, was a lesson not to be disregarded by unscrupulous laymen, when the day of visitation came, and the malpractices of the religious houses became exposed. So early as the reigns of Edward the First and Edward the Third, these kings had learned the lesson taught them by the church, and as at that time there existed in England many Alien Priories, that is religious houses consisting of and belonging to foreigners, so when these kings were at enmity with their neighbours, it seemed but an allowable and just spoiling of the foe to take possession of the treasures of these priories and apply them to their own use. But at the time of the Reformation this was done to a far greater extent, so much so that, as Blackstone states, "the appropriations of the several parsonages, which belonged to the religious houses, amounted to more than one third of all the parishes in England." The effects of this nefarious system prevail to this very day, so that, to the full, the number of parishes mentioned by Blackstone have nothing like an adequate subsistence for their clergymen, and very many have the merest pittance provided. Nor is it any compensation for such a state of things to point to Bishoprics, Archdeaconries, Deans, and Chapters, and other institutions richly endowed and maintained out of impropriate tithes, and to say that these are the necessary adjuncts of the establishment, which must be provided for from some source, for the answer to such an averment is obvious, "ye may not do evil that good may come," even if it could be proved that all these are good and useful to the church.

Such, however, has been the course of events in this parish, as well as in very many others round about it, for before the Reformation the Abbey of Winchcombe had possessed itself of the Rectorial Tithe and Glebe, and at the Reformation Henry VIII. bestowed them upon Wolsey, to found at Oxford the college of Christ Church, the Dean and Chapter of which continue to enjoy them still.

In a bull of Pope Alexander III., given in the Appendix to Rudder's Gloucestershire, and which was issued for "the confirming all the Churches, Towns, and Rents, belonging to the monas-

tery of Winchcombe in the year 1175," amongst others enumerated we find, "the church of Ennestone, with the chapel of Chawford, with all its appurtenances." This, however, was before the impropriation of the living took place, for that did not occur until some years later. Tanner in his *Monasticon* makes the endowment of Winchcombe with Enstone, which of course means the impropriation, for the Abbey had founded, and therefore long possessed the Church, in the reign of Edward II. It was effected by Walter de Wykeware, who had been cellarer of Winchcombe, and who succeeded to the Abbacy in the year 1282. He appears to have reformed and remodelled the monastery, framing new constitutions for its government, and, amongst other changes, appropriating to the use of the Abbey the living of Ennestone. This was done A.D. 1308. Pat. 2. Ed. II. p. 2. Dudg. Mon. Angl. vol. ii. p. 298.

The patron, who, thus, at the instigation of Walter de Wykeware, enabled the monastery of Winchcombe to possess itself of the impropriation of Enstone, was Edward II., at the commencement of his reign. It may be surmised that on this occasion a new dedication of the church took place, for there can be no doubt that such a change has at some time or other occurred. The Enstone wake is not now held in connexion with either of the days set apart in the Calendar for St. Kenelm, these being July 17, and Dec. 13, whereas the wake is at present always held on the Sunday after old Michaelmas-day, evidencing most certainly a change from the first dedication. This, indeed, might seem to imply, that our feast is in honour of St. Michael, but there is much reason for believing that it depends upon another festival rather than that of St. Michael, namely that of St. Edward, King and Confessor, which was Oct. 13. This seems the more probable from the fact, that it was Pope Alexander III. who canonized Edward; and as it was this same Pope, who, by his bull in 1175, confirmed to Winchcombe Abbey all its endowments, so it is exceedingly probable, that at this time, which was also that in which the oldest part of the present church was built, namely 1160 to 1180, the newly enlarged church was also newly dedicated, and that to the newly made saint. We shall have occasion, however, to refer to this subject again presently.

This Saint Edward was the last but one of the Saxon kings of England, who reigned before the conquest of England by William duke of Normandy, afterwards William I. He framed and established many laws of much importance, chiefly affording valuable grants and privileges to the Clergy, and these probably, more than anything else, obtained for him his saintship, and his title of Confessor. He was, however, according to the time in which he lived exceedingly superstitious, both imposing upon others absurdly cruel and ridiculous tests, and assuming upon his own part to have miraculous powers. Thus, having listened to some imputa-

tions against his own mother, he subjected her, as is said, to the ordeal of walking barefoot over nine heated ploughshares, red hot, and if she received no harm from them she was to be adjudged innocent, but if she were burned then she was to be held condemned, and punished accordingly. The legend of course allows her to escape, but, although believed to be entirely a fabrication, it shows too plainly the ignorance that then prevailed. From the same cause arose the pretence, which originating with this Edward in the eleventh century continued until the time of Queen Anne in the eighteenth century, and according to which it was believed that the kings and queens regnant of England, had the power of curing by their touch those who were afflicted with Scrofula, thence called the King's Evil. This extravagant pretence, which, if it had ever had any reality at all, ought long since to have cured all the scrofulous persons in the kingdom, and relieved the nation of such an affliction, was originated by King Edward the Confessor, and was performed with great solemnity, a special form of prayer being provided for the occasions of it. In the Church of Caversham, in this county, there is preserved a Proclamation of King James, appointing certain days for persons diseased with this evil to receive the Royal Touch. Edward was also the founder of Westminster Abbey, where a monastery had been dedicated many years before, by Sebert king of the East Saxons, to St. Peter, and which was said to have been miraculously consecrated by St. Peter himself, so that when the Bishop of London, Mellitus, came with his clergy to consecrate it, he found the act already accomplished. This king Edward, however, was not made a saint until nearly one hundred years after his death, when he was canonized by Pope Alexander III., and about ninety years after the anniversary, order, and solemnity of the feast connected with his canonization were fixed by a bull of pope Innocent IV. I have thus given some account of this king, to whom I conceive our church may at this period have been dedicated, as I had before given some of the one Royal Saint, Kenelm, to whom the first church erected here was previously dedicated.

It has been already stated, that the ancient manor of Ennestone was not coextensive with the modern manor and parish, and we have a very decided proof of this in the following fact. A part of the Ditchley estate, consisting of four large pieces of land, which doubtless formerly were all one plot, still retains the name of the Winchcombe Assarts. That these, however, were no part of the manor of Enstone as first bestowed upon Winchcombe is evident from the fact, that the Abbey only became possessed of them by purchase many hundred years after its endowment with the manor of Enstone. This purchase is referred to in Willis's History of Mitred Parliamentary Abbeys, in which he gives a Catalogue of the Abbots of Winchcombe, the nineteenth of whom he thus describes. "19. Richard de Ydebury,

sacrist, succeeded, 1314. He bought the fee of the manor of Rowel for £550, and purchased the farm of Cotes for ever, and the Assart lands in Ennestan for 100 marks." Another authority not only gives us the fact of this purchase, but the reason of it. In vol. i. of Stevens's additions to Dugdale's *Monasticon Anglicanum*, 1722, p. 276, under the Head of Winchcombe Abbey, it is stated that Richard Ydebury succeeded as the 19th Abbot in the 9th year of King Edward II., and then it is added thus. "The Abbot did in those days purchase the Assarts, or new plow'd lands within the Bounds of the Manor of Enneston which cost in all and to gain the goodwill of the neighbours, 100 Marks." The statement of the Assarts being within the bounds of the Manor of Enstone, is to be understood as referring to them *after* their purchase; while the purchase implies, that here was the boundary of the original manor, as we have elsewhere shown, so that it ended here formerly, and did not include either the Assarts themselves, or that part of the present manor and parish, which we have distinguished as Ditchley, and which was separated from the original manor of Enstone by these very Assarts. As the name or term assarts is remarkable, it may be well to explain it. In an account of Bicknacre Priory in Essex, which is to be found in the *Archæologia* of the Society of Antiquaries, the term is thus defined. "It may be observed that the hermitage was liable to *assarts, dues of the crown for forest lands grubbed up for culture*, but that the royal charter expressly releases this new establishment from any future demands of that nature." Whether these of Winchcombe on becoming church property were so released does not appear, but it is more than probable that they were, though now of course they retain nothing more of their original distinctive character than their names. As we hereby learn the cost and value of these lands about the beginning of the fourteenth century, for Richard of Idbury who purchased them became Abbot in 1314, and resigned in 1339, so it may be interesting as far as practicable to contrast their former value with their present probable one. They originally cost 100 marks, and as the mark was 13s. 4d., their value was £66 13s. 4d. As elements to assist in judging of their present value it may be stated that they measure in acres 59. 0. 22. arable, and 35. 1. 16. pasture, and that the tithe payable on the arable amounts to £15 17s. 5d., and that on the pasture to £3 13s. 6d., according to the valuation made under the Tithe Commutation Act.

There is a yet more decisive and remarkable proof of the fact we have stated, that the ancient manor of Enstone was not coextensive with the present manor, for we have direct and positive evidence of there having been at one time a lord of the manor of Cleveley, thereby showing that Cleveley had at one time independent manorial rights, although now they are merged in those of the whole parish and manor of Enstone. In a deed of the year

1295, by which Margery of Dycheley makes a grant of land to her daughter, she states it to be chargeable with the payment, to William le Colonna of Cleveley, of the annual sum of twelve denarii in lieu "of all services, suits, courtesies, and demands," except those of the King, thus compounding for those of the lord but reserving those of the lord paramount, and thus plainly showing that William le Colonna was the lord of the manor of Cleveley at that time, and that Cleveley was a manor of itself independent of the manor of Enstone, and acknowledging no superior lord but the one lord paramount of England, the King. Nothing therefore can be clearer, than that Cleveley was in former times a separate manor, as we conceive has also been shown in the case of Ditchley. But as these parts of the parish were so, it is exceedingly probable that other and distant parts, such as Radford and Gagingwell also were, and thus, in fact, it becomes evident that the manor of Enstone originally bestowed by the Mercian King Kenulph on the Abbey of Winchcombe in the year 818, was confined to what we should now call the two villages or hamlets of Neat Enstone and Church Enstone, together with their circumjacent lands. These two fields are only parted by the stream that runs between them, and it is remarkable that they are almost to an acre of the same measurement and extent, as if originally of some common measure.

2. OF THE RECTORIAL BARN, HOUSE, AND GLEBE. — How valuable an addition to the funds of the Abbey this parish must have been, and how great therefore the temptation to make an impropriation of it, we may justly infer from the erection of a most capacious barn on the glebe, for the ingathering in kind of the great tithes. This barn still stands a monument in itself, but bearing also a monumental inscription, to the honour of its founder. This was Walter de Winfortune, who had been bursar or cellarer of Worcester, and who became Abbot in 1359, on the resignation of Robert of Ippewell. He appears to have been a great benefactor to the Abbey, for which he obtained the hundreds of Kiftogate, Holford, and Gretestan. At the request of Robert Mason, who acted in behalf of the Abbey here, Walter de Winfortune erected this barn; the fact being recorded on a stone tablet built into the outer wall, in a Latin inscription, which has almost become obliterated and illegible by the action of the atmosphere upon it, so that we are glad thus to make a copy of it, and to preserve it as a relic from utter decay and oblivion. The legend runs thus—

"Ista Grangia facta et fundata fuit A.D. M. CCC. LXXXII per Walterum de Wyniforton abbatem de Wynhecumbe ad exorationem Roberti Mason ballavi istius loci."

Rendered into English it is as follows :

“This Barn was founded and built in the year 1382, by Walter of Wyniforton Abbot of Wynchecombe at the petition of Robert Mason, bailiff of this place.”

Warton has rendered the word Grangia by *granary*, which is certainly not its meaning, that word having its equivalent in the Latin Granarium from whence it is derived. Grangia is evidently a mere latinised form of the French word *grange*, which has been adopted into our language, and therein, according to Johnson, means a lone farm residence. Yet that the word in English formerly meant a Barn is evident from the manner in which it has been employed by Barnes in his history of Edward the Third, for, describing the state of Normandy about the time of the battle of Cressy, he observes “they all found the country very rich and plentiful, the Granges and Barns full of Corn and Provender.” p. 343.

This barn, as has been before intimated, stands upon the Rectorial Glebe, on which same glebe also formerly stood a handsome Rectorial Mansion, adorned with fine grounds and ornamental terraces. The site of the mansion, and the extent of the grounds, terraces, and fishponds, are still plainly discernible, and not very many years since there were flights of steps and gravel walks also visible. The mansion itself has unfortunately fallen to decay, and a small modern farm house has been erected in its stead. The great stone gate-posts that formerly supported the iron gates at the entrance still lie useless in the yard, and some six or eight large round stone balls that originally adorned the building have been applied to the same purpose about another house here. It is exceedingly probable that the Abbots of Winchcombe made this a residence for themselves occasionally while they possessed the manor as well as the Rectory, but in more modern times others have enjoyed it, as the families of Coles and Walker in succession did.

By the enclosure the whole of the Glebe was brought into one compact estate, immediately adjoining to the old enclosed grounds, in which the Rectorial Mansion formerly stood. This Glebe is thus described in the Award of the Apportionment of the Rent Charge made in 1841. “I (the Commissioner) find that the Appropriate Glebe lands of the said Parish consist of 45 acres by estimation, of which 31 acres are Arable, and 14 acres are Meadow and Pasture.” According to the same document the value of the Rent Charge which was thereby substituted for the Rectorial Tithe was declared to be, “the annual sum of £1244 14s. 11d. subject to the Provisions of the Act.” These provisions make this sum variable, according to the value of corn, and make the annual payment subject to certain rates, taxes, &c. In addition to these it is also subject to the endowment of the Vicarage amounting to £16 a year.



3. OF THE VICARAGE HOUSE AND GLEBE, AND THE VICARAGE ENDOWMENT AND RENT CHARGE.—Previous to the year 1836, the Vicarage house stood nearly opposite to the Church Porch, and was itself surrounded by other houses. Indeed the whole ground now forming the site of the Vicarage house, outhouses, yards, gardens, and inclosed paddock, was a few years back almost entirely covered with buildings of one kind or another. Near to the old Vicarage house there were two or three cottages, on and around the site of the new one there were five or six others, and immediately in front there were a farm house, large barn, outhouses, stables, and all the other appurtenances of a large homestead. All these have by the great liberality of two successive patrons, the late and present Viscounts Dillon, been cleared away, and the present commodious house and grounds erected and formed. The living, that is the Vicarage, had been augmented by a grant of £900 from Queen Anne's Bounty, to assist in providing a residence, and so had become a discharged benefice, when in the year 1836 it was determined to take down the old house and build a new one. The then Viscount Dillon gave the present site in addition to the old one, a great deal of material, and a very considerable sum, as much as £530, in addition. His son, the present Viscount, has largely cleared the paddock of all the many buildings that stood upon it, and has thus further most materially improved the position and agreeableness of the residence. The effect of the enclosure has been to bring all the glebe into one plot of ground immediately adjoining to the Vicarage premises, on which has since been built, partly by the liberality of Viscount Dillon, and partly by a loan raised on the land, a convenient range of farm buildings. The Glebe is described by the Award of the Commissioners by whom the Rent Charge was appropriated as "consisting of 27 acres by estimation, of which 26 acres are arable and 1 acre is meadow or pasture." When the Rectory was separated from the Vicarage, the latter was left in possession of the small tithes increased by an endowment of sixteen pounds a year. At the time of this arrangement, which was in the reign of Edward II., A. D. 1308, that sum had a far greater value than it has at the present day, but notwithstanding all the changes in value both of money and of commodities, as well as the vastly increased annual value of the Rectory, the same nominal sum of sixteen pounds, and no more, is all the endowment paid to the Vicar. The Vicarial tithes were commuted in the year 1841, and were then declared by the Commissioner to consist for the future of the "annual sum" of £300 by way of Rent Charge subject to the provisions" of the Act for the Commutation of Tithe. The value of the vicarage in the King's books was £9 14s. 4d., so that its present value is more than thirty times that ancient one. This, however, is only about the same relative value that it formerly had, for the historian Hume calculates that all articles are about thirty times more

valuable now than they were in the period referred to. The Vicarage is a discharged one, having received from Queen Anne's Bounty a sum in aid of erecting the parsonage house.

4. HISTORY OF THE PARISH CHURCH OF ENSTONE, ANCIENTLY THAT OF ST. KENELM, NOW OF ST. EDWARD THE CONFESSOR.—As the title Church, prefixed to the name of Enstone and forming the name Church Enstone, clearly indicates, the locality had the name of Enstone before the hamlet of Church Enstone became formed, and consequently before the erection of a Church here so designating the hamlet. The name of the saint, to whom the Church was originally dedicated, will at once direct us to a reasonable supposition, as to the time when the Church was founded. This was St. Kenelm, who was the son of Kenulphus II. king of Mercia, and who had hardly succeeded to the throne of his father at the early age of seven years, when he was cruelly murdered by his sister, that she might possess herself of the kingdom. The circumstances that gave rise to his imputed saintship were these. He having been in life a pious child, and the place of his burial being concealed to prevent the discovery of the crime, it was revealed, according to the legend, by an angel dropping upon the high altar of St. Peter's at Rome a paper, on which appeared in golden letters these lines in the Saxon tongue.

In Clent cow-pasture under a thorn,  
Of head bereft lies Kenelm, king-born.

His body was said to have been discovered by a ray of light falling upon the spot, and "his sister the authour of the foule acte was stroken blind, both her eyes falling out upon a primer whereon she was reading, which being stayned with the bloud of her said eyes, was long kept in memory of this miracle of God's justice." *British Martyrologe*, p. 196. He thus attained in that rude age the crown of martyrdom, so easily acquired by, or imputed to, persons in his royal station, who become, from whatever circumstances, the objects of malice and the victims of crime. Accordingly the Kenelm thus murdered, martyred, and sainted, was not only, as stated by Foxe, "counted in the Church of Winchcombe for an holie martyr," but he had his place and day assigned him in the Romish Calendar as St. Kenelm, his day being, according to the Latin terms then in use, XVI. Calend. Aug. that is the sixteenth day of the Calends of August, which is the same as the seventeenth of July now, wherein his sanctity is recorded by the style and title of St. Kenelm King and Martyr. Now the murder of King Kenelm occurred in the year 819, and allowing some few years to have elapsed before the foundation of this church to his honour, we may safely assume that the first building so erected here must have existed previous to the year 850, that is more than 1000 years since. Indeed there are facts that seem to define the period of its erection, with very great probability, within such limits as

almost definitely to fix the precise time of it. As Kenelm was murdered in 819, so, within about ten years after, his family, his dynasty, and his kingdom, that of Mercia, had passed away, and been superseded by the extension of the kingdom of the West Saxons into this vicinity. Now it is most improbable that a newly erected church would have been dedicated to a member of a dynasty that had ceased to reign, for such an act would of course arouse the jealousy and indignation of the ruling powers. We may therefore safely infer that our first church was built here even before 830, that is at least 1025 years since. The very site of this is easily discoverable now, and not the site only, but some of its remains, forming very interesting relics, are preserved to this day, as we shall presently be able to show very satisfactorily. It stood as nearly as possible in the centre of the present church. Its site is bounded on the East by the end of the Chancel, where even now parts of its old east wall remain, but very much more, indeed the whole length across, was broken through, in making the present very handsome opening of the Chancel. On the West its site is bounded by the commencement of the middle aisle, and on the North and South by lines which are spanned by two very beautiful elliptical or Tudor arches. This its position, however, we have to prove, and in order to do this we must trace out the gradual growth and progress of the existing Church.

The oldest portion of the Church now standing consists of the South doorway with its very handsomely ornamented arch, and thick substantial wall; the narrow side aisle which is crossed on passing into the centre aisle; the rich and beautiful piers and pointed arches on the South side of that aisle; the small window at the west end of the south aisle; and the small doorway now set in the north wall immediately opposite to the south door. All these belong to that style of architecture which was in use during the period when the early Norman princes reigned in this country, that is from the time of William I. to that of Henry II., or from 1065 to 1189, and which is in consequence called the Norman style. As, however, all these specimens are of transition character, that is when the Norman style was changing its features into the next, the Early English style, as evidenced, 1. in the doorway, by its having the support of small round columns set in square niches, instead of the ornamental work of the arch being continued down the sides of the doorway; 2. in the small window having the Norman breadth but wanting the circular head; and 3. in the interior arches being pointed and not circular as the arch of the doorway is: so these varieties of the Norman style, and foreshadowings of the Early English, tell us, that they must have been made somewhat late in the period of their style, and that we may not attribute to them an age greater than 700 years, but may safely assume them to have been built in the reign of Henry II., and about the years 1160-80. Bearing in mind that we have

to trace out the proofs of the church of St. Kenelm having existed on the site we have assigned to it, we must here observe that the Norman part of the building which originally formed the centre and south aisles, was an addition to some previous building that already stood here, for that is evident from the fact of the easternmost pier being formed by a pilaster, and not by a pillar as in all the others, so that here we trace the junction of the Norman addition to some older building. And this addition was of so important a character, as very much to eclipse, and cast into the shade, the small church of St. Kenelm, which stood here, and which now in fact became the chancel to the noble centre and south aisles added to it. It is also worthy of observation, that this first addition was southward as well as westward, for as yet only the centre and south aisles were formed, and this will be found to have been generally the case in the gradual enlargement of churches in this vicinity, the centre and south aisles having been constructed before the north was. Instances of this are to be found at Charlbury and at Great Tew, in both of which these parts were constructed in the Norman style and period, as our own were; but even in later times, as at Bladynton and Over Worton the same rule was adhered to, the north walls remaining in both these latter churches, in which enlargement has not gone on. The reason no doubt for having so done is to be found in the coldness of our climate, which made our ancestors secure themselves against the inclemency of the North, and form their chief entrances on the South.

The next portion of the existing church that was erected, consists of the Piers and Arches on the north side of the centre aisle, the north aisle, and the wall enclosing it, with the exception of the doorway which has evidently been moved to this position, and the square-headed window in the north wall. The small narrow lancet-headed window at the west end of the south aisle is the only original window remaining to it. These parts are of the Early English period or style of architecture, which lasted from 1189 to 1307, and exemplify to us, as indeed all the remaining parts of the building also will, the strange fancy of our ancestors in each succeeding age, who continued adding to, and increasing our parish churches, but never kept to any original and primary style, adopting always, as too often is still the case, the last new fashion and the last new idea, however incongruous to the preceding, or however tasteless even in itself. These Early English portions are, like the Norman, rather of a transition character, and were therefore probably erected towards the close of the period referred to above, about the commencement of the reign of Edward I., and consequently not less than 100 years after the Norman portion, that is near upon the year 1280. The shafts of the alternate piers of this aisle are variegated, some being long

plain circular ones, and the others formed octagonally, the faces of the sides being hollowed out into broad concave flutings.

Here again it is to be observed that this Early English addition gives the same proof of its having been made to a previous building that the Norman did, for the easternmost pier has formed upon it a kind of pilaster without any base, and only part of a shaft, but yet with a substantial capital like the other piers, for the springing of the arch. The same kind of semi-pilaster, and evidently of the same age and style, is to be found in Spelsbury Church, both at the eastern and western end of the middle aisle, and such was no doubt the case here, before our centre aisle was shortened for the erection of the tower, as we shall presently see. It is further to be mentioned, that, besides the evidence of these pilasters to the fact of the aisles having been added to a building already standing here, when the walls were stripped of plaister a distinct line was rendered visible in the masonry, where the walls of these buildings had been united. All this, however, indicates clearly that there was here originally another building, and that an earlier one, to which these aisles have been added, and this without doubt was the first church erected here, that of St. Kenelm, and which had now become the chancel. For this has commonly been the manner in which our parish churches have grown, a small chapel being the first erection, in which divine service was performed for those who had been received into the Church, that is into the body of believers, while all preaching to the people at large was carried on in the adjoining churchyard, until at some subsequent period the inconvenience of this was felt, and then a larger building for the general congregation was erected, attached to the original chapel, which last thus became the Chancel. In this manner, also, it may be observed by the way, arose the distinction of rights and responsibilities as affecting the chancels and the naves of churches; for the chancels having been the original chapels or sanctuaries, wherein divine service was performed, had been the property of the parochial clergy serving in them, who are thus responsible in many cases for their maintenance; but the parishioners having built themselves the nave or body of the church are on their part responsible for its maintenance, and thus we come to the conclusion, which some have doubted, that under the term nave we are to understand, not that part of the church only to which the term is at present applied in architecture, and which limits it very materially, but all that part of the Church for which the parishioners at large are responsible. And this is a matter of no little importance, for in ancient charity gifts, such as exist in the parish of Enstone, the word nave is employed unquestionably in the wider sense here attributed to it, and not in the mere limited architectural use of the term; and thus, our charity estates are available for the repairs and refit-

tings of all parts of the church, belonging to the parishioners at large. And this understanding of the term is confirmed by Bingham, who thus gives the origin and true definition of the word. Then "followed that part which was properly called *Naos*, the temple, and *navis*, the nave or body of the church." So that this was its true and full sense.

To return, however, from this digression to the history of the Church's growth and increase. At present there remain only five piers, and four arches on either side of the centre aisle; but there were formerly six piers and five arches, as is plainly apparent from observing that the piers at the western end were once perfect and isolated piers, the Early English one remaining entire, the Norman having been mutilated into an awkward pilaster, and the springings of the fifth arches on each side being clearly discernible. Moreover, there was originally a purpose in having six piers, or pillars as they are commonly called, for since there were six on each side, there were twelve in all, and the twelve represented the apostles of our Lord, of whom St. Paul writes they "seemed to be pillars." This idea, however, has been done away with here by getting rid of the sixth pier and fifth arch on each side. It would seem then that these fifth arches were cleared away to make room for the erection of the tower, and this will account for its extremely broad squat appearance in comparison with its height; for the great breadth of the centre aisle, which had to be occupied by the tower, necessitated this form, giving it almost the appearance of having been constructed on some Norman model or foundation. At the same time that the tower was erected, and contemporaneous with it, the present chancel was built, for the church having been curtailed of its fine proportions westward by the tower, it seemed to have been intended to make amends for this, and to ensure its former, if not a greater, interior length, by extending it eastward, and building the chancel that now stands. This was erected at the eastern extremity of the old primitive church that we have spoken of, this church now forming a kind of vestibule, central in the building, between the aisles and the new chancel. At the same time, the interior height of the centre aisle was raised, by the addition of the clerestory, which was constructed between the tower and the original church, but no further eastward at that time, as was evident when the plaster was stripped from the wall here, and the termination of the clerestory thus far was plainly discernible in the wall. A further proof of this is that the easternmost windows of the clerestory over the Tudor arches are of three lights, while all the others are of two only. No doubt at this time the original church and the newly erected chancel had highly pitched roofs, and these would form in unison with the clerestory now erected a fine and long interior. Thus, then, had the original church, after serving for some time as a chancel, become included in the body of the church,

between the old main aisles and the new chancel, its side walls still standing, for as yet none of the side chapels had been erected, and the side aisles did not reach further than the pilasters that now mark their termination.

One other external feature was added to the Church at this period, and that was the Porch, for, although from the present outward appearance, both of the Porch, and of the apartment over it, these seem to be but parts of the whole range of buildings, forming the South aisle, originally they were not so incorporated, but the Porch was a separate erection, standing out alone from the Church, covering the rich Norman doorway, which well deserved such protection. This is proved by the evidence of the plinth, which is to be seen within the Church, under the door into the apartment above the Porch; for that plinth plainly shows, that the wall of which it is a part was, when first constructed, an external one, as will be seen by observing the plinth on the other wall, which still continues to be an outer one. It must, however, be borne in mind, that although the Porch was constructed now, the apartment over it was not.

The interior of the porch, with its arched vaulting, is itself of much interest, besides including and protecting the venerable Norman doorway. The keystone in the centre is a very large and massive one, and, besides being worked with ribbings to receive the various groins that concentrate upon it, has a number of small faces represented on it. Three of the corbels in the angles, on which the ribs of the vaulting rest, are carved with portraits of ecclesiastical persons, and these were in all probability either influential members of Winchcombe Abbey, who were at that time the Rectors, or some of the parochial clergy resident here at the time. The fourth corbel, however, is of very different design, and to understand it ecclesiastically, as from its position it should be so understood, it may be conceived to represent Apollyon descending headlong to the bottomless pit abashed and discomfited in presence of the three mighty theologians presiding in the other three corners. Certainly such a conception is in no degree too quaint or farfetched for the devices that the wise men of the times were capable of. On the east wall there remains a wooden bracket, connected with which are an iron ring and a chain with a staple hanging to it fastened into the wall. The bracket was no doubt designed to sustain on festivals some famous image, which, like all such vanities, so powerfully described by the prophet, being unable to keep itself in its place, was thus provided with ring and chain and staple to preserve it from falling.

The tower of the Church is of a very stunted heavy form. Its height from the top of the battlements to the ordnance mark at the base is only fifty-three feet, so that it is not in all fifty-five feet high. On the south face of it there is a square stone frame wrought into the wall, which has evidently at some time contained a tablet, but of which at present no memorial is known.

The Tower, Chancel, Clerestory, and Porch, which had thus been erected, and had formed such important additions, and added such imposing features to the church, were all of the Decorated period or style of English architecture, though somewhat advanced in it, and like all the portions of this church rather of transition stages, than well defined examples of their particular eras. They were erected doubtless about the time of Edward III. during the first quarter of the fourteenth century, about 1320. And now it was, as we conceive, that upon this completion of all the principal parts of our Church, it was newly dedicated, and devoted to the honour of a new patron saint, if, indeed, this new dedication did not take place some years previously. As, however, whether now or previously dedicated anew, as we are about to show, the patron saint was in either instance the same, so we will give our reasons for both occasions, and probably even for three consecutive dedications, which the several enlargements of the Church might well demand.

It will first be necessary to show that our Church, although originally dedicated to, and known by the name of, St. Kenelm, must at some time or other have ceased to bear his name, and to have retained its dedication to him. And of this fact we have ample and satisfactory proof. For it is well known that all parochial festivals, commonly called wakes or feasts, are invariably observed in connexion with the day of the saint to whom they are dedicated. When an inquiry was instituted, in the time of Charles I., at the instigation of Archbishop Laud, who was endeavouring to lead the kingdom back to Popery by the revival of Papistical customs, into the origin and observance of such recreations as had been in use among the people, and might be serviceable to his design, he received a report on these matters from Pierce, Bishop of Bath and Wells, who thus explains the nature of these feasts. "There are," he writes, "not only feasts of dedication or revel days, but also church-ales, clerk-ales, and bid-ales. The feasts of Dedication are in memory of the dedication of the several churches; those churches dedicated to the Holy Trinity have their feast on Trinity-Sunday; and so all the feasts are kept upon the Sunday before or after the saint's day to whom the churches are dedicated, because the people have not leisure to observe them on the week-days." Neal's Hist. of the Puritans, vol. i. pt. i. ch. 5. In all our parishes, therefore, the observance of the feast is a safe guide to the saint to whom the Church has been dedicated; and in our case if the Church were still, as it formerly was, that of St. Kenelm, our feast would undoubtedly be kept in connexion with one or other of his days in the Calendar. Now there are two days in the Romish Calendar of Saints' Days appropriated to Saint Kenelm; the one, which was doubtless ours, to "Kenelm, king and martyr," on July 17, the other to "Kenelm, king," on December 13. But neither of these at all agree with



the time at which our feast is held, for it is always the Sunday after Old Michaelmas day. There can, therefore, be no doubt, that we no longer keep a dedication in honour of St. Kenelm, and as little consequently that our Church must at some time or other have been newly dedicated to some other saint.

Nor shall we, by employing again the clue we have just made use of, fail to be conducted to the proper patron saint of our church. Our feast is held on the Sunday after Old Michaelmas day, or more properly the Sunday after the *Quindena Michaelis*, but that is the day appointed in the Calendar for commemorating the Translation of St. Edward, King and Confessor, so that our feast being always kept in connexion with his day, at once points him out as the person to whom it has at some time or other been newly dedicated. There can be little doubt, therefore, from this fact alone, that our present church is dedicated to, and is entitled to the name of, St. Edward the Confessor. We have, indeed, only to refer to the neighbouring parish of Westcot Barton for a full confirmation of this. That church is known as that of St. Edward, and the parish feast is always held on the same day as ours, so that there can be no doubt of the churches having the same patron saint and consequently the same name, as the holding of their feast is always on the same day.

But the question yet remains to be considered, as to when, and upon what occasion, this re-dedication took place. We have seen three several enlargements of the Church, and either of these might have afforded occasion for such a change. The first of them has been already somewhat spoken of, and need therefore now be only briefly referred to. We have given as the probable date of the first, or Norman enlargement of the Church, the period of 1160-80. But the canonization of King Edward was effected by Pope Alexander III., who reigned from 1159 to 1181. Now this same Pope took considerable interest in the affairs of Winchcombe Abbey, and by a Papal Bull of 1175 he confirmed to the Abbey all its endowments, amongst which Enstone is specially mentioned. Hence therefore it might plausibly be inferred, that the newly enlarged church was dedicated to the newly made saint, King Edward, in compliment to his maker, Pope Alexander, who had conferred his fostering care on the Abbey.

Again, it has been shown, that the second enlargement of the Church, when the north piers, arches, and aisle were added, took place nearly one hundred years after the former one, about the year 1280. But it had not been long before this that a day had been appropriated in the Calendar to St. Edward; for although he had been canonized by Pope Alexander III. it was not until ninety years afterwards that the anniversary, order, and solemnity of the feast in commemoration of his canonization were settled by a Bull of Pope Innocent IV. This second enlargement of our Church, therefore, happening as it did so immediately after the appoint-

ment of the festival and anniversary of St. Edward, might well be an appropriate occasion for dedicating the Church to him. Indeed the fact of a day in the Calendar not having been appropriated to St. Edward until now, might be an argument against the probability of a re-dedication previously. Yet not necessarily so, for dedications to his honour might have been so made, and even their anniversaries observed, and the multiplication of these might have at last occasioned after so long an interval the appropriation of a day to him in the Calendar. So that notwithstanding this objection either of these two occasions, or both, might have been those of the re-dedication to St. Edward.

And yet we have still a third occasion to consider the claims of. The last great enlargement of the Church, when the Tower, Chancel, and Clerestory were added to it, and the ancient and primitive church of St. Kenelm was entirely surrounded by, and enveloped in, the newer and handsomer portions, that had from time to time sprung up about it, occurred as we have already shown somewhere near the year 1320. But it was in the year 1308 that Edward II. had endowed the Abbey of Winchcombe with the impropriate rectory of Enstone, and having thus enriched the Abbey at the expense of the church, the Abbey might probably enough on enlarging the Church a few years after have dedicated it, in compliment to their patron Edward II., to his sainted predecessor, Edward the Confessor.

We have thus pointed out three occasions, on either of which it may be plausibly inferred that the new dedication of the Church, and that to St. Edward, took place. When the reader is further informed, that the two sets of dates that we have here shown to agree, namely those of the several enlargements of the Church, and those of the canonization of king Edward, the appointment of his anniversary, and the bestowal of the Rectory of Enstone on Winchcombe Abbey by Edward II., were made out quite independent of each other, he will see in either set of these concurrent circumstances sufficient to justify the conclusion, that our Church was re-dedicated at one or other of these periods, and that the new patron saint was St. Edward, and consequently that our Church is the Church of St. Edward the Confessor.

We have, however, one additional argument to adduce, which seems not only to make this certain, but also to enable us to fix almost with certainty the occasion when the new dedication did take place. It will be found that in giving examples of our oldest feoffment deeds we have selected a series, all bearing upon a particular portion of our Charity Estates. But this series also supplies us with some remarkable dates, bearing directly upon our present inquiry. The first deed that we have cited in full, although it has no date, stipulates for the payment of rent annually on the Feast of Saint Kenelm the king, and this we can show to have been executed about the year 1295. The second

mentioned in our list of deeds, and which refers to these same lands, is dated "on the Wednesday next before the feast of St. Kenelm" in the year 1317. Now these are the only deeds in which the feast of St. Kenelm is used as a date, so that after this time we have the use of St. Kenelm's feast as a date entirely passing away, for it never occurs again in any subsequent deed. But in the third deed we have cited in full, relating to the same lands as before, and done amongst the same parties, and which deed is of the year 1346, after the period when we supposed the Church to have been re-dedicated on its third great enlargement, we have the date of "the Lord's-day next after the feast of Saint Edward, king and Confessor." So that, in this same series of deeds, we have the name of St. Kenelm ceasing to be used, about the very time we have shown the church to have been enlarged for the third time, and in all probability new dedicated; and we also have shortly after the name of St. Edward used in the place and stead of that of St. Kenelm. From all which it may be confidently inferred, that a new dedication of our church had in the mean time taken place, and that our church had ceased to be the church of St. Kenelm, and had become instead, and has ever since continued to be, what it consequently still is, the church of Saint Edward the Confessor.

There is a still further confirmation of this observable in the deed of 1346, already referred to, and that is in the fact of the Vicar being described therein as "domino Ricardo Mandegod perpetuo Vicario de Enstan," that is, "Sir Richard Mandegod Perpetual Vicar of Enstone." Now this title "Perpetual Vicar" implies an important and recent change in the tenure of that office—a change which had grown out of a practice then rapidly increasing in the Church, and which is thus explained by Nash in his History of Worcestershire. Writing of the Religious Houses to whom the founders of the parishes had entrusted the patronage of livings he observes, "These fraternities, consulting their own private interest, more than their honour or conscience, contrived, upon some pretence or other, to beg or buy licences from the Pope to usurp the estate to which they were only guardians, and apply the inheritance to their own use, or perhaps reserved to themselves a large portion, or a portion if they did not take the whole profits. If the Convent possessed of this species of property happened to be all Laymen or Monks (no unusual circumstance in those days) they were obliged to employ a secular Priest to perform divine offices, under the name of their Vicar, *ille qui vices agit Rectoris*. When the Land and Tithes were unalienably appropriated to a Religious House, and a Deputy appointed who was to receive a fixed share, according to the directions of the Bishop or Pope, commonly a part of the Rectorial House, the small Tithes, and some other endowments, he then was called Perpetual Vicar, because he was not removeable at the will of the

Rector." Before the impropriation of Enstone, therefore, and while there was yet an individual Rector, the Vicar would be subject to him, and removable at his desire, but now that the Rectory had become impropriate an important change in the position of the Vicar had taken place, for he had become the permanent or perpetual, that is irremovable chief parochial minister in the parish. The circumstance of his being so described implies that the change was a recent one, since subsequently no such additional epithet was necessary, when the fixed nature of the Vicariat was settled and confirmed by time. And thus while we gain confirmation of the Rectory being bestowed elsewhere, that is on Winchcombe Abbey, at this time, we also acquire additional proof of the probability of the Church being newly dedicated now, and that to St. Edward the Confessor.

On the north side of the Chancel there is a chapel extending below the Chancel, so as to form part of the north aisle as well as the north Chancel aisle. It is connected with the Chancel by a high and very rudely constructed arch, and as when first erected it overlapped the north wall of the old church of St. Kenelm, so no doubt another arch, similar to that opening into the Chancel, connected it with this central spot in the church. Thus as the east and west ends of the church of St. Kenelm had been broken through, so now the north side was by the arch last spoken of, and which although it occupied the place of the present fine north Tudor arch, was of very different construction to it, being, as was said before, similar to the rude misshapen one that still disfigures the chancel. This chapel no doubt contained its altar, and although there is no record now to tell us of its origin or dedication, yet in all probability it was the Lady Chapel, which was often in this position. One fact, which strongly confirms the idea of this having been the Lady Chapel, is, that as the chapel was formerly divided into two portions, an eastern and a western, by a screen, of which the eastern was raised above the western, so the eastern part, where of course the altar stood, was always on a level with the chancel itself, indicating thereby such an equality in those to whom the two buildings were dedicated, as would fitly represent the superstitious reverence and worship paid by Romanists to the Virgin Mary; for thus would they vainly, not to say blasphemously, exalt the mother of our Lord Jesus Christ into the place and glory of her son, and thereby derogate from his excellency and sole and entire mediatorship.

The arch connecting this chapel with the chancel plainly indicates that it was the next addition to the church, for it is a very awkward attempt to simulate the fine chancel arch opening to the aisles. This chapel was carried down to the end of the north aisle, and at its western extremity there was a stone seat built along the wall, which was discovered when the old pews were removed, but was cleared away to make room for the new sittings.

None of the windows in this chapel appear to be original ones, but all to have been subsequent additions, and of a very debased style, especially the latest, which are the worst conceived of any in the church, perhaps even in England.

One relic of antiquity, and of the ancient order of things, when superstition usurped the place and province of religion, remained in the Chapel, and that, until moved for repairs, in a comparatively perfect state. This was the part of the Rood Loft, that existed formerly on both sides of the Church, and was also continued between the two across the Chancel Screen. I call it comparatively perfect, because there seldom remain in any churches so much as was to be found in our South aisle, so that what was seen in the North aisle may be regarded in that light. The Rood loft in this Chapel, as also in the South side, and over the Chancel Screen, separated all these parts of the Church off from the others, the parts which they enclosed being regarded as more holy than the rest. Thus, in the case of this Chapel, the screen and rood loft surmounting it, enclosed the Eastern end where the altar was, and made it a kind of Chancel to the Western end of it outside the screen, and was purposely designed to exclude those who should not be deemed worthy to enter the inner court, but yet were permitted to come into the outer one and worship there. For thus did Popery keep up distinctions amongst its votaries, and make its sanctity visible by external differences, which were easily enough feigned or allowed, and hypocrisy and self-deceit encouraged by such superstitious separations and divisions. The word rood or rode is the old word for the Cross; and as that emblem was generally exposed in these galleries they obtained their name from it. But besides the cross, images, relics, and all the other pomps and vanities of Popery were on feast days and other occasions exhibited here.

A very considerable addition to the Church would now appear to have been made on the South side. The south wall of the narrow Norman aisle was broken through, and a chapel of some size was thrown out there. It was not the chapel now existing as the south aisle, and having three Tudor-arched windows, for these windows and the chapel to which they belong were of a much later date. But on the very site of this later chapel there stood another previous one. This fact was developed when the walls were stripped of their plaister, for then were discovered the lower parts of the window-jambs or splayings of two windows of some considerable size, evidently having been of three lights each, but probably not of such height and large proportions as those now existing. However, two windows there had certainly been in this wall, and therefore it is clear that a chapel of this extent had been erected here before the present one. Measuring from the western wall of the existing chapel or south aisle the first window was exactly 9 feet 6 inches from it. The breadth of the

window was 6 feet 4 inches. Then came a pier of 12 feet 6 inches ; and lastly came the second window of 6 feet 4 inches. The piscina, still remaining in the wall, is undoubtedly that of the former chapel, and not of the present one, though of course it was used in that ; and it occupies its original place, having survived, together with the lower parts of the walls and windows already referred to, the destruction that befel the first chapel here. Of its style, except the piscina, there is not a single vestige remaining, nor any further evidence of there having been such a chapel than the indications here referred to. This may give rise to the very obvious enquiry, How could a chapel of such a size have so entirely passed away, and been superseded as it were by the handsome Tudor one subsequently erected here ? The time between the erection of the first and second one could not be sufficient in any degree to cause decay under ordinary circumstances. Unless some catastrophe had occurred to destroy the first, there would seem to be no adequate reason for its displacement by the second. That some such catastrophe did occur, and that this part of the church continued some time in ruins, there is every reason to believe, for it is worthy of being recorded, that the late parish clerk, Edward Bennett, who was a man of keen observation and much discernment, long ago remarked that this part of the church must, at some time or other, have lain in ruins for a considerable period, since he had found in some parts of the old walls, which a few years back were much decayed and required repair, very strong roots of nettles, which could only have grown there while the building was in such a state.

This chapel while it stood entire enclosed the last remaining wall of the old church of St. Kenelm, that is its south wall ; and in order to connect this chapel with the rest of the church that wall must have been pierced with an arch, as the north wall had been before, so that thus all the walls of the old church had one after another been broken through. There had existed in this chapel formerly the tomb and place of sepulture of some person of note, which may assist us somewhat in judging of the time of its erection. On breaking into a stone seat, built in the wall along the south and west sides of this aisle, in order by removing it to make room for the new sittings, there was found imbedded in the wall, and partly beneath it, an ancient stone coffin. It was evidently in its original place, and had never been moved since its first deposition here, but it had been dreadfully mutilated, the side having been broken off, and all the contents, whatever they may have been, rifled and dispersed. It was carefully taken out from its position in the wall, and is now placed in the belfry, where it may be both preserved and be open to the inspection of all who desire to see such a memorial of the past. Its shape will materially aid us in determining its age. It appears that stone coffins have been more or less in use in all ages of the world, of which

we have any certain history, and what is both remarkable and interesting is that we possess in England the oldest that has yet been discovered. It was found in the year 1834, by Colonel Howard Vyse in the third pyramid of Ghizeh in Egypt, and was the coffin of King Mycerinus. It had been opened and the mummy case which it contained, and in which the king's body had been enclosed, broken and destroyed; the tomb having been thus burglariously rifled, some hundred years before, by the Saracens. Colonel Vyse brought the stone coffin, or sarcophagus, to England, and it is now to be seen in the British Museum. It cannot be less than 4000 years old. The Romans also made use of stone coffins, and some of theirs have been found here in England. Among the ancient Britons, the *kistvaer*, or coffin, composed of rough stones, set edgewise at the sides and ends, and covered with one or more flat stones, was commonly used for burying in, and a few of these are still to be seen in Wales. In Roman barrows also in England stone coffins have been frequently met with. Sir Christopher Wren found some that were evidently of the Saxon times, at the rebuilding of the Cathedral of St. Paul's in London. Gough, the antiquary, informs us that from the ninth century to the reign of Henry III. stone coffins were in general use for persons of the higher classes. The bodies of the common people, not only in the Norman but also in the English era, were only wrapped in cloth, and so put into the ground. In this manner, Matthew Paris tells us, the monks of St. Alban's were buried, till the time of Abbot Warin, who died in 1195. He ordered that they should be buried in stone coffins, as more decent, but he was charged in consequence by Matthew Paris with innovating on established customs, showing that the use of such coffins was very rare. Strutt says that in the reigns of Henry V. and VI. stone coffins were made with necks, or rather with a receptacle for the head, and with shoulders for the corpse. This is the form of the one discovered here, so that its probable age would be between the years 1415 and 1460. Now the chapel in which this coffin was found may have been built somewhere about this period. Its precise date of course cannot be determined, but if it were its style of architecture was that called the Perpendicular, which prevailed for about a century and a half before the Reformation. As this coffin had evidently never been moved from its original position when first buried, though its outer side had been broken, and all its contents rifled, so it may be surmised that this was the burial place of the founder of this chapel, and it is by no means improbable that he might have been some influential member of the Abbey of Winchcombe, perhaps even an Abbot. As it had been in 1382 that the great Rectorial Barn was built, so the interest then taken in the place by the Abbey implies an intercourse of that kind with it, that might well encourage the idea of this chapel having been erected by that Abbot, and of his having

been buried here. Of the tomb which covered the resting place of this stone coffin there remains apparently a single piece, consisting of an oblong block worked with a quatrefoil in the way in which such tombs were occasionally ornamented.

The next addition made to the church was a chapel or shrine on the south side of the chancel, reaching down to the eastern end of the last described chapel forming the south aisle, into which no doubt it opened. It was not, however, so wide as the chapel that had been erected on the north side of the chancel, but was limited to the breadth of the old Norman south aisle, as may easily be seen by observing how exactly the width of this old aisle corresponds with that of the altar, reredos, &c., of the chapel, as well as the junction in the wall where the later chapel was grafted on to this. It is also to be noticed that there remain the upper part of the wall of this chapel the archings, and springings of arches, that formed the stone vaulting that roofed this chapel, and which consisted of three compartments, the width of the arches that remain just corresponding with the width of the chapel and the aisle. The chapel itself opened into the chancel, and was connected with it by a very wide-spanning, elongated, Tudor arch of very peculiar construction, adapted to this special position, and rendered light and ornamental by panel work all over it. At the east end of the chapel was the altar, which still remains, and over the altar is a very pretty window of three lights, richly ornamented within with niches, and forming altogether a handsome reredos to the altar. This was in all probability the only window to this chapel, which, when vaulted over, as it was, by elegant archings, and opening into the chancel by the light and ornamented Tudor arch, must have been a very complete and rich addition to the church; in fact the richest and handsomest portion ever erected here. With respect to the origin and purpose of this chapel, there was a very strong impression that it was a kind of shrine or memorial chapel, and that the altar was an altar tomb, forming the last resting-place of some eminent person, very probably of some ecclesiastical person, perhaps of some Abbot of Winchcombe, who may have made this parish, of which the Abbey possessed both the manor and the Rectory, a favourite place of residence, as was often the case with such persons; and when it is borne in mind that these Abbots were mitred Abbots, and Peers of Parliament, such a shrine as this will appear in no degree unsuitable to such a dignity. A circumstance that would tend very much to encourage such a notion, is the fact of the outer door of this chapel having been removed into the chancel, evidently for the sake of preservation, for there the outside framework has been set within the chancel, and the door made to open externally. Now unless this chapel had had some such connexion with the Rectors, the Abbey of Winchcombe, as we have supposed, it is not very likely that this door would have been inserted in the



chancel as it has been, and thus we are confirmed in the idea that it was the mausoleum of some Abbot of Winchcombe. The tomb of the person in whose honour it was built, was of course placed in the singularly contrived niche where that of Stevens Wisdom now stands, and having been no doubt ruthlessly destroyed during the rebellion, its site was subsequently occupied by the very quaint and ill-fashioned tomb that is now seen there.

Independent, however, of the idea of this having been the burial place of an Abbot, the vestiges of the chapel with its altar and reredos are some of the most interesting ecclesiastical and antiquarian relics that we have remaining to us in the church. It is therefore greatly to be regretted that so rich and elegant a shrine as it evidently was, should have fallen a victim to the destroying rage of those under whose hands it probably fell during the disturbed times of Charles I. and Cromwell; when, from its connexion with Oxford, as well as all its antecedents, it was too likely to have inflamed the fury of misguided partisans.

With the hope of finding some relics, or some evidence as to the time when this shrine must have been erected, its purport, or the person to whom, or by whom, it may have been founded, I opened and examined the altar that remains here. It was, already, in several places threatening to fall, having been both previously opened, and very indifferently rebuilt, but certainly had not been an altar tomb. This I satisfactorily proved by both examining the base which seemed to have the appearance of a grave-stone, and by digging down beside it until I reached earth which had never been disturbed. I found only a few small pieces of glass, the surface of which was decaying, and the angles denoting that they had been of a diamond figure; and one single chip of coloured encaustic tile, just hinting that the shrine or chapel had thus been floored. Although disappointed of positive information I so far satisfied myself as to prove that the altar itself was not a tomb, though I still believe that such was the purport of the shrine itself. The altar was restored, as the most remarkable relic we possess in the Church, to its original state.

It will have been seen that by the building of the north chancel aisle which overlapped the old church of St. Kenelm on the north, and again by the erection of the south aisle which overlapped it on the south, that the site of the ancient church had become included between these, as before it had been between the chancel and the nave of the church. But now by the building of the south chancel chapel the elliptical or Tudor style had been so far introduced into the church, that it came to be applied where it forms one of the most beautiful features of the whole interior; for now it was that the north and south bounds of the old church of St. Kenelm were enriched, and the elegant Tudor arches introduced that now span them. As we have already shown, indeed, other arches had before perforated the old walls of the primitive church,

but these were now displaced by the wider, and consequently lighter formed, elliptical arches that still remain, and are so admirably suited to this position. At the same time the walls above these arches were raised, completing the clerestory on to the present chancel, and having in them windows of three lights each, as plainly appears in the south one, and is discernible externally in the north one. When, too, the walls were stripped of the old plaister to be renewed, the line of junction in the clerestory wall between the older part and this new one, was laid bare, showing a straight line between the two parts, without any attempt having been made to tie the two together by interlacing the masonry.

Thus, then, it was that the old original Saxon church of St. Kenelm at last melted away, and was lost, all but its site and a few relics recently brought to light, amongst the larger and handsomer erections that have from age to age risen up around it; and thus is to be accounted for this remarkable space within the church, standing as it does in the midst of styles of all ages, but itself isolated, and devoid of any visible remnants until recently, to mark what of old it contained. For around this spot we have westward both the Norman and Early English styles, yet neither of them belonging to or connected with it; eastward we have the Decorated in the Chancel, but wholly unconnected with this; northward and southward we have Tudor arches overhanging the boundary lines of this space, but otherwise entirely dissociated from it. In fact this space within the church occupies, with respect to all the styles of architecture around it, just such an anomalous position as did, before the enclosure of the common fields of the parish, a remarkable patch of land, that was never cultivated, and never owned, but was only known by the name of No Man's Land. Just such a space is this to which no style of architecture at all attaches, unless it be the Tudor, and if that could be supposed, it would justly raise the question, How came the Tudor here, between the Norman and the Early English one way and the Decorated the other? Some other style must have occupied this spot before these later ones could be attached to it. Yet what that building was until lately there was not a vestige to tell, though it was easy enough to surmise, for here was the site, and by its very vacancy the silent, yet eloquent, memorial of the Saxon building and Saxon style, which have almost entirely passed away from amongst us. And yet, as has already been hinted, we have still surviving here some few relics of the first parish church that stood here, and which have recently been discovered and made visible. When the ground was cleared at the opening of the chancel to lay the steps that ascend to it, the whole length of the foundation of the east wall of the Church of St. Kenelm was laid bare, and at both ends considerable portions still remained above ground, and are still to be seen at the base of

the piers supporting the chancel arch, these piers being themselves built upon the old foundation wall, and the parts that are visible having been parts of the interior of the old church. So, again, one solitary Saxon column, the only piece of carved work belonging to the old church, and which had been set as an ornament to the passage way into the rood loft, has been brought back and restored as nearly as possible to its original position. When formerly it adorned this east end of the old church it no doubt had a similar one associated with it, and from each long shafts resting upon the stone pediment that remains below. Two like them would have been found on the other side, and springing from them, and across where the chancel arch now is there was of course a handsome circular arch, which formed as it were a canopy above the altar that stood here. Very many examples of such things are still to be seen, and some immediately adjacent to us, in the churches of Glympton and Kiddington. Indeed until lately there survived, as the chancel of the last named church, one of the most admirable specimens of such primitive churches as in the earliest times were erected in our country. The first churches of all were generally built of wood, and their roofs were so constructed that the square ends of the beams, which were numerous and not very large, extended beyond the eaves of the building and showed a line of square faces, which being carved and ornamented formed a rich addition to the beauty of the building. In fact this series of corbels, for so were the ornamented ends called, were so much admired, that they were often repeated in stone, when such churches came to be erected; and in that at Kiddington there was formerly, as very probably there may have been in our church here, such a series of corbels, or such a corbel table. These have indeed been replaced in the chancel as lately rebuilt, but neither the corbel table nor the wall in which it is have the appearance that they formerly had. Yet whoever would like to form an idea of what the interior of our first church was, may do so by examining the chancel of Kiddington Church, and at Glympton they may also see an example of the kind of arch that was over the eastern end of the ancient church of St. Kenelm. The form of this old church was as nearly as possible a square, and that of about sixteen feet and a half, and its style of course that of its age, which is well known as the Saxon. It was, indeed, at one time doubted, whether there existed in England any remains of Saxon edifices, erected before the time of the Normans; and Rickman, who may be justly regarded as the discoverer of the various and successive styles of ecclesiastical architecture now known to have existed, would allow none to have been older than the Norman period. But even he subsequently saw reason very materially to modify his opinion on this point, and wrote respecting Saxon remains thus. "From what I have seen, I am inclined to believe that there are many more churches which contain

remains of this character . . . . In various churches it has happened that a very plain arch between nave and chancel has been left us as the only Norman feature, while both nave and chancel have been rebuilt at different times, but each leaving the chancel arch standing. I am disposed to think that some of these plain chancel arches will, on minute examination, turn out to be of this Saxon style." Thus wrote Rickman in 1834, in a paper, addressed to the Society of Antiquaries, entitled, "Further Observations on the Ecclesiastical Architecture of France and England." Now two years before this I had myself read a paper on Gothic Architecture before the Ashmolean Society in Oxford, in which I had pointed out the fact, that the most ancient remains of churches, and of the primitive and original fabrics, were always to be found in the position indicated above by Rickman, as being between the nave and the chancel. The reasons assigned by me for this opinion, were, that in most cases the chancels had been the original churches, the people having built on to them naves for their own use; while at some subsequent period the primitive church, now become the Chancel, being rebuilt, the ancient graftings of the two, "between the nave and the chancel" were as much as possible preserved. Accordingly I have always, in examining churches, looked to this part for the most ancient relics of the building. Even in our church, where the original church, after having for some time been the Chancel, and then been superseded in its vocation by the larger Chancel now existing, the most ancient remains have been found at the western end of the present Chancel, at its junction with the site and with some portion of the wall of the ancient church that stood here.

Now that the Tudor style had been introduced into the church, a very extensive improvement in that style was made. Already there had previously existed here a large chapel of a former age, which for some reason or other—possibly, as we have supposed, some catastrophe—had been destroyed, and required therefore renewal. Its restoration therefore was effected in the style which had already been introduced here, and which was the prevailing one of the age—the Tudor or elliptical style. The eastern termination of this chapel is quite discernible externally, where the broad buttress, enclosing the stairs to the rood loft, remains, and above it rises a break in the wall marking the end of this chapel. Towards the west it encloses the porch, and thus gives a very complete and effective appearance to the whole of this side. In constructing this chapel the attempt has been made to give its interior an independent entirety, as if it were a distinct and separate edifice, instead of being only an appendage, or side chapel. For this purpose it has, eastward, a large window of four lights, parted from two others, westward, of only three lights each, by a very broad pier of the wall. Against this pier the altar of the chapel was placed, as marked by the piscina that remains beside

it, so that the large window, lighting the altar, formed as it were the eastern or chancel end of the chapel for the use of the priesthood and the initiated, while the two smaller or westernmost windows formed the space for the people. When the pews were removed from this part of the church a stone seat was found built in the wall at the west end of the chapel, and on the south side under the two westernmost windows, but ceasing at the piscina, and not occurring again eastward of the pier against which the altar formerly stood; a fact which confirms the idea, before suggested, of this having been the end for the people to attend worship in.

The last addition to the church, a chapel of a very late age, and somewhat of a debased style of architecture, was built in the angle formed between the eastern end of the last chapel described, and the side of the shrine or south chancel chapel before mentioned, and filling up the corner so completely as to make the church range on the exterior with one uniform appearance. The altar of this chapel was on its eastern side, and there are corbels, jutting from the wall, that were designed to hold figures above the altar, but which originally formed part of the vaulting of the adjoining chapel, while by the side still remains in the wall the piscina. The chapel had originally only one window, the southern one with a Tudor arch, rather sharply pointed, and four lights. The square-headed window on the east side, overhanging the place where the altar stood, is a modern insertion. On a beam in the old roof of this chapel was lately the following inscription: "Churchwardns. W. Soudon and R. Boulton. Anno 1632."

In the south wall of this chapel, or rather in a broad buttress or thickening of the wall, still remain the entrance and the staircase to the rood loft, which surmounted the ancient screen here, and along which was the passage to the rood loft high across the chancel arch, and thence again down to that of the north aisle. When the walls of the church were stripped of their plaister in order that they might be entirely renewed, the passage ways through the walls of the centre aisle were disclosed and rendered visible, showing the whole course of the galleries connecting all the three rood lofts, and proving beyond all doubt that there was such a loft formerly above the chancel arch. I say above the chancel arch, because the level of the passage ways through the wall is so high, that the loft could hardly have rested upon the chancel screen, as it did upon the other side screens, unless indeed we conceive the screen, of which the lower part still remains, to have reached as high as this, which it could hardly have done.

On reviewing the account we have given above of the progressive growth, and the several additions and enlargements of the Church, it is observable that its various parts have been erected at nine different periods, thus.—1. The original Church of St. Kenelm. 2. The Norman aisles, piers, arches, and doorway. 3.

The Early English aisle, piers, and arches. 4. The present Chancel, tower, and clerestory. 5. The Lady Chapel. 6. The large South Chapel and porch, first built. 7. The little vaulted Chapel with its stone altar and reredos. 8. The South Chapel rebuilt in the Tudor style, and other Tudor improvements. 9. The small South Chapel. There were consequently no less than four distinct Chapels, each having its own altar, besides that which was called the High altar, and which stood where the Lord's table now stands. Thus in fact there were as many as five separate altars in the Church, at each of which of course the service of the mass was performed in Roman Catholic times. This, although a large number for a rural church, and denoting therefore the importance of the parish in former times, was no unusual thing; and in most large Roman Catholic churches or cathedrals very many more than these are to be found at the present time. Thus in the cathedral of St. Bavon at Ghent, in Belgium, there are no less than twenty-four side altars, as they are called, and all of them very richly adorned. Special provision was also made for the maintenance of the priest, whose office it was to serve in these several chapels, or chantries as they were also called; of which we have proof in the neighbouring church of Chipping Norton, in which there were as here several such, the accounts of which remain in the Valor Ecclesiasticus thus.—“Chepyngnorton Decanatus (deanery), Chepyngnorton Vicarage. The Abbot and Convent of Gloucestre are Impropriators. David Gryffith is the Vicar Perpetual, and his Vicarage is of the annual value of £10 6s. 8d. . . . John Smyth, Clerk, is Chanter of the Chapel of St. John the Baptist, and his Chantryship is worth £6 per annum: out of this sum various payments had to be made. . . . John Reynolds is a Chantry Priest in the Chapell of St. James in the same church, and his Chantryship is worth £5 per annum, among deductions from which, however, was this item:—An ancient payment for the obsequies on their anniversary of John and Margaret Pynn Founders of the Chantry—John Grasse, Clerk, of the Chantry in the Chapel of the Blessed Virgin Mary, and his Chantry is worth £7 17s. 9d., from which like the others deductions had to be made.” From this interesting record we are enabled not only to verify the statements already made of there being many chapels or chantries in the same church, for all the above are noted as being in the parish church, and of special provision for their priests, but we also learn from it the source whence too many of these foundations arose. Superstition raised them for the dead, or wrung them from the dying, by undertaking to do for sinners what they had failed to do for their own souls, and to obtain that salvation for the dead which they had rejected when living.

The manner in which these chapels originated, and altars were thus multiplied, is one of the strongest proofs of the terrible and delusive hold that the Roman Catholic superstition acquired over

its votaries, and of which we have not been without instances even in our own time. The dying sinner, alarmed for the eternal welfare of his soul, was too often lulled into a fatal security by being told, that if he erected a chapel to some saint or martyr, and endowed it with means for the maintenance of a priest, at this altar masses might be said for the repose of his soul, and the peace of God which he had failed to obtain through faith by the renewal of his spirit, might thus be obtained for him after death, and his release from the fire of purgatory be assured. Thus were men led to believe and hope, that by the erection of chapels, the foundation of altars, and the endowments of priests, they might obtain that salvation which otherwise they had no hope of; and when we remember how the scripture tells us of the deluded heathen, who gave the fruit of their body for the sin of their soul, and thought by the sacrifice and offering of their own children to purchase redemption for themselves, we need not so much wonder to find others given over to believe a lie, when it is of the very nature which they themselves desire. In fact we see in all this no more than the realization of what Scripture describes, when it thus ponders over a similar state of things: "The prophets prophesy falsely, and the priests bear rule by the same, and the people love to have it so; and what will ye do in the end thereof?"

The late (1855) interior fittings of the Church consisted entirely of pews, most of which in the central part of the Church were ill-contrived square ones, raised in some places considerably above the level of the floor, and thereby detracting from the height and beauty of the Church, which is, but for such disfigurement, a remarkably fine and handsome edifice within. Besides the pews on the floor, there was also an exceedingly heavy, ugly gallery at the west end, which was erected about the year 1700-1, at what must then have been a very considerable cost, and consequent waste of the funds of the Church estate, resulting in much contention and litigation in the parish, and the issuing of a Commission from Chancery to settle the dispute. The cost of this gallery according to the following item in the Churchwardens' accounts for the year ending April ye 2nd 1700, was thus, "Pd for building the Gallery the particulars whereof may be seen in their book 25 12 9," but as afterwards settled by the award of that Commission it was £28 14s. 11d. Now as the rents of the estate at that time were no more than £11 2s. 6d. per ann., the gallery cost more than two and a half years' rent, which according to that estimation now would be at least £250. The pewing a small part of the Church, which was done at intervals in the years 1790 to 1799, cost according to the payments made in the course of that time £175 9s. 6d. As during the same period the annual rent of the estate was only £34, it took five years' rent to pay for those very inconvenient pews, which according to a similar estimation now would be £500. There can be no doubt

that at this time very great waste indeed was made of the Church estate, and subsequently in the years 1804 to 1824, by money being borrowed, by cutting down timber, and by increase of rent which was raised to £60 per ann., there were obtained large sums which were expended from year to year upon the church without the slightest perceptible benefit in improvement now remaining. During the period thus indicated more than a thousand pounds had been expended in professed improvements and requisite repairs, which had made the chancel one of the most inconveniently arranged that could have been contrived, and left the fabric itself in such a bad state that it required a considerable outlay to render it substantial even. By the energy of Messrs. Thomas Davis and W. Bayliss, who became Churchwardens in 1824, and continued so for some years, this system of wasteful expenditure was effectually checked, and a considerable balance accumulated in hand by which certain substantial repairs were effected. Even then, however, both externally and internally, but especially the latter, much was required to be done to render the church more suitable to the parishioners than it was.

Since the foregoing account of the interior of our Church was written, it has undergone very considerable improvements throughout, and has been refitted in a most admirable manner, whether as regards the taste and skill of the architect, G. E. Street, Esq. of Oxford, or the excellent workmanship of the builder, Mr. George Wyatt, also of Oxford. The sittings throughout the church are open, and the arrangement of them is so happily managed, that, while we have got rid of the gallery which had caused a law suit in the parish by its erection, and had disfigured the west end of the church for 150 years, we have considerably increased the number of the sittings, we have obtained a far more commodious position for them, and we have gained the further advantage of displaying all the fine features of the building in the very best manner. All the stonework, wherever mutilated or defaced, has been restored very perfectly; the walls have been entirely new dressed; the windows everywhere freshly glazed; and the aisles and all the passage ways have been floored with tiles laid according to a handsome pattern. To the south aisle an entirely new and elegant roof has been put, and the whole of the lead work made new. The tower arch and the interior of the belfry have been thoroughly cleaned, the stonework renewed, and the walls pointed. The same has been done with the porch. The old roofs have been coloured and varnished. And in fact everything that could be done to render the interior handsome and effective has been accomplished. A new stone pulpit, and a new reading desk and lecturn are placed at the opening of the chancel, and the font has been repaired and set at the west end of the church. It may safely be asserted, that so much artistic skill in arrangement, and such masterly workmanship in completing the whole, have been



exercised, that our noble old church was never before fitted up so perfectly and so admirably as it has now been in this present year, 1856.

Having said so much in praise I would not willingly detract from so much merit, but that as an amateur in architecture I may be allowed to criticise one point in which I think an error has been committed, and the opportunity of improvement missed. The two elegant Tudor arches in the middle aisle are of so wide a span as always to have required very much higher piers than the former level of the floor would allow them, but the floor having now been lowered around them about eighteen inches, the question of course arose, how this additional height was best to be disposed. If suffered to remain in the plinth by lengthening it to the fall of the ground that part of the pier is not only made heavier itself than it should be, but by contrast makes the shaft of the pier between the base and the capital proportionally shorter than it was before. Now this was the very part of the pier—the shaft—that wanted length in order to give fitting height to arches of so wide a span as these are, and this is the part of the pier into which any additional height should have been introduced. Had the bases of these piers been lowered, the plinths would thereby have been kept to their original and modest proportions, and the additional height being given to the shaft the piers would have been heightened and thereby rendered more slim and elegant, and the arches themselves would have been elevated, and rendered more handsome than they now are. While regretting that this was not done, I cannot forbear adding, in confirmation of my criticism upon this part of the work, the observations of the Ecclesiologist upon a similar error in the church of St. Mary Magdalene at Hastings. “The interior effect is for the most part dignified and churchlike; the architectural proportions very good. Two prominent blemishes, however, even in consideration of so much that is praiseworthy, must not be overlooked: the stilting of the pier bases to the level of the seat tops, and,” &c. Nothing can be more happily expressed, and it is just the same *stilting* here that I regret amongst so much that is otherwise well done.

The Chancel was refitted at the same time as the rest of the Church by Mr. Wyatt under the direction of the Vicar. The Rectors and the Lessee, notwithstanding that the chancel was in substantial repair, liberally contributed fifty pounds towards its refitment, and as they specially desired that it should be simply but well done so as to be more commodious than heretofore, and thought themselves bound to preserve in the flooring the memorial stones deposited there, these directions have been complied with, while at the same time the chancel has been rendered very much more handsome than it was before, and as far as possible, in agreement with the wishes of the Rectors, conformable to the rest of the Church.

And yet, although these memorial stones are left, we cannot forbear expressing the hope that they will not be drawn into a precedent for the future, and that burials within the Church will not again be permitted to take place. In justification of such a hope, and in furtherance of its accomplishment, we will add some remarks, as well as some authorities, that cannot but have their influence respecting it. The origin and results of such burials have been thus traced out by various writers. That our Saxon ancestors, in common with other northern nations, at one period burnt their dead is unquestionable; but Turner, in his History of the Anglo-Saxons, observes, that the custom of interring the dead had become established at the era when their history began to be recorded by their Christian Clergy. They did not, however, at first bury in Towns, but frequently on the ridges of hills, upon open plains, or by the roadside, and many such places of interment are still visible in various parts of the kingdom. Before the time of Gregory the Great, about the year 606, the dead were always buried out of the cities and towns. But the recital of Mass for the dead being then invented, Sepulture became the source of great gain, as every one left largely to have masses said, in order to pray his soul out of Purgatory, and the better to secure their fees the Clergy made burial grounds round their churches. Cuthbert, Archbishop of Canterbury, about the year 750, obtained a dispensation from the Pope, for making of Cemeteries within cities and towns in England; and Langfranc, a succeeding Archbishop in 1075, is generally said to have been the first who introduced the construction of vaults and interment near the High Altar. Thus began corpses to be buried in churches, which, by degrees, brought in much superstition, especially after degrees of inherent sanctity were erroneously fixed in the several parts thereof; the Porch saying to the Churchyard, the Chancel to the Church, the East End to all, "stand farther off, for I am holier than thou." And as if the steps to the High Altar were the stairs to Heaven, their souls were conceived in a nearer degree of happiness, whose bodies were mounted to be there interred. See Fuller's Church History.

The gradual introduction of the practice of burying in churches is traced by Bingham, with his usual erudition. It began in the respect paid to the remains of Martyrs, which originating in a reverential feeling soon degenerated into the grossest superstition and creature-worship, and resulted in frauds and follies innumerable. Churches were first erected over the remains of saints and martyrs, or they were translated to churches. As the devil began to act a greater part in hagiographic romance, it was thought good policy to be buried as near as possible to the remains of those great champions who had carried on the war against him with such heroism, while they were living, and whose very dust and ashes when dead he was believed to stand in awe of. Emperors

and Kings began by obtaining their protection, but were contented with a place in the Porch or Galilee. In the sixth century the common people were allowed places in the churchyard, and even under the walls of the church. By the time of Charlemagne they had got into the church, and an attempt was made at the council of Fribur, a synod held in this reign, to put a stop to the abuse. It appears, however, from this synod, that the clergy had established for themselves a privilege of lying in the church, for it was the burial of laymen there that was then prohibited. In the year 900, the emperor had repealed all former laws upon this subject; burial within the cities was then expressly permitted, and graves in churches were soon allowed to all persons who could pay for them. From that time the manifold evils of this senseless custom have been repeatedly exposed. It continues to prevail, nevertheless, and will continue, till the inconvenience of it becomes so great, as to render an effectual change necessary. See the Quarterly Review, No. 42, the anticipations of which are already accomplishing in all our cities and towns, and will we trust be equally fulfilled even in such villages as ours.

As the burial of the dead in churches has arisen from morbid and ill-directed feelings, so better and wiser ones will doubtless have their influence in checking, and entirely relieving us of, the evil. On this point let me give the exhortation of Bishop Hall. "I must needs say, I cannot but hold it very unfit and inconvenient. First, in respect of the majesty of the place: it is the Lord's House; the Palace of the King of Heaven; and what Prince would have his house converted into a Charnel house? How well soever we loved our deceased friends, yet, when their life is dissolved, there is none of us but would be loth to have their corpses inmates with us in our houses; and why should we think fit to offer that to God's house, which we would be loth to endure in our own? The Jews and we are in extremes this way. They hold the place unclean where the dead lies, and will not abide to read any part of the law near to aught that is dead. We make choice to lay our dead in the place where we read and preach the Law and Gospel. Secondly, in regard of the annoyance of the living; for the air, kept close within walls, arising from dead bodies, must needs be offensive, as we find by daily experience, more offensive now than of old to God's people: for they buried with odours, the fragrance whereof was a good antidote for this inconvenience. Not so with us, so the air receives no other tincture than what arises from the evaporation of corrupted bodies." If such just and sound reasoning as this have not its effect, but an ill-advised sentiment would still prevail with any to prefer the church as a burial place, let him in conclusion on this subject, reflect upon these words of Osborn. "He that lies under the herse of heaven is convertible into sweet herbs and flowers, that may rest in such bosoms as would shriek at the ugly bugs

which may be found crawling in the magnificent tomb of Henry the Seventh."

Whatever painted glass there may have been in the Church before the time of the Commonwealth, when these things were so much destroyed, there is none now remaining anywhere except in the Chancel, and that of the very age when destruction was rife. The date is given in two places in the central part of the window, on representations of stones, thus: A. H. 1637. A. Hall. 1637. The window is one of three lights, and the glass was originally designed for a similar one, though with a different head. The left hand light contains a picture of the Adoration of the infant Jesus by the Shepherds in the stable at Bethlehem. The middle one represents Christ on the Cross with the scroll I.N.R.I., for Jesus of Nazareth King of the Jews. Beside the cross on either hand are standing Mary the mother of Jesus, and John the disciple whom Jesus loved. Underneath this representation are these words: *Castigatio pacis nostræ super eum & livore ejus sanati sumus. Esa. liii. 5.* In English this is, "The chastisement of our peace was upon him: and with his stripes we were healed." *Isaiah liii. 5.* The third, or right hand window, represents the Ascension of our Lord, in which a part only of his figure and his feet are seen passing into the cloud, which received him out of the sight of his disciples, while these are seen in a considerable number formed in a circle upon the earth, from the midst of which he has passed away into the heavens.

The Vessels belonging to the Church for the use of the Communion Service are the three following:—

1. A Silver Cup and Cover, which were formerly gilt, for they still retain on some parts of them the yellow tinge of the gold washing. On the cover is the date, in the rude engraving of the time in which it was done. It is that of the year 1580. On two bands round the body of the cup are these inscriptions. On the upper band + THOMAS BLUNT WILLIAM HICHINSE. On the lower band + CHURCH WARDENS OF ENSTON. On a third band round the foot of the cup is inscribed + IN THE COUNTIE OF OXFORD. After every word, separating it from the succeeding one, is inserted a rose. The height of this cup and cover together is exactly  $9\frac{1}{2}$  inches.

2. A Silver Paten or dish, standing on a short foot, having engraved on it, "Parish of Enston Humphrey Cox William Harrison Church Wardens 1672." This paten has not been gilt, and is of the diameter of  $9\frac{3}{4}$  inches.

3. A pewter Flagon with cover attached.

The belfry in the tower contains a peal of six bells, all of which were newly cast in the year 1831. The old set of bells had the following dates and inscriptions on them. 1st, 1678. 2nd, 1661. 3rd, 1661. 4th, Matthew Baylee made me, 1767. Thomas Kinch, Henry Lay Churchwardens. 5th, Richard Keene

made this ring, 1661. 6th, Matthew Bayle made mee. 1769. Thomas Kinch, John Phillips Churchwardens. I to the Church the Living Call, And to the Grave do summon all. The Saint's Bell had no inscription on it. The bells, as newly cast in 1831, have on each of them the following inscription. "Thomas Davis and Nathaniel Parsons, Churchwardens, 1831. W. and I. Taylor, Founders, Oxford, 1831." The third and sixth bells have, in addition to the foregoing, verses indicative of the uses of the bells, thus:—

Third Bell.

Long may our benefactors live and know  
What pranks we play our gratitude to show.

Sixth Bell.

I to the Church the living call  
And to the grave do summon all.

On the beam on which the fourth bell hangs are these words: "John Williams and Richard Fecit, 1718," that is, John and Richard Williams made me. From the account books it appears that in that year the bells were entirely new hung, at a cost of £18 3s. An entry of an earlier date makes mention of another bell, that formerly hung here, and that even until about five and twenty years since, when in consequence of the chancel being repaired, it was removed from its place, was never restored, and has since been entirely lost, or otherwise disposed of. The entries in which the former existence of this bell is recorded are the following: "1769. Pd Mr. Bagley coming over to direct hanging the Saint's Bell, 0,,1,,0." The smallness of the charge respecting it at once tells us that it was not a bell of any considerable size, and the place where it hung was towards the west end of the chancel. Again, at a later period the following occurs: "1787. Pd for new casting the Sance Bell 1,,11,,11½." It was called a *Sanctus* or *Saint's Bell*, from the use that was made of it in Roman Catholic times. It was rung during the celebration of the Mass, when the priest came to the words, *Sancte, sancte, sancte, Deus Sabaoth*, that is Holy, holy, holy God of Sabaoth. The object of then ringing it was, that all persons who were unable to be present at mass, but were within sound of it, might fall on their knees and join in devotion with the priest, who was exercising his office in the church. It was generally set on some part of the church, whence its sound might spread the furthest, as in a lantern at the springing of the steeple, or in a turret in an angle of it. Sometimes, however, for convenience, within the church, and that it might be near to the altar, where mass was celebrating, it was hung outside the chancel, so that the rope descending there, the priest's attendant might readily pull it at the appointed time. This was its place here formerly, and the stone campanile in which it hung is preserved still in the church.

In ancient times many superstitious effects were attributed to

bells, as we learn from the following very curious old Monkish Latin rhymes, which are to be found in a tract entitled "A Helpe to Discourse," which was published in London in the year 1633. It will be observed that these lines were not only intended to teach the supposed powers and uses of bells, but that they are so composed as themselves, when properly read, to express the melody of a peal of bells of various changes, so that they seem to sound upon the ear like the distant ringing of a peal.

En ego Campana, nunquam denuntio vana,  
 Laudo Deum verum, Plebem voco, congreco Clerum,  
 Defunctos plango, vivos voco, fulmina frango.  
 Vox mea, vox vitæ; voco vos, ad sacra venite.  
 Sanctos collaudo, toritrua fugo, funera claudio,  
 Funera plango, fulgura frango, Sabbatha pango  
 Excito lentos, dissipo ventos, paco cruentos.



These lines may thus be rendered into English.

"Lo, Bell as I am, I never give an uncertain sound, for I praise the true God, I summon the people, I assemble the Clergy, I bemoan the dead, I invoke the living, I break the power of the lightnings. My voice is the voice of life; I invite you, come to the holy service. I join in the praises of the saints, I drive away the thunder, I conclude the funeral service, I bewail the dead, I break the power of the thunderbolt, I maintain the Sabbaths, I rouse the slothful, I disperse the winds, I appease the cruel."

However doubtful some of the effects imputed above to bells may be, the last is one that has ever been justly attributed to the influence of melodious sounds, as testified by Shakespeare, who writes,

"Music hath charms to soothe the savage breast."

And certainly few sounds have more soothing and softening effects, independent even of their grateful associations, than the far off music of a peal, borne up upon the breeze, and mellowed by distance. It is grievous to think that bells are too often the cause of dissipation now, as in former times they were of superstition. For other effects than those referred to above were often attributed to them. In the dark ages of ignorance and priestcraft the powers of spiritual agencies were supposed, or pretended, to be subservient to such as assumed, or had imputed to them, excessive sanctity. The Monk of St. Mary's aisle, described in the beautiful metrical romance of the Lay of the Last Minstrel, is said

To know, by the streamers that shot so bright,  
 That spirits were riding the northern light.

Again, he is described as saying,

"It was a night of woe and dread,  
 When Michael in the tomb I laid!  
 Strange sounds along the chancel past,  
 The banners waved without a blast,"

And when at length, after rifling the wizard's tomb, the Knight and Priest withdraw from the Abbey of Melrose,

'Tis said, as through the aisles they passed,  
They heard strange noises on the blast;  
And through the cloister-galleries small,  
Which at mid-height thread the chancel wall,  
Loud sobs, and laughter louder, ran,  
And voices unlike the voice of man;  
As if the fiends kept holiday,  
Because these spells were brought to day.  
I cannot tell how the truth may be;  
I say the tale as 'twas said to me.

Such, however, was in former times the current of superstition, that the air was supposed to be if not the abode, at least the great highway of spirits. In the Golden Legend of Wynken de Worde, he thus gives the prevailing notions of his time as to the supposed dislike of Spirits to the sound of bells. "It is said, the Evil Spirytes that ben in the Regon of Th'ayre, doubte moche, when they here the Belles rongen; and this is the Cause why the Belles ben rongen whan it thundreth, and whan grete Tempests and Outrages of Wether happen, to the Ende, that the Fiends and wycked Spirytes shold be abashed and flee, and cease of the Movynge of Tempeste." The Spirits who were thus supposed to preside over the tempests, and to rule the storms, were also regarded as the servants of the prince of the power of the air, whose malice against our fallen race was such, that they not only watched for our halting here, but waited, on the departure of the soul from the body, to seize it as their own, and to carry it off to the eternal realms of misery and woe. Thus the fancy arose, and long obtained, that the tolling bell would warn the evil one of the near vicinity of a church and priesthood, and chase away the spirits ever ready to do his will. Nor will it seem wonderful that such popular delusions should exist, when the prevailing superstition taught so many kindred errors.

Yet the *Passing Bell*, or the *Soul Bell*, as it was sometimes called, because it was to be rung when the *soul* was *passing* away from the body, had its real origin in a very different purpose. Durand, in his *Rationale*, written about the end of the twelfth century, says, "when any one is dying, bells must be tolled, that the people may put up their prayers: twice for a woman, and thrice for a man; if for a clergyman, as many times as he had orders; and at the conclusion a peal on all the bells, to distinguish the quality of the person for whom the people are to put up their prayers." Even by the canons of our own church, which forbid "the bells to be rung superstitiously upon holy-days or eves abrogated by the book of Common Prayer," it is yet ordered that "when any is passing out of this life, a bell shall be tolled, and the minister shall not then slack to do his last duty. And after

the party's death, if it so fall out, there shall be rung no more than one short peal, and one other before the burial, and one other after the burial."

This practice of inviting prayer for a dying soul by the sound of a bell is of very high antiquity in England, and is referred to by Bede in his *Ecclesiastical History*. So also was another use of a bell, called the curfew bell, which is from the French *couvre-feu*, a fire cover, because by an edict of William the Conqueror it was commanded, that at the ringing of this bell all fires and lights were to be extinguished, and the lieges were to get them to bed and to sleep, and not to sit up at night hatching mischief, and concocting plans against the government.

Much might be added here about the size of bells, but it may be sufficient to say that the largest we have in England are the following:—

	tons.	cwt.
Oxford Great Tom .. ..	7	15
Exeter .. ..	6	0
London, Great Bell of St. Paul's ..	5	0
Lincoln, Great Tom .. ..	4	14
Canterbury, Cathedral Clock ..	3	14
Gloucester, College Clock ..	3	5
Beverley Minster Clock .. ..	2	10

At Nankin, in China, there are some very large ones, but the largest in the world are those at Moscow, the ancient capital of Russia. To give an idea of the vast size of the Russian bells it may be mentioned that the great bell of St. Paul's weighs between 11,000 and 12,000 lbs.; but in Russia one bell in the tower of St. Ivan's church, in Moscow, is of the weight of 127,836 lbs.; another in the cathedral there weighs 288,000 lbs., and a third, the largest ever known, weighs as much as 432,000 lbs. This monster bell stands nineteen feet high, and measures sixty-three feet eleven inches in circumference round the bottom, while its greatest thickness is twenty-three feet.



## CHAP. IV.

## PAROCHIAL CLERGY.

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It is our purpose in giving some account of the Parochial Clergy, who have either served or resided in this parish, not merely to form as complete a chronological list of them as we can, but also to detail any incidental historical notices that we meet with respecting them. These must necessarily at first be exceedingly slight and irregular, because the sources from which we can derive our information are but few and meagre, but we are able to go back more than six hundred years, as the first name on the list will show, and we shall in every instance prefix the title of the Clergyman's office to each individual, so that the eye of the reader or enquirer may easily catch and observe the changes that occur.

Of Rectors of the parish we never meet with any direct mention, for the manor and church having from the earliest period belonged to the Abbey of Winchcombe, the monks of that Abbey, according to the custom of the country in the early Saxon times, discharged the offices of the parochial clergy. On this subject Southey, in his *Life of Wesley*, remarks: "During the first centuries of the Saxon church there were no parochial divisions. The clergy resided in episcopal monasteries under the superintendence of the bishop as they had been brought up; they were sent from thence to instruct the country people and administer the offices of religion in the few churches which existed, or where there was no church at a cross in the open air; when they had executed their commission they returned, and others went out to perform the same course of duty." Of the crosses referred to above by Southey we have the remains of one existing in our parish at Gagingwell as already described. But of those who may have ministered there, whether from Winchcombe Abbey or elsewhere we have no records. In another part of this work we have had occasion to explain the origin and first introduction of the parochial system in this country, so that there will be no need of enlarging upon it here. Suffice it to say, that about the time when the manor of Enstone was given to Winchcombe Abbey, the system was making rapid progress in the kingdom, and that it was in all probability introduced here, when the first church, that dedicated to St. Kenelm, was founded, but that even then in all probability the clerical office was discharged here by occasional visitors, or travelling priests from Winchcombe, rather than by any settled and resident minister. The earliest mention of any parochial minister at all is of a Vicar so early as the year 1221-2, and

although this was long antecedent to the impropriation of the Rectory for the aggrandisement of Winchcombe Abbey, yet in those times there were Vicars as well as Rectors continually employed in the service of parishes, besides other clerical persons, such as Chaplains or Officiating Ministers. We will however proceed with our chronological record of Enstone Parochial Clergy.

VICAR, 1221-2. In the Book of Memoranda left by Hugh Wells, Bishop of Lincoln, in whose diocese all this part of England then was, it is stated that in this year Walter de Bannebir, that is Walter of Banbury, resigned the church of Ennestan or Enstone. (Harl. MS. 6950, fol. 64.) How long he had held it or for what reason he resigned it does not appear, though it is most probable that he did so upon his promotion to Banbury, the cure of the two parishes being incompatible on account of their distance from each other.

VICAR, 1346. As the preceding is the earliest mention met with anywhere of a parochial minister here, so this of 1346 is the earliest to be found in our parish records of a resident minister at Enstone. It occurs in one of our ancient deeds bearing date in the 19th year of Edward III., that is A.D. 1346. This deed recites that "William Newman of Clyveley gave, granted, and confirmed, domino Ricardo Mandegod perpetuo Vicario de Enston," that is, to Sir Richard Mandegod Perpetual Vicar of Enstone, "and another, one messuage and one yerd land in Clyveley." The title of perpetual Vicar denotes that the Vicar had not long before been relieved of all subjection to the Rector, by reason of the Rectory having been appropriated, as it had been by Edward II. to Winchcombe Abbey, and the word was employed exactly in the same manner as it now is with respect to Curacies, which are independent incumbencies, and are called Perpetual Curacies. "It is hard," writes Nash in his History of Worcestershire, "to fix the time when Vicarages were first established in England. . . . In the case of Britton v. Ward (Palmer's Reports 114) Mr. Noy says that Vicarages have been long before the time of King John, and that there are in Oxfordshire four Vicarages of far more ancient existence. In the 4th of Hen. II. a Vicarage was created by Alexander III., and the successor of the Parson could not remove the Vicar, because he was a perpetual Vicar. (Decret. Lib. 1. de Officiis Vicarii. tit. 13.) In the 2nd of Hen. III. a fine was levied of a Parsonage, except the Advowson of the Vicarage, which proves that Vicarages then existed. A great part of these appropriations were made temp. Hen. III. about the year 1225, when the practice of appropriating was become so frequent, that the nobility made a public remonstrance against it to Pope Alexander IV. In translating the word domino, *Sir*, I have been guided by the use of it in some of the ancient Spellesbury Court Rolls, where it is employed to express the title of one whose knighthood was undoubted, and to whom therefore would of right

belong the title of Sir. In further proof of its application sometimes to the Clergy, we have examples of its use in some of our older dramatists, as in Shakespeare we have the Welsh parson, Sir Hugh Evans, in the *Merry Wives of Windsor*, Sir Oliver in *As You Like It*, Sir Topas in *Twelfth Night*, and others.

CHAPLAIN or OFFICIATING MINISTER, 1350. Another ancient deed, dated in the 23rd year of Edward III., that is A.D. 1350, recites that William Follar of Clyveley, Capellanus, that is, as it might be literally rendered, Chaplain, or, as Warton says it should be rendered, Officiating Minister, granted to Alice le Follar all his tenements with the yerd lands in Clyveley. Of what he was Chaplain, however, does not anywhere appear, nor whether in any way connected with the parish church at Enstone; although as those were Roman Catholic times it is not at all improbable that he may have been a Chaplain Priest in connection with the then Vicar Richard Mandegod mentioned above, and officiating in some religious house or building at Clyveley.

VICAR, 1534-5. In the *Valor Ecclesiasticus* of Henry VIII. the Vicar of Enstone there named is John Crewys, as will be seen by reference to that work, vol. II. p. 181. fol. Lond. 1814. The date of this authority is 26 H. VIII. or 1534-5.

VICAR, 1578-1582. We now come to the period of our Registers, when, as may be anticipated, we meet with more frequent mention of our parochial clergy. The first whose name occurs is that of the Rev. William Bourne, of whose marriage in the year 1578 is this entry.

A.D. 1578. William Bourne, Clerke and Mrs. Jane Castesbie were married the 17th July. Their wedded life, however, was peculiarly brief, for on October 18, 1578, only three months after her marriage, we find the burial of Jane Bourne. Nor did her husband survive her many years, for A.D. 1582, William Bourne, Clerke, was buried the 18th day of April.

VICAR, 1582-1598. The next Vicar mentioned is the Rev. Thomas Bourne, though whether any relative or not of the preceding there is nothing to show. In an ancient deed of Feoffment of the Church Lands the Rev. Thomas Bourne is named as Vicar at that time, the deed bearing date in the thirty-first year of Elizabeth, A.D. 1588. In the registers, however, we have no notice of him earlier than 1592. At that date we read, "Thomas Bourne, Clerke, and Joane Moortone were married the 27th of November." In the following year, 1593, not 1592, as it apparently stands in the Register, we have "Thomas Bourne ye Sonne of Thomas Bourne, Clerke, and Joane his wife, was baptized the seventh of January. Consponsors Hercules Butcher, Richard Busbie, Anne Baker." This is the first instance of the registry of sponsors since the first seven entries in the book in the year 1558, so that this practice, though most excellent and useful, as enabling a clergyman, in after years, to remind the sponsors of

their responsibility, in the event of a young person going astray, had been neglected for thirty-five years, and was but very rarely indeed at any future period revived. The fact of this child being born so shortly after wedlock implies, that there was something untoward in this marriage, and there are other circumstances that go far to confirm this idea. No other children are born, and the Vicar seems to have ceased to discharge the duties of the parish, and to have had a Curate settled here with him. He died in 1598, for at that date we find, "Thomas Bourne, Vicar of Enstone, was buried within ye Chancell ye 11th of June." And now we note another and conclusive confirmation of his untoward marriage, for within a few months after we read, A.D. 1599, "Francis Smith and Joane Bourne were married the 19th day of Februarie." We do not meet with her under her new name of Joane Smith, so that it may be presumed she quitted the parish altogether upon this her second marriage. Whether the Vicar were faulty or only unfortunate in his untoward marriage, the fact itself is to be taken as a proof of the condition into which the clergy had at this time been sunk from a variety of causes, such as their impoverished state, their defects of education, and above all the supple and indifferent manner in which too many of them had vacillated from Popery to Protestantism, and from Protestantism to Popery, after the famous example of the well-known Vicar of Bray. Of the degraded state of the Clergy at this time, Southey in his *Life of Wesley* has given the following account: "The greatest part of the country clergy were so ignorant that they could do little more than read; many of them were carpenters and tailors, having taken to those employments because they could not subsist upon their benefices, and some even kept alehouses. During the first years of Elizabeth's reign, the service in many of the London parishes was performed by the sextons: and in very many vicarages, some of them in good provincial towns, the people were forced to provide themselves as they could. . . . Owing therefore to the indifference or incapacity of one part of the clergy, and to the temper of another, there was at the same time an increase of fanaticism and a decay of general piety." Vol. I. pp. 317, 318.

CURATE, A.D. 1594. It has been stated above that Thomas Bourne had apparently ceased to act as parochial minister, though still holding the vicarage, and had a curate to discharge his duties. This we learn from the following entry in the year 1594. "Thomas Lee sonne of Christopher Lee Clerke and Judyth his wife was baptized the 18th of November." This child, however, only lived a few months, for A.D. 1595 we read, "Thomas Lee was buried the 7th of Februarie." Whether this Rev. Christopher Lee was of the noble family now settled at Ditchley I have no knowledge. There is no mention of him by Wood in his *Athenæ*. But it is most probable he was, as many of the family were at this time addicted to the clerical profession.

VICAR, 1598-1626. Thomas Bourne appears to have been succeeded as Vicar by John Pringe. In the Deed of Feoffment dated Jan. 30, 1655, he is stated to have been Vicar in the 12th year of James I., that is in 1615, for he then selected and appointed, in conjunction with the Churchwardens, new Feoffees to the Charity Estate. This, however, is the only notice to be found of him until 1626, at which date we read in the Register, "A. D. 1626, John Pringe, Vicar (deceased ye 23rd), was buried ye 26th of November.

VICAR, 1626-1686. John Pringe concluded his vicariat in the year 1626, being the second year of the untoward reign of Charles I. The careful compilation of the Registers, which had continued until his death, now altogether ceased, and we can trace neither Register nor Vicar throughout the troublous times of Charles I. and the Commonwealth, until the year 1654, being the year after Cromwell's assumption of the Protectorate and the title of Highness. With this return to sovereign power there also came back order and rule throughout the realm, and of this we have an example in the renewal of the parochial registers, which commence with this statement :

22 June 1654. John Beckingham of Enston Clerk was sworn and approved to be register of ye parish of Enston.

Now what is remarkable about this appointment is that this Rev. John Beckingham was, at this very time, the ejected Vicar of this parish, another having supplanted him here. For fortunately we can supply from other sources the defects of our own parochial records. In Walker's "Sufferings of the Clergy," mention is made of Mr. Beckingham, but yet so slight as only to imply, that he was at this time a sufferer for conscience sake, though to what extent and how long are not recorded, the whole statement respecting him being no more than this: "Oxfordshire, Beckingham, John, , Enston and Highthorp, V." Part II., p. 206. From this, however, it appears that he was a pluralist, as well as a sufferer; and we may possibly infer that his first characteristic was in its degree the cause of the second.

Mr. Beckingham had thus evidently been ejected from his preferments; nor, although appointed register in 1654, was he reinstated until 1662, when the intruding Vicar was in his turn deposed. Nowhere do we learn, however, when he was first appointed, nor until the year 1663 do we find him spoken of in any of our documents as Vicar. In that year he describes himself Vicar in the Ancient Overseers' book, and so he continued until his decease in the year 1686, at the age of seventy years. He is buried in the centre aisle of the church, under a large blue stone having this inscription :

H. S. E.  
Johannes Beckingham, S.S.T.P.  
Hujus Ecclesiae Vicarius  
Obiit sexto die Decembris  
Anno { Xti 1686.  
          { Ætatis suæ 70.

Translation. Here is buried John Beckingham, Professor of Sacred Theology, Vicar of this Church. He died on the sixth day of December, in the year of Christ 1686, of his own life 70.

VICAR *ad interim*, 16 -1662. As has been already intimated, the Rev. J. Beckingham was at some period of his vicariat ejected, and another intruded into his place. This was the Rev. Samuel Burnett, who equally like his predecessor became a sufferer for conscience sake, and in his turn an ejected minister. This fact we learn from a MS. volume by Gough preserved in the Bodleian Library at Oxford, in which amongst others named as Vicars of Enstone, and immediately after the Rev. John Beckingham, occurs this notice: "Sam: Burnett, ejected 1662. Call: Life of Baxter p. 336. Kennet's Reg: and Chro: p. 905." On consulting the authorities here referred to, we find it stated in the Life of Baxter, new edition, vol. ii., p. 542, thus: "*Enston*: Mr Sam: Burnet, who afterwards apply'd himself to the Study and practice of Physick." This is confirmed by the second authority thus: "Mr Samuel Burnet ejected from the living of Enston Com: Oxon. afterwards apply'd himself to the study and practice of Physick." But, although the date of his ejection is given, that of his appointment is not, so that the length of his residence and service here is uncertain.

VICAR, 1686-1704. Mr. John Naylor would seem to have succeeded Mr. Beckingham as Vicar, for he can be traced by his handwriting in the Registers in the year 1689, so that there can be little doubt that he was the successor of Mr. Beckingham, though he may not have commenced residence immediately. Already in his time there arose complaints about the maladministration of the Charity Estates, and Mr. Naylor himself was so ardent a reformer of the abuses then existing, that he entered in the account book his protest against them, which though not very lucid was no doubt sufficiently well understood, and endures to this day as a memorial of his zeal in the following words:

"In presence of the Parishoners of Enston, I John Naylor Vicar of the same, doe hereby enter my protestation, that, unless the Parishoners of the said Parish, or others, who are Trustees for the Church Estate doe proceed according to the Donor's Will I doe hereby protest against them. John Naylor, Vicar."

It is to be feared that Mr. Naylor's protest, like many similar individual and well meant efforts to reform abuses, was but little regarded. He did not however stop here, but did in effect renew his protest from year to year by refraining for the future from signing the annual accounts, expressing thereby his disapproval of them, and of the management of the Charity Estate, by withholding that which, according to the constitution of the trust, is essential to the auditing and passing the accounts, the signature of the Vicar together with six substantial men of Enstone.

Mr. Naylor died in 1704. According to the register, in which is

this entry: "A.D. 1704. Mr. John Naylor Vicar of Enston was buried July 1st, 1704. Affidavit was made before Mr. Brideoake Rector of Swarford." On a corner buttress of the church porch, there is a small, diamond shaped, white marble slab to his memory, bearing this inscription.

Juxta  
Depositum  
Joh:<sup>s</sup> Naylor. A.M.  
Coll: Univ: Socius & Hujus  
Ecclesie Vicarii. Obiit.  
Jun: XXIX A.D. MDCCIV.  
Ætatis 49.  
Maxime abjectus  
in Domo  
Domini.

Translation. Near this spot is deposited John Naylor, Master of Arts, Fellow of University College, and Vicar of this church. He died, June 29, A.D. 1704, in the 49th year of his age, grievously dispirited in the house of the Lord.

It is, indeed, questionable what may have been the purport of this inscription, and especially of the words "maxime abjectus," for they may mean either "grievously dispirited" as they have been rendered above, or "deeply humbled." If the latter they would very properly express the humility which every minister of God should feel, according to the words of the apostle, "Who is sufficient for these things?" And, if we had no facts to direct us otherwise, this is the sense we should certainly prefer, as being most worthy of a minister of Christ. There is, however, too much reason to take a different view of the expression. If therefore it is to be understood in the sense we have at first given to it as denoting that he had been "grievously dispirited," and disappointed, in his ministerial course here, the cause for his discomfiture is to be found in the proceedings, in which he became involved, respecting the use and administration of the Charity Lands, and which led to a commission of enquiry issued out by the Court of Chancery in the year 1701, the result of which commission was, the defeat of himself and those who acted with him in the parish. Mr. Naylor died, shortly after the decree of the commission, known amongst our deeds as the Witney Decree, which however did not finally settle the matter, though its course was adverse to him; but his churchwarden, Mr. Eyans, lived to see the decree of the Commission in part revised, and an arbitration award given in his favour, relieving him of much of the expense of the Commission, and altogether of the repayment of the Charity funds alleged to have been improperly expended.

VICAR, 1704. The immediate successor of Mr. Naylor was the Rev. Peter Waldo, who signs himself in the Overseers' book, "Peter Waldo Vic: Dep." This does not mean, as it might imply,

the Vicar's deputy, who would be a curate, but, as we find it elsewhere written, Vicar Depute, that is one deputed, or as we should now say, one nominated, to be vicar, but not yet inducted and fully possessed of the vicarage. So we several times meet with clergymen at first describing themselves only as vicars depute, and subsequently becoming full vicars. The names both Christian and surname, of the Rev. Peter Waldo are so remarkable, as to encourage the inference as highly probable, that he was of foreign extraction, and a descendant of the famous Peter Waldo, the merchant reformer of Lyons, who being condemned in 1172, emigrated into Germany and died in Bohemia, whence this his descendant may have come with others of the Moravian brethren to this country. It is most probable that he was a relative, possibly a son even of Sir Edmund Waldo of Pinner in the county of Middlesex, who from the fact of his having given to the church between 1684 and this time all the works of the author of the "Whole Duty of Man," evidently had, or took, some peculiar interest in the parish.

VICAR, 1705-1707. Mr. Waldo discharged the office of Vicar apparently for a few months only, for as Mr. Naylor had died in June 1704, and we find the name of a new Vicar in the Overseers' book in the following year 1705, Mr. Waldo's time here was very short. The new name in 1705 is that of the Rev. Robert Rogers, who describes himself that year as "Vicar Depute," and in the following year, 1706, as Vicar. In the register of deaths for that year there are three entries in Mr. Rogers' handwriting, and in 1707, two with the initials R. R. appended to each. So again in the register of baptisms for the year 1707, there are two in the same handwriting, the last being of the date of "July ye 9th," not long after which, as will be seen below, another clergyman had entered upon the charge of the parish.

PARISH CLERK. -1706. This year died Robert Tomms, who had been to the time of his death parish clerk, but what year he entered upon that office, or who at any time were his predecessors, there are no records of.

PARISH CLERK, 1706-1750. The former Robert Tomms was succeeded in his office by his son Robert, who continued to discharge the duties of it for the long period of 44 years, until he died, in 1750.

VICAR, 1707-1709. In the accounts of the Charity Estate for the year 1707, there appears this entry: "Met ye 2nd of Nov. 1707, according to the Decree and pass'd the accounts so far as relates to the Charity money. Witness our hands, William Evans Cur. &c." Mr. Evans thus commenced his duties here as Curate, a different position evidently from that of his immediate predecessors, who had begun as Vicars Depute, and eventually became Vicars. How long Mr. Evans continued in this position does not appear, but he subsequently became Vicar, for in a MS. of Gough, in the



Bodleian Library in Oxford, I find amongst other Vicars' names that of "Will. Evans, M.A. 1707."—MS. Gough, Oxon. 46.

VICAR, 1709-1721. In the Overseers' accounts from the year 1709 to 1720, appears the signature of Dan. Stacey Vicar, who died in the following year, according to the entry of his burial in the Register thus, "A.D. 1721, Doctor Stacey Vicar of Enstone was buried in Linen April ye 22 day 1721." Dr. Stacey was the son of a tanner in Oxford, and having been educated at Magdalen College, Oxford, I have been favoured by the kindness of the Rev. W. Bloxham, Librarian of that College, with the following skeleton sketch of his life and progress: "Admitted Chorister of S. M. Magdalen College, Oxford, in 1676, which office he resigned in 1683. Matriculated 29 Nov. 1682. æt. 16. Son of Joseph Stacey of Oxford, *paup.* Demy of Magdalen 1683-1692. B.A. 28 June 1686. M.A. 3 May 1689. Elected Probation Fellow in 1692. Junior Dean of Arts, 1701. B.D. 11 Feb. 1699-1700. Bursar, 1702, 1711, 1719. Dean of Divinity, 1704. D.D. 1 July 1708. Vice President, 1712. Prælector of Divinity, 10 March, 1719-20. Obiit 17 April, 1721. Buried at Church Enstone 22 April, 1721. Administration of his effects was granted to his brother Samuel, a tanner in Oxford, 23 June, 1721." Simple as this statement of facts is, it contains matter of much interest and gratification. It is most interesting to see one, born in the position in which Dr. Stacey had been, enabled by the means of such a noble foundation as Magdalen College, to cultivate the talents that had been given him; and though beginning his course there first as a singing boy, and subsequently as a poor scholar, yet eventually attaining to the highest degree of divine learning in the University, and to valuable, responsible, and honourable offices in the College; while it is equally gratifying to find, in an institution of so much nobility and dignity, talent and learning allowed their due station and right, and all just honour rendered to worth, however humble its source or lowly its origin.

In a MS. Diary of Thomas Hearne, the Antiquary, remaining in the Bodleian Library, there are a few notices of Dr. Stacey, which will help, however slightly, to give body to the sketch we have been favoured with above. These notices are the following:—

"A.D. 1713. Sept 21. Monday. Yesterday in the afternoon preached at St. Mary's, Dr. Stacey of Magdalen College, and 'twas as bad a sermon as the other in the morning was good: full of coffee-house talk about politics and not in any respect worthy of the pulpit.

A.D. 1715. Oct. 18. This day, being St. Luke's, the Sermon was preached at St. Mary's by Dr. Stacey of Magd. Coll., upon Ps. cxxxix. 7, 8, about the ubiquity or omnipresence of God, against the Socinians and others. It was a pretty tolerable discourse, though some of the expressions were bombast.

A.D. 1717. July 18. The Assize Sermon was preached at Oxford last Thursday morning, by Dr. Daniel Stacey, Fellow of Magd. Coll., which was a strange one and not to the purpose. This Dr. S. sometimes preaches Sermons without any Divinity in them. His father was a tanner in Oxford. Before I came to Oxford he was Repeater of the Easter Sermons, and came off well.

A.D. 1720. Nov. 13. This day in the afternoon preached at St. Mary's Dr. Daniel Stacey. His discourse was such as made, as I am told, all the congregation laugh: filled with strange odd stuff, and containing nothing of divinity, which is his usual way of preaching.

A.D. 1721. April 21. Friday. Yesterday, in the evening, about seven o'clock, the great bell at Magd. Coll. rang for Dr. Daniel Stacey, Fellow of that College. He was struck with a dead palsy on Monday last at Enstone, where he was Minister. I remember when I came first to Oxford, he had the character of a good preacher among some people, particularly I used to hear one Hammond of Edmund Hall, who was looked upon as a good Scholar, say that he was the best preacher in Oxford, but afterwards he grew dull and heavy. When M.A. he repeated at St. Mary's, as I have heard, and did it admirably well, though some wished he might have been out, because he came up without any notes, leaving them behind him."

These reminiscences of Dr. Stacey by Hearne, are evidently conceived in a harsh and severe spirit, although much praise of Dr. Stacey is still contained in them. Their moroseness will the less surprise us when we bear in mind the disposition of Hearne himself, of whom it is recorded that his "temper was naturally irritable, and he was far from being either an amiable or a happy man." Moreover he was a nonjuror and of different politics therefore from Dr. Stacey. His insinuation that one of his sermons was full of coffee-house talk about politics, refers to the customs of the time, when newspapers being as yet but very imperfect and most inadequate means of intelligence, politicians and wits were accustomed to meet in coffee houses for the purpose of hearing and discussing the events and the opinions of the time. That politics are unsuitable to the pulpit, and that the mission of the preacher, "the legate of the skies," is from heaven to earth, and not of earthly things, is unquestionable, but unhappily in Dr. Stacey's time it was too much according to the fashion of the time to indulge in such discourses, and this may excuse though it cannot justify him. That he was an earnest and zealous preacher is proved by the fact of his repeating his sermons, and that even without notes. Preaching is properly and strictly that which now-a-days is called extempore preaching, for the word preaching, according to its derivation, means speaking forth or proclaiming. Lecturing was the reading a discourse, and this had become so much a habit in the days of Charles II., and was so much disap-

proved of, that those who read their sermons were called in derision "bosom preachers," because they carried their sermons into the pulpit concealed in the bosom of the cassock, and drawing it thence read it to the congregation. This practice was not only condemned as unworthy of ministers of the gospel, whose high privilege it is rightly to divide the word of truth, but it was forbidden by an injunction to that effect, and those who could not venture to preach without writing their sermons were commanded to learn them by heart, and so to repeat them. Dr. Stacey's diligence in doing this evidently drew down upon him the censoriousness of Hearne, whose party were always opposed to everything esteemed by them puritanical, however right in itself. But such preaching, more especially as denoting earnestness in the preacher, has always been esteemed so, and doubtless this feeling as well as difference in politics had its influence in Hearne's judgment of Dr. Stacey. His noticing as he does, that he was the son of a tanner, evidently was intended as a slur upon him, an unworthy imputation, and one only derogatory to him who makes it.

In the Court Rolls of the Manor of Enstone for the year 1715, a presentment is recorded against Doctor Stacey for having erected some building contrary to the rights of the Lord of the Manor. Doctor Stacey was buried in the centre aisle of the church under a large blue stone to the west of that under which Mr. Beckingham was buried, and on which is this inscription :

H. S. E.  
Daniel Stacy, S. T. D.  
Socius et Theologiæ Professor  
Collegii Sanctæ M.  
in Universitate Oxon  
et  
Hujus Ecclesiæ Vicarius  
Obiit 20. Ap<sup>l</sup>. 1721.  
Æt<sup>s</sup>. 56.

Translation. Here lies buried Daniel Stacy, Doctor of Divinity, Fellow and Professor of Theology of the College of Saint M. (Mary Magdalen) in the University of Oxford, and Vicar of this Church. He died April 20th, 1721, in the 56th year of his age.

VICAR, 1721-1763. During the long period of 42 years that intervened between the death of Dr. Stacey and the succession of Mr. Sheppard to the Vicarage, there is notice of only one Vicar, the Rev. Tho. Skeeler, whose name appears first in the year 1728, for in a lease of that year of the Kiddington land, purchased in accordance with Mr. Martin's will, and known as the Beef Estate, the Reverend Thomas Skeeler, Clerke, is one of the parties to the lease. His name appears only once in the Overseers' book to their accounts and the appointment of officers for the year 1733, being written thus, "Tho. Skeeler Vicar." Again in another lease of the Kiddington land of the year 1733, he is described as "Thomas

Skeeler of Lutemar Doctor of Divinity and Vicar of Church Enstone in County of Oxon." The word Lutemar is a mistake for Lewknor, for in a MS. of Gough, in the Bodleian Library, Oxford, I find that Tho. Skeeler, M.A., was Vicar of Lewknor in the year 1742, so that he held both preferments at the same time, residing apparently at Lewknor and having a Curate here.—MS. Gough, Oxon. 46.

We have already seen that the Rev. Tho. Skeeler was Vicar of the parish as early as 1728, and was still alive in 1742, so that it is most probable that he was Vicar during the whole period of 42 years, from 1721 to 1763. However this may be there is no notice anywhere here of either his death or burial; nor in fact does he appear to have acted as parochial minister here after the year 1731, when we first meet with a Curate acting for him, and subsequently a rapid succession of them.

CURATE, 1731-1736. In the Overseers' accounts the name of the Rev. W. Wilcockson appears as Curate from the year 1731 to 1736. In the year 1734, Mr. Wilcockson sustained a severe loss in the death of his young wife. In the register her burial is recorded thus: "1734. Mrs. Abigail Wilcockson was buried in Wool only May 20th."

She was buried in the centre aisle to the westward of Dr. Stacey, and on a small square brass inserted in the middle of the stone covering her grave is this inscription:

To the Memory of Abigail late Wife of the Rev<sup>d</sup> Mr Wilcockson who departed this life May the 19<sup>th</sup> 1734, and in the 20<sup>th</sup> year of her age.

Beneath this stone there lieth a faithful wife,  
Call'd hence by death while in the prime of life;  
Beauty and Innocence in her combin'd,  
As that the body, this adorn'd the mind,  
Those lovely virtues that enrich the soul,  
Truth, Modesty, and Candour, crown the whole.

From the suddenness with which Mrs. Wilcockson was buried, having died only on the 19th of May, and been buried on the 20th, we may infer that the cause of her death was some severe and infectious disorder, carrying her off rapidly, and necessitating so hasty and therefore painful a burial. Mr. Wilcockson did not long survive the loss of his young wife, for in the register for 1736 we have the following entry of his burial:—"William Willcockson was buried in Shipes wool only September ye 18 day 1736."

CURATE, 1739-1741. Rev. Richard Ward, according to the Overseers' Account Book.

CURATE, 1741-1744. Rev. Edward Ford. Ibid.

CURATE, 1745-1747. Rev. Christopher Musgrave. Ibid.

CURATE, 1747-1763. In the year 1747, the Rev. George Sheppard commenced his ministerial duties in this parish, and continued

in them during the long period of 37 years. For the first sixteen years of this period, that is until the year 1763, Mr. Sheppard was Curate only, and while acting in that capacity was married in the year 1752, as appears from the following entry in the marriage register:—

“A.D. 1752. Nov. 16. The Rev<sup>d</sup> Mr George Sheppard and Mrs Hannah Franklin by Licence.”

He was at this time in his 42nd year, and she was in her 36th, but it does not appear that they had any family, although their nuptial life lasted 32 years. It is most probable that Rev. George Sheppard was a member of a family, of whom we find mention amongst the magistrates; for in 1676, Rev. Wm. Sheppard, in 1691, Robert Sheppard, and in 1712, another Wm. Sheppard, all acted in the commission of the peace in this vicinity.

VICAR, 1763-1784. Mr. Sheppard succeeded to the Vicarage in 1763, although it is not possible to trace with any degree of certainty the name of his predecessor. Mr. Sheppard's vicariat lasted 21 years, he having died in the year 1784, according the following entry in the register of Burials:—

“A.D. 1784. The Rev<sup>d</sup> George Sheppard aged 74, of this Parish Vicar was buried in Woollen March 13<sup>th</sup> 1784. Registered March 19<sup>th</sup> by me Edw<sup>d</sup> Marshall Curate.”

Mr. Sheppard had continued to fulfil the duties of the Parish up to the middle of January in this year, when his name appears for the last time in the Registers, nor until the middle of February does the name of a Curate, Rev. Edward Marshall occur, so that Mr. Sheppard must have enjoyed a green old age, and have failed in his labours only a few weeks before his decease. His wife survived him nine years, and attained to a greater age than himself, as is recorded in the register of her burial thus:—

“Hannah Sheppard aged 77, of this Parish April 2<sup>d</sup> 1793, was buried in Woollen. Registered April 6<sup>th</sup> by me S. Nash Minister.”

The husband and wife both lie buried in one grave in the middle of the churchyard, covered over with a low slab tomb, on the top of which are inscribed these words:—

In  
Memory of the Rev<sup>d</sup>  
Mr George Sheppard  
who died March the 8<sup>th</sup>  
1784  
Aged 74 years  
Also  
Hannah His Wife  
Died April the 21, 1793,  
Aged 77. Years.

PARISH CLERKS. 1750-1789. It has been already mentioned, that two persons of the name of Tomms, apparently father and son, served the office of Parish Clerk in succession. It is very difficult indeed to make out the successions of these officers



**PARISH CLERKS, 1789-1802.** Upon the decease of Richard Tenant in 1789, it appears, so far as can be gathered from tradition, that Matthew Collet became the Parish Clerk, and served the office until the time of his death in 1795, at the age of 65 years. He was succeeded by William Leonard, who held the office until the end of the year 1801, when he died at the age of 61, and early in the following year, Edward Bennett was appointed to succeed him.

**VICAR, 1830-1840.** Rev. Joseph Sibley succeeded Mr. Nash, and was Vicar for ten years, though seldom resident, and having at different times various Curates. During his time the old Vicarage house was taken down, and the new one built, the money expended on it being a sum of £900, which had been granted in augmentation of the living by Queen Anne's Bounty, and a further sum of £530, together with all the stones given by Viscount Dillon, his Lordship being the Patron of the living, and his youngest son being designed to succeed as Vicar. In Mr. Sibley's time, also, the Tithe Commutation Act was put in force in the Parish, and a voluntary Commutation of Tithe for Rent Charge was agreed upon in the year 1840; but in consequence of the Enclosures of the Neat Enstone and Church Enstone fields, which thereupon immediately commenced, the Apportionment, that is the full completion of the Commutation, did not take place until 1845.

**CURATE, 1830.** Rev. Thomas Oakley.

**CURATE, 1834.** Rev. H. B. Wilson, D.D.

**CURATE, 1835-1838.** Rev. William S. Chapman. Mr. Chapman was the person who procured the building of the National Schools.

**CURATE, 1839.** Rev. Thomas J. Brown.

**CURATE, 1840.** Rev. Edward Marshall.

**VICAR, 1840.** Rev. John Jordan.

**PARISH CLERKS, 1802-1848.** Edward Bennett entered upon the office of Clerk in the beginning of the year 1802, and continued to discharge it until the time of his death in 1848, at the age of 75 years, when he was succeeded by Thomas Hawtin. Edward Bennett was a type of the class of persons often found filling the office of Clerk. He was a man of a quick, shrewd, intelligent mind, with a very retentive and well stored memory, full of anecdotes and tales of bygone times, and deservedly a man of consideration and standing amongst his fellows.

CHAP. V.  
ANCIENT DOCUMENTS.

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We are in possession in this parish of some very remarkable ancient deeds, which were brought to light under very peculiar circumstances. In the year 1841, it was found necessary to survey, and examine into, the then state and condition of the Enstone Church Estate, as our oldest and most valuable Charity endowment was called. The whole of this Estate lay scattered in various strips or parcels of land all over the township or field of Cleveley, and consequently was intermixed with other properties, as is always the case in open and unenclosed fields such as Cleveley Field then was, as well as Neat Enstone and Church Enstone Fields, both of which have since been regularly enclosed under a Commissioner according to the General Enclosure Act. The whole of the Charity lands in Cleveley amounted in statute acres to rather more than sixty-four acres, according to a Terrier very carefully made in the year 1806, but these sixty-four acres consisted of as many as one hundred and forty-two pieces, all separate from each other, and all scattered and intermixed amongst other properties, and only divided and to be distinguished by most uncertain bounds or metes, such as a more or less narrow strip of rugged grass, a few bunches of furze or bushes, or rough and shapeless stones easily moveable and telling nothing certainly as to the right boundaries of the lands. Added to all this, the adjoining properties had by degrees passed into the hands of one family, and that family had been the Lessees of the Charity Estate ever since the year 1809, which being thus continually in the hands of one person, and worked by him according to the modern systems of farming, there was the greater danger of all the metes and bounds being obliterated, and the more urgent necessity therefore for retaking the Estate from the Lessee, for rediscovering and establishing its full rights and measurements, and for placing it in a position of safe custody and preservation for the future. The attempt to do this, however, led to legal proceedings of a complicated nature and considerable length, but by these very circumstances justifying the determination that had been come to, to retake and wholly recover the Estate, which else by lapse of time seemed in danger of being merged and lost in other lands. In the course of these proceedings, which resulted in the complete recovery of the Estate, it became necessary to hunt up every document that could throw any light on the subject, and this led to the discovery and examination of a number of small slips of parchment, that lay in confusion among many old accounts and other parochial papers, in the small



apartment, or muniment room, over the Church porch. These seemed to be almost illegible and useless, and although on the backs of one or two of them there were brief notes, in the handwriting of a former Vicar, Rev. Samuel Nash, indicating that he had tried to peruse them, but had not been able to make them out, or understand them, for he had labelled them "Cleveley's Land," as if they had belonged to one Cleveley instead of having been in the field of Cleveley; yet at first it seemed to one entirely unacquainted with such documents the most hopeless thing to attempt to read them, or to discover their purport or design. It was, however, observed about them, that although spread out and flattened, much to the damage of their written contents, they had creases in them as if they had been formerly folded up, and when this clue was once seen, it was found that they all folded in a particular manner, and that when folded they took the exact form and appearance that all parchment deeds generally have at the present day, but were of a very diminutive size, so as to have been rather designed for the kingdom of Lilliput than for a mighty Brobdignag nation as we esteem ourselves. Indeed, the smallness of these deeds strangely contrasts with the great size to which modern deeds of conveyance have grown, but they prove how true the saying of the wise man was that "there is nothing new under the sun;" for although of late years we have been accustomed to hear of purchasers of land in Ireland under the Encumbered Estates Act taking home their title deeds in their waistcoat pockets, all old conveyance deeds being swept away by the power of the Court, and new concise and simple ones substituted, so we find that our ancestors were as wise as ourselves, and contented themselves with equally small deeds, for any one, or some half-dozen even, of those we have, might safely be stowed away in an ordinary sized waistcoat pocket. These facts illustrate an incident in history, mentioned by Hume as having occurred in the reign of Richard I., for he states that "an action having taken place between the French and English cavalry at Fretteval, in which the former were routed, the king of France's cartulary and records, which commonly at that time attended his person, were taken." How the charters and records of a sovereign, which in our days require vast muniment offices to contain them, could be carried about in a cartulary, that is a deed box, seems unintelligible until we learn as here the diminutiveness of the deeds.

Some one or two of the deeds had portions of seals affixed to narrow strips of parchment, which had been inserted into slits cut in the deeds, and then tied together, so as to hang dangling to the foot of the deed. They are all of them written in Latin, though not very classical or elegant, and may with some little trouble, and after some practice and acquaintance with the ancient styles of writing, be read and interpreted. They consist for the most part of grants or leases of lands and all relate to certain lands in the

township or field of Cleveley, one of the ancient tithings or hamlets of this parish. Some of them are exceedingly interesting from their contents, affording much local information with regard to the highways, and some of the customs and habits of our ancestors, and two especially are of preeminent interest as being relics of an age, and testimonials of the condition of the people, when villenage or slavery, for villenage was the Saxon term for slavery, still lingered in our now free and happy country. We will first give a list of these documents, and will subsequently comment upon any topics of interest that arise out of, or are suggested by them. Their ages and dates are from the time of the twenty-fourth year of Edward I. A.D. 1295, down to the thirty-first of Elizabeth, A.D. 1588.

#### CHRONOLOGICAL LIST OF DEEDS.

1. No date. 1295. 23, 24, Ed. I. Grant from Margery de Dycheleye relict of Radulf de Dycheleye to her daughter Isabell of two messuages with one yard land in Cleveleye which came to her by the gift of her father Thomas Colonna, for her child about to be married to have and to hold for ever on payment to her mother of one rose annually on St. John Baptist's day, June 24, and to William le Colonna twelve denarii on the Feast of Saint Kenelm the king.

2. 11 Ed. II. 1317. Grant from Isabell, who had been the wife of Henry called Jacob de Torstan, to her daughter Elyanor of her land and tenements in the village and fields of Clyvele to have and to hold by payment of the chief lord's fee instead of the services thence due and accustomed. Given or dated at Clyvele (die Mercurii) on the Wednesday next before the feast of St. Kenelm in the eleventh year of the reign of King Edward son of King Edward. Wednesday before Dec. 13, 1317.

3. No date. Grant from John son of William the Foller of Clively to John le Neuweman Elyanor daughter of Henry Jacob de Torstan and their heirs of the messuage, curtilage, croft, and yard land, which he had held of the grant and feoffment of the said Elyanor, on payment of the chief lord's fee instead of the services thence due and accustomed.

4. 12 Ed. III. 1339. Grant from John Zaneyrthe of Gadeligwelle to John the Ffoller of Clyvele and Alice his wife of three acres of arable land in the fields of Clyvele which he had of William the Ffoller, to have and to hold on payment of the chief lord's fee instead of &c. Given or dated at Clyvele (die Jovis) on the Thursday being the feast of the Apostle Barnabas in the twelfth year of the reign of King Edward the third. Thursday, June 11, 1339.

5. 12 Ed. III. 1339. A transcript of the preceding, but in a different handwriting.

6. 13 Ed. III. 1340. Grant of Manumission made by John de Crombe Lord of Tydulmyngton to John Hobbes of the same insur-

ing to him every kind of liberty, and full release from all villein service and from every bond of servitude or slavery whatsoever. Given or dated at Tydulmyngton on the Sabbath next before the feast of Saint Frideswyde the virgin. In the thirteenth year of the reign of King Edward the third after the conquest. Sunday before October 12, 1340.

7. 14 Ed. III. 1341. Grant from Alicia le Veysi of Chaleford to John le Ffollor of Clyvele of one acre of arable land with one plaga of a curtilage at the end of the middle of the said acre lying above the village of Clyvele in the upper croft which is called Orchard croft next the land of John de Bladintone on either side and abuts upon the highway leading to Oxford, on payment of the lord's fee. Given or dated at Clyvele (die Dominica) on the Lord's day next before the feast of St. Hilary. In the fourteenth year of the reign of King Edward the Third from the conquest. The Sunday before January 13, 1341.

8. 14 Ed. III. 1341. Release by John Brown son and heir of Alicia le Veysi of all his claim in the beforenamed acre of land. Given and dated at Clyvele (die Mercurii) on the Wednesday next before the feast of St. Hillary in the fourteenth year of the reign of King Edward the Third from the conquest. The Wednesday before January 13, 1341.

9. 14 Ed. III. 1341. Grant from Alicia le Veysi to John le Ffollor of two schones of arable land lying apart or divided at the end of the village of Clyvele in the lower croft which is called Orchard croft one schone lying between the Yrysche croft and the land of John of Bladintone and the other schone lying between the land of John of Bladintone on either side and abuts upon the highway leading towards Oxford, on payment of the lord's fee &c. Given or dated at Clyvele (die Dominica) on the Lord's day after the feast of St. John before the Latin gate in the fourteenth year of the reign of King Edward the Third from the conquest. The Sunday after May 6, 1341.

10. 14 Ed. III. 1341. Release by John Brown of Chaleford as above (8.) of all his claim in the before-named two schones of land. Given or dated at Clyvile (die Dominica) on the Lord's day next after the feast of St. John before the Latin gate in the fourteenth year of the reign of King Edward the Third from the conquest. The Sunday after May 6, 1341.

11. 18 Ed. III. 1345. Release by Alicia le Veysi of Chaleford of all her claim in an acre of arable land in the fields of Clyvele, whereof one half acre lies in the Orchardes crofte near the highway which leads towards Oxford between the land of John of Bladinton on either side and the other half acre lies in the eastern field in Wolfhaine Welle furlong between the land of John of Bladinton on one side and the land of Hugo the Tallar (Tailor) on the other side. Given or dated at Clyvele (Die Dominica) on the Lord's day next before the feast of St. John in May. In the

eighteenth year of the reign of King Edward the Third from the conquest. The Sunday before May 6, 1345.

12. 19 Ed. III. 1346. Grant by William Newman of Clyveley to Mr. Richard Mandegod perpetual Vicar of Enston Richard Bondess of Hognorton of a messuage and a yard of land with all their appurtenances in the village and fields of Clyveley to have and to hold by payment of the chief lord's fee &c. Given or dated at Clyveley (die Dominica) on the Lord's day next after the feast of Saint Edward King and Confessor. In the nineteenth year of the reign of King Edward the Third after the conquest. The Sunday after Jan. 5, 1346.

13. 19 Ed. III. 1346. Grant by Alicia le Veysy of Chaleford daughter and coheirress of Roger of Stonehard to John the Ffollar of Clyvele of three yearly solidate rents of Annuates to be paid for a certain messuage with a curtilage and its appurtenances upon the Westhill which Roger the Mason and Sarra his wife hold of her for the term of their life as well as for the restoration of the said messuage after the death of Roger and Sarra, to have and to pay and to hold the said rents at the four principal and usual annual periods in equal portions with the chief lord's fee &c. Given or dated at Clyvele (die Lunæ) the Monday next after Pentecost. In the nineteenth year of the reign of King Edward from the conquest in England but the sixth of his reign in Ffrance. The Monday after Whitsunday, 1346.

14. 19 Ed. III. 1346. Grant from Alicia le Veysy of Chalkford to John the Ffollar of Clyvele of three yearly denarate rents of Annuates to be paid for a certain messuage which John the Tayllor holds in Clyvele at two Annual periods to wit at the feasts of the Annunciation of the blessed Mary the Virgin and of St. Michael the Archangel in equal portions. Then is recited again the former grant. To have and to hold of the chief lord's fee &c. Given or dated at Clyvele (die Lunæ) on the Monday next after Holy Pentecost. In the nineteenth year of the reign of King Edward the third from the conquest in England but in the sixth of his reign in Ffrance. Whit Monday, 1346.

15. 19 Ed. III. 1346. Release by Alicia le Veysy of Chalkforde daughter and coheirress of Roger of Stonehard of all her claim in a third part of a carucate of arable land and meadow lying in the fields of Clyvele which were entirely hers she having inherited them through her sister after the decease of the said Roger her father. Given or dated at Clyvele (die Mercurii) the Wednesday next before the feast of Saint Barnabas the Apostle. In the nineteenth year of the reign of King Edward the Third from the conquest in England but the sixth of his reign in Ffrance. The Wednesday before June 11, 1346.

16. 19 Ed. III. 1346. Release by John Brun son and heir of Alicia le Veysy of Chalkforde of all his claim, in the last named land. Given or dated at Clyvele (die Mercurii) the Wednesday

next before the feast of Saint Barnabas the Apostle. In the year last named.

17. 22 Ed. III. 1349. Release by Alicia le Veysy who had been the wife of John of Bladynton of Clyvele in her pure widowhood of all her claim in two meadows and one messuage which was situate upon the Westhull which meadows and messuage John the Ffollar held by the grant and feoffement of Alice le Veysy, and which indeed Alicia le Veysy held of John of Bladynton formerly her husband in exchange (in excambio) for the third part of that capital messuage Atten orchard. Given or dated at Clyvele (die Dominica) on the Sabbath day on the feast of St. Luke the Evangelist. In the twenty-second year of the reign in England of Edward the third after the conquest but in the ninth year of his reign in France. On Sunday, Oct. 18, 1349.

18. 23 Ed. III. 1350. Grant by William Ffollar of Clyvele Chaplain to Alice the Ffollar of all his tenement which he had in the village and fields of Clyvele with the lands and meadows and all other things pertaining to the said tenement, all which he held of the grant and feofament of John the Ffullor and after her death to her son Robert. Dated at Clyvele (die Dominicà) on the Lord's day on the feast of the Holy Trinity. In the twenty-third year of the reign in England of King Edward the Third after the conquest. On Trinity Sunday, 1350.

19. 36 Ed. III. 1363. Grant by William Newman of Clyvele to John Long of Enstane of one messuage and one yard land in Clyvele. Dated at Clevele on the feast of Scholastica the Virgin. In the thirty-sixth year of the reign of King Edward the Third after the conquest. On February 10, 1363.

20. 36 Ed. III. 1363. Grant by John Long of Enstane to William Newman of Clyvele of one messuage and one yard land in Clyvele and which he held of the grant and feoffament of the said William (19.) to have and to hold on payment of the chief lord's fee &c. Dated at Clyvele on the Wednesday next before the feast of Saint George. In the thirty-sixth year of the reign of King Edward the Third after the conquest. The Wednesday before April 23, 1363.

21. 47 Ed. III. 1374. Release by John Phynes of Sewelle to John Sclatter of Clyvelei and Ann his wife of all the lands and tenements in Clyvelei which formerly John Foller held of Alicia Veysy. Dated at Clyvelei aforesaid (die Martis) on the Tuesday (in septimana Pentecostes) in Whitsun week. In the forty-seventh year of the reign of Edward the Third after the conquest. Whit Tuesday, 1374.

22. 47 Ed. III. 1374. Transcript of the preceding, but not an executed deed, having no seal. This is in a very different hand from the preceding.

23. 22 R. II. 1399. Grant by William Newman of Clevely to Richard Hey Vicar of Spelsbury John Ffeyreford of Chadlyngton,

William Attehalle of Lydston of all his lands, tenements, meadows, feeding grounds, pastures with all their appurtenances which he had in Cleveley, to have and to hold for ever by payment of the chief lord's fee &c. Dated at Cleveley the tenth day of the month of April. In the twenty-second year of the reign of King Richard the second after the conquest in England.

24. 1 H. IV. 1399. Grant by Richard Hey Vicar of Spelsbury John Ffeyreforde and William Attehalle to William Newman and Elizabeth his wife one messuage and one yard of arable land with their appurtenances in Cleveley, which messuage is situated in the upper part of the said village on the side which (densat) is close upon the king's highway called Enston Lane which messuage we lately held of the grant and feoffament of the said William Newman to have and to hold for the said William and Elizabeth his wife, and the heirs of the bodies of William and Elizabeth lawfully begotten for ever by payment of the chief lord's fee &c. Dated at Cleveley on the fourth day of the month of August in the first year of the reign of Henry the Fourth after the conquest.

25. 4 H. IV. 1403. Grant by William Newman of Clyvelye to John Scletter of the same of two messuages with one yard of arable land in Clyvelye to have and to hold on payment of the lord's fee &c. Dated at Clyvelye on the Lord's day next before the feast of Saint Scolastica the Virgin. In the fourth year of the reign of King Henry the Fourth after the conquest. The Sunday after February 10, 1403.

26. 4 H. IV. 1403. A transcript of the preceding, but not an executed deed, having no seal. Both are Poll deeds, and exactly correspond, being in the same handwriting.

27. 4 H. IV. 1403. An Indenture whereby John Scletter of Clyvele covenants to provide William Newman of the same with board, lodging, raiment and other necessaries. Dated at Clyvele on the Thursday (die Jovis) next after the feast of Saint Bartholomew the Apostle. In the fourth year of the reign of King Henry the Fourth after the conquest. Thursday after August 24, 1403.

28. 4 H. IV. 1403. An Indenture the counterpart of the preceding. These two deeds are very beautifully written, and they form a complete and admirable illustration of the original and proper use of Indentures.

29. 9 H. IV. 1408. A Fine paid to the lord for permission to Sibilla Ffysshare the daughter of a villein to marry John Scletter on the Monday (die Lunæ) next before the feast of the Ascension of our Lord in the ninth year of the reign of King Henry the Fourth after the conquest. The Monday before Ascension Day or Holy Thursday, 1408.

30. 10 H. IV. 1409. An Indenture witnessing that Thomas Palmer and Johanna his wife of Haselye in the county of Warwick surrendered to John Paysel and Alice his wife of Clefley the half of a messuage, and the half of a yard land in Clefley which fell to

Thomas Palmer by heirship after the decease of William Newman father of the said Johanna to have and to hold for the life of the said Johanna on payment of two solidi of silver on the feast of Saint Michael the Archangel and for discharging (faciendo) the lord's fee &c. And if it should happen that the payment of the said two solidi should be in arrear and unpaid for four weeks after the day aforesaid thereupon it shall be lawful to the said Thomas Palmer and Alicia his wife to enter and distrain upon the premises so that the arrears be satisfied. Dated at Clefley aforesaid on the Thursday (die Jovis) next before the feast of Saint Ffrideswide the Virgin. In the tenth year of the reign of King Henry the Fourth after the conquest. Thursday, Oct. 19, 1409. The counterpart of this deed is wanting, but besides the indenture it has a chirograph the letters of which it is difficult to decipher.

31. 10 H. IV. 1409. An Indenture witnessing that John Paynell and Alice his wife daughter of John Shepherd of Enston did lease to John Sclatter of Cleveley one messuage and one yard of land in Cleveley which descended to the said Alice after the death of William Newman to have and to hold from the day of their present concession till the feast of Saint Michael the Archangel next ensuing after the date of this present indenture on payment to John and Alice Paynett of forty denarii and the lord's fee &c. Dated on the Monday (die Lunæ) next before the feast of the Nativity. In the tenth year of the reign of King Henry the Fourth after the conquest. Monday before Christmas-day, 1409.

32. 10 H. IV. 1409. An Indenture being the counterpart of the preceding deed. Besides the indenture between them, these deeds have also this chirograph, H. Q. R. B. Q., that is Henricus Quartus Rex Bis Quinque; Henry the Fourth King twice five years. There is an error in the deeds, the first one (31) not having the words *jure hereditare* before *descendebant*.

33. 12 H. IV. 1411. Grant from John Paynel and Alice his wife of Cleveley to John Ffuller of Great Teywe and Margaret his wife of one messuage and one yard of land with the meadows feeding grounds pasturages together with all and singular their appurtenances in Cleveley to have and to hold by payment of the lord's fee &c. Given or dated at Cleveley on the fourth day of the week (quarto die Sabbati) next before the feast of All Saints. In the eleventh year of the reign of King Henry the Fourth after the conquest. Wednesday before Nov. 1, 1411.

34. 13 H. IV. 1412. Release by John Willycotes of one messuage and one yard land in Cleveley which formerly belonged to William Newman. Given or dated at Great Tewe the Friday (die Veneris) next after the feast of Saint Luke the Evangelist. In the thirteenth year of the reign of King Henry the fourth after the conquest. Friday after October 18, 1412.

35. 13 H. IV. 1412. Release by John Walter of Great Tewe to the same, of the same, and at the same date.

36. 34 H. VI. 1455. An ancient writ issued out of the Court of King's Bench, at the suit of Thomas Wodeward against William Scletter of Clevele husbandman, by the authority of "Henry by the grace of God King of England and France and Lord of Ireland," under the direction of Sir John Fortescue Chief Justice of the Court of King's Bench. Dated at Ebestune the twelfth day of May — thirtyfour. R. xxxviii.

37. 1 H. VII. 1485. Grant from John Bewe Sen. of Stowe in the County of Gloucester William Wely and Elizabeth his wife of Broddcampden in the County aforesaid to Robert Scletter of Cleveley of all the lands and tenements meadows feeding grounds and pasturages returns rents and services with their appurtenances in Cleveley which formerly belonged to William Newman lately of the same, to have and to hold &c. Also appointment of John Ffyssher of Enston and William Ellyn their attornies to do all acts in their behalf. Dated at Cleveley the twenty sixth day of the month of March in the first year of the reign of King Henry the Seventh after the conquest in England. March 26, 1485.

38. 1 H. VII. 1485. Release by John Bewe Jun. of Stowe Richard Wely and Thomas Wely of Brode Campden of all as aforesaid in the last deed (36) at the same place and date.

39. 31 Elizabeth, 1588. The most ancient deed of Feoffment belonging to the parish, in which the nature of the Trust, the lands belonging to the Charity, their application and management are all fully set forth. The deed itself will subsequently be given.

40. 45 Eliz. 1602. The Banbury Decree as it has been called, being the Decree of the Charity Commissioners of 1602, as to the nature, use, and management of the parochial charities. A most valuable document to be hereafter referred to.

41. 45 Eliz. 1602. An authenticated copy of the preceding.

42. 1615. April 23. A deed of Feoffment that has been lost, but the existence of which we learn from 44.

43. 1655. Jan. 4. A new deed of Feoffment in compliance with the requirements of the Banbury Decree.

44. 1655. Jan. 30. An indenture by which the new Feoffees were appointed as ordered in the foregoing.

45. 1655. Jan. 30. Counterpart indenture to preceding.

46. 1693. April 3. Lease of the Church Lands from the Feoffees to William Slaymaker.

47. 1700. Oct. 9. Record of an Inquisition under the authority of the Court of Chancery as to the uses of the Charities made at Witney.

48. 1701. Oct. 9. The Witney Decree founded upon the results of the foregoing Inquisition and directing the use and management of the Charities.

49. 1737. June 1. A new deed of Feoffment as before.



50. 1774. Dec. 1. A new deed of Feoffment to Joseph Brooks that he might reinfeoffe new Feoffees.

51. 1774. Dec. 2. A new deed of Feoffment whereby Joseph Brooks as aforesaid reinfeoffes new Feoffees.

52. 1824. Oct. 21. An Indenture being a new deed of Feoffment to Weston Aplin.

53. 1824. Oct. 22. A new deed of Feoffment whereby Weston Aplin reinfeoffes new Feoffees.

54. 1809. May 20. Lease from the Feoffees to John Jolly.

Such are the deeds, whether ancient or modern, that our parish has preserved and still possesses. Amongst the ancient deeds are two remarkable ones, exemplifying, and testifying to, the state of slavery and oppression to which the people of our now free and happy country were subject only 400 or 500 years since. This system of subjection was called *villenage*, and those who were bound under it were denominated *villeins*, a full description of whose state and condition is thus admirably given by Judge Blackstone :

“ Under the Saxon government there were, as Sir William Temple speaks, a sort of people in a condition of downright servitude, used and employed in the most servile works, and belonging, both they, their children, and effects, to the lord of the soil, like the rest of the cattle or stock upon it. These seem to have been those who held what was called the folkland, from which they were removable at the lord’s pleasure. On the arrival of the Normans here, it seems not improbable, that they, who were strangers to any other than a feudal state, might give some sparks of enfranchisement to such wretched persons as fell to their share, by admitting them, as well as others, to the oath of fealty ; which conferred a right of protection, and raised the tenant to a kind of estate superior to downright slavery, but inferior to every other condition. This they called villenage, and the tenants villeins, either from the word *viles*, or else, as Sir Edward Coke tells us, *a villa* ; because they lived chiefly in villages, and were employed in rustic works of the most sordid kind : resembling the Spartan *helotes*, to whom alone the culture of the lands was consigned ; their rugged masters, like our northern ancestors, esteeming war the only honourable employment of mankind.

“ These villeins, belonging principally to lords of manors, were either villeins *regardant*, that is, annexed to the manor or land : or else they were *in gross*, or at large, that is, annexed to the person of the lord, and transferable by deed from one owner to another. They could not leave their lord without his permission ; but if they ran away, or were purloined from him, might be claimed and recovered by action, like beasts or other chattels. They held indeed small portions of land by way of sustaining themselves and their families ; but it was at the mere will of the lord, who might dispossess them whenever he pleased ; and it was upon villein services, that is, to carry out dung, to hedge and

ditch the lord's demesnes, and any other the meanest offices: and their services were not only base, but uncertain both as to their time and quantity. A villein, in short, was in much the same state with us, as Lord Molesworth describes to be that of the boors in Denmark, and which Stiernhook attributes also to the *troals* or slaves in Sweden; which confirms the probability of their being in some degree monuments of the Danish tyranny. A villein could acquire no property either in lands or goods: but, if he purchased either, the lord might enter upon them, oust the villein, and seize them to his own use, unless he contrived to dispose of them again before the lord had seized them; for the lord had then lost his opportunity.

"In many places also a fine was payable to the lord, if the villein presumed to marry his daughter to any one without leave from the lord: and, by the common law, the lord might also bring an action against the husband for damages in thus purloining his property. For the children of villeins were also in the same state of bondage with their parents: whence they were called in Latin, *nativi*, which gave rise to the female appellation of a villein, who was called a *neife*. In case of a marriage between a freeman and a neife, or a villein and a freewoman, the issue followed the condition of the father, being free if he was free, and villein if he was villein; contrary to the maxim of the civil law, that *partus sequitur ventrem*."

Thus much from Blackstone will suffice to explain the general nature and characteristics of the system of slavery termed villenage that at one time prevailed throughout this country. It may, however, be farther useful to state the period when, after gradually diminishing in force and extent, it at length finally ceased. In the Article Villein in the Penny Cyclopædia this is well explained thus:

"As society advanced, the state of slavery became less adapted to the interests of proprietors, and the villeins were becoming a more important class. Frequent manumissions were the consequence. These were generally performed by deed, but frequently by will, and there were also many acts of the lord which were considered as implied manumission, and entitled his villeins to freedom. By these means the social condition of villenage became less and less general, and at length disappeared altogether. In England a few instances of predial servitude existed so late as the reign of Elizabeth, and perhaps at a still later period. In some parts of France it existed down to the time of the Revolution. In Russia predial servitude is still universal and unmodified: in Poland it was unmitigated until 1791, and though defined by law in 1807, still exists in an improved form. In Hungary it prevailed in a most offensive shape until 1836, when the nobles renounced some of their privileges and extended the civil rights of the peasantry."

Our own country, then, happily has been so long relieved from all traces of an *institution*, as our Transatlantic brethren have misnamed it, as degrading and derogatory to our race, whose generic distinction is its rational humanity, as it is injurious and perilous to those who are in the position of owners and masters of their fellowmen; and we have been so long unacquainted practically with this barbarous system, that we can hardly realize to ourselves any actual relic of such a state of things, beyond what the pages of history record respecting it. And yet we still have remaining to us no less than two documents of the actual time when slavery was in full force in this country, and actually exhibiting to us its very shackles and manacles.

I. The first and oldest of these, bearing date in the 13th year of Edward ye 3rd A.D. 1340, is a deed of manumission granted by one John of Crombe of Tydulmyngton to one John Hobbes of the same. Judge Blackstone informs us, that "villeins might be enfranchised by manumission, which is either express or implied: express; as where a man granted to the villein a deed of manumission." This is exactly the character of this deed, which we will give in full, first in the original Latin in which it is written, and then in a translation.

Grant of Personal Freedom made by John Crombe lord of Tydulmyngton to John Hobbes of the same.

Omnibus Christianis Fidelibus ad quos presens scriptum pervenerit Johannes de Crombe Dominus de Tydulmyngton salutem in Domino noveritis me manumisse Johannem Hobbes de Tydulmyngton cum tota sequela sua et cum omnibus bonis et catallis suis ac eidem Johanni Hobbes concessisse et hoc presenti scripto meo confirmasse pro me et heredibus meis vel meis assinquantis quod dictus Johannes Hobbes et heredes sui cum tota sequela sua a modo liberi sint et soluti ab omni servicio villano et ab omni jugo servitutis cujuscunque. Ita videlicet quod nec ego dictus Johannes de Crombe nec heredes mei in dicto Johanni Hobbes heredibus suis nec in sequela sua nec in bonis et catallis suis quibuscunque quicquam juris vel claminis nomine domini seu alterius ratione cujuscunque servitutis seu servicii villani seu alterius quoque modo exigere poterit vel poterimus in futurum. In cujus rei testimonium sigillum meum presentibus apposui. Hiis testibus Roberto Lumbard Ricardo Atte Clyff de Tydulmyngton Willielmo le Heir de eadem Johanni le Fremon de Derlynggescote Simone Rominheye et aliis. Datum apud Tydulmyngton die Sabbati proxima ante festum Sanctæ Frideswyde virginis anno regni Regis Edwardi Tercii post conquestum tercio decimo.

TRANSLATION.

To all faithful Christians to whom the present writing shall come John of Crombe Lord of Tydulmyngton wishes salvation in the Lord. KNOW ye that I have manumitted John Hobbes of Tydulmyngton together with all his issue and with all his goods and

chattels and to the same John Hobbes have granted and by this my present writing have confirmed for me and my heirs or my assigns that the said John Hobbes and his heirs together with all his issue may by all means be free and released from all villein service and from every yoke of servitude whatsoever. So, that is to say, that neither I the said John of Crombe shall be able, nor shall my heirs be able, for the future to exact upon the said John Hobbes and his heirs nor upon his issue nor upon any of his goods and chattels whatsoever any right or claim in the name of the lord or by reason of any other kind of servitude whatsoever or of villein service or in any way of any other kind. In testimony of which thing I have set my seal to these presents. These being witnesses Robert Lumbard Richard atte Clyff of Tydulmyngton William the Heir of the same John the Fremon of Derlyngges-cote Simon Rominheye and others. Given or dated at Tydulmyngton on the Sabbath day next before the feast of Saint Frideswyde the virgin in the thirteenth year of the reign of King Edward the third after the conquest. (Sunday before Oct. 19, 1340.)

This very interesting and remarkable deed does not appear to have any connection with our parish, although found amongst those that have. How it came here is of course altogether uncertain. When discovered here some years since, while seeking information respecting our Church estate, it was deemed of such little importance, that I parted with it to Mr. Charles Faulkner, of Deddington, to deposit in his Museum there, and with him it remains at the present time. The place at which this deed was executed, and where at the time resided the two persons chiefly interested in it, was the parish of Tidulmyngton, or, as it is called and written at this day, Tidmington, which is distant from Enstone about twelve miles on the main road hence to Birmingham, and within a mile and a half of Shipston. It is in the county of Worcester, as is also Derlynggescote, now called and written Darlingscote, which is a small village or hamlet about two miles beyond Shipton.

The purport and object of the deed are sufficiently evident, upon the mere perusal of it in connexion with the introductory remarks that have been already given. It is a strong historical testimony to the state in which the labouring classes were formerly kept in this country, and as a subject of contrast with our own free and enlightened times is a most satisfactory test of the great advances we have made in civilization and humanity, as well as in all civil rights and immunities. There is one point, that in the consideration of such a matter as this, must never be lost sight of, nay rather should be the first and the last remembered and reflected on. It has been chiefly since the Reformation that true liberty has sprouted and grown in our land. Efforts, indeed, it did occasionally make to obtain an influence and to fructify

amongst us, even before the Reformation, and this very deed is an instance and a proof of the manner in which it was struggling with the past to accomplish a more generous future. But when the light of the Reformation beamed upon our land, and that candle was illumined which by God's grace, according to the words of the Martyr Latimer, shall never be extinguished, Liberty went forth hand in hand with Religion, and our civil and religious rights have thenceforth stood or tottered together. Popery, never contented but with supreme dominion and domination over the souls and bodies of men, and ever jealous of and dreading the power of Liberty, always refused her the aid of Religion, and thus was the sworn and avowed foe of all freedom of speech, of thought, and of soul even. When, however, Popery was overthrown, and the light of God's word shone forth, guiding, cheering, and strengthening Liberty in her onward course, then, though she had at times to struggle with blind and misguided rulers such as Charles I., or with Jesuitical ones such as James II., yet she maintained a forward and a steadfast course, and eventually triumphed over all opposition.

So much has she done so, that John Hobbes, who in his day attained to what he conceived to be liberty, would find the measure, then assured to him, but meagre and scant, in comparison with what he might now enjoy, as a born freeman in the land. He was released, indeed, from all "villein service and from every yoke of servitude," and he had both his children and his own goods and chattels secured to him as his own possessions. Instead of himself being a chattel, the possession of another man, he had become his own,—his own lawful possession;—he had become the owner of his own flesh and blood, his limbs and life, his will and mind. But though now and henceforth free to will and determine for himself, who could bestow upon him the unpurchasable dignity, the just nobility of the born freeman, of the freeborn Englishman? The memory of his thralldom would still hang around him, the humiliation of his former abject state would still rankle in his heart, in the presence even of his benefactor who had freed him, he would still remember his yoke of servitude, and he would never have known the sweets of perfect freedom as we now know and enjoy them. These are not mere fancies of the imagination, but facts known to me from experience. I have been intimately acquainted with Africans and Negroes who had been slaves, but, by the kindness of their owners, or the enfranchising power of British soil, had become free, yet never could they endure allusion to their state of servitude, nor would they have it known, could they keep the dark secret concealed, that they had ever been in the degraded condition of slaves. So intuitively, so powerfully, does the inborn freedom of the heart of man testify against the abomination of the system which turns men into beasts by depriving them of their inalienable right of self-possession, and exemption from all bondage and oppression.

The expression "released from all yoke of servitude," is not a mere figure of speech, but denotes an absolute fact, that, in former times, the villein wore an iron collar as a mark of his condition, and no doubt also as bearing the name of his master or owner. Even so late as the time of Edw. VI. a law was passed ordaining, "that all idle vagabonds should be made slaves, and fed upon bread and water, or small drink, and refuse meat; should wear a ring of iron round their necks, arms, or legs; and should be compelled by beating, chaining, or otherwise, to work." Blackstone I. 423. But the Reformation had already dawned, and Liberty now quickened by Religion would not endure any revival of the blight of slavery, and in two years this ignominious law was repealed.

In the exquisite romance called *Ivanhoe*, by Sir Walter Scott, there are several allusions to the use of the collar, as the yoke of servitude, that aptly illustrate the reference to it here. When Wamba the fool, who is the born villein of Cedric the Saxon, is invited to take service with a Norman knight, he replies, "Ay, with my master's leave, for, look you, I must not slip collar, (and he touched that which he wore) without his permission." So when Gurth, the swineherd and fellow bondsman of Wamba, had for a while absented himself from his master Cedric's service, that he might attend his son *Ivanhoe*, and Wamba fearing for him besought his pardon, Cedric not only pardoned but freed him thus: "I will both pardon and reward him. Kneel down, Gurth." The swineherd was in an instant at his master's feet.—"Theow and Esne art thou no longer," said Cedric, touching him with a wand; "Folkfree and sacless art thou in town and from town, in the forest as in the field. A hyde of land I give to thee in my steads of Walbrugham, from me and mine to thee and thine eye and for ever; and God's malison on his head who this gainsays."—No longer a serf, but a freeman and a landholder, Gurth sprang upon his feet, and twice bounded aloft to almost his own height from the ground. "A smith and a file," he cried, "to do away the collar from the neck of a freeman.—Noble master, doubled is my strength by your gift, and doubly will I fight for you. There is a free spirit in my breast. I am a man changed to myself and all around. Ha, Fangs," he cried,—for that faithful dog, seeing his master thus transported, began to jump upon him, to express his sympathy,—"knowest thou thy master still?" "Ay," said Wamba, "Fangs and I still know thee, Gurth, though we must needs abide by the collar; it is only thou who art likely to forget both us and thyself. Yet never think I envy thee, brother Gurth; the serf sits beside the hall fire when the freeman must forth to the field. And what saith Oldhelm of Malmsbury?—Better a fool at a feast than a wise man at a fray."

II. The other document is of a later date, having been made in the 9th year of Henry 4th, A.D. 1400. It records the payment

of a fine to the lord for the marriage of one Sibilla Ffysshare with one John Scletter. Judge Blackstone has already told us, that "in many places a fine was payable to the Lord, if the villein presumed to marry his daughter to any one without leave from the lord." In this instance the fine is paid at once previously for liberty to marry, as will be seen on perusing the document either in the original Latin or the subsequent translation here set forth.

COPY OF ORIGINAL DOCUMENT.

Ennestan. Ad superam terram ibidem die lunæ proximo ante festam Ascensionis Domini Anno regni Regis Henrici quarti post conquestum nono Thomas Ffysshare venum et fecit finem cum domino ut Sibilla filia nuper Johannis Ffysshare nacta domino possit se maritare Johanni Scletter de Cleveleye hac vice et quo fine dat domino XXVI solidos et VIII denarios.

TRANSLATION.

Enstone (To wit.) At the upper land there on the Monday next before the feast of our Lord's Ascension in the ninth year of the reign of King Henry the fourth after the Conquest Thomas Ffysshare a bargain and fine completed with the lord that Sibilla the daughter lately of John Ffysshare begotten to the lord may be enabled to marry herself to John Scletter of Cleveleye for this turn and by which fine he gives to the lord twenty-six shillings eightpence.

Who the lord in this case was does not appear, nor is there anything in contemporary documents to show. The position of the other parties, however, is evident enough. Sibilla Ffysshare the young woman mentioned, was born, as here stated, to the lord, that is, she was by birth a female villein or neife, and consequently subject to the disposal of the lord even in marriage. Her father John Ffysshare was also in the same condition of villenage, for she inherited hers through him, so that he was himself unable to purchase her liberty to marry. Fortunately, then, for her, she had some other relative, whether grandfather or uncle does not appear, who was able to make the bargain in her behalf, and who must therefore himself have been a freeman. This was Thomas Ffysshare, who paid the fine to the lord to obtain his permission for her marriage with John Scletter of Cleveley. From other deeds we are enabled to gather some information as to the condition of this John Scletter, and to glean somewhat of the subsequent history of his family. Five years before the time of his marriage, as appears by a deed of 1403, John Scletter had come to and settled in Clyveley, and had rented land of William Newman, for which by special agreement he had engaged to pay certain rents in kind and other necessaries. By subsequent deeds these same tenements and lands which had belonged to William Newman were confirmed to John Scletter by Newman's successors. This was in the year 1412, after which time we hear no more of John Scletter, but in 1485, we have Robert Scletter of Clyveley, who evidently

was the son of John Scletter and Sibilla his wife, obtaining tenure of lands, tenements, &c., there, and appointing John Ffyssher of Enston, who was no doubt his mother's relative, his attorney in the matter.

This marriage grant, then, is a document of no ordinary interest, as showing the habits and customs of our ancestors, and enabling us to compare our own with theirs. And notwithstanding the fanciful and romantic ideas that some indulge in respecting "the wise and good," as they call them, of former times and of revered antiquity, we may rejoice to think, that in our day none of our fellow-countrymen are subject to any such restriction and bondage, but that, like Israel of old, when every man dwelt beneath his own vine and his own fig tree, none making him afraid, so we, under the favour of the same Jehovah, and beneath the gracious reign of His Son Jesus Christ, ameliorating our manners, evangelizing our laws, and securing our liberties, as well civil as religious, may each man dwell safely in his own house, which, though from weakness and decay accessible to the winds of heaven, may not be invaded nor intruded on by the sovereign of the realm.

III. It has been stated above, that John Scletter, who married Sibilla Ffysshare, had rented land of William Newman, and had covenanted with him to pay his rent in kind, the various articles being specifically stated and stipulated for; and these are so remarkable, that the deed itself in full, both in the original Latin, and in a translation, cannot fail to be interesting, as both showing the nature of such bargains, and informing us of some of the customs and even household arrangements of those who have preceded us in this country. Both copies of the deed exist, and as they have been separated from each other by a crooked or jagged cutting forming to each an indenture, they give an example of the manner in which this kind of sign served to attest the genuineness of each. The date of the deeds is the fourth year of Henry the fourth, which was the year 1403, and as they were executed at Cleveley, so we may thence infer that the witnesses, having no other description attached to them were all of that place.

ORIGINAL.

Hæc indentura facta intra Johannem Scletter de Clyvele ex una parte et Willielmo Newman de eâdem ex altera testatur quod prædictus Johannes concessit prædicto Willielmo decem bussellos frumenti et decem bussillos ordeï de bono grano puro et bene ventulato solvendos eidem Willielmo vel suo certo attornato annuatim ad totidem dierum vice Willielmi prædicti ad dictos certos limitatos videlicet ad festam sancti Michaelis Archangeli proximum sequens post datum præsentis quinque bussellos frumenti et ad festam omnium sanctorum tunc proximum sequens decem bussellos ordeï et ad festum Annunciationis Beata Marie quinque bussellos frumenti; unam mansionem pro caninâ competentem cum



cameno et gulfo in eadem; stramen pro strato suo; duas caretas plenas lignorum pro suo focali; unum epitogium pro statu suo competens et calidum de russeto vel fryse novo panno faciendum; unum par caligarum; unum par socularum; et unam brattam. Item lanationem vestium cum optimum sit vel sex denarii annuatim. Item concessit panem prædicti Willielmi pincere et servisiam brasiare ita ut preparatum die quando propriam panem pistat et brasiat suam servisiam. Et sic de anno in annum et continuo in terminum durante tota vita Willielmi prædicti. Ad quam quidem concessionem prædictam bene et fideliter tenendam faciendam et solvendam prædictus Johannes obligavit se heredes et executores suos. In cujus rei testimonium hiis indenturis præsentibus alternatis sigilla sua apposuerunt. Hiis testibus, Willielmo Attemill, Johanne Jordan, Johanne Byllynge, Willielmo Attehall, Willielmo Syr, et multis aliis. Datum apud Clyvele die Jovis proxima post festam Sancti Bartholomæi Apostoli Anno Regni Regis Henrici quarti post conquestum quarto. Item concessit prædicto Willielmo cultivare sibi annuatim unam dimidiam acruentem de terra sua propria videlicet unam apud Cudinston et aliam in parte australi de le Grene Waye intra terram Willielmi Atthemill ex una parte et terram Thomæ Atthemill ex altera.

## TRANSLATION.

This indenture made between John Scletter of Cleveley of the one part and William Newman of the same of the other part witnesseth, That the aforesaid John hath agreed with the aforesaid William for ten bushels of wheat and ten bushels of barley of good grain clean and well winnowed to be paid to him the same William or his certified attorney of his annual income at the same days in the stead of William aforesaid at stated certain seasons viz. at the feast of Saint Michael the Archangel next following after the giving of this present deed five bushels of wheat and at the feast of All Saints then next ensuing ten bushels of barley and at the feast of the Annunciation of the Blessed Mary five bushels of wheat; one dwelling-place suitable for a dogiron with a hearth or chimney corner and a chimney in the same; straw for his bed; two carts full of wood for his hearth; one gown suitable to his condition and warm of russet or frieze to be made of new cloth; one pair of leggings; one pair of socks; and a pair of breeches. Also wool for clothing when it is of the best or six denarii of the annual receipts. Also he hath agreed to bake the bread of the aforesaid William and to brew his beer so that it be prepared on the day when he bakes his own bread and brews his own beer. And thus from year to year and continually to the end during the whole life of William aforesaid. To which agreement indeed aforesaid well and faithfully to be kept done and paid the aforesaid John hath bound himself his heirs and executors. In testimony of which thing to these present alternate indentures they have set their seals. These being witnesses,

William Atthemill, John Jordan, John Byllynge, William Atthehall, William Syr, and many others. Given at Cleveley on the Tuesday next after the feast of Saint Bartholomew the Apostle in the fourth year of the reign of King Henry the fourth after the conquest. Also he hath agreed with the aforesaid William to collect for him one half of his yearly receipts accruing from his own land viz. one at Kidington and another in the southern part of the Greenway between the land of William Atthemill of the one side and the land of Thomas Atthemill of the other side.

If the former deeds were interesting, as showing to us what were the condition and state of dependence of the labouring classes in the times in which these transactions took place, the one now cited is no less so as illustrating somewhat of the circumstances and habits of a proprietor, though it may be but a small one, of the period, and informing us of some of the domestic arrangements and social customs of the age.

The first thing that strikes us is the fact of this bargain being for payment in kind, food, dwelling, and clothing, instead of money, and this implies a great want of such a circulating medium. This want is accounted for in histories of the period, and is to be referred to the long course of war which had during the whole reign of Edward the Third magnified the glory of the king, while it impoverished the people, and made good the saying of the dramatist,

War is a game, which, were their subjects wise,  
Kings would not play at.

To gratify his warlike ambition, and lust of conquest, Edward the Third, and his far-famed son Edward the Black Prince, who was born at Woodstock, wrung from their people, and wasted on their own reckless gratification, all the treasure that they could seize upon, in defiance of all right both human and divine; and though indeed they have left us the grandeur of such victories as those of Cressy and Poitiers, yet such things are but poor compensation for an oppressed commons and an exhausted nation. In the history of Edward the Third by Barnes, he relates how the king extorted treasure from the people, and especially from a large number of religious houses, many of which he suppressed and dissolved, that he might appropriate to his own purposes their possessions. Such was the effect of this system upon the nation at large, says Barnes, that "by these and other exactions he so drained the land of money, that a quarter of wheat sold in London for only two shillings, a fat ox for six shillings and eightpence, a fat sheep for eightpence, a fat goose for twopence, a pig for one penny, and six pigeons for one penny." Page 104. If then, such were the prices of articles in the metropolis, no wonder that in the country, though at a somewhat later period, we find such evidence as this deed affords us of the want of money, and of a system of barter prevailing, instead of that selling and buying, which are the great means of free and large commercial intercourse, and of all its beneficial results to a kingdom.

The account given of the dwelling place is full of interest. The *mansionem*, which looks at first very grand and gives the idea of a mansion, which is however utterly at variance with all the other stipulations, I have rendered *dwelling place*, as being doubtful whether by it is intended a separate house, or only a lodging in that of John Selatter. I altogether incline to think that it only means a lodging, because the tenant William Newman was to have his baking and brewing done for him, and only at the times when John Selatter baked and brewed for himself. In a deed of a subsequent date, in the year 1409, the property therein leased is described as "medietatem unius messuagii et medietatem unius virgatæ terræ," that is "half a messuage and half a yard land," and as in this instance half a tenement or dwelling was leased, so we may understand how it was that Newman in the case before us hired "a dwelling," which was part only of a building, and covenanted to have his brewing and baking done for him. The dwelling place or lodging is described as being "suitable for a dogiron with a hearth, or chimney corner, and a chimney." It seems strange, indeed, that it should be necessary to make an agreement for a chimney, and yet it tells us of a time when houses seldom had such conveniences, and when like Irish hovels the smoke, after coursing round the apartment, found an escape at door, window, or any other aperture it could find. At Stanton Harcourt there still remains in great perfection a very noble kitchen, which never had a chimney, the smoke from the fires, whether in furnaces or braziers, ascending to the lofty roof, and there passing out through shutters constructed to allow it egress. The great baronial halls, and even at our Universities the college halls, were constructed without chimneys, and warmed by large open firepans, in which charcoal was burned, notwithstanding that its smoke though not dense and murky is most deleterious. Thus chimneys were a kind of luxury, which only by degrees were adopted in housebuilding, for "in the year 1200, chimneys were scarcely known in England: one only was allowed in a religious house, one in a manor house, and one in the great hall of a castle or lord's house. . . . Even so late as the reign of Henry the 8th, it seems no fire was allowed in the University of Oxford, if we may believe the writers who assert that the students, after supping at eight o'clock, went to their books till nine in winter, and then took a run for half an hour to warm themselves previously to going to bed. . . . The testimony of Harrison, in his description of Britain prefixed to Holinshed's Chronicle, although often quoted, is too curious to be omitted on this subject. Writing in the reign of Elizabeth, he says, 'There are old men, dwelling in the village where I remayne, who have noted three things to be marvellously altered in Englande within their sound remembrance. One is the multitude of chimmies lately erected; whereas in their younger dayes, there were not above two or

three, if so many, in most uplandish towns of the realm (the religious houses, and manor places of the lords, always excepted, and peradventure some great personages); but each made his fire against a *rere dosse* in the hall, where he dined and dressed his meat.'” Lardner’s Cyclopædia. Manufactures in Metals, II. pp. 159, 160. What would Harrison have said had he witnessed such marvellous changes as modern days have developed only in a single lifetime in our manufacturing districts. I have stood in front of the mansion of the late T. Phillips, Esq., of Park Hall, Stockport, and from thence looked down upon its thousands of lofty chimneys, all of which had sprung up during the lifetime of Mr. Phillips, or rather during his residence there, a period of about forty years, for he could remember when there was not a chimney great or small to be seen there. If, however, the state of our domestic dwellings in the reigns of Henry the 8th, and Elizabeth, was such as has been described, it will not surprise us to find them worse in that of Henry the 4th, when this deed was written, and the very fact of William Newman requiring a dwelling place with a chimney to it, and that for his own private use and enjoyment, plainly implies that he must have been a person of some station and means, and consequently of some consideration.

It may possibly be questioned whether we have rightly interpreted the Latin words *cameno et gulfo*, as “a hearth or chimney corner and a chimney,” and therefore it will be necessary as well as interesting to explain and justify the having done so. Beckman in his article on chimneys has very ably discussed this matter, and has clearly shown that the proper meaning of the word *caminus* is not a chimney *quoad* the escape of smoke, but is properly a hearth for the burning of a fire, whether with or without any convenience for the escape of smoke. He writes thus: “Those who have employed their talents on this subject before me, have collected a great many passages from the Greek and Roman writers which speak of fires made for the purpose of affording warmth; but as they contain nothing certain or decisive, I shall not here enlarge upon them. Though one or more expressions may appear to allude to a chimney, and even if we should conclude from them, with Montfaucon, that the ancients were acquainted with the art of constructing in mason work elevated funnels for conveying off the smoke, it must be allowed, when we consider the many proofs to the contrary, that they were at any rate extremely rare. As they are so convenient and useful, and can be easily constructed upon most occasions, it is impossible, had they been well known, that they should have ever been forgotten. Montfaucon says, from *caminus* is derived *chiminea* of the Spaniards; *camino* of the Italians; *chiminée* of the French; and *kamin* of the Germans; and it seems, adds he, beyond a doubt, that the name, which the thing signified, has been transmitted to us from the ancients. Though this derivation be true, the conclusion drawn

from it is false. The ancient name of a thing is often given to a new invention that performs the same service. The words *mill* (English) and *moulin* (French) come from *mola* (Latin), and yet our mills were unknown to the ancients." In fact nothing is more common with us in England than to frame words, for our present use, from some other language than our own, whether ancient or modern. This is done, either from the want of a word in our own language, to express any new discovery, or invention; or from the desire of a discoverer, or inventor, to magnify his discovery, or invention, by giving it some grand name, which may denote its nature to the learned, but render it obscure, and therefore marvellous, to the unlearned. Thus, for example, that unceasing subject of advertisement and puff, "Rowland's Kalydor," sounds very wonderful and incomprehensible to those who do not understand its Greek derivation, and would lose all its prestige and its marvel if called what it is in plain English, "Rowland's sweet water." But how egregiously should we still further be mystified if it were to be propounded of it, that as its name has been fabricated from the Greek, so the concoction itself was one that was known to, and used by, the Grecian ladies of antiquity. And yet with quite as much reason might it be inferred, that because our English word chimney, as well as the similar ones in German, Italian, Spanish, and French, have been derived from the Latin word *caminus*, that therefore chimneys must have been known, and been in use in ancient times amongst those who spoke the Latin language.

But Beckman still further gives us the proper meaning of the word *caminus*, which he writes thus: it "signified, as far as I have been able to learn, first a chemical or metallurgic furnace, in which a crucible was placed for melting and refining metals. It signified also a smith's forge. It signified likewise, without doubt, a hearth, or as we talk at present, a fireplace, which served for warming the apartment in which it was constructed; and for that purpose portable stoves or firepans were also employed. These were either filled with burning coals, or wood was lighted in them, and, when burned to coal, was carried into the apartment. In all these however there appears no trace of a chimney." Now not only does this passage explain the proper sense of the word *caminus*, but it does also, as I conceive, direct us to the original and derivation of that word itself. Beckman says its primitive sense is "a chemical or metallurgic furnace." But the derivation of our word chemistry was from the Greek, written in English characters *chemeia*, and this word *chemeia* meant, according to Suidas, "the making of silver and gold:" so that in fact the *caminus*, or "furnace in which a crucible was placed for melting and refining metals," and which consequently was the most important apparatus in the operation of *chemeia*, the making of silver and gold, obtained its name from its use, and was called

*caminus* from *chemeia*. So in all its uses it continued to mean a place for fire to burn in, and not an escape for smoke, that is in fact a hearth or fireplace and not a chimney. So accordingly have I rendered it in this deed, giving it the sense of "a hearth or chimney corner," because according to the ancient construction of fireplaces in this country I conceive we must understand this kind of large hearth or fireplace to be intended.

But now, in addition to all that has been said above with respect to the true meaning of the word *caminus*, we have a very strong confirmation of it in the deed before us. For it contains another stipulation, and another word, which as it must mean a chimney, so it implies that *caminus* is not used here in that sense, but obviously in the one we have already given to it. This other word is *gulfo*, which for some time occasioned much doubt and perplexity as to its meaning. Although employed as a Latin word here, it is not really Latin. That, however, is not very remarkable, there being many words so framed out of English into what is called Dog-Latin, to suit the need or the ignorance of those who wrote these deeds. But then comes the question, What can *gulfo* mean? Now its connexion helps us to that very considerably, for it reads in the sentence in which it stands thus, "a dwelling place suitable for a dogiron with a hearth or chimney corner and a *gulfo*." Now what can this be but a chimney? For obviously *gulfo* is only the English word *gulf* thus made into a Latin form to suit the occasion. Johnson derives our word *gulf* from the Italian *golfo*, and as one of its meanings makes it "a whirlpool, a sucking eddy." Now this last sense well describes the nature and action of a chimney, which when in work, and *drawing well* as we say, acts like "a sucking eddy," drawing the smoke in eddying or revolving clouds up its funnel to discharge themselves into the air above. Shakespeare, however, gives us the complete idea of a chimney in his use of the word *gulf*, for he employs it in the sense of a throat, that is in fact a long narrow neck, such as a chimney is; for he makes one of the Witches in *Macbeth*, while describing the ingredients of the "charmed pot" in which they are brewing their mischief, mention amongst other things cast in,

Maw, and gulf,  
Of the ravin'd salt-sea shark.

I think, therefore, we may safely conclude that the word *gulfo* means the chimney, while the word *camino* means as we have already shown the hearth or fire-place.

Beckman, in his article on chimneys, already referred to, gives us much interesting information as to the first introduction and use of them in this country. He writes, "though the great antiquity of chimneys is not disputed, too little information has been collected to enable us to determine, with any degree of certainty,

the period when they first came into use. If it be true, as Du Cange, Vossius, and others affirm, that apartments called *caminata* were apartments with chimneys, these must be indeed very old; for that word occurs as early as the year 1069, and perhaps earlier; but it is always found connected in such a manner as contradicts entirely the above signification. Papias the grammarian, who wrote about 1051, explains the word *fumarium* by *caminus per quem exit fumus* (a *fumarium* is a hearth by the construction of which the smoke escapes); and Johannes de Janua, a monk, who about 1268, wrote his *Catholicon*, printed at Venice, says 'Epicaustorium, instrumentum quod fit super ignem caussa emittendi fumam, (an epicaustorium is a contrivance formed over the fire for the purpose of discharging the smoke.) But these *fumaria* and *epicaustoria* may have been pipes by which the smoke, as is the case in our vent furnaces, was conveyed through the nearest wall or window: at any rate, this expression, with its explanations, can afford no certain proof that chimneys are so old, especially as later writers give us reason to believe the contrary. Riccobaldus de Ferrara, Galvano Fiamma or Flamma, a Dominican monk from Milan, who died in 1344, professor at Pavia, and Giovanni de Mussis, who about 1388 wrote his *Chronicon Placentinum*, and all the writers of the fourteenth century, seem either to have been unacquainted with chimneys, or to have considered them as the newest invention of luxury.

"That there were no chimneys in the tenth, twelfth, and thirteenth centuries, seems to be proved by the so called *ignitegium* or *pyritegium*, the *curfew* of the English, and *couvre-feu* of the French. (All the words in Italics mean a *fire-coverer*.) In the middle ages, as they are termed, people made fires in their houses, in a hole or pit, in the centre of the floor, under an opening formed in the roof; and when the fire was burnt out, or the family went to bed at night, the hole was shut by a cover of wood. In those periods a law was everywhere established, that the fire should be extinguished at a certain time in the evening; that the cover should be put over the fire-place; and that all the family should retire to rest, or at least be at home. The time when this ought to be done was signified by the ringing of a bell. William the Conqueror introduced this law into England in the year 1068, and fixed the *ignitigium* (the fire-covering) at seven in the evening, in order to prevent nocturnal assemblies; but this law was abolished by Henry I. in 1100.

"The oldest certain account of chimneys with which I am acquainted, occurs in the year 1347; for an inscription which is still existing, or did exist, at Venice, relates that at the above period a great many chimneys (*molti camini*) were thrown down by an earthquake. This circumstance is confirmed by John Villani, the historian, who died in Florence in 1348, and who called the chimneys *fumajuoli*: Galeazzo Gataro, who in the Dictionary of

Learned Men is named De Gataris, and who died of the plague in 1405, says in his History of Padua, which was afterwards improved and published by his son Andrew, that Francesco de Carraro, lord of Padua, came to Rome in the year 1368, and finding no chimneys in the hotel where he lodged, because at that time fire was kindled in a hole in the middle of the floor, he caused two chimneys, like those which had been long used at Padua, to be constructed, and arched by masons and carpenters whom he had brought along with him. Over these chimneys, the first ever seen at Rome, he affixed his arms, which were still remaining in the time of Gataro." Beckman's Article on Chimneys.

Now all this plainly indicates that chimneys were an Italian invention, and that thence they travelled westward until they became known eventually in England. One strong reason for inferring this is the remarkable and interesting fact that all the first chimneysweepers in Germany came from Savoy, Piedmont, and other Italian provinces, so that the sovereign of one of these the Duke of Lotharingia was styled the Imperial Firemaster. Beckman, who tells us this, adds, "the first Germans who condescended to clean chimneys appear to have been miners; and our chimneysweepers still procure boys from the Hartz Forest, who may be easily discovered by their language. The greater part of the chimneysweepers (*ramoneurs de cheminées*) in Paris, at present, (Beckman lived 1739-1811) are Savoyards; and one may see there everywhere in the streets large groups of their boys, many of whom are not above eight years of age, and who, clad in linen frocks, will, when called upon, scramble up at the hazard of their lives, with their besoms and other instruments, through a narrow funnel often fifty feet in length, filled with soot and smoke, and in which they cannot breathe till they arrive at the top, in order to gain five sous; and even of this small pittance they are obliged to pay a part to their avaricious masters." And yet although thus meanly rewarded for their foul and perilous toil, five French sous being the same as five English pence, of which sum these poor children received only a portion, they maintained so honourable a position as to have been celebrated even by the great poet Voltaire, who thus writes of them:

Ces honnêtes enfans  
Qui de Savoye arrivent tous les ans,  
Et dont la main légèrement essuye  
Ces longs canaux, engorgés par la suie.

Which may thus be turned into English verse.

The honest boy  
Who yearly travels from far off Savoy,  
Cleanses with skilful hand the chimney high,  
Though gorged with soot, and opes it to the sky.

The condition of chimneysweepers in England was until a few years since quite as miserable as that implied in the foregoing ac-



count of them, but the practice of employing children of tender years in so wretched a manner was put down by Act of Parliament, 3 and 4 Vic. c. 85.

From the preceding remarks, it must be obvious that chimneys were formerly, at the time of this agreement, great rarities indeed, and that they were conveniences little known or used in our country houses, but especially in the cottages of the poor. And yet in the course of the next two or three hundred years they had multiplied very considerably. In an entry in our Church Book made in the year 1702, the first year of the reign of Queen Anne, we have, "Paid the Smoake ffarthings due to her Majestie from this parish, 0. 16. 0." Now smoke farthings were an ancient tax of a farthing a chimney payable to the Crown, and fourteen shillings containing 528 farthings would give us 528 as the number of chimneys at that time in the parish, which there might well indeed be, for at that time there were a much greater number of substantial family mansions than at the present time.

Before concluding these notes upon chimneys I cannot forbear giving the following brief account of the largest and loftiest that has, I believe, ever been constructed. The gigantic chimney of the St. Rollox chemical works, Glasgow, is probably the highest in the world. It rises to the elevation of 436 feet above the ground, or 32 feet higher than the cross which surmounts St. Paul's Cathedral. The base at the surface of the ground is 40 feet 3 inches in diameter, from which it contracts to a diameter of about 11 feet at the summit. Two millions of bricks have been used in this remarkable structure, which is nearly 200 feet higher than the loftiest chimneys existing in the neighbourhood of Glasgow. One other remarkable incident connected with chimneys may be added. A very lofty one, though not so high as that at Glasgow, was in course of erection at Darlington, and was nearly completed when the foundation on one side failed, and the vast column of brick threatened to fall upon the surrounding houses. But the architect adopted a very bold measure. He gradually lowered the ground under the other side of the chimney, and by thus slightly sinking the foundation brought the whole upright.

To return, however, from this pertinent digression, to the more immediate subject of consideration in connexion with the deed we are examining. The date of that agreement is the year 1403, and if in the year 1368, in the city of Rome, the lord of Padua could not find an hotel with the convenience of a chimney, but himself constructed two for his own use there, it certainly need not surprise us to learn, that, a few years after, in the little village of Cleveley in this parish, chimneys should be such rarities, that, when Newman covenanted with Sclatter for lodging and board, he expressly stipulated that his room should be provided with both a hearth or chimney corner and a chimney. In fact this was only in agreement with the circumstances of the times,

and tells us what was the nature of the domestic arrangements and conveniences amongst our ancestors. These were not, according to the foregoing account of them, much to be prized, to be had in remembrance, or to be revived. A fire in a hole in the middle of the floor is but a sorry contrivance to make a house comfortable, if indeed that word could be at all honestly applied to such a state of things, and yet in many country houses still the huge chimney opening for the hearth, forming almost a separate apartment for the fire distinct from the rest of the room, and often reeking with smoke itself and filling the house besides, is but a slight improvement upon the ancient method of the fire in the middle of the room; and seems indeed to be nothing more than such a modification of it, as carried the fire from the middle to one side of the room, and there found the smoke a covered way against the wall to mount upwards above the roof.

Indeed in the quotation made from Harrison some time back, mention was made of an article of furniture, which belonged to both the olden time when the fireplace was in the middle of the room, and to the later when it was removed against the wall. This was called a *rere-dosse*, a word still in use as an architectural term, meaning a piece of ornamented screen work at the back of an altar, such as we have a very rare and admirable example of, as a piece of antiquity, at the eastern extremity of the south aisle of the church. But in fact the term *rere-dosse* might be employed to mean any similar kind of *back*, and as applied by Harrison meant a *back* against which a fire might be kindled. These were at first employed in the middle of the room, the fire having been raised out of its primitive hole to a level with the rest of the room upon *the earth*, or *hearth*, as it subsequently became, that term, according to Dryden, being "the pavement of a room in which a fire is made," and the *rere-dosse* being set up the fire was kindled against it. When at a later time chimneys were constructed, the *rere-dosse*, or back of the grate, as we might call it, was set within the chimney, and some of these ornamented with devices are still occasionally found in our cottages, where they have been removed, and still survive the decay of mansions which they once adorned. In front of these were placed a pair of irons, the use of which was to hold the logs of wood sufficiently high, to allow the live embers to accumulate and form a foundation as it were to the fire, and both to support the flaming log and prevent it rolling forward into the apartment. To effect this double purpose the irons consisted of two stout bars resting upon short legs, standing parallel to one another, and having at the end high uprights, often made very handsome and ornamental. This simple invention, which was most admirably adapted to wood fires, and is still the only form in which such a fire should be contrived, for wood embers always fall to waste through the bottom bars of a grate, and only accumulate properly on a hearth, was nevertheless the first

original of grates and stoves, since so diversified in form, principle, and arrangement; and the pair of irons, of which it was composed, had different names bestowed upon them, as hand-irons, and-irons, awndirons, cobirons, and dogirons, or dogs. "Strutt, writing in 1775, and describing the furniture of the bed chamber of Henry VIII., in the palace at Hampton Court, remarks, 'of *awndirons*, or as they are called by the moderns, *cobirons*, myself have seen a pair which, in former times, belonged to some noble family. They were of copper, highly gilt, with beautiful flowers, enamelled in various colours, disposed with great art and elegance.' Shakespeare describes a pair belonging to a lady's chamber, in his play of *Cymbeline* thus:

The roof of the chamber  
With golden cherubims is fretted: her *andirons*  
(I had forgot them) were two winking Cupids  
Of silver, each on one foot standing, nicely  
Depending on their brands.

In one of the earlier volumes of the *Gentleman's Magazine* are some remarks on the different modes of forming and adapting these irons to different positions. 'In the kitchen, where large fires are made, and large pieces of wood laid on, the andirons, in consequence, are proportionately large and strong, and usually plain, or with very little ornament. In the great hall, that ancient seat of hospitality, where the tenant and neighbours were entertained, and, at Christmas, cheerfully regaled with good plum porridge, mince pies, and stout October, which happy custom some of the very oldest men now living may possibly remember, the andirons were commonly larger and stronger, able to sustain the weight of the roaring Christmas fire.' . . . Persons who have travelled for pleasure in Cornwall will recollect having seen, among other curious antique fixtures in Catehole House, one of the seats of the Earl of Mount-Edgcombe, a pair of richly ornamented brass *dogs* or andirons, upwards of four feet in height." Lardner's *Cyclopædia. Manufactures in Metal. Vol. II. pp. 160-163.* At Windsor Castle there is a pair of very handsome bronze fire-dogs, bearing the arms and monogram of Charles II. They are of very elegant design, and are understood to have been wrought by an Italian artist. Their date is about the year 1670. Andirons are now little known in England as an article of manufacture, though occasionally made in country places as I have lately seen; grates and stoves having entirely superseded them in more senses than one; for the latter are often set or constructed so high as to burn the knees, and leave the feet and ankles in a lower stratum of cold air, which the old fire on the hearth never suffered to accumulate, while it warmed the feet and the whole body upwards, it being the nature of heat to rise with the air, not to descend into it. But though becoming obsolete in England they are in much demand in

America, where the vast forests supply fuel in abundance to form the cheerful blazing fire that wood is remarkable for affording.

This then was the kind of grate, if we may be allowed the term respecting it, for which William Newman stipulated with John Selatter, that his dwelling at Cleveley should be furnished with, under the name of a *dogiron*, and for the supply of which were to be provided, as further stipulated, "two carts full of wood for his hearth." We can now, therefore, understand all the terms and provisions of the agreement, so far as the household fire, the homely hearth, that ever speaks of so much comfort and happiness, was concerned. It was evidently to be the best of the kind that the age and its intelligence afforded, for the apartment was to be provided with a hearth or chimney corner, with a chimney above for the escape of the smoke; while the hearth itself was to be supplied with dogirons for holding the blazing log, and for the continual replenishment of this chief comfort of life, in our variable climate, two cart loads of wood were also to be annually provided.

Only one other article of furniture, besides the dogirons, is referred to in the deed, and that does not give us any very exalted ideas of the luxuries, or even comforts, of the time. It is agreed upon that William Newman is to be provided with "straw for his bed." At this time indeed "a flock bed and a chaff bolster were considered as extraordinary luxuries, while pillows were only made for sick people. The beds of the middle classes of people were straw pallets covered with a sheet, and a log of wood for a bolster, with a blanket and coverlit, like what is now used for horse cloths. As for servants, they had very seldom any sheets at all to keep the hard straws from hurting them; and the sleeping in night clothes was an extravagance they did not indulge in." Markham's *Hist. of Eng.*, p. 189. And yet it may well be believed that William Newman, and those of his time, slept better upon their straw pallets, and rose up more refreshed, than many who have stretched themselves on beds of down and rested themselves on silken pillows.

It is remarkable that the very same provision for himself as this had been made by William the Conqueror, when bestowing the manor of Aylesbury upon one of his followers; for besides other payments in kind which the Lord of that manor had to render, such as three eels whenever the king should come in winter, and two green geese (could these have been the still famous Aylesbury ducks?) in summer, he was to provide straw for the king's bed and chamber, and in summer sweet herbs with the straw. Nor has the use of straw yet passed away even in the most sumptuous houses, for the substratum or under-bed of the most costly couches still is a straw palliasse, this last word being derived from the French for straw, and which is a thick case of bedtick made square and solid by straw tightly packed into it. On this is

placed a horsehair mattress, on which lastly comes a bed of down, of which last I can testify from experience, that it is one of the most uneasy, hot, and unwholesome things to lie upon that can well be imagined.

The dress to be supplied him may be considered as of two parts, the upper and the lower. The upper garment was to be "a gown suitable to his condition, and warm, of russet or frieze, to be made of new cloth." It may indeed be doubted whether *pro statu suo competens* means what it has been rendered above, "suitable to his condition," and not rather "fitted to his size, or stature." In the sense of size, *status* is used, but not in that of *stature*, for that is derived immediately from *statura*. However, "suitable to his condition" seems better to express the value of the article, which I take to be its chief purport, as well as to include all other necessary qualities, and so I have preferred it. The garment itself I have called a gown as the nearest modern word I can find for *epitogium*, unless I were to adopt that which is almost the echo of it, *upper toggery*. This upper garment, or gown, was of various lengths, according to the station or calling of the person, and it was bound round the waist by a girdle, giving it at once shape and compactness. A tight waistcoat or jacket was worn underneath this gown, or loose robe, which among the higher ranks was made generally of silk or stuff, the girdle being richly embroidered. The labourers and poor people were forbidden to wear anything except coarse flannel, and fustian clothes, with linen girdles. Markham's England, p. 177. The material of which the gown of William Newman was to be made was to be russet or frieze, "a coarse warm cloth," says Johnson, "made perhaps first in Friesland," but in all probability at this time manufactured here at Cleveley; for, as has been elsewhere shown, the family of the Fullers, who resided at Cleveley for so long a period, was engaged in some kind of cloth manufacture, of which fulling was an important operation, and frieze was the kind of cloth here made.

The lower garments that were to be provided for William Newman are thus enumerated and described: "one pair of leggings; one pair of socks; and a pair of breeches." At this time such articles as stockings, or knitted hose of any kind, were entirely unknown. It is equally uncertain whether the invention of knitting stockings is due to the Scotch or the French, for there are plausible pretensions in favour of both, but there is no doubt that the art had not been invented in the fifteenth century, nor until some time in the sixteenth, although when is not exactly known. Howell, in his History of the World, printed in 1680, thus writes of the state of trade in his time: "Silk is now grown nigh as common as wool, and become the cloathing of those in the kitchen as well as the court; we weare it not onely on our backs, but of late years on our legs and feet, and tread on that which formerly was of the same value with gold itself. Yet that magnificent and expensive

prince Henry VIII. wore ordinarily cloth hose, except there came from Spain, by great chance, a pair of silk stockins. K. Edward, his son, was presented with a pair of long Spanish silk stockins by Thomas Gresham, his merchant, and the present was taken much notice of. Queen Elizabeth, in the third year of her reign was presented by Mrs. Montague, her silkwoman, with a pair of black knit silk stockins, and thenceforth she never wore cloth any more," p. 222. But although silk stockings were such a luxury, knitted hose of other material were within the reach of the upper classes generally, as appears from an authentic and curious household book kept during the life of Sir Tho. L'Estrange, Knt. of Hunstanton in Norfolk, by his lady Ann, daughter of the Lord Vaux, in which are the following entries:—

1533. 25 H. 8. 7. Sept. Peyd for 4 peyr of knytt hose. VIII s.

1538. 30 H. 8. 3. Oct. ————— two peyr of knytt hose. I s.

It is to be observed, that the first mentioned were for Sir Thomas and the latter for his children. See Gentleman's Magazine, 1782, vol. lii. p. 229.

In the time of our ancient parishioner William Newman, whose leggings and socks must be understood as equivalent to stockings, those articles were the work of the tailor, and were made of some fabric, as of linen or cloth. Hector Boethius, who was professor at Aberdeen in 1497, according to a translation of his Description of Scotland in Hollingshed, writes thus of his fellow-countrymen:—"Their hosen were shapen also of linnen or woollen, which never came higher than their knees; their breeches were for the most part of hempe." Henry the Eighth, as we have seen, wore ordinarily cloth-hose, and so we must understand those of William Newman to have been of some similar substance according to his station. He had stipulated, indeed, that his cloak should be of russet or frieze of new cloth, but no mention is made of the materials of his nether garments, whether his leggings, socks, or breeches. These were generally of different colours, at least the leggings and socks would seem to have thus differed according to an account given by Hollingshed of the appearance of Henry VIII. and his courtiers on one occasion thus: "The king and some of the gentlemen had the upper parts of their hosen, which was of blue and crimson, powdered with castels and sheafes of arrows of fine ducket gold, and the nether parts of scarlet, powdered with timbrels." Chronicles, vol. iii. p. 807. That the hose were originally the work of the tailor is to be ascertained from an anecdote mentioned by Hollingshed relating to Dr. Sands, who, while confined in the Tower in the fifth year of the reign of Queen Mary, that is in 1558, was allowed to have a tailor admitted to him to make him a pair of hose. "One came in to him whose name was Benjamin, dwelling in Birchin-lane; he might not speak to him or come to him to take measure of him, but onelie to look upon his leg," in consequence of which, as might have been expected, they proved two inches too long.

It was further stipulated, that John Selatter was "to bake the bread and brew the beer" of William Newman, provided that the latter was prepared to have his done on the same day that the former did his. With respect to the Latin terms expressing "to bake the bread," *panem pinsere* or *pistare*, for both verbs are used, there is no difficulty. Not so, however, of those denoting "to brew the beer," *brasiare servicia*, which need some comment. *Brasiare* is evidently Norman French Latin, derived from the French verb *brasser* to brew. Again, *servicia* is an incorrect form of spelling *cerevisia*, which is the Latin word for *beer*. It is obvious respecting the words *cerevisia* and *beer*, that except having the same meaning, there is no affinity between them. In fact, *beer* is derived from a very different source, or if at all from the Latin, as some would still make it, from another word than *cerevisia*. This other word is the Latin verb *bibere* to drink, which in the sixth century had become corrupted into *bevere*, which again was changed into *bere*, this being the common mode of spelling *beer* until about a hundred years since. What is more remarkable still is, that we have another word in use in our language, which is directly derived from *bibere* through *bevere* as above, for the word *bever*, which according to Ben Johnson meant "a refreshment between meals," is still understood to mean a morning draught of ale, and is clearly derived from *bevere*, as also evidently is the word *beverage*. A much higher descent, however, is claimed for our English *beer*, whether as a mere name or as a beverage, for there is the strongest presumption that its origin as a word is in the very oldest language known, the Hebrew, and that the invention or discovery of the art of brewing or fermenting has thus come down as the name has from the time of Noah. It is observable that *bere* is the Saxon word for barley, as in the name of the neighbouring village of Barton, which in our old deeds is spelt *Bereton*, meaning the Barleytown. But this Saxon word *bere*, from which is derived not only the English *beer*, but the French *bière*, and the Italian *birra*, is itself derivable from the Hebrew *Br*, signifying *corn*, which being read without the vowel point, and with a brief sound of a vowel, would be pronounced like *bre* in *sabre*, or *ber*, whence is at once derived both the Saxon word *bere*, barley, and thence the English *bere* or *beer*, the product of barley, or of corn as in the Hebrew.

There is no doubt that an intoxicating drink, to be made from either barley or wheat, was very early discovered, and the use of it widely extended, amongst the European nations. Dion Cassius says, that "the Pannonians who inhabit the banks of the Danube have neither oil nor wine, except a very little, and that little very bad: they eat barley and millet, and from these two kinds of grain make a drink." We learn from Ammianus, that a similar liquor, called *sabaia*, was prepared from barley or wheat in Illyricum. Tacitus declares that the ancient Germans were much

addicted to drunkenness, and that amongst them 'it was no disgrace to continue drinking night and day:—'they prepared a beverage from barley or wheat, which they made into a liquor somewhat resembling wine.' Pliny exclaims, 'the whole world is addicted to drunkenness: the perverted ingenuity of man has given to water the power of intoxicating, where wine is not procurable. Western nations intoxicate themselves by means of moistened corn.'—'A drink made in this way is called *gythrem* in Egypt, *celia* and *cerea* in Spain, and *cerevisia* in Gaul and the other provinces.' It would appear that the barley wine, as made in some countries, was rather an indifferent beverage: that of the Germans was 'humor ex hordeo corruptus.'" Donovan's Domestic Economy, pp. 18, 19. This last description of the German barley wine, or beer, is by no means a bad one properly understood, for it should be rendered "a drink formed by the decomposition of barley," which is exactly what fermentation is, for although it is dignified by that name, which because of its products is approved and thought highly of, yet fermentation is in reality only the process of decomposition or corruption, which being artificially set in action is under the control and management of the operator, who can arrest its progress at his pleasure, and effect either the vinous or acetous fermentation as he may choose. Thus, then, had our ancestors learned from the most primitive times the art of brewing fermented liquors for their use, and such was the *servisia* or *cerevisia*, which according to this deed, Newman covenanted with Scletter to brew for him.

It may yet be interesting to add some information as to the former use and effects of the art thus learned in our country, and for this purpose I will again borrow from a source I have already applied to. "Ale is a beverage of great antiquity in Great Britain and Ireland. But the ale of these periods, and until the sixteenth century, contained no hops. Dr. Lannigur, speaking of St. Finian of Clonard, one of the two sees of Meath, who died A.D. 552, says of him, 'His usual food was bread and herbs; his drink water. On festival days he used to indulge himself with a little fish, and a cup of *beer* or whey.'" Ale is mentioned in the laws of Ira, king of Wessex, who ascended the throne about the year 689. It was one of the articles of a royal banquet provided for Edward the Confessor. William of Malmesbury writes that "the English in the reign of Henry II., 1154 to 1189, were universally addicted to drunkenness, continuing over their cups day and night, keeping open house, and spending the income of their estates in riotous feasts, where eating and drinking were carried to excess, without any elegance." Even the monasteries fell into these luxurious habits, and were remarkable for having the best wine and ale, the latter of which they brewed for themselves. In the reign of Edward IV., about 1470, an installation feast was given by George Nevil, Archbishop of York, at which the guests had



the liberal allowance of 300 tons of ale, and 100 tons of wine : that is, in all, above one hundred thousand quarts of liquor. Indeed one of the most impious pieces of poetry that I ever read was a drinking song composed by one who in his day was esteemed an eminent ecclesiastic, and who writing in Latin at once prostituted both his talents and his morals to such wretched impiety as this :

Mihi est propositum in taberna mori  
 Vinum sit appositum morientis ori  
 Ut dicant quum venerint angelorum chori  
 Deus sit propitius huic potatori.

I will, however, give neither any more verses of this song, although it consisted of many ; nor any version of it, although it has been rendered into English : for its impiety is such that it may well remain veiled in what has been aptly called the decent obscurity of an unknown tongue. But when many are endeavouring to revive monastic and conventual institutions, under the fancy of promoting piety, it is well that it should be known what they were of old addicted to, and what therefore they would again be equally liable to. Besides when the clergy could be thus profane and immoral in their habits, it will surprise us the less to find the common people giving vent to their imitative powers in such words as these, which at once declare the fatal effects of drinking and the degradation of those who indulge in it.

Back and sides go bare, go bare,  
 Both foot and hand go cold,  
 But belly, send thee good ale enough  
 Whether it be new or old.

I omit the profane use of the Almighty's name in this song, which I give in the hope that it may convey and teach its own moral, that they, whose god is their belly, have glory only in their shame, and strip themselves of all needful comforts, and even necessaries, to glut the lust of that most insatiable of appetites, when once perverted, the thirst for strong drink.

This sad and degrading habit was capable of being too freely indulged of old, on account of the moderate price, compared with modern times, at which liquor could be obtained. Thus about the year 1050, the best ale could be bought for eightpence the imperial gallon of the present day. This was spiced ale, which was double the price of common ale. In 1251 the price of ale was thus fixed by assize : "A brewer may sell two gallons of ale for a penny in cities, and three or four gallons for the same price in the country." The penny of that time was worth about threepence in the time of Hume, from whom this last fact is taken. In 1471 the parliament of Ireland fixed the price of a gallon of the best beer at three-halfpence ; and in 1550, Holinshed calculates the first cost of ten score gallons of beer at twenty shillings, or not quite five farthings a gallon.

Ale and beer were formerly made use of at breakfast, as tea and coffee are at present, and that even by ladies as well as gentlemen. In the household book of the Earl of Northumberland, as quoted by Lord Kames, we have the following account of the manner in which this meal was served at that time in the reign of Henry VIII. "On flesh days through the year, breakfast for my lord and lady was a loaf of bread, two manchets, a quart of beer, a quart of wine, half a chine of mutton, or a chine of beef boiled." And although on meagre days and in Lent this bill of fare was modified as respected the flesh, and fish substituted for it, yet the beer and the wine were neither intermitted nor diminished in quantity even, but a quart of each was allowed.

The use of the hop was first introduced from the Netherlands, about the beginning of the last-mentioned reign. Shortly after, during the Dutch war, the English, according to Baker, "learned to be drunkards, and brought the vice so far to overspread the kingdom, that laws were fain to be enacted for repressing it." Hume relates that the Earl of Leicester gave Queen Elizabeth an entertainment, at Kenilworth castle, at which 365 hogsheads of beer, that is 23,000 gallons, were drunk—a goodly allowance for each if only seven or eight thousand persons should have attended this grand festival. Shakespeare, who lived and wrote in the days of Queen Elizabeth, thus contrasts, to the grievous disadvantage of our national character, the drinking powers of various people in his time.

"*Iago.* In England they are most potent in potting: your Dane, your German, and your swagbellied Hollander, are nothing to your English.

*Cassio.* Is your Englishman so expert in his drinking?

*Iago.* Why, he drinks you, with facility, your Dane dead drunk; he sweats not to overthrow your Almain; he gives your Hollander a vomit ere the next pottle can be filled." OTHELLO.

Nor was this, with melancholy candour it must be recorded, any overstrained picture or caricature of the manners of the time. Deep and strong potations were too often assumed to be, and exhibited as, the proofs of gentility and highbreeding; and, in the succeeding reigns of the house of Stuart, the Cavaliers professed to distinguish themselves from the Roundheads, by contrasting their own drinking, not to say drunken, powers with the austere and abstemious habits of their opponents.

Such, however, was not our pristine character, nor according to ancient writers, were our aboriginal British forefathers addicted to such habits, or proud of such vain glory. When Boadicea, the famous queen of the Iceni, a tribe of ancient Britons whose region then occupied the country about the City of Norfolk, had been treated with the utmost barbarity by the Romans, she resolved to avenge her wrongs. Having summoned, therefore, her subjects to aid her she thus contrasted their habits with those

of their conquerors in the harangue that she addressed to them. "To us every herb and root are food; every juice is our oil; and *water is our wine.*" Well will it be for both Great Britain and Ireland when their inhabitants return to these simple habits, or at least to such temperance and moderation as shall prevent all abuse of the good gifts of God; and in the hope that William Newman, whose manners and habits we have been considering, may never have been betrayed into any such transgression, we here take our leave of him.

IV. We have already had two interesting documents connected with the family of the Sclatters of Cleveley, the one of the year 1408, for the payment of a fine on Sibylla Ffyshare, that she, being in a state of villenage, might marry John Sclatter of Cleveley; the other the lease we have just been considering, by which the same John Sclatter a few years previously, in 1403, covenanted with William Newman for the tenure of his lands in exchange for board, lodging, and raiment to be provided for him. There is a third document also connected with the Sclatter family, which if not so interesting as the two former is still not devoid of interest as telling the tale of our forefathers' manners and customs in by-gone times.

This document is a legal one of a litigious nature, and will exemplify some of the modes of law proceedings then in use. It is a writ of *scire facias*, as it was then, and is still called, meaning that its object is, *scire facere*, "to cause some person to know" the proceedings that are going on against him, and the then existing state of them, so that he may neither be taken unawares, nor plead, when called upon to answer for himself or to receive judgment, that he was ignorant of what had been going on. It is of the time of Henry VI., and was issued out of the King's Bench under the jurisdiction of Sir John Fortescue, at that time Chief Justice of England. Its purport will be obvious upon perusal, and after having given it in full so far as it is legible, we will subjoin some explanations of one or two particulars in it that seem to require them.

ORIGINAL.

Henricus Dei Gratia Rex Angliæ et Ffranciæ et Dominus Hiberniæ. Vid. Worr. Salutem. Cum Thomas Wodeward nuper in curia nostra coram nobis pro breve implicando Willielmum Sclater de Clevele in Com. Oxon. Husbandman de quâdam transgressu eidem Thomæ per præfatum Willielmum illata ut dicitur ac idem Willielmus pro eo quod non bene coram nobis præfato Thomæ inde secundum legem et consuetudinem regni nostri Angliæ responsuro in exigendo positus fuisset in corde suo ad utlagandum et ea occæpisset postmodum utlagatus nobis constat. Et nos precate motu perdonandum eidem Willielmo utlagariam prædictam, et firmam pacem nostram si inde concesserimus; ita tamen quod stet recto in curia nostra coram nobis juxta formam

statuti de hujusmodi utlagatus nuper editi, si prædictus Thomas versus eum loqui voluisset de transgressu dictâ. Quod tibi præcipimus quod per probos et legatos homines de ballia tua *scire facias* prædicto Thome quod sit coram nobis a die Sanctæ Trinitatis in XV dies ubicunque tunc fuerimus in Angliâ ad sequendum ulterius versus prædictum Willielmum de placito prædicto si voluisset. Et ulterius scire facias recepturo quod curia nostra coram nobis apperandum sit in hac parte. Et heas ibi nostras per quos sive scire fecis vel hoc breve dedisti. J. Fortescu apud Ebestune XII die May tricesimo quarto. R. XXXVIII.

## TRANSLATION.

Henry by the Grace of God King of England and France and Lord of Ireland. Warwickshire to wit. Greeting. Whereas, that Thomas Wodeward, lately in our court before us, on account of a writ implicating William Sclater, of Cleveley in the county of Oxford, Husbandman, respecting a certain trespass done to the same Thomas by the aforesaid William, as is reported; and that the same William, because the aforesaid Thomas would not well answer before us therein, according to the law and custom of our realm of England, on exaction (enquiry) being made, had set it in his heart to outlaw him, and had moreover commenced proceedings of outlawry, is known unto us. And ye pray us by motion to remit to the same William our outlawry, and our safe peace if thereupon we shall have remitted it; so indeed that he may of right appear in our court before us according to the form of the statute respecting such outlawry now lately published, if the aforesaid Thomas should be willing to reply to him concerning the said trespass. Wherefore we command you, that, by good and lawful men of your bailiwick, you cause the aforesaid Thomas to know that he be before us from the day of the Holy Trinity during fifteen days wheresoever we shall then be in England to pursue further against the aforesaid William respecting the aforesaid plea if he be willing. And further cause him to know upon the receipt of this that he must appear before us in our court in this behalf. And there this our writ produce by those whom you have either caused to know or have given this writ to. J. Fortescue at Ebeston 12th day of May in the thirty-fourth year . . . . . (34 H. 6, 1455.)

This document is styled a writ of *scire facias*, because those words, which will be seen in the body of it, are the main import and purpose of it. From it we may gather, that law proceedings had commenced, and were pending, between William Sclater of Cleveley and Thomas Wodeward, of what place is not stated, so that this was the case of Wodeward *versus* Sclater. The matter in litigation would seem to have been, that Sclater had trespassed on Wodeward, and was unwilling to satisfy him thereupon. It would further appear from the state of the proceedings that

Sclater had absconded, for, writes Judge Blackstone, "where a defendant absconds, and the plaintiff would proceed to an outlawry against him, an original writ must then be sued out regularly, and after that a *capias*." This before us seems to be the kind of writ which Blackstone terms an original writ, for it is, *scire facias*, to make Sclater aware of the proceedings of outlawry now commencing against him.

One of the rights of every Englishman, says Judge Blackstone, "is that of applying to the courts of justice for redress of injuries. Since the law is in England the supreme arbiter of every man's life, liberty, and property, courts of justice must at all times be open to the subject, and the law be duly administered therein. The emphatical words of *magna charta* (the great charter of English liberty) spoken in the person of the king, who in judgment of law, says Sir Edward Coke is ever present and repeating them in all his courts, are these; *nulli vendemus, nulli negabimus, aut differemus rectum vel justitiam*," that is, "to none will we sell, to none will we deny or delay right or justice." These words, however, are only the concluding part of the twenty-ninth clause, the most celebrated one of all *magna charta*, since it is the foundation of the liberty of Englishmen: and, as it has this intrinsic value, besides being most pertinent to the matter now in hand, we will give it in full in English. "No free man may be apprehended or imprisoned, or disseized of his free tenement or liberties or his free customs, or be outlawed, or exiled, or in any way whatever be destroyed, neither will we proceed against him, nor will we set upon him, except by the legal judgment of his peers or by the law of the land." Hence, it is evident, that one of the great protections, sought by the English nation when they forced the great charter from the tyrant John, was that against outlawry, a sentence which had been one of the most terrible kind. For outlawry left a man in the most unprotected state imaginable, so that "antiently an outlawed felon was said to have *caput lupinum* (a wolf's head) and might be knocked on the head like a wolf, by any one that should meet him; because, having renounced all law, he was to be dealt with as in a state of nature, when every one that should find him might slay him." But this savage system has been altogether restrained, so that every man, even the most guilty, is protected, and only put to death for his crimes in due course, order, and solemnity of law. Yet the power of outlawry was one often abused, until brought within due limits, as well by such securities as *magna charta*, as by statutes that have from time to time since been made. The writ before us refers to one of these then lately published, and what that was we may learn from Blackstone, who writes, "It were endless to enumerate all the *affirmative* acts of parliament, wherein justice is directed to be done according to the law of the land: . . . I shall however just mention a few *negative* statutes whereby abuses are restrained.

... By 2 Edw. III. c. 8, and 11 Ric. II. c. 10, it is enacted, that no commands or letters shall be sent under the great seal, or the little seal, the signet, or privy seal, in disturbance of the law; or to disturb or delay common right: and though such commandments should come, the judges shall not cease to do right." He mentions others since the time of Richard II., but that last named one is sufficient for our present purpose, as it both shows how jealously the parliament was building up barriers for the protection of public liberty, and is evidently the statute then lately published respecting outlawry.

It is observable that the man, William Sclater, against whom a sentence of outlawry was prayed, was not only to be warned of this movement against him, that he might come forward and defend his liberty, but it was also provided in the writ that he should "of right appear" in Court to answer it. This would give him full liberty to come and go, without which he might be in peril of seizure when coming to defend and maintain his liberty, and thus lose that which he was summoned to defend by coming to defend it.

The writ is made returnable or answerable at any place where-soever the court might be during the time appointed, and this fact alone, without the name of Chief Justice Fortescue, would denote it as issuing from the Court of King's Bench, for that court is a moveable court and may pass into any place where the sovereign might be, while those of the Common Pleas and Exchequer are fixed. The writ is dated at Ebestun, which was the seat of Chief Justice Fortescue in Gloucestershire, but the name Ebestun has now become changed through Ebberton into Ebbington, under which last form it has given a name to the second title of the Earl of Fortescue, his eldest son being Viscount Ebrington. The date itself is imperfect, the parchment being mutilated, but it imports, from the words, *tricesimo quarto*, to be in the thirty-fourth year of the reign of Henry VI., though it has also the following addition, R. XXXVIII., which implies the thirty-eighth year of the reign. It might be either, for Henry VI. counted thirty-nine years.

V. Besides the deeds we have given in full, we find in others various incidental statements, telling us of ancient names, of measurements of lands, of portions of lands, and of tenements, and bringing out interesting facts in describing their situations and boundaries. Thus, in a deed of 1339, we have these several items introduced, "*suum messuagium suum curtilagium cum suo crofto et suam virgatam terræ cum pertinentiis*," that is in English, "his message his curtilage together with his croft and his yard of land with its appurtenances." In another of 1341, we have "*unam acram terræ arabilis cum una plaga curtilagii in fine medietatis prædictæ acræ...jacente desuper villam de Clyvele in superiori crofto quod dicitur Orchardus croft inter terram Jo-*

hannis de Bladintone ex utraque parte et buttat se super viam quam tendit usque Oxoniam." In English thus, "one acre of arable land with one plaga of a curtilage at the end of the middle of the said acre . . . lying above the village of Cleveley in the upper croft which is called Orchard croft between the land of John of Bladintone on both sides and abuts upon the highway which goes to Oxford." Again, in a deed also of 1341, we have "duas schones terræ arabilis jacentes ad finem villæ de Clyvele in inferiori crofto quod dicitur Orchardus croft, unam schonam inter le yrysche crofte et terram Johannis de Bladintone et alteram schonam jacentem inter terram Johannis de Bladintone ex utraque parte et buttat se super viam quam tendit versus Oxoniam." In English thus, "two schones of arable land lying at the end of the village of Cleveley in the lower croft which is called Orchard croft one schone between the yrysche croft and the land of John of Bladintone and the other schone lying between the land of John of Bladintone on either side and abuts upon the highway which goes towards Oxford." In a deed of the year 1345, we read, "et alia dimidia acra jacet in campo orientali in Wolfhainewelle forlong inter terram Johannis de Bladintone ex una parte et terram Hugonis le Talloris ex altera parte," which means, "and the other half acre lies in the east field in Wolfhainewelle furlong between the land of John of Bladintone on the one part and the land of Hugo the Tailor on the other part." In a deed of 1346, we have, "tres solidatas annuas redditus Annuatim perpiendas de quodam messuagio cum curtilagio et suis pertinentiis super le Westhull quod Rogerus le Mason et Sarra uxor ejus de me tenent ad terminum vitæ simul ac renditione prædicti messuagii post mortem prædictorum Rogeri et Sarrae, habendum et perpiendum ac tenendum prædictam redditum cum suis pertinentiis ad quatuor annuos terminos principales et usuales equis portionibus simul ac renditione prædicti messuagii cum acciderit ut prædictam est prædicto Johanni le Follare heredibus et assignatis suis de capitalibus dominis foedis illius propter servitia inde debita et dejure consueta in perpetuum." In English thus, "three yearly solidate rents of Annuates to be paid for a certain messuage together with a curtilage and its appurtenances upon the Westhill which Roger the Mason and Sarah his wife hold of me to the end of life as well as the restoration of the said messuage after the death of the said Roger and Sarah, to have and to pay and to hold the said rent together with its appurtenances at the four principal and usual annual periods by equal portions as well as the restoration of the said messuage whenever that shall have happened as has been aforesaid to the said John the Fuller his heirs and assigns according to the capital lord's fee of it on account of the services thence due and by law accustomed for ever." In another deed of the same date exactly to the day, we have "tres denaratas annuas redditus Annuatim perpiendas de quodam messuagio cum perti-

nentiis quod Johannes le Tayllor tenet in Clyvele ad duos annuos terminos videlicet ad festa Annunciationis beatæ Mariæ virginis et sancti Michaelis Archangeli equis portionibus," that is, "three yearly denarate rents of Annuates to be paid for a certain messuage together with its appurtenances which John the Taylor holds in Cleveley at two yearly periods to wit at the feasts of the Annunciation of the blessed virgin Mary and of Saint Michael the Archangel in equal portions." Both the preceding deeds were executed by Alicia le Veysy of Challford, daughter and coheirress of Roger of Stonehard, and in a third of the same year she grants to John the Fuller, "totum jus et clamen quod habui habeo seu quovis modo habere potero in tertia parte unius carucatæ terræ arabilis et prati cum pertinentiis jacentis in campis de Clyvele quæ quidem tertia pars idem Johannes tenet ex dimissione mea ad terminum vitæ suæ," that is in English, "the whole right and claim which I have had, have, or in any manner whatsoever shall by any possibility have, in the third part of one carucate of arable land and meadow together with their appurtenances lying in the fields of Cleveley, which third part indeed the same John holds by my demise for the term of his life." In 1409, there is a deed showing the tenure of "medietatem unius messuagii et medietatem unius virgatæ terræ," that is, "half a messuage and half a yard land," which were let on these conditions, "reddere inde annuatim præfato Thomæ et Johannæ uxori suæ duos solidos argenti in festo sancti Michaelis Archangeli necnon facere dominos illos fœdos omnia servitia inde debita et de jure consueta," that is, "to pay thereon an annuate to the said Thomas and Johanna his wife two solidi of silver at the feast of Saint Michael the Archangel, and also to satisfy the lord's fees and all the services thence due and of right accustomed."

VI. *Of Dates and their Ancient Style.* Of the general form of *dating* these deeds, as we call it in English, the following may be taken as an example, "Datum apud Clyvele die Mercurii proxima post festam Sancti Hilarii Anno regni regis Edwardi tertii a conquestu quarto decimo." This rendered into English is, "Given at Clyvele on the Wednesday next before the feast of Saint Hilary in the fourteenth year of the reign of king Edward the third from the conquest." In this rendering it will be seen that the proper meaning of *datum* is *Given*, for it was *the giving* of the deed that completed its execution, as now the completion of that act is expressed by the words, "I deliver this as my act and deed." The time of *the giving*, therefore, was inserted, as being one of the important facts connected with it, and thus when the deed was enquired into it was asked, when was the deed *datum*, that is *given*, and thence the word *dated* came to be used, and subsequently *date*, until a word which originally signified *the act of giving* at length acquired the very different meaning of some certain period of time, or as is commonly said "the date" of anything.



In these dates three particulars are observable: the manner in which the day of the week is expressed, that in which the day of the month is expressed, and that in which the year is expressed. These three we will consider separately.

As the deeds are in Latin, so the days of the week are expressed in words of that language; and in order to understand the proper use and application of these, it will be necessary to enquire whence they are derived, how they have obtained practice amongst us, and how our own English names correspond to these. Fortunately we can do so by an extract from that very valuable book, the Penny Cyclopædia, under the word Week-day. "A passage in Dion Cassius (Hist. Roman. xxxvii. 18, 19.) is the source of all that is known as to the origin of the names that have been given to the days of the week. The Ptolemaic arrangement of the heavenly bodies according to their distances from the earth is in this order, Saturn, Jupiter, Mars, the Sun, Venus, Mercury, the Moon, Saturn being the most distant; and it was a principle of the ancient astrology that these planets presided in this succession over the hours of the day. Upon this notion, if the first hour be assigned to Saturn, it will be found that the 25th, or first hour of the second day, will fall to the Sun; the 49th, or first of the third day, to the Moon; the 73rd, or first of the fourth day, to Mars; the 97th, or first of the fifth day, to Mercury; the 121st, or first of the sixth day, to Jupiter; and the 145th, or first of the seventh day, to Venus." Thus, then, the seven days of the week obtained these Latin names, 1. dies Saturni, the day of Saturn; 2. dies Solis, the day of the Sun; 3. dies Lunæ, the day of the Moon; 4. dies Martis, the day of Mars; 5. dies Mercurii, the day of Mercury; 6. dies Jovis, the day of Jove or Jupiter; 7. dies Veneris, the day of Venus; all these being the names of different gods which these blind heathens worshipped. Saturn was thought by some to be the son of Heaven and Earth, or the first man, this being a confused notion of Adam created by the God of Heaven out of the dust of the earth; by others to be the son of Oceanus, the Sea, and Tethys, the mother of Rivers, this being a corruption of the true fact of Noah being as it were born to a new life when the earth was baptized of sin by the waters of the flood: so that in either case Saturn was thought to be the original of all men now living, whether as Adam the first man, or Noah, of whose family the whole earth was overspread. The Sun and the Moon, as the two grandest objects of creation, the Sun ruling the day, and the Moon the night, have ever been objects of idolatrous worship among the heathen. Mars was the heathen god of war; Mercury of merchandise, or commerce, and thence the messenger of the gods to men; Jupiter, a name made from Japhet, the son of Noah, and father of all the European nations, was the father of all the gods; and Venus was the goddess of love. It was from a similar system of idolatry, once prevailing in this and other neighbouring

countries, that our names for the days of the week have been derived. Thus *Dies Saturni*, or Saturn's day, is our Saturday, *Dies Solis*, or the Sun's day, is Sunday, and *Dies Lunæ*, or the Moon's day, is Monday. *Dies Martis* was the day of Mars, and the old Saxon deity corresponding to him was *Tiw* or *Tiu*, whence came *Tiwes daeg*, or, as we have it, Tuesday. So again *Dies Mercurii*, the day of Mercury, received the name of *Wodnes daeg*, that is *Woden's day* or Wednesday. *Dies Jovis*, the day of Jove or Jupiter, became *Thunnes daeg*, or Thor's day, whence our Thursday. And lastly *Dies Veneris*, the day of Venus, was called *Frige daeg*, or Friga's day, whence our Friday is made. But although these heathen names were employed, even in Christian times, to designate the ordinary days of the week, the Sunday was never so called, but whenever it occurs as a day for the execution of a deed, which it does not unfrequently, it is always styled *dies dominica*, the Lord's day, thus endeavouring to separate it from the others, and to give it the possession of sanctity, even while using it for such worldly purposes as these. So vainly sanctimonious have the principles and practice of Popery ever been. It is well worthy of remark that according to the ancient system first introducing these names, the first day of the week was Saturday, corresponding to the Old Testament Sabbath, and bearing testimony to a traditional knowledge amongst these heathen nations of the appointment of that day as the chief day of the week.

The days of the months are indicated, as was always customary in Roman Catholic times, by connecting them with some well known holy day in the Calendar, which under Popish influence was loaded with such days, so that none was without one or more names attached to it. Thus in the very first deed, although it is without any date of execution, two such days are named as rent days, the one being St. John Baptist's day, that is June 24; and the other the feast of St. Kenelm the King. Now in the Calendar there are two days in commemoration of Saint Kenelm, that of Kenelm, King and Martyr, on July 17, and that of Kenelm, King, on Dec. 13. In this case it is evident that the last was the day, for as one part of the rent was to be paid at Midsummer or June 24, so it is reasonable to conclude that the other would be paid about Christmas or Dec. 13. St. Kenelm is the imputed saint and martyr to whom the Church of Enstone was at first dedicated. No. 4 is dated on Thursday, being the feast of the Apostle Barnabas, which is June 11. No. 7 is on the Lord's day next before the feast of St. Hilary. Now there are no less than eight saints of this name in the Calendar, and they have amongst them as many as thirteen days, so that there is ample room for choice; yet as we find a certain St. Hilary still in vogue in our Calendar, and one out of his four days still noted there, as distinguishing the 13th of Jan., and giving its name to one of our Law terms,

that has been adopted as the one probably intended in this instance. No. 9 is dated "on the Lord's day after the feast of St. John before the Latin Gate." This day commemorates a fabulous miracle supposed to have been effected on St. John the Apostle and Evangelist, and said to have occurred near to one of the gates of the city of Rome called the Latin gate, where the Apostle being cast into a caldron of boiling oil was delivered from it unharmed. This barbarous act is attributed, on the authority of Tertullian, a writer of the third century, to the Emperor Domitian, at whose command the Apostle was sent to Rome by the Proconsul of Asia, the country where his apostolical office had chiefly been exercised. No. 11 is of the same date as the last named, but the day is differently expressed, as "on the Lord's day next before the feast of St. John in May," instead of "the feast of St. John before the Latin Gate." No. 12 is dated "on the Lord's day next after the feast of Saint Edward King and Confessor," some account of whom will have been found in the Ecclesiastical History of the parish. No. 13 is dated "the Monday next after Pentecost," which term was "sometimes, and chiefly in the Greek church, used to signify all the Paschal season, from Easter until Pentecost," (Sir H. Nicholas,) but here is employed to denote, what the word itself means, *the fiftieth*, that is the fiftieth day, or the seventh Sunday after Easter-day, that being Whitsunday. No. 19 is dated "on the Feast of Scholastica the Virgin," which, according to the Romish Calendar, was Feb. 10. No. 20 is dated "on the Wednesday next before the feast of St. George." He was the famous patron saint of England, so that the battle cry of our warriors in former times was, "St. George for merry England." This fact will quite justify us in introducing as an episode here some account of the origin and saintship of this remarkable person.

It is indeed a singular fact, that such a character as St. George was, should ever have become the patron saint of a country like our own; for if there is one thing that has helped to raise us to an eminence as a nation, and that has given us influence and power amongst the surrounding nations of Christendom, and even amongst those of heathendom with whom we have been connected, it is our rigid, severe, uncompromising probity in all our commercial and trading pursuits; and if it has been imputed to us, as it has in ribaldry, that we are "a nation of shopkeepers," we can at least pride ourselves on the fact "that we are just and true in all our dealings." And yet, strangely enough, the time-honoured patron saint of England was the very reverse of this. "George, from his parents or his occupation surnamed the Cappadocian, was born at Epiphania in Cilicia, in a fuller's shop. From this obscure and servile origin he raised himself by the talents of a parasite: and the patrons, whom he assiduously flattered, procured for their worthless dependant, a lucrative commission, or contract, to supply the army with bacon. His em-

ployment was mean ; he rendered it infamous. He accumulated wealth by the basest arts of fraud and corruption ; but his malversations were so notorious, that George was compelled to escape from the pursuit of justice. After this disgrace, in which he appears to have saved his wealth at the expense of his honour, he embraced, with zeal or affected zeal, the profession of Arianism. From the love, or the ostentation, of learning, he collected a valuable library of history, rhetoric, philosophy, and theology : and the choice of the prevailing faction promoted George of Cappadocia to the throne of Athanasius. The entrance of the new archbishop was that of a barbarian conqueror ; and each moment of his reign was polluted by cruelty and avarice. The catholics of Alexandria and Egypt were abandoned to a tyrant, qualified, by nature and education, to exercise the office of persecution ; but he oppressed with an impartial hand the various inhabitants of his extensive diocese. The primate of Egypt assumed the pomp and insolence of his lofty station ; but he still betrayed the vices of his base and servile extraction. The merchants of Alexandria were impoverished by the unjust and almost universal monopoly, which he acquired, of nitre, salt, paper, funerals, &c., and the spiritual father of a great people condescended to practise the vile and pernicious arts of an informer. The Alexandrians could never forget, nor forgive, the tax, which he suggested, on all the houses of the city, under an obsolete claim, that the royal founder had conveyed to his successors, the Ptolemies and the Cæsars, the perpetual property of the soil." (Gibbon, ch. 23.) The result of all this oppression and wrong was, that the people eventually rebelled against his authority, and he was cast into prison, only to be delivered by the rage and fury of the populace, who wreaked their vengeance upon him by subjecting him to a violent and unjust death. This last fact, the injustice of his death, secured to him, as it has done to many equally flagitious, the imputation of martyrdom, and eventually the honour of saintship. It was on the 30th of November, A. D. 361, according to the historian cited above, that Archbp. George was seized and imprisoned, and on the 24th of December following that he was unjustly and violently put to death ; yet it is the 23rd of April that has been appointed for him in the Romish Calendar, under the title of St. George the Martyr. It was, however, not until 133 years after his death, that he attained the honour of canonization, which was conferred upon him by Pope Gelasius, A. D. 494. When the English Crusaders, in 1096, went to the East, where St. George had from the sixth century been the object of adoration, they found him received among the Christians as a warrior-saint, with the peculiar appellation of Trophæopheros, the Trophy-bearer, meaning the conqueror ; and having some previous acquaintance with him from legends, and believing him to have aided them at the siege of Antioch, they adopted him as the patron of soldiers. As such,

Edward III., when he instituted the Order of the Garter, adopted him as the patron saint of the Order, and he thus gradually became acknowledged in England as the tutelar saint of our country and chivalry. "Through a cloud of fiction," writes Gibbon, "we may yet distinguish the combat which Saint George of Cappadocia sustained in the presence of Queen *Alexandria*, against the *magician Athanasius*;" and this controversial combativeness, thus allegorized, originated no doubt the fable of St. George vanquishing the Dragon, which Spenser the poet has so fully described, and a passage from which will be found in a subsequent part of this work. The whole tale, however, has its moral. There is a Latin proverb, *omne ignotum pro magnifico*, which means, that we are apt to think those the noblest with whose lives and origin we are least acquainted; and if ever this proverb were verified, it is in the case of Saint George. As the slayer of the dragon we regard him as the deliverer of the feeble and unprotected from perils to which they are hopelessly exposed, and we admire the daring hardihood of the warrior, and the sanctity of his character. As an allegory, we see in his might and prowess the conquering power of the Christian, armed with the sword of the Spirit, against "the dragon, that old serpent, which is the Devil, and Satan." Yet what a change from this lofty emprise, to be detected and exposed as a fraudulent bacon dealer, and when highest a tyrannical and oppressive Arian Archbishop. From such saintship, as well as from the qualifications for it, may we ever be saved, and may it rather be given to us, in the humblest sphere, to become true warrior saints unto God and His Christ, by overcoming the world, the flesh, and the devil, through faith in Jesus, and thereby proving the apostolic truth, "This is the victory that overcometh the world, even our faith."

No. 21 is dated "on the Tuesday in the week of Pentecost," that is in fact "on Whit Tuesday," this being only a form of a similar kind to that we had in No. 11, "the Monday after Pentecost." No. 32 is dated on "the Thursday next before the feast of Saint Frideswide the Virgin." The story of this pious lady is thus related by Dr. Ingram. "About the year 727, a certain alderman, provost, or viceroy, 'subregulus,' of the name of Didan, ruled over a large population in the city of Oxford, with dignity and honour. The name of his wife was Saffrida; and they had a daughter, whose name was Frideswide. Having received a religious education under Elgiva, a most pious devotee, the youthful Frideswide not only embraced a monastic life herself, but induced twelve other virgins of respectable families to follow her example. It happened about this time that Saffrida died; and her husband, seeking consolation from a work of piety, employed himself in the construction of a conventual church, within the precincts of the city; and having dedicated it in honour of St. Mary and All Saints, he committed it to the superintendence of his daughter, at

her own request. In process of time, by the munificence of the king of Mercia, certain inns were constructed in the vicinity of the church, adapted as much as possible to the character of a religious establishment. Such is the simple outline of St. Frideswide's history, and such was the origin of the monastic foundation, which in succeeding times was naturally called after her name." Notwithstanding which there have been fables of her having been a king's daughter, and having had a royal lover. She died Oct. 19, A. D. 740, and was buried "in the church of St. Mary of Oxford, on the banks of the Thames." Dr. Ingram remarks that the origin of the University of Oxford may be traced to the Priory of St. Frideswide, thus founded. What is more certain is, that the Cathedral of Christ Church, not to say the Dean and Chapter, had their origin in that ancient foundation. Oxford was at one time the metropolis of the Mercian kingdom, and a favourite seat of those Saxon monarchs. The priory of St. Frideswide was richly endowed, and so highly did king Ethelred prize it, especially after his enlargement and restoration of it, that he calls it, "myn owne mynster in Oxenford." Subsequently to this, however, the whole character of the institution was changed, for instead of being the residence of virgin nuns, such as St. Frideswide had originated, it was changed into one for monks, who were styled Canons of St. Frideswide, or Canons of Oxenford. The Prior and Canons of Oxford thus became wealthy and important persons, nor were they unmindful of the saint under whose auspices their institution had originated, and to whose endowments they had succeeded. The Church was greatly improved and fashioned in the Norman style, much as it now is, when it forms the Cathedral of the diocese, and the relics of St. Frideswide were translated from "an obscure to a more noted place in the church," in the year 1180, in the presence of the king, archbishop, bishops and nobles, on which occasion, as is reported, divers miracles were "then and there wrought, both on clerical and laical people." The fame of the "patroness of Oxford" having soon extended far and near, rich offerings were made at her altar, and many endowments were added to those which had already been secured by charter, so that in 1289 a new shrine of St. Frideswide was dedicated, and placed near the spot where the old shrine was, the latter apparently having been placed within the new and larger one. The favour and honours of St. Frideswide continued to increase, so that sermons were preached at St. Frideswide's cross, and the university authorities went in annual processions to her altar. Even a more superb and elegant shrine was afterwards constructed, about the year 1480. We have been thus explicit in relating the origin and foundation of this ancient priory, both because of the foundress, whose appointed feast has been employed as a date, and of the existing Dean and Chapter, who are the inheritors of the church, shrine, altar, and other memorials of St. Frideswide, and

who are also the owners and enjoyers of all the Rectorial property in glebe and rent-charges in this parish; in addition to which it may be mentioned that the name of Frideswide was in frequent use as a Christian name in this parish, long after the time of the Reformation.

The manner in which the date of the year was formerly expressed, was according to the number of the years of the reigning king's reign, an inconvenient and complicated mode, often leading to much error; for as the last year of one monarch and the first year of his successor would both necessarily occur in one and the same natural year, so one part of the year, that namely before the death of the king, would have one form of expression applicable to it, and the remaining part, that namely after the succession of the new king, would have a different form of expression. In addition to which it would be doubtful when exactly a new reign commenced, for the king's reign did not always begin as now with the death of his predecessor, and the legitimate succession of the new king, but depended upon the observance and fulfilment of certain forms, until the completion of which the reign was not understood to commence for legal purposes, such as the dating a deed or the like. These and other incidents tended to make the dates of agreements very uncertain without precise and accurate knowledge as to the events occasioning them, and in now determining the dates of the deeds before us for examination, we have to refer to authorities by which such matters as these have been accurately examined into and determined in order that we may satisfactorily fix upon their times, and arrange them accordingly.

The very first of which we have a year date, No. 2, is a remarkable instance. It is "the eleventh year of the reign of King Edward son of King Edward." Now there have been, at different times, as many as nine Edwards kings of England, three Saxon kings before the conquest in 1066, five since that period of the Plantagenet line, and one of the Tudor line. Of the three before the conquest, neither one was the son of the other, so that Edward the son of Edward could not be one of these. But of those since the conquest, Edward II. was the son of Edward I., Edward III. was the son of Edward II., and Edward V. was the son of Edward IV. Thus we have no less than three Edwards, sons of Edwards, out of which to select the one giving date to this deed. This might have been a matter of no little difficulty, had not a change taken place in the mode of distinguishing these kings; for when Edward III. succeeded his father Edward II., who had been designated Edward the son of Edward, it was obvious that this form would not distinguish between Edward III. and Edward II., as it had done between Edward II. and Edward I. Accordingly the more improved method was adopted of numbering the kings, and thus we learn that when the form of Edward the son of Edward occurs, it describes the reign of Edward II.,

which lasted from 8 July, 1307, to 20 Jan. 1327. Even this improved method, however, was found to demand correction, for when there came to be an Edward III. of the Plantagenet line, and when this form had been some time in use, as we find in the deeds No. 4 and 5, which are dated "in the twelfth year of the reign of king Edward the Third," which was A. D. 1339, it was observable that this might not sufficiently distinguish between him and the third king of the Saxon line before the conquest, though he was called Edward the Confessor, and therefore in the deeds marked No. 7, 8, &c. he is described as "Edward the Third from the conquest," or "after the conquest." In the deed No. 15, however, we have a variation in the form, for it is dated thus, "in the nineteenth year of the reign of king Edward the Third from the conquest in England, but the sixth of his reign in France." This assumption of the title of King of France was vainly attempted to be justified by Edward through his mother Isabella, who was a daughter of Philip the Fair king of France. Now it had become an established law in France, according to a clause in the ancient Salian Code, commonly called the Salique law, that the crown of France could never descend to a female; and already three times, in the family of Isabella herself, the question had been tried and decided, for she had three brothers, each of whom in succession became kings of France, although the eldest Lewis Hutin left one daughter, who might have succeeded him; the second, Philip the Long, left three daughters; and the third, Charles the Fair, left two daughters; the crown of France reverting to Philip de Valois, cousin german of the last three kings, rather than to their daughters. Notwithstanding this, Edward III., king of England, set up a claim to the throne of France, as being the next heir male to the last three kings, *through* his mother Isabella, contending that, although the crown could not descend to a female, it might come *through* a female to a male heir. He did not, however, at first assert his pretensions to the crown of France, for being young when he became king of England, he was cautious at first not to excite the jealousy and enmity of France. Philip was a prudent and powerful king, and Edward was unwilling to rush overhastily into a contest to which he did not feel himself quite equal. He even acquiesced so far, for the time, in the rightful title of Philip, as to do homage to him as his liege lord, on account of his inheritance of Guienne, thereby fully and entirely admitting Philip to be king of France. All the while, however, he treasured up the claim he was about to make, and when at length, in consequence of mutual jealousies and differences between himself and the king of France, respecting the affairs of Scotland, and other matters, his enmity was excited, he proclaimed himself king of France, and entered upon the terrible task of conquering for himself by the sword that kingdom to which he had no just right and title. Thus was introduced this form of date, and although for a time, from the year



1360 to 1369, Edward, in consequence of a treaty, forbore to use the title, of which we have an instance in No. 10, and renounced his claim, yet at the latter date, when that treaty had not been fulfilled by Philip, he assumed the title again, and it continued to be used by the kings of England down to the time of the late king George III., during whose reign, and in consequence of the altered circumstances of both kingdoms, it ceased any longer to be employed, having been renounced by treaty at the settlement of peace at Amiens, March 27, 1802.

The observations of the great English historian Hume are so just, and so full of counsel to his own countrymen, that we shall do well to bear them in mind. Of Edward's unjust claim to, and assumption of, the title of King of France, he writes, "this step, which he feared would destroy all future amity between the kingdoms, and beget endless and implacable jealousies in France, was not taken without much reluctance and hesitation; and not being in itself very justifiable, it has in the issue been attended with many miseries to both kingdoms. From this period we may date the commencement of that great animosity, which the English nation have ever since borne to the French, which has so visible an influence on all future transactions, and which has been, and continues to be, the spring of many rash and precipitate resolutions among them. . . . The fatal pretensions of Edward III. dissolved all connexions that had subsisted between the kingdoms, and left the seeds of great animosity in both countries, especially among the English. For it is remarkable, that this latter nation, though they were commonly the aggressors, and by their success and situation were enabled to commit the most cruel injuries on the other, have always retained a stronger tincture of national antipathy; nor is there hatred retaliated on them to an equal degree by the French." Let this candid exhibition of our national character not be lost upon us, and that too especially at a time when we have entered into alliance with our neighbour, and side by side are contending for the protection and extension of civilization, but let us endeavour to maintain such peace and goodwill with him, that the blessings we ourselves thus mutually enjoy may be extended also to all other people, so that the nations shall neither learn nor practise war any more, but peace, commerce, and friendly intercourse be cultivated and maintained amongst all mankind, whom God has made of one blood to dwell together on the face of the earth. Had "the reluctance and hesitation" to insist upon his claim, which are attributed to Edward III. by Hume been allowed their full influence five hundred years since, what benefits might the world have been now enjoying therefrom; and since we can now see the fruits of his error, and have for ourselves as a nation utterly renounced it, by laying aside the unjustly assumed title, we may indeed hope that the future will be brighter than the past, and that our national intercourse with France may be scrupulously and lovingly maintained.

In the dates of the deeds No. 23 and 24, we have an example of the defective mode of dating by king's reigns. No. 23 is dated in "the twenty-second year of the reign of King Richard the second after the conquest in England," and No. 24 is dated in "the first year of the reign of Henry the fourth after the conquest." Now both these years occur in the one year, A.D. 1399. But not only so, a third year comes in between the two already mentioned, making actually a third regnal year to occur within the one year 1399. It happened thus: The twenty-second year of Richard II. ended on 21 June 1399, and accordingly the twenty-third of his reign commenced on 22 June, 1399. But in consequence of his decease the twenty-third year of his reign ended on 29 Sept. 1399, and thereupon the first year of the reign of Henry the fourth began on 30 Sept. 1399, so that in fact the twenty-second and twenty-third years of the reign of Richard II., and the first year of the reign of Henry IV., all took place within the one year 1399. Nor was this anything at all unusual, but the natural consequence of this kind of reckoning, giving occasion for many chronological errors, unless carefully guarded against. For thus, every king's reign would be made to number two more years than it really filled in true time. And this has no doubt been a very fruitful source of error in the chronology of the ancients, among whom the reigns of their princes, the services of their priests, and other similar modes of dating, were in use making more apparent years, during various eras, than there had been real ones. In our own system of legal dating these errors have been guarded against of late years, by introducing the number of the A.D. year as well as that of the reign of the Sovereign, and this practice now obtains not only in deeds but even in Acts of Parliament.

In the deed No. 36 a new title appears for the king of England, who is therein described as "Henry by the grace of God King of England and France and Lord of Ireland." The conquest of Ireland by Strongbow under the auspices of Henry II. had occurred about the year 1170, and in 1172 the king went over to take possession of his new dominions, but when the title of Lord of Ireland was first assumed does not exactly appear. In a letter to his son in 1170, Henry II. describes himself as "*Rex Angliæ, et dux Normanniæ et Aquitaniæ, et comes Andegaviæ,*" that is "King of England, and Duke of Normandy and Aquitaine, and Count of Anjou," the title of Duke of Aquitaine having been obtained by his recent conquest of that Dukedom, which had belonged to the ancestors of Viscount Dillon, whom he thereupon settled in Ireland, but no mention is there made of Ireland. The earliest instance I have met with of the use of the title, "Lord of Ireland," although in all probability it was employed before that time, is in the reign of Edward III., who, in several letters addressed to the Duke of Brabant, describes himself as "*Edwardus Dei gratiæ Rex Angliæ et Franciæ, Dominus Hiberniæ, et Dux*

Aquitaniæ," that is, "Edward by the grace of God King of England and France, Lord of Ireland, and Duke of Aquitaine." This is much the same form as that employed in this deed, which being from a higher source than all the other deeds are, for it was a writ issued by the Lord Chief Justice of England, would of necessity be more strictly accurate and full than ordinary deeds would. The final date of the deed is mutilated so that what are the terms in which it is expressed are doubtful, although it is evidently intended by the words *tricesimo quarto* to denote the thirty-fourth year of the King's reign, while again a subsequent form, M. XXXVIII. seems to denote the thirty-eighth year of the reign.

The earliest deed we have that is dated both with the plain day of the month, and that of the A.D. year is No. 39, which was executed and is dated March 10, A.D. 1588. It has, however, in addition the regnal year thus described, "the thirty-first year of the Reign of our Lady Elizabeth by the grace of God Queen of England, France, and Ireland, Defender of the Faith," &c. This last title, which is one still retained by the Sovereign of England, and jealously contended for by many, is of the most remarkable origin for a Protestant Ruler to have, and a Protestant nation to be jealous of, that can be conceived. For it was conferred upon the King of England, while yet both the nation and the sovereign were Roman Catholic, by the Pope of Rome himself. The occasion of it was this: The great and noble Reformer Luther, having by the sword of the Spirit, which is the Word of God, assaulted and deeply smitten the corrupt system of the Papacy, all the zealous promoters of that soul-destroying religion aroused themselves to rescue it from the peril it was in before the light of God's truth. Amongst others, in the year 1521, Henry VIII. distinguished himself as an author, and wrote a Latin book against the heresies of Luther. This book was presented with great ceremony to Pope Leo X., who rewarded the royal author with the title of "Defender of the Faith," and addressed to him a letter, praising his "wisdom, learning, zeal, charity, gravity, gentleness, and meekness," most of which attributes few people could have less deserved, although as Hume remarks, considering the age and circumstances of the work it did no discredit to the capacity of the king. Strange, however, indeed are the vicissitudes of human affairs, for the title thus ostentatiously earned, and conferred with so much adulation, was, even by its first possessor, turned against the very authority that bestowed it, and has ever since been prized by the Protestant Sovereigns of England, and by their people, as one of the noblest titles attaching to the Crown.

*Of Seals and the Sealing of these Deeds.* The first deed that has any signature to it is that of the 31 Eliz. 1588, and of the five persons, who executed and signed that deed, only two wrote their names, so little was that accomplishment in use even up to that time. Nearly all the previous deeds were executed by sealing, of

the origin of which custom Judge Blackstone gives us the following account. "The use of seals, as a mark of authenticity to letters and other instruments in writing, is extremely ancient. We read of it among the Jews and Persians in the earliest and most sacred records of history. And in the book of Jeremiah there is a very remarkable instance, not only of an attestation by seal, but also of the other usual formalities attending a Jewish purchase. In the civil law also, seals were the evidence of truth; and were required on the part of the witnesses at least at the attestation of every testament. But in the times of our Saxon ancestors, they were not much in use in England. For though Sir Edward Coke relies on an instance in King Edwin's making use of a seal about an hundred years before the conquest, yet it does not follow that this was the usage among the whole nation: and perhaps the charter he mentions may be of doubtful authority, from this very circumstance of being sealed; since we are assured by all our ancient historians, that sealing was not then in common use. The method of the Saxons was for such as could write to subscribe their names, and, whether they could write or not, to affix the sign of the cross: which custom our illiterate vulgar do, for the most part, to this day keep up; by signing a cross for their mark, when unable to write their names. And indeed this inability to write, and therefore making a cross in its stead, is honestly avowed by Coedwalla, a Saxon king, at the end of one of his charters. In like manner, and for the same unsurmountable reason, the Normans, a brave but illiterate nation, at their first settlement in France, used the practice of sealing only, without writing their names: which custom continued, when learning made its way among them, though the reason for doing it had ceased; and hence the charter of Edward the Confessor in Westminster Abbey, himself being brought up in Normandy, was witnessed only by his seal, and is generally thought to be the oldest sealed charter of any authenticity in England. At the conquest, the Norman lords brought over into this kingdom their own fashions; and introduced waxen seals only, instead of the English method of writing their names, and signing with the sign of the cross. And in the reign of Edward I. every freeman, and even such of the more substantial villeins as were fit to be put upon juries, had their distinct particular seals. The impressions of these seals were sometimes a knight on horseback, sometimes other devices; but coats of arms were not introduced into seals, nor indeed into any other use, till about the reign of Richard the First, who brought them from the croisade in the holy land; where they were first invented and painted on the shields of the knights, to distinguish the variety of persons of every Christian nation who resorted thither, and who could not, when clad in complete steel, be otherwise known or ascertained." This last observation of Judge Blackstone is confirmed by the following statement to be found in Barnes' History of Edward III., for writing of the occurrences of that year he re-

marks, "Nor is it altogether unworthy of our observation, that after this taking of King John of France, the Lords and Gentlemen of England began generally to leave off that ancient usage of bearing their Effigies on Horseback in their Seals, and set their own Arms only in the reverse of their Seals on little Shields," p. 525.

The passage in Jeremiah referred to above is the following. "And I bought the field of Hananeel, and weighed him the money, even seventeen shekels of silver. And I subscribed the evidence, and sealed it and took witnesses, and weighed him the money in the balances. And I took the evidence of the purchase, both that which was sealed according to the law and custom, and also that which was open." Jer. xxxii. Now it would almost seem that the deeds we are considering were made upon the very model of what Jeremiah calls "the evidence of the purchase," and which was authenticated, by signing, by sealing, and by witnesses, for excepting the first of these our deeds have all the other qualifications. They have the seals and the witnesses, although these last do not sign their names, but as the sealing is done in their presence, and their names are recorded as being present, they could be called upon at any time to attest to the sealing they had witnessed.

A very beautiful and appropriate application of the ancient custom of sealing, and of the authority and value of the use of seals, is given by St. Paul in his second epistle to Timothy. Writing in confirmation and assurance of the faith against those who opposed it, and strove to overthrow it, he says, "Nevertheless the foundation of God standeth sure, having this seal, The Lord knoweth them that are his; and, Let every one that nameth the name of Christ depart from iniquity." Now it was the custom of old for princes to use and wear seal or signet rings, of which we have many examples in Scripture, as when Jezebel forged letters against Naboth and sealed them with Ahab's seal; and when, as recorded by Jeremiah, the Lord said, "though Coniah were the signet upon my right hand, yet would I pluck thee thence;" and again, when Daniel was shut up in the lion's den, the king sealed it with his own signet. Such signet rings were engraved either with a figure or an inscription, and, in some cases, the stone that was engraved being so contrived as to turn round, it had an inscription on each face, so that by using the impression on each side a double sealing was effected, and double security as it were attached to the deed so executed. This was the character of the seal referred to by St. Paul in his illustration, and which, first, as being a signet ring gave assurance that the subject sealed or secured was the grant of a Sovereign, Prince, or Ruler, even the King of kings and Lord of lords; and secondly, by its twofold use and double inscription afforded the stronger evidence and proof of the faithfulness of Him who thus so graciously secured and ratified to man the salvation He had freely and liberally provided for him.

Of all the deeds we have, only two were executed without sealing, for not only is there no relic or sign of any seal to them, but the fact of their having been sealed is not recorded, the witnesses only attesting the giving of the deeds. These two are the first and the third. Some of the deeds, however, retain remnants of the seals affixed to them, but so mutilated that little can be made of them. One of the year 1399, being the deed of Richard Hey, Vicar of Spelsbury, John Ffeyreforde, and William Attehall, has remains of two seals, the first in order having the upper part of an R, which formed the centre of the seal, and over it a crown; and the third having part of a Catherine wheel, which formed the whole impression. The seal with the R and the crown over it, and which is the first of the three, is evidently that of Richard Hey, Vicar of Spelsbury, the R being the initial letter of his Christian name Richard, and his name standing first in the deed. Hence also we may infer that the last seal with the Catherine wheel is that of William Attehall, whose name stands last in the deed. Another deed of 1403, executed by William Newman, is the only one that has a perfect seal, and which consequently must have been his seal. The centre is a stag with the head bent back in such a manner that the antlers overhang the whole body of the animal. Around is the inscription W. L. U. S. \* N. E. W., which is the abbreviation of Willielmus Newman, or William Newman. A third has the seal of John Paynel and Alice his wife, of the year 1411, and has parts of two seals, one of which has the remains of an emblazoned coat of arms, but no distinct parts can be made out. Thus in William Newman's seal we have an example of the old style, the employment of some effigies on the seal; and in that of John Paynel the newer one of the use of coats of arms.

“This neglect of signing,” writes Blackstone, “and resting only upon the authenticity of seals, remained very long among us; for it was held in all our books that sealing alone was sufficient to authenticate a deed: and so the common form of attesting deeds, —“sealed and delivered,” continues to this day; notwithstanding the statute 29 Car. II. c. 3, before mentioned revives the Saxon custom, and expressly directs the signing, in all grants of lands, and many other species of deeds.” Long before the time of Charles II., however, signing had been in use, for our most important deed of feoffment, made in the 31 El. A.D. 1588, is signed as well as sealed by the five persons who executed, three of them making their crosses only, but two signing their names in full, the writing being very indifferent, and the spelling of the names, although they were the same, being quite different. As spelt in the body of the deed their names were William Vadrie, now commonly pronounced and written Fawdry, but in the signatures, the one is spelt Wylyyam Vadre, and the other Wylym Ffaudary. When persons of the same name as these were spelt their own names so differently, we may well believe that their education and knowledge of spelling must have been defective.

*Of Indented and Poll Deeds.* The system of sealing deeds was always liable to this risk, that the seal might be detached from the deed and lost, or a counterfeit deed might be produced of which it might be averred that it was an original but that the seal was gone. This led, therefore, to another mode of guarding against fraud, and that was the writing two copies of the same deed on one piece of parchment, so that they lay upon it head to head, and then cutting them asunder, so that it might be seen on comparison, that the parchment, and the cut, and all corresponded. At first this was done, as might be expected, by a straight cutting between the deeds, the parties trusting no doubt to the similarity of the deeds, the agreement of the cut, and the identity of the parchment skin, to prove that the deeds were faithful counterparts. But the perverse ingenuity, and the evil heart of man, could counterfeit or forge all these, and therefore other methods were devised. This led to the plan of Indenting deeds as it was called, which consisted in cutting the two deeds assunder by a waving, crooked, or jagged line, having the appearance of a set of sharp pointed teeth, and as the word *dens* in Latin means a tooth, so this jagged or toothed line was called *indented* or an *indenture*. Thus came the distinction between these two kinds of deeds, for the old straight cut ones were called Poll Deeds, because they had as it were a clean shaven poll or head to them, and the others were called Indented Deeds or Indentures, because of their jagged or toothed edge. But even indenting was found to fail, for it was quite possible to imitate a crooked or jagged line, as well as a smooth one, and therefore another device was contrived, which consisted in writing some word or letters between the two copies of the deed, and carrying the crooked cut through them, so as to make it still more difficult to imitate the marks of identity between the deeds. Those thus made were "denominated by the canonists," says Blackstone, "*syngrapha*, and with us *chirographa*, or handwritings; the word *cirographum* or *cyrographum* being usually that which is divided in making the indenture."

Amongst our deeds we have examples of all these various kinds. Most of those we have are poll deeds, having no agreement whatever, even when the deeds are counterparts of each other, for the styles of writing are quite different. But some are indented, admirably exemplifying the nature of indentation, and the changes and progress of it. The oldest indented deeds we have are a pair of the time of 4 H. IV. A.D. 1403. They are those numbered 27 and 28, and the indentures are well defined, and shaped in a waving line, and exactly correspond. The next we have are a pair of the time of 10 H. IV. A.D. 1409, and which are not only indented, but also have the *cirographum* or handwriting plainly legible when the indentures are joined and matched. The *cirograph* in this case is not that word, which Blackstone tells us was generally used, but consists of the five letters H. Q. R. B. Q, which I interpret as meaning Henricus Quartus Rex Bis Quinque, that is, Henry the Fourth King twice five years, the date of the deed as

stated in it being "the tenth year of the reign of Henry the Fourth after the conquest," and the different form of expression in the cipher being adopted as a catch to prevent forgery. There is another deed of the same year as the preceding one, which is a sharply jagged, indented, deed having a chirograph, but, as the counterpart is wanting, it is not possible clearly to decipher it, although it would seem to be somewhat like the above, but of a greater number of letters.

Notwithstanding the system of indenting had thus been from time to time improved upon, yet it seems to have been eventually distrusted, though, like many other forms, it has preserved its place, and has even left its name impressed upon deeds, which are still called "Indentures," while the form itself has been found useless and unnecessary. Thus in a pair of feoffment deeds of the year 1655, numbered in the catalogue 44 and 45, although they are styled Indentures and are both actually indented, yet they do not correspond in the slightest degree, and the indenture utterly fails to do that which it is alleged to do, that is to testify in any way to the validity of the deeds. So frequently is human ingenuity balked in its contrivances, and the tests and securities of one age are proved defective by the experience of succeeding ones; while later ages cling to the forms they have proved abortive, as if there must be some undiscoverable excellency surviving in the discarded form, or as if there was a wisdom in them which we cannot attain to while we reject them.

*Ancient Names of Lands.* Both in the deeds we are examining, and from other sources, may be obtained various names of fields or lands. Thus in a deed of 1345, we find the name "Orchard Crofte," which means the Orchard close, or small paddock. In the same deed occurs the name "*Wolfhamewell furlong.*" No such furlong has been known of late years in Cleveley, nor does any name like it appear in the oldest terrier we have, which is, however, only of the year 1806. What is the derivation of the word may be guessed at, taking it to be derived from the three Saxon words, *wolf* a wild animal, *hame* a collar, and *welle* a spring, for so it may have meant the Wolf-collar's Spring, probably from a wolf or wolves resorting there to drink, and being caught in a collar or gin set for the purpose. The antiquity of this name is evident, not only from its Saxon derivation, but from the fact of its referring so distinctly to the existence of wolves in the country. They continued in England until after the year 960, when they were extirpated, says the historian Hume, by the industrious policy of Edgar, at that time king. "He took great pains in hunting and pursuing those ravenous animals; and when he found that all that escaped him had taken shelter in the mountains and forests of Wales, he changed the tribute of money imposed on the Welsh princes by Athelstan, his predecessor, into an annual tribute of three hundred heads of wolves; which produced such diligence in hunting them, that the animal has been no more seen in this island."



In several deeds of 1346, occurs the name of *Westhull* or *Westhill*. In one of 1341, occurs the very peculiar name of *yrysche*, which still survives in the latest terrier we have, of 1806, where it is written *Irish*. In one of 1349, is the name *Attenorchard*; and in another of 1399, occurs that of *Enston Lane*. In one of 1403, is mentioned the *Greenway*, and in the terrier is still to be found "Greenway furlong."

It may here be added that on one of the fly leaves of one of the Parish Registers, the following notices of ancient names occur in the handwriting of a former Vicar, Rev. S. Nash:—"There is in the parish of Enstone a farm called Chafford Farm, and a wood called Chafford Oaks, near which many foundations are found. The other places that attract attention in this parish are the Lamp Acre, the (our) Lady's acre, and the (our) Lady's breaks. The Lamb's head well, the Sunrising spring, the Cross Hands ways, and No Man's Yerde, are probably places that were well known in Catholic times. Bailey in his dictionary calls Chafford, in another part of England, Cederic's Ford." Of these the Lamp Acre, and our Lady's Acre and Breaks, were no doubt ancient endowments for religious purposes connected with the superstitious usages of Popery. No Man's Yerde, or No Man's Yard of land, was a small square plot of ground occurring in the open fields before the enclosure, amongst various Yerdes or Yards of land belonging to different proprietors, and which remained in the same unclaimed uncultivated state, known as No Man's Land down to the time of the enclosure a few years back, when it was included in an allotment appropriated to some proprietor, and thus lost at once its liberty, its distinction, its very trace and name.

*Of Ancient Payments.* The earliest kind of dealings known, whether for the tenancy of land or the purchase of goods, was by a species of, or by direct barter. The first tenure of land was for "suit and service" as it was called, the tenant engaging to be at the bidding of the lord, whence the common title landlord now, to serve him either as a soldier in the field or as a cultivator on his estate. These modes of service, however, becoming inconvenient alike to both parties, lord and vassal, landlord and tenant, they were commuted into certain payments, or rents; and as the immediate lords held of superiors or chiefs, the sovereign coming at last to be the lord paramount, so there was reserved either to him, or whoever else stood in his position as chief lord, the payment that we frequently meet with of "the capital, or chief, lord's fee." This was in fact a kind of land-tax, and may have been the original of that kind of impost. In some cases where the estate was to be parted with for some special purpose, as by grant for charity or any other use, the system of devising land required a rent to be reserved though only nominal, and in one instance, as we have seen above, this was a rose. The remarkable case, which we have given and illustrated fully above, of a person covenanting to be supplied with board, lodging, raiment, &c., is one in which we see

the system of barter in its fullest extent. Whenever money is spoken of, as in some of the later deeds is the case, we have two kinds of coins mentioned; Solidus, which was the Latin term for a shilling, and Denarius, which means a penny. These varied little from their present positive value, though of course their relative value was different from time to time, according as they commanded greater or less quantities of purchasable articles. Besides the solidi or shillings, and the denarii or pennies, there were larger coins called Marks, of the value of thirteen shillings and fourpence. We still see surviving amongst us many proofs of the ancient use of the Mark, for amongst legal fees we often meet with the sums of 13s. 4d., 6s. 8d., and 3s. 4d., which somewhat excite amusement and curiosity, until we observe that these sums are our respectively, a whole, a half, and a quarter, of a Mark. Even our common Pound is made up from the ancient coin, for a Pound which is 20s. consists of a Mark, which is 13s. 4d., and a half Mark, which is 6s. 8d.

*Of Ancient Measurements.* There occur in these deeds frequent mention of the old methods, or terms rather, of measurement, which are now, but only recently by reason of the enclosure, in one way or other, of the various parts of the parish, entirely disused among us. It will, however, be interesting to explain, and leave upon record, the terms, that have heretofore been employed, and we propose therefore now to do so. To assist in the understanding and explanation of them, we will first present the reader with such accounts of them as we can derive from authority. In the *Archæologia* of the Society of Antiquaries of London, vol. ii. p. 260, there will be found a notice of Bicknacre Priory in Essex, in the course of which occurs the following passage illustrative of our subject. "The hide, and carrucate, mentioned in the above charters, are supposed each to be about one hundred and twenty acres, more or less, without any decisive computation. The virgate was the quarter of the hide. The solidate was a portion of land yielding in rent one shilling. The weight of money, as for instance of a shilling, was three times heavier than at present, and the necessaries of life ten times as cheap." All of these terms, as well as some others cognate to them, are to be found in use in our deeds, but we will endeavour to throw some further light upon them.

The hide, or carucate, as stated above, are always understood to be synonymous, and the same measurement, yet their derivation and origin are very different. A hide is a very ancient measurement, employed by the Roman people, and understood to be as much land as could be enclosed within the hide, or skin, of an ox, when cut up into slips, and carried round the land enclosed by it as a boundary line. It is also understood to be as much land as one plough was capable of cultivating, so that it was sometimes called a *plough land*, and this term is the exact meaning of a *carucate*, for the word carucate is evidently derived from *charrue*,

which is the French for a plough, so that in fact carucate is nothing more than a plough land. The capacity of this measurement was very various, for it would contain from 100 to 150 statute acres, and varied more or less within these limits, and even beyond, in almost every district and parish of England.

The virgate, as described above, was one-fourth of a hide or carucate, and it also varied in capacity just as the hide did. In English the virgate was commonly called a yerd, or yard, or yard land. But both this English term and the Latin one virgate are evidently of very different origin. The word *yard*, or rather *yerde*, is of Saxon origin. It is, however, different from the word *yard*, the measure of length, although that also is derived from the Saxon, or rather is the continuance of the old Saxon word *yerde*. The superficial measure a *yerde* or *yard* is derived from the Saxon *yearde*, and means a certain extent of land. The word *virgate* is made to mean the same, but is rather derived from the nature of the holding, than the extent of the land. These small estates were generally, it may be said universally, held under the lord of the manor, either directly as grants from him, or mediately through him by the authority of his court; and the method of giving seizin or possession of them was by means of a rod which the seneschal or steward of the manor bore as his sign of office, and by touching which the tenant was admitted to possession by favour of the lord. And this was a very ancient mode of denoting favour from a superior to an inferior, as we see in the case of King Ahasuerus towards Esther, for, when she sought his presence, to obtain favour for her people the Jews, the king, as the sign of it, held out his golden sceptre, and Esther encouraged drew near and touched the top of it, thereby accepting and securing to herself its protection and grace. So in our manorial courts seizin by the rod is still practised, as I have myself seen, and this rod being called in Latin *virga*, the land to which possession was so given was styled, just as we find it in these deeds, *virgata terra*, literally land by the rod, or a rod, and thence a rood of land. This is the sense in which Goldsmith in his *Deserted Village* makes use of the word when he writes,

And every rood of land maintained a man ;

for a rood in its common acceptation is only a quarter of an acre, which would never maintain a man ; but a rood as explained above, meaning a yard, or yard land, which contains from twenty-five to forty acres, was a very adequate quantity for maintaining well, especially in former times, a man and his family.

An acre, although a term now in use, and its extent definitely settled by statute, had not formerly any certain limits, although there was a general and commonly received idea as to its proper size, but as the carucate or hide, and the virgate or yerde both varied as to the number of acres they contained, so did the acre itself vary, much in the same sort of way as a foot did, until an average was agreed upon and definitely settled.

The *solidate* and the *denarate* were terms denoting the value, not the extent of the tenancy, and as the *solidate* was a rent of a shilling, so a *denarate* was one of a penny. They were both of them most probably only such rents as are now termed quit rents, payable to the lord as an acknowledgment of distant and contingent rights, which he thereby keeps alive.

Besides the terms already mentioned, and which have a certain degree of definiteness of measure attaching to them, there are others to which it seems impossible to apply any such rules whatever, and these, therefore, must be spoken of in an entirely distinct category following.

*Ancient Portions of Land.* Of these we have the following. *Croftus*, a croft; *curtilagium*, a curtilage; *plaga curtilagii*, a plaga of a curtilage; *schona*, a schone. The first of these, a *croft*, means a little close, adjoining to a dwelling-house, and which might be either arable or pasture. It is of Anglo-Saxon origin. Of similar origin was the word *a toft*, which means a piece of ground where a house had once stood, but which had become barren and useless from the remnants of foundations, and these two words gave rise to a proverbial saying descriptive of a landless and houseless man, "He has ne croft, ne toft." A curtilage, is evidently derived from *curtus*, short or small, whence may have originated our word *a court*, and in this sense, that of a court or yard adjoining a house, the word curtilage seems to be employed. A *plaga* is a part or portion of ground, and the plaga of a curtilage would mean a part or share of a court or yard. A *schone* is derived from the Greek word *schoi-ne*, which meant a bulrush, or a halter or small rope twisted of bulrushes. In ancient times it had an understood and defined sense as a measure of length, for it was an Egyptian measure, containing according to Herodotus sixty stadia, but according to others only thirty. It is, however, not to be understood here in any such extended sense as this, but only in that of some small length, such as a halter or short cord would denote.

*Names of Dwellings.* Of these we have met with two, *messuagium*, a messuage; and *mansio*, a dwelling or lodging. The derivation of messuage, it is difficult to detect. Johnson defines it to be "the house and ground set apart for household usages," and derives it from "*messuagium*, low Latin." But this is in fact giving it no derivation at all, and thereby confessing his inability to find one. As, however, it applies strictly to a private dwelling we may at least conjecture an origin for it from the French word *messieur*, and thence infer it to mean "a gentleman's house." *Mansio*, a dwelling or lodging, is from the Latin verb *maneo*, to remain or abide, and so means an abiding-place or dwelling.

Besides the deeds already given, and which are all of them more or less connected with this parish, there have been deposited here, when or by whom being altogether unknown, a set of deeds connected with a certain property at Buckingham. These deeds are

none of them so ancient as any of the preceding, but they are interesting as serving to exemplify a different kind of tenure from any we have before seen above. They are all of them what are technically called *Views of Frank pledge*, as well from the nature of the court out of which they issue, as from the first words of the deeds themselves, these being, *Visus ffrangii plegii*, and meaning "View of frank pledge." Blackstone thus describes their original to us:—"The *court-leet*, or *view of frank pledge*, is a court of record, held once in the year and not oftener, within a particular hundred, lordship, or manor, before the steward of the leet; being the king's court granted by charter to the lords of those hundreds or manors. Its original intent was to view the frank pledges, that is the freemen within the liberty; who, according to the institution of the great Alfred, were all mutually pledges for the good behaviour of each other. Besides this, the preservation of the peace, and the chastisement of divers minute offences against the public good, are the objects of the court-leet." And still further it may be mentioned, as evidenced by these deeds, that at such courts fines were levied or passed, as in the higher courts of record, confirming and assuring to parties their rights and properties within the manor or hundred over which the court presided. Such a manorial court it appears there was anciently connected with a certain manor within the parish of Buckingham. That parish consists of three districts within the town itself, called the Borough, Bourtonhold, and Prebend-end, of a village called Gawcott, and of two hamlets called Lenborough and Bourton. Of these it would appear that Prebend-end and Gawcott formed a manor by themselves, presided over by a court-leet, out of which issued the deeds, of which we will now give some brief account indicating their purport and design, the first serving as an example of all the rest.

1. Manor of the Prebend of Buckingham with Gawcott in the County of Buckingham. View of Frank Pledge in the court baron of Alexander Denton, Esq., lord of the manor aforesaid, held there the 21st day of October, in the thirtieth year of the reign of King Charles the Second, and A.D. 1678, before William Lawley, Gentleman, Seneschall there. At this court it was presented by homage that in 1678, Henry Markham and Dorothy his wife, and in the year 1667, the said Dorothy being then a widow surrendered into the hands of the lord of the manor by the hands of William Collett, Sen., and John Jeffrey, Sen., two of the customary tenants of the said manor all that messuage or tenement &c. situate at Gawcott to the use of William Goodwin and Alicia his wife for their lives and after their decease to the use of their children; that the said William Goodwin surrendered it again in 1669 into the hands of the lord of the manor by the hands of William Law, Sen., and William Law, Jun. to the use of the said William Goodwin and Alice his wife for their joint lives and their heirs and children. custom at this court held 31 Octo. 1678, it is presented that

the aforesaid William and Alice were dead without issue and that the said Alice was the longer liver and that John Hinton of London Winecooper is the elder brother of the said Alice and next heir, Which John Hinton comes by custom to this court and petitions to be admitted to the said messuage and he has been admitted thereupon to hold by the Seneschall aforesaid and he has yielded seizin by a rod, to have and to hold the said messuage for ever by a rod according to the custom of the manor aforesaid by the rents and services thence formerly due and of right accustomed and given to the lord for a fine and he has done to the lord therein faithfully. Examined by me William Lawley Seneschall there.

2. View of Frank pledge in the manor court aforesaid 31st of April in the thirty-fourth year of the reign of our Lord Charles the Second by the grace of God of England Scotland France and Ireland King Defender of the Faith &c. whereby John Hinton surrenders to the lord of the manor by a rod according to the custom of the said manor by the hands of John Sardwell and Henry Robinson that cottage or tenement with a corte (Anglice) backside in Gawcott to the use of John Carruthers and Hellen his wife, the survivor, their heirs &c.

3. View of Frank pledge in the manor court aforesaid held on the twentieth day of March in the sixth year of the reign of our Lord William the third by the grace of God of England Scotland France and Ireland King, whereby Henry Markham of Gawcott surrenders into the hands of the lord of the manor by a rod according to custom all his right in a messuage at Gawcott in the occupation of John Carruthers to the use of John Carruthers and Hellen his wife the survivor their heirs &c.

4. View of Frank pledge being a copy of the preceding.

5. A copy of the will of Hellen Carruthers who being the survivor and dying in the year 1729, left her property to Richard Skinner Citizen and Linen Draper of London and Thomas Fletcher Citizen and Haberdasher of small wares of London in trust to sell it all, pay her debts &c. and give over the whole residue to John Creedon of Newport Pagnell Chapman.

6. View of Frank pledge held on Monday 26<sup>th</sup> of Octo<sup>r</sup> 1730, before William Vaux Gentleman Seneschall whereby Richard Skinner through his Attorney Thomas Law is admitted to seizin of the property by a rod.

7. View of Frank pledge of the same date as the preceding, whereby Richard Skinner surrenders the property to the lord of the manor by the hands and acceptance of the Seneschall by a rod according to custom &c. the property aforesaid to the use of Thomas Armstrong, who thereupon prays to be admitted and is admitted to have and to hold by a rod according to the custom of the manor paying for a fine four shillings and sixpence.



## CHAP. VI.

### PAROCHIAL DOCUMENTS.

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I. *Deeds relating to the Church Estate.* In a work compiled as this is for the benefit and instruction of the parishioners, as well as to interest and amuse others who may be disposed to read our history, it is necessary to give some account of such recent documents, as belong to our parish, and that the more so as some of them are of very considerable value, whether we regard the cost, time, diligence, labour, and talent bestowed upon them; or the use that they must ever be, both to the Proprietors of the Parish, in determining the limits of their properties, and certain important changes attaching to them; and to the Poor in preserving to them some of their most valuable privileges. These documents, therefore, we will now give such an account of, as may serve to explain their nature and illustrate their intentions.

All the deeds that we have yet commented upon are such, as are of remarkable and singular character, illustrating the history, habits, manners, and customs of our forefathers. The greater number, however, of those that remain to us, are all of a different character from any of the preceding, and relate to the original grants, and repeated enfeoffments of the various lands and tenements, that have, from different donors, and from time to time, accumulated into what is now known by the name of the Enstone Church Estate. Under the head of Benefactors to the Parish, it has been endeavoured, so far as it seems practicable, to trace out the original donors of these lands, so that here it is unnecessary to refer to that subject. It will be more useful, as exemplifying the nature of these deeds, all of which are exceedingly similar, to give a few of them, both in the Latin forms in which they were written, and in translations. In order to make our selection as instructive and useful as possible, both to the general reader and to the parishioners of Enstone, who have the greatest interest in knowing the exact nature of the Charity Estate they possess, we shall present for perusal such deeds, as are, obviously, what we have been accustomed in the parish to call Feoffment deeds, meaning thereby deeds by which Feoffees, that is in fact Trustees, have from time to time been appointed, so as to preserve and keep these lands safely, for the purposes for which they were originally given.

In order to make this set of deeds as interesting to the general reader, as they are intended to be both interesting and useful to the inhabitants of the parish of Enstone, it will be well to explain first, why these particular deeds have been chosen. The last one

that we shall give, will be a deed of feoffment appointing a numerous body of Feoffees, and this deed is both the last deed of feoffment before the Banbury decree, and the first that distinctly specified the full nature of the Charity Estate, both as respected its value and appurtenances, and also its uses and purposes. In fact it is quite evident that upon this deed, as well as upon evidence produced before the Commission, this most important decree fixing the uses and directing the management of the Charity was founded. Now in this last deed of feoffment the property of the estate is said to consist of "a messuage or tenement together with two yard lands and one-fourth of a yard land." This description, however, is very inadequate, though it was an attempt to accumulate in one estate various parts which had been given at different times and by different persons. What we now, therefore, intend to do is to take a series of deeds, which evidently belong to a part of the property described above, and to trace out through them its succession from the person whom we believe to have been the first donor of it.

Now the first and oldest deed we have is a grant from Margery of Dycheleye, relict of Radulfe of Dycheleye, in her widowhood, to her daughter Isabell, of two messuages and one yerd land (*virgatum*) in Clyveleye. This daughter Isabell married Henry called Jacob of Tastan, which means that he was Henry the son of Jacob of Tastan, and so is afterwards described as Henry Jacob de Tastan, the last names being his surname. But Isabell his wife, like her mother, became a widow, and in her widowhood made a grant, which is our second deed, to her daughter Elynor of all her land and tenements in Clyvele. So far the succession of the property is clear from Margery to Isabell, and from Isabell to Elynor. But now it would seem that Elynor married John le Neuweman (the Norman French for our English name Newman) and that, previously to her marriage, she had made a surrender of one special part of her property, a messuage with appurtenances and one yerd land in Clyvely to John le Follur in trust, and that he after the marriage makes a grant on lease of it to John le Neuweman and Elyanor de Tastan jointly. Now although in none of these very ancient deeds is it very clearly stated what were the purposes for which the lands were granted or demised, yet from their general scope and tenor it is to be gathered, that Margery of Dycheleye was the original donor, for charitable purposes, of this messuage or messuages and one yerd land, and that her daughter Isabell was her Trustee, who in her turn left them in trust, but included in all her land, to her daughter Elynor; and that, when Elynor was about to marry, she committed them in trust to John le Follur, thereby distinctly separating them from all other property, which would pass by her marriage to her husband; and, further, that John le Follur leased them again to John le Neuweman and Elyanor de Tastan; for this we shall frequently find to have been the case, namely, that the lands were thus leased to those who



had been before connected with them. The first deed, then, that we will present to the reader will be, the original grant made by Margery of Dychelye, as showing the first donation, and foundation of this portion of the Charity Estate; and the grant or lease made by John the Fuller to John le Neuweman and Elyanor de Tastan, as showing this part of the property in the hands of a Trustee, John le Follur, after it had passed from the hands of the original donor Margery of Dychelye or Isabell de Tastan.

*Original Deed of Feoffment.* No. 1. Sciant præsentēs et futuri quod ego Margeria de Dychelye Relicta Radulfi de Dychelye in legitima viduetate mea dedi concessi et hac præsentī carta mea confirmari Isabell filia mea et hæredibus suis vel suis assignatis duo messuagia cum una virgata terræ in villa de Clyveleye cum omnibus pertinentiis suis intra villam et extra, Quæ messuagia cum virgata terræ et pertinentiis quondam habui de dono Thomæ Colonnæ patris mei in liberum maritandum Habendum et tenendum dictæ Isabell et hæredibus vel assignatis suis de me et heredibus meis bene pacifice integre et hereditare in perpetuum Reddendo inde annuatim mihi et heredibus meis ipsa et heredes suæ unam rosam ad nativitatem Sancti Johannis Baptistæ et Willielmo de Colonnæ et heredibus suis duodecim denarios ad festum Sancti Kenelmi Regis pro omnia servitia deinde exactanda secta curia et demanda salvo Domini Regis rectu pertinent ad tantum tenementum. Et ego vero dicta Margeria et heredes mei prædicta messuagia cum prædicta virgata terræ et cum omnibus aliis pertinentiis ut prævocatū est prædictæ Isabell et heredibus vel assignatis suis contra omnes mortales Warentizabimus et defendemus in perpetuum Hiis testibus Ricardo de Dobemanton Domino de Dene Willielmo Colonnæ Ricardo de Gardino de Kiddilton Ricardo Wayland de Cherlbury Rogero de Gardino de Clyveley Rogero Colonnæ de eadem Johanne le Ffuller et multis aliis.

*Translation.* Know all men present and to come that I Margery of Dychelye Relict of Radulf of Dychelye in my legitimate widowhood have given granted and by this my present deed have confirmed to my daughter Isabell and her heirs or her assigns two messuages with one yerd of land in the village of Clyveleye with all their appurtenances within and without the village, Which messuages together with the yerd of land and its appurtenances I have hitherto held by the gift of my father Thomas Colonna for my child when about to be married TO HAVE AND TO HOLD to the said Isabell and her heirs or assigns of me and my heirs well peacefully wholly and by heirship for ever, By paying thence of annual rents to me and my heirs herself and her heirs one rose at the Nativity of Saint John the Baptist and to William Colonna and his heirs twelve denarii at the feast of Saint Kenelm the King in the stead of all services thence demandable suits courtesies and claims saving the of the Lord the King rightly pertaining to such a holding. And I the said Margery and my heirs will

truly Warrant and defend the aforesaid messuages with the aforesaid yerd of land and with all other appurtenances as is aforesaid to the aforesaid Isabell and her heirs or assigns against all men for ever. In the presence of Richard of Dobemanton Lord of Dene, William Colonna, Richard of the Garden at Kiddilton, Richard Wayland of Cherlbury Roger of the Garden at Clyveley Roger Colonna of the same John the Fuller and many others.

This deed it will be observed is without a date, but there is no difficulty whatever in assigning it its proper position amongst our deeds, although the year of its making cannot be determined. For as there is a deed of the year 1317, by which the above-named Isabell grants this same property to her daughter Elyanor, so this present deed, which gave it to Isabell when she was about to be married, must have been executed some years before the later one, since in the meanwhile Elyanor had been born and had grown up to a sufficient age to receive the estate. This first deed therefore must have been executed at least about the year 1295, and consequently is at this time not less than 560 years old. It contains in it several points that will be noticed hereafter, but for the present we must go on to the next deed, which is that made by John the Fuller as Trustee to William Neuweman and Elyanor.

*Original Deed of Feoffment.* No. 3. Sciant præsentēs et futuri quod ego Johannes filius Willielmi le Follur de Cliveley dedi concessi et hac præsentī cartā meā confirmavi Johanni le Neuweman de Cliveley Elyanor filiæ Henrici Jacobi de Tastan et hæredibus eorum unum messuagium unum curtilagium cum uno crofto et unam virgatam terræ cum pertinentiis in Clyveley quod et quæ habui ex dono et feofamento prædictæ Elyanor Habendum et tenendum prædictum messuagium curtilagium cum uno crofto et unam virgatam terræ cum pertinentiis prædictis Johanni le Neuweman et Elyanor heredibus et assignatis eorum de capitalli domino illuc feodi pro servicia in de debita et consueta. Et ego vero prædictus Johannes et heredes mei prædictum messuagium curtilagium cum uno crofto et unam virgatam terræ cum pertinentiis prædictis Johanni le Neuweman Elyanor heredibus et assignatis suis contra omnes homines et feminas Warentizabimus et defendemus in perpetuum. In cujus rei testimonio huic præsentī cartæ sigillum meum apposui Hiis testibus Johanne de Bladynton, Johanne de Colonne Rogero de Colonne de Clyveley Willielmo le Hyr de Radeford Johanni Sibelli et aliis.

*Translation.* Know all men present and to come that I John son of William the Fuller of Cleveley have granted yielded and by this my present deed confirmed to John Newman of Cleveley and Elyanor daughter of Henry Jacob of Tastan and their heirs a messuage, a curtilage with a croft, and a yerd of land with appurtenances in Cleveley which I hold by the grant and feoffment of the aforesaid Elyanor, To have and to hold the aforesaid messuage, curtilage with a croft, and a yerd of land with appurtenances to the said John Newman and Elyanor their heirs and

assigns by payment of the capital lord's fee there instead of the services thence due and accustomed. And I the said John and my heirs will for ever warrant and defend the aforesaid messuage, curtilage with a croft, and a yerd of land with appurtenances to the aforesaid John Newman Elyanor their heirs and assigns against all men and women. In testimony of which thing I have set my seal to this present deed, in the presence of John of Bladynton John of Colonna Roger of Colonna of Cleveley William the Heyr of Radford John Sibell and others.

This deed has no date, as is the case also with the first one before referred to, but there is no difficulty whatever in assigning their order from their contents, and their relation to each other, as well as to the deed No. 2, and as this last deed has the date of 1317-8, so there can be no doubt that this deed was of that year or near to it.

The property thus leased of John Fuller, to whom Elyanor de Tastan had committed it in trust appears to have been held until the year 1346, when it would seem that John Newman ceased to be in possession of it, most probably by his death, for a William Newman, and most likely his son and heir, delivers up the same property to the feoffees. This is the next deed in succession that we have to present to the reader.

*Original Deed of Feoffment.* No. 12. Sciant præsentēs et futuri quod ego Willielmus Newman de Clyveley dedi concessi et hac præsentī carta mea confirmavi domino Ricardo Mandegod perpetuo Vicario de Enstan Ricardo Bondess de Hognorton heredibus et assignatis suis unum messuagium et unam virgatam terræ cum omnibus aliis pertinentibus in Villa et in campis de Cliveley Habendum et tenendum prædictum messuagium et prædictam virgatam terræ cum omnibus suis pertinentiis prædictis Ricardo Ricardo heredibus et assignatis suis de capitalibus dominis feodi illuc pro servicia inde debita et deinde consueta. Et ego vero prædictus Willielmus et heredes mei prædictum messuagium et dictam virgatam terræ cum pertinentiis prædictis Ricardo Ricardo heredibus et assignatis contra omnes gentes Warantizabimus et defendemus in perpetuum. In cujus rei testimonio sigillum meum presentibus apposui hiis testibus Ricardo Mason Willielmo le Sur Thoma Valle Thoma Scletter et aliis. Datum apud Clyvele die dominica proxima post festum Sancti Edwardi Regis et Confessoris Anno regni regis Edwardi tertii post conquestum decimo nono.

*Translation.* Know all men present and to come that I William Newman of Clyveley have granted yielded and by this my present deed have confirmed to Sir Richard Mandegod Perpetual Vicar of Enstan Richard Bondess of Hognorton their heirs and assigns a messuage and a yerd of land with all other appurtenances in the village and fields of Cliveley To Have and to hold the aforesaid messuage and the yerd of land with all their appurtenances to the aforesaid Richard Richard their heirs and assigns

by payment of the capital lord's fee therein instead of the services thence due and accustomed. And I the aforesaid William and my heirs will truly warrant and defend the aforesaid messuage and the said yerd of land with their appurtenances to the aforesaid Richard Richard their heirs and assigns against all people for ever. In testimony of which thing I have set my seal to these presents in the presence of Richard Mason William the Sure Thomas Vasle Thomas Sclatter and others. Dated at Clyvele on the Lord's day next after the feast of Saint Edward the King and Confessor in the nineteenth year of the reign of King Edward the third after the conquest.

This deed is one of considerable importance, as implying the purpose for which parts of the Charity estates were thus early given; for the fact, of the Vicar of Enstone being made a trustee, plainly indicates that this endowment was connected with the Church. This also is the first deed, in which more than one trustee was appointed, for Margery of Dychleye committed it only to her one daughter Isabell, she again to her one daughter Elyanor, and Elyanor to only one trustee John Fuller. Now, however, by this deed, William Newman surrenders it to two feoffees Richard Mandegod Vicar of Enstone and Richard Bondess of Hognorton. Of this William Newman it has been already remarked, that he was in all probability the son and heir of John Newman mentioned above, and that at the death of John Newman his son William surrendered the property back to the last named feoffees. This was in the year 1346, and as John Newman was married, as would appear from one of the deeds cited above, about the year 1317-8, so William his son may have been born about 1320, at latest, according to which he would have been 26 years of age in 1346. Now in the year 1363, we have another William Newman surrendering up the estate to John Long, and receiving it back again from him, and, as this was seventeen years after the last surrender, we may conclude this to have been a second William Newman, son of the first William, and like his father surrendering the estate, and receiving it again on lease. So again thirty-six years after we have the very same thing occurring, although by different persons. Thus in the year 1392, we have a third William, on the death of his father as we may presume, and, from the tenor of the deed, about the time of his marriage, surrendering the estate to several feoffees, and receiving it back again to hold as his father, grandfather, and great grandfather had done before him. The deed thus executed is the next we have to offer for perusal, and is as follows.

*Original Deed of Feoffment.* No. 24. Sciant præsentēs et futuri quod nos Ricardus Hey Vicarius de Spellesbury Johannes Ffeyreford et Willielmus Attehalle in Com. Oxon. dedimus concessimus et hac præsentī carta nostra confirmavimus Willielmo Newman de Cleveley comitate prædicta et Elizabeth uxori ejus unum messuagium et unum virgatam terræ arabilis cum suis per-

tinentiis in Villâ et in campis de Cleveley prædicta quod quidem messuagium situatum est in superiori parte dictæ villæ ex parte quæ deviat super regiam viam vocatam Enston Lane quod quidem messuagium nuper habuimus ex dono et feoffamento ejusdem Willielmi Newman Habendum et tenendum prædictum messuagium et virgatam terræ arabilis cum omnibus aliis suis pertinentiis præfatis Willielmo et Elizabeth uxori ejus et heredibus de corporibus Willielmi et Elizabeth legitime procreatis in perpetuum De capitalibus dominis feodi illinc pro servicia inde debita et de jure assueta. Et si contingat prædictum Willielmum sine heredibus de corpore suo super dominam Elizabeth legitime procreatis obire quod absit quod tunc prædictum messuagium et virgata terræ cum omnibus aliis suis pertinentiis remaneat heredibus de corpore prædicti Willielmi Newman legitime procreatis in perpetuum De capitalibus dominis feodi illinc pro servicia inde debita et de jure consueta. Et nos vero prædicti Ricardus Hey, et Johannes Ffeyreforde, et Willielmus Attehalle, et heredes nostri, prædictum messuagium et virgatam terræ arabilis cum omnibus aliis suis pertinentiis prædictis Willielmo Newman et Elizabeth uxori ejus et heredes de corporibus eorumdem Willielmi et Elizabeth in forma prædicta contra omnes gentes Warantizabimus et in perpetuum defendemus. In cujus rei testimonium huic præsentî cartæ nostræ Sigillas nostras apposuimus hiis testibus Johanne Attewelle Johanne Syzer Willielmo Attewelle Ricardo Mason Roberto Pope et aliis. Data apud Cleveley prædictum quarto die mensis Augusti Anno regni regis Henrici quarti post conquestum primo.

*Translation.* Know all men present and to come that we Richard Hey Vicar of Spellesbury John Ffeyrforde and William Attehalle in the county of Oxford have granted yielded and by this our present deed have confirmed to William Newman of Cleveley in the county aforesaid and Elizabeth his wife a messuage and a yerd of arable land with their appurtenances in the village and in the fields of Cleveley aforesaid. Which messuage indeed is situated in the upper part of the said village on the side that turns upon the king's highway called Enston Lane which messuage indeed we lately held by the grant and feoffment of the same William Newman TO HAVE AND TO HOLD the aforesaid messuage and yerd of arable land with all else their appurtenances to the aforesaid William and Elizabeth his wife and the heirs of the body of William and Elizabeth lawfully begotten for ever, By payment of the Capital lord's fee thence instead of the services thence due and of right accustomed. And if it should happen that the aforesaid William should die without heirs of his body upon Mistress Elizabeth lawfully begotten when he is gone that then the aforesaid messuage and yerd of land with all else their appurtenances should continue in remainder to the heirs of the body of the aforesaid William Newman lawfully begotten for ever By payment of the capital lord's fee thence instead of the services thence due and of right accustomed. And we the afore-

said Richard Hey and John Ffeyreforde and William Attehalle and our heirs will truly warrant and for ever defend the aforesaid messuage and yerd of arable land with all else their appurtenances to the aforesaid William Newman and Elizabeth his wife in form aforesaid against all people. In testimony of which thing we have set our seals to this present deed in the presence of John Attewelle, John Syzer, William Attewelle, Richard Mason, Robert Pope, and others. Dated at Cleveley aforesaid on the fourth day of August in the first year of the reign of King Henry the fourth after the conquest.

It will be seen that this deed is much more carefully drawn and constructed, and much more precisely worded, than any of the preceding, although all the parts of this one correspond to those. It is moreover very beautifully and neatly written, and is one of the best specimens in all respects of the deeds we have, excepting the fellow deed to it of the surrender to the above named feoffees, which was evidently drawn and written by the same person as this.

A few years after William Newman had executed this surrender, and received back the lands on lease, he appears to have entered into a new and remarkable contract with John Scletter of Cleveley. By two deeds dated Feb. 10, 1403, Newman leased to Scletter the estate, and then by two other deeds dated Aug. 24, 1403, stipulated to receive various kinds of grain, lodging, clothing, and other necessaries of life. As no mention is made in these deeds of the wife of William Newman, we may conclude that he had become a widower, and from this cause probably had entered upon the peculiar kind of housekeeping indicated in the last named deeds. A few years later we find William Newman himself dead, and various persons, relatives, and therefore heirs, executing deeds releasing the lands of all their claims upon them supposed or real. Thus in the year 1409, Thomas Palmer, who had married Johanna the daughter of William Newman, surrendered half the estate that had come by heirship to John Paynel and Alice his wife of Cleveley, the said Alice being the daughter of John Shepherd, but also an inheritor from William Newman. John Paynel and Alice, thus being in possession of the whole, leased it again to John Scletter, who had held it before. Then, to make his tenure safe, in the year 1412, John Willycotes and John Walter both of Great Tewe, relinquished all their claim in the estate in favour of John Scletter. In 1411, John Paynel and Alice leased to John Ffuller of Great Tewe an estate very similar to this, but not the same, as it is not described as having been held by Newman, that which he had held being now in the holding of John Scletter.

Although there is a long gap between the last deeds of 1412 and the next of 1485, yet at this latter date we find the same estate still in the charge of John Bewe, Sen. of Stowe and William Wely and Elizabeth his wife of Broad Campden, and they leasing

it to Robert Scletter of Cleveley, the descendant no doubt of the John Scletter already so frequently referred to in connexion with William Newman. But we are unable to trace this estate, the messuage and yerd of land, separately any longer, nor have we any deeds relating to them until more than a hundred years after, when in 1588 we have the most valuable and important deed that belongs to us, for it not only accumulated in one all the various gifts of property that had from time to time been given to the parish, and of which we have only been able to trace out one part, but it founded a body of feoffees, and it distinctly declared and asserted the uses and purposes of the estates. This deed we shall now give as the last of the series. It is the last old Latin deed we have, the Reformation having restored to us in legal proceedings, as well as in the public worship of the Church, our own plain English tongue.

*Original Deed of Feoffment.* No. 39. Omnibus Christianis fidelibus ad quos hoc præsens Scriptum pervenerit. Nos Ricardus Comyn Senior de Radforde in Comitatu Oxoniensi yeoman, Thomas Myllyn de Cleveley in Comitatu prædicta husbandman, William Vadrie de Cleveley prædicta in comitatu prædicta yeoman, Willelmus Vadrie de Radforde prædicta in comitatu prædicta yeoman, et Johannes Hick de Stunsfelde in comitatu Oxoniensi prædicta husbandman, salutem in domino sempiternam. NOVERITIS nos præfatos Ricardum, Thomam, Willielmum, Willielmum, et Johannem pro diversis causis et considerationibus nos legitime ad hoc moventibus dedisse, tradidisse, et concessisse, ac per hoc præsens Scriptum nostrum pro nobis et heredibus nostris tradere, dare, concedere, ac confirmare, Johanni Childe Seniori de Enston in comitatu prædicta armigero Thomæ Bourne Vicar de Enston prædictæ Johanni Childe Juniori, Johanni Busbye, et Willielmo filio suo, Ricardo Comyn Juniori, Ricardo Busbye de Radforde prædicta et Thomæ filio suo, Radulfo Vadrie, Abrahamo Millyn, Roberto Bricquett et Thomæ filio suo, Willielmo Langston et Roberto filio suo, Herculeo Butcher et Roberto filio suo, Ricardo Busbye de Gagingwell, et Willielmo filio suo, Thomæ Wisdome et Stephano filio suo, Willielmo Ffortenam et Edmundo filio suo, Johanni Boulton et Johanni filio suo, et Ricardo Vadrie filio prædicti Willielmi Vadrie de Cleveley prædicta Totum illud messuagium sive Tenementum nostrum in Cleveley prædicta scituatum super unam montem ibidem, et abuttat super viam Regiam versus Aquilonem ex una parte, et versus Orientem super unam clausuram juxta tenementum Johannis Butcher, ac super communem campum ibidem ex parte Australi, cum omnibus Domibus edificiis ac structuris eidem messuagio sive tenemento pertinentibus, ac duas Virgatas et unam quartronam terræ jacentes et existentes infra Villam sive hamletum et Campos de Cleveley prædicta infra parochiam de Enston prædicta, in comitatu prædicta, cum eorum pertinentiis. QUA omnia et singula habuimus nobis et heredibus nostris ex dono et feoffamento Willielmi Sleymaker, ut per cartam

suam inde nobis ante hanc factam plenius liquet et apparet HABENDUM ET TENENDUM prædictum messuagium sive tenementum Duas Virgatas et unam quartronam terræ ac omnia et singula præmissa cum eorum pertinentiis præfatis Johanni, Thomæ, Johanni, Johanni, Willielmo, Ricardo, Ricardo, Thomæ, Abrahamo, Roberto, Thomæ, Willielmo, Roberto, Herculeo, Roberto, Ricardo, Willielmo, Thomæ, Stephano, Willielmo, Edmundo, Johanni, Johanni, et Ricardo, heredibus et assignatis suis ad sola opera usus et intentiones hic infra scripta, et ad multa alia opera usus aut intentiones, Videlicet ut singulis Annis et de anno in annum post hoc in perpetuum omnia et omnimoda Redditus fructus et profuita de præmissis et eorum qualibet parte exeunt et provenient per Procuratores et Gardianos ecclesiæ parochialis de Enston prædicta pro tempore existentes colligantur, leventur, recipientur, et expendantur ad Reparationes navis dictæ ecclesiæ de Enston et ad sustentationem et relevationem pauperum infra dictam parochiam commorantem et inhabitantem. ITA tamen quod singulis Annis iidem Gardiani et Procuratores ad communem computum suum de et super singulis receptis et expensis præmissorum particulatim computum suum reddent teneantur. In cujus rei testimonium nos præfati Ricardus Comyn senior Thomas Millyn, William Vadrie de Cleveley, William Vadrie de Radeforde et Johannes Hick, Sigilla nostra apposuimus. Datum die Martii, Anno Regni dominæ nostræ Elizabethæ Dei gratia Angliæ, Ffranciæ, et Hiberniæ Reginæ fidei defensoris, &c. Tricesimo primo. Annoque domini 1588.

Sealed and delivered before the possession given in the presence of Thomas Hardwaye, William Margette, Richard Savige, Edmund Derle, Edward Smyth.

Memorandum, that this name Radulfo Vadrie abovementioned was enterlynd before the insealing and delivering hereof.

*Endorsement.* Possessio et Seisina captæ die et Anno infra script de præmissis inframencionat per inframencionat Ricardum Comyn Senior, Thomam Millyn, Willielmum Vadrie de Cleveley Willielmum Vadrie de Radforde et Johannem Hick, et per eos deliverat inframencionat Johanni Childe Seniori, Thomas Bourne, Johanni Childe Juniori, Johanni Busbye et Willielmo filio suo, Ricardo Comyn Juniori, Ricardo Busbye de Radforde et Thomæ filio suo, Radulfo Vadrie, Abrahamo Millyn, Roberto Briquett et Thomæ filio suo, Willielmo Langston et Roberto filio suo, Herculeo Butcher et Roberto filio suo, Ricardo Busbye de Gagingwell et Willielmo filio suo, Thomæ Wisdom et Stephano filio suo, Willielmo Ffortnam et Edmundo filio suo, Johanni Boulton et Johanni filio suo, Ricardo Vadrie filio prædicti Willielmi Vadrie de Cleveley prædictæ, Habendum et tenendum iis heredibus et assignatis suis secundum formam et effectum hujus præsentis Scripturæ.

In præsentia Thomæ Hardwaye, Edmundi Derle, Ricardi Savige, Willielmi Margetts, Ricardi Smyth.

*Translation.* To all faithful Christian people to whom this



present writing shall come. WE Richard Comyn the elder of Radford in the county of Oxford yeoman, Thomas Myllyn of Cleveley in the county aforesaid husbandman, William Vadrie of Cleveley aforesaid in the county aforesaid yeoman, William Vadrie of Radforde aforesaid in the county aforesaid yeoman, and John Hick of Stunsfelde in the county of Oxford aforesaid husbandman, wish eternal salvation in the Lord. KNOW YE, that we, the aforesaid Richard, Thomas, William, William, and John, for divers causes and considerations us lawfully to this moving, have given, surrendered, and granted, and by this our present writing for ourselves and our heirs do surrender, give, grant, and confirm to John Childe the elder of Enston in the county aforesaid Esquire, Thomas Bourne Vicar of Enston aforesaid, John Childe the younger, John Busbye and William his son, Richard Comyn the younger, Richard Busbye of Radforde aforesaid and Thomas his son, Radulf Vadrie, Abraham Myllyn, Robert Bricquett and Thomas his son, William Langston and Robert his son, Hercules Butcher and Robert his son, Richard Busbye of Gagingwell and William his son, Thomas Wisdome and Stephen his son, William Fortnam and Edmund his son, John Boulton and John his son, and Richard Vadrie son of the aforesaid William Vadrie of Cleveley aforesaid, ALL that our messuage or tenement in Cleveley aforesaid situate upon a hill there, and abutting upon the King's highway towards the North, on the one side, and towards the East upon a close adjoining the tenement of John Butcher, and upon the common field there on the South side, together with all Houses, buildings and structures to the same messuage or tenement pertaining, And two yerds and one quarter of land lying and being within the village or hamlet and fields of Cleveley aforesaid within the parish of Enston aforesaid in the county aforesaid with their appurtenances, WHICH all and singular we held for ourselves and our heirs of the grant and feoffment of William Sleymaker, as by his deed thereupon to us before the making of this deed is more fully made clear and evident, TO HAVE AND TO HOLD the aforesaid messuage or tenement two yerds and one quarter of land and all and singular the premises together with their appurtenances aforesaid to John, Thomas, John, John, William, Richard, Richard, Thomas, Abraham, Robert, Thomas, William, Robert, Hercules, Robert, Richard, William, Thomas, Stephen, William, Edmund, John, John, and Richard, their heirs and assigns, to the sole services uses or intentions, TO WIT, that in every year and from year to year henceforth for ever all, and every kind of, rents fruits and profits from the premises and any part of them issuing and proceeding shall by the Wardens and Guardians of the Parish church of Enston aforesaid for the time being be collected levied received and expended *for the Repairs of the nave of the said church and for the maintenance and relief of the poor within the said parish dwelling and inhabiting.* So however that in every year the same Guardians and Wardens shall according to their common account of and upon the several receipts and

expenditures of the premises render and keep their account item by item. In testimony of which thing we the aforesaid Richard Comyn the elder, Thomas Millyn, William Vadrie of Cleveley, William Vadrie of Radforde, and John Hick, have set our seals. Given the tenth day of March in the thirty-first year of the reign of our Lady Elizabeth by the grace of God of England France and Ireland Queen Defender of the faith &c. and in the year of the Lord 1588.

Sealed and delivered before the possession given in the presence of Thomas Hardwaye, William Margette, Richard Savige, Edmund Derle, Edwarde Smyth.

Memorandum, that this name Radulf Vadrie was interlyned before the insealing and delivering hereof.

*Endorsement.* Possession and Seizin were taken on the day and year within written of the premises within mentioned by the within mentioned Richard Comyn the elder, Thomas Millyn, William Vadrie of Cleveley, William Vadrie of Radforde, and John Hick, and by them delivered to the within mentioned John Childe the elder, Thomas Bourne, John Childe the younger, John Busbye and William his son, Richard Comyn the younger, Richard Busbye of Radforde and Thomas his son, Radulf Vadrie, Abraham Millyn, Robert Bricquett and Thomas his son, William Langston and Robert his son, Hercules Butcher and Robert his son, Richard Busbye of Gagingwell and William his son, Thomas Wisdom and Stephen his son, William Ffortnam and Edmund his son, John Boulton and John his son, Richard Vadrie son of the aforesaid William Vadrie of Cleveley aforesaid, TO HAVE AND TO HOLD to them their heirs and assigns according to the form and purport of this present writing. In the presence of Thomas Hardwaye, Edmund Derle, Richard Savige, William Margetts, Richard Smyth.

Of the value and importance of this last deed to the parish and parishioners of Enstone it is impossible to say too much. It is the very title of our Church Estate, and the charter of its rights. The Banbury Decree did indeed examine into, and set forth, these, but their origin and power are secured by this deed. One of the terms in which the purposes of the Charity are expressed has given rise to some question, although most unnecessarily. It is that declaring it to be for "the Repairs of the nave of the church," and the doubt being as to the true meaning of the word nave. But although this word has come to have a certain architectural application to a limited portion of the church, there can be no doubt that it was intended originally to express and denote all parts of the church, which neither the Rector nor any private person owned, and which the parishioners at large were responsible for the maintenance of; and that not merely the building, as the walls, the roof, &c., but for all the sittings and necessary fittings up of the church for the accommodation and convenience of the people.

A few further remarks on the legal construction, both of this

deed, and of the whole series, of which it is the last and most important one, cannot fail to be interesting. It must at once strike us, how much extended in length, and how multiplied in verbiage, this last deed is, as compared with any of the preceding. It was thus that there was already growing up, even under the restraints of the Latin language, that complicated and confounding system of conveyancing and special pleading, which our lawyers rejoice in, and we laymen submit to, as Englishmen do to all similar inflictions by grumbling at, enduring, and continuing the use of them, although they never attempt to redress them. For when at length Latin was relinquished in such legal deeds, and a free and unrestrained use of the English language was conceded to our lawyers, then did the exuberance of their fancy, if not the abundance of their legal acumen, so germinate and fructify, that instead of title deeds being carried away in a waistcoat pocket, they have become large enough to demand an iron chest to themselves.

In the first deed of the series, that of Margery of Dychelye to her daughter Isabell, in which she makes the first grant of the estate, there are several law terms requiring some notice. The first we would direct attention to certainly implies greater elegance in the olden times and more politeness in the lawyer who constructed it, than our modern conveyancers indulge in. Now-a-days such a nominal rent as is there secured would have been expressed by the pungent demand of a peppercorn. But the lawyer of Margery of Dycheleye made choice of a sweeter emblem of charity, love, and affection, by demanding at Midsummer the payment of a rose, the odour of which might well denote the savour of the deed thus done to future generations. In the reign of James II., king of Scotland, who reigned from 1437-60, an instance of the same kind of rent occurs. That king granted to Sir Walter Scott of Branksome, and to Sir David his son, the remaining half of the barony of Branksome, of which the Scotts already enjoyed the first half, to be held in blanch for the payment of a red rose. This grant was dated the 2nd of February, 1443.

It is remarkable that this our oldest deed is the only one that at all specifies what were the services due in ancient times to the lord of the manor, for in all the subsequent deeds they are stated to be such as were "due and accustomed," but in this they are described as "all services thence demandable, suits, courtesies, and charges." Now, although the first and last of these, services and charges, are general terms, and may include a variety of things, suits and courtesies had certain well understood and defined senses. The term suits, or *secta* as it is in the Latin, being derived *a sequendo*, from "a following" that is "a suit," had different senses and uses. Thus when an action is brought the declaration therein, says Blackstone, "always concluded with these words 'and thereupon he brings suit,' &c. '*inde producit sectam.*'

By which words *suit* or *secta* were antiently understood the witnesses or followers of the plaintiff." This, however, is not the *suit* or *secta* compounded for in this deed, for there were other kinds which the above authority very fully and admirably describes thus. "There are other services due by antient *custom* and *prescription* only. Such is that of doing *suit* to another's mill: where the persons, resident in a particular place, by usage time out of mind have been accustomed to grind their corn at a certain mill; and afterwards any of them go to another mill, and withdraw their *suit* from the antient mill. This is not only a damage, but an injury, to the owner; because this prescription might have a very reasonable foundation, *viz.*: upon the erection of such mill by the ancestors of the owner for the convenience of the inhabitants, on condition, that when erected, they should all grind their corn there only. And for this injury the owner shall have a writ *de secta ad molendinum* for *suit* due to his mill, commanding the defendant to do his *suit* at that mill, or shew good cause to the contrary. . . . In like manner, and for like reasons, the register (*registrum omnium brevium*, or register of such writs as are suable out of the king's courts, III. 183,) will inform us, that a man may have a writ of *secta ad furnum*, for *suit* due to his *furnum*, his public oven or bakehouse; *secta ad torrale*, for *suit* to his *torrale*, his kiln or malthouse; when a person's ancestors have erected a convenience of that sort for the benefit of the neighbourhood, upon an agreement (proved by immemorial custom) that all the inhabitants should use and resort to it, when erected." III. 235. Such a custom as this, though not one clearly recognisable by law, exists at the present day, in what is called *the goodwill* of any profession, business, or trade; but although it serves to introduce a new comer to the former customers it is no longer binding upon them, but men now buy and sell, grind and bake, trade and deal, wherever they please, for the vast improvements in roads and the means of locomotion that we have, render unnecessary such restrictions as our ancestors found useful in their day, and remove what, even at the very best, are very injurious restraints upon competition, which is the very life, soul, and vital breath, of all improving and increasing commerce, and even intelligence amongst a people.

*Courtesies* is the English I have given to the word *curiæ*, in which I think I shall be borne out by the following description of this kind of right given by Blackstone. "Tenant by the *curtesy of England*, is where a man marries a woman seized of an estate of inheritance, that is, of lands and tenements in fee-simple or fee-tail; and has by her issue, born alive, which was capable of inheriting her estate. In this case, he shall, on the death of his wife, hold the lands for his life, as tenant by the *curtesy of England*. This estate, according to Littleton, has its denomination, because it is used within the realm of England only; and it is said in the *Mirroure* to have been introduced by King Henry I.;

but it appears also to have been the established law of Scotland, wherein it was called *curialitus*, so that probably our word *curtesy* was understood to signify rather an attendance upon the lord's court or *curtis* (that is, being his vassal or tenant,) than to denote any peculiar favour belonging to this island. . . . It is likewise used in Ireland, by virtue of an ordinance of King Henry III. It also appears to have obtained in Normandy; and was likewise used among the Almaines or Germans." To this account Professor Christian the editor of Blackstone adds, "I should rather think with Mr. Wooddeson, that this estate took its name from its peculiarity of England; and that it was afterwards introduced into Scotland and Ireland. Tenant by the *curtesy* of England, perhaps originally signified nothing more than tenant by the *court* of England." Now this being so, and the Latin word *curiæ* meaning a court, I have not hesitated to translate the word *curiæ* in this deed *courtesies*, having no doubt that it did apply to the circumstances under which the estate conveyed by the deed had been. For Margery of Dycheleye had received it by grant from her father, and so being seized of it before her marriage, it had subsequently passed by the *curtesy of England* to her husband, and thus the *curtesies* affecting it had originated, and were now acknowledged and admitted by her in her widowhood as still due to the lord.

The last deed we gave was of the year 1588, but in the year 1602, towards the end of the reign of Elizabeth, a Charity Commission was issued by the authority of the Queen in concurrence with an Act of Parliament, which sat at Banbury, and, after inquiry had, issued a decree respecting the nature, use, and management of the Parochial charities, which continues to this day the rules and system by which the charities are governed, and the several injunctions of which, as they are all important to all classes of the Parishioners, we will endeavour to set out below under various heads.

I. THE PROPRIETORSHIP. By the Banbury Decree it is ordered, "that thenceforth for ever the *two surviving feoffees* of the said messuage and lands shall from time to time upon request made unto them by the Minister and Churchwardens for the time being *infeofe with them* such four or more of the inhabitants of Enstone as the Minister and Churchwardens shall appoint. And that the same feoffees for ever from time to time to be made shall stand seized of the said lands to the same uses before expressed. And that they shall not take or gain to themselves any private benefit or profit thereby."

Now several things appear obvious from this decree. 1. That the Proprietorship of the Estate being solely in the Feoffees, they should always be selected from the landed proprietors of the parish, and not from the rackrenters who are liable to leave the parish, and not to be within reach, or to have any interest in the lands, whenever they should demand special guardianship. 2. No such cumbrous and expensive system as that of granting the lands

to some one or more persons, that he or they may re-grant them to the newly chosen feoffees seems at all necessary, for the Decree directs that the surviving feoffees shall infeoffe with themselves the new ones, and all shall thereby *stand seized* of the estate.

By the Witney Decree it was ordered that seventeen new feoffees, named in the Decree, should be added to the then surviving and acting feoffees of whom there were only two, for although four were surviving two were incapacitated, one by age and the other by non-residence; and it was further ordered that "from time to time as often as thirteen of the feoffees should depart this life the survivors should convey the estate to seventeen others inhabiting within the parish to be nominated by such survivors and the Churchwardens." According to which provision whenever the feoffees become reduced to four, they are to infeoffe seventeen others, not with themselves but independently of themselves, relinquishing the trust thereby on their own part, and constituting an entirely new body of Trustees.

II. THE USE AND EMPLOYMENT OF THE ESTATE. The Banbury Decree, ordains the estate to be "for the benefit of the inhabitants of the town of Enstone *towards the repairing of their Church and maintenance of their poor and other such good and like charitable uses.*" In the Witney Decree the estate is ordered to be "employed for and in the repaire of *the Nave and body* of the parish church and reliefe and sustenance of the poore inhabiting within the parish."

In the oldest deed of feoffment, setting out the uses of the Charity, and made in 1588, fourteen years before the Banbury Decree they are said to be "towards the repairs of *the nave of the holy church* and the maintenance and relief of the poor;" and this word nave having been taken in its restricted architectural sense, and not in its large and full one, it has been thought that the estate is not usable for the body of the Church. But both the Banbury and Witney decrees plainly set this right, and show that as it was intended for the benefit of the inhabitants so it is clearly usable for all the parts of the Church for which the inhabitants are responsible.

III. THE ADMINISTRATION OF THE INCOME OF THE ESTATE. The directions of the Banbury decree both as to *the collecting and expenditure* of the income of the Church Estate, and as to *the auditing its accounts*, are as explicit, important, and useful, as all the preceding. They are in these terms: "Also we order adjudge and decree that from henceforth for ever the Churchwardens of the said parish of Enstone for the time being shall gather the rents, &c. of the said messuage &c. and shall yearly distribute and employ the same to the charitable uses and purposes aforesaid: And shall once in every year, namely on the second day of November make a just and true account as well of all the rents &c. as of the employment and bestowing thereof to the Minister and six of the most substantial men of the said parish of Enstone for the

time being. And the surplusage and sums remaining in their hands shall deliver over to the Churchwardens then next succeeding which Churchwardens shall from time to time account as their predecessors Churchwardens did and should do before them." To these regulations a very valuable supplement was made by the Witney decree thus: "And what shall remaine (viz. the surplusage of each year) wee doe order adjudge and decree shall be putt forth at Interest upon good security in the names of the Churchwardens of the said parish to increase the Stock of the said Charitable guift and that the Interest proceed and Increase thereof shall be from time to time had gathered and received by the Churchwardens of the said parish for the time being and be by them imployed for and in the repaire of the Nave and body of the said Church and reliefe and Sustenance of the poor."

Such was the constitution of the Charity as founded by the Banbury and Witney decrees, nor can anything be more excellent. For the landed proprietors of the Parish being the Feoffees, and so having in their hands the custody of the fee-simple, the proprietorship of the Estate, they, as being most interested in its perpetual conservation for their common use and benefit, would be the most likely as well as the most suitable persons so to act; while at the same time the Churchwardens being the stewards and managers of the yearly income of the estate, but subject to the supervision and auditing of the Minister and six principal inhabitants, proper officers are provided for the collection and distribution of the funds, and a proper board to supervise and regulate for the benefit of the parishioners at large without favour or affection is also established.

It will be interesting to know the annual rental of the Church Estate, both as showing its own positive value, and also the relative value of land, as it has increased from time to time during the last 200 years, for which period the old account books of the Parish furnish us with the particulars, which we will give below.

Before the year 1700, the Churchwardens kept the accounts of Church Rates and the Charity rents together, never scarcely giving any separate items, but merely the sum of their Receipts and Disbursements, and sometimes only the balance in hand, so that although our accounts commence with the year 1657, it is not until 1682, that we meet with any entry that will inform us of the rent of the lands at this time. At that date however we have the following entry:

Due from Robert Sleymaker for rent for the Church Land ending at Lady Day 1682, the sum of..... £4 1s. 6d.

Whether this rent was for the year or half year there is nothing further to show, but as in the years 1687 and 1688, we find the total receipts of the Churchwardens to have been the sum of £11 2s. 6d., which afterwards we find was the annual rent of the Church Estate, so we can take that as the earliest certain amount

of rent that we meet with, and with it commence the following table :—

	£.	s.	d.
Rent of the Church Lands in 1687.—	11	2	6
” ” 1700.—	11	2	6
” ” 1715.—	12	0	0
” ” 1758.—	13	1	6
” ” 1773.—	15	0	0
” ” 1777.—	24	5	0
” ” 1789.—	34	0	0
” ” 1807.—	60	0	0
” ” 1856.—	112	0	0

As far as it is at all practicable to do so, it will be interesting and useful to trace out the different parties, who appear to have acted as feoffees or trustees of the Church Estate, and to have transmitted it down to the present time.

1339. Margery of Dychelye widow and her daughter Elizabeth of Tastan widow appear to have transmitted part of the Church Estate through John son of William the fuller of Cleveley to JOHN NEWMAN of Clyveley and Elianor of Tastan daughter of Elizabeth of Tastan.

1341-5. Alicia le Veysi of Chaleford widow and her son and heir John Brown appear to have granted to the above named John Fuller another part of the Church Estate.

1346. WILLIAM NEWMAN, of Clyveley as above grants the lands to Richard Mandegod, Vicar of Enstan, and Richard Bondess of Hognorton.

1363. WILLIAM NEWMAN is still in charge of them.

1399. WILLIAM NEWMAN, another, for it can hardly be the same as before by reason of the lapse of time, enfeoffes Richard Hey Vicar of Spelsbury, John Ffeyreford of Chadlyngton, and William Attehall of Lydston.

1403. WILLIAM NEWMAN is still in charge of them.

At the decease of William Newman his interest or charge in the lands became divided amongst his heirs, the parties thus receiving them being, Alice the wife of John Paynett, Johanna the wife of Thomas Palmer, John Willycotes and John Walker both of Great Tewe; after which it is very difficult indeed to trace them, there being no deeds until the time of Elizabeth by which they can be detected and known.

1588. Richard Comyn senior of Radford Yeoman, Thomas Myllyn of Cleveley husbandman, William Vadrie of Cleveley Yeoman, William Vadrie of Radford Yeoman, and John Hicke of Stunsfelde husbandman, were then, and had been theretofore, the feoffees; and by a deed of 1588, they make John Childe Senior of Enston Esquire, Thomas Bourne Vicar of Enston, John Childe Junior, John Busby and William his son, Richard Comyn Junior, Richard Busby of Radford and Thomas his son, Radulf Vadrie, Abraham Myllyn, Robert Bricquett, and Thomas his son, William



Langston and Robert his son, Hercules Butcher and Robert his son, Richard Busby of Gagingwell, and William his son, Thomas Wisdome and Stephen his son, William Fortnam and Edmund his son, John Boulton and John his son, Richard Vadrie, son of William Vadrie of Cleveley, feoffees together with themselves. The witnesses to this deed were Thomas Hardwaye, William Margetts, Richard Savige, Edmonde Derle, and Edwarde Smyth.

1602. Four years after the above feoffment the Charity Commission that sat at Banbury recognising its validity directed a new feoffment to be made within twelve months, to include, besides the foregoing, Arthur Holder, Richard Fawdrey, and four or more others. This deed is wanting.

1615. This year a new feoffment appears to have been made, but the deed is wanting, and we only learn the fact from the deed of 1655, in which this of 1615 is referred to, and the surviving feoffees of the previous deed are recited to have been, Richard Canning, Ralph Ffawdrey, Abraham Millen, Thomas Brisquet, Robert Laughton, Edmund Ffortnam, and Thomas Widdowes. In the deed of 1737, the new feoffees, added in 1615, to the above named old ones, are said to have been, John Boulton the Elder, Robert Boulton, Robert Houlding, Richard Canninge, Richard Kent, Edward Canninge, John Laughton, Robert Clement the Younger, William Millen, Richard Millin, and William Baker, they having been elected and chosen by John Pring Vicar Robert Clement and Phillip Kent Churchwardens.

1655. A new deed of feoffment, or rather a new set of deeds, for they consist of three large ones, was made this year. According to this deed the surviving feoffees from 1615, were Robert Laughton of Enston Yeoman, Edmund Ffortnam Yeoman, Robert Holdinge of Lambeth Surrey Gent., Richard Canning late of Enston Esquire, Richard Kent of Shirburne Gloucestershire yeoman, Robert Clement late of Enston yeoman, and Richard Millen of Cleveley yeoman. These then surviving feoffees surrendered the estate to Mark Huckvale of Neat Enstone yeoman, William Butcher of Neat Enstone Yeoman, and Robert Drinkwater of Neat Enstone Taylor. These again on their part reinfeoffed the former surviving feoffees together with the new ones, which last, by the election and choice of John Beckingham Vicar and

Churchwardens, were the following:—John Davy of Ditchlie gent., Richard Eyans junior of Charlburie, gent., John Clarke of Church Enstone, gent., William Canning of Neat Enstone, gent., Thomas Briquet of Neat Enstone yeoman, Thomas Martin of Radford yeoman, Edward Busbie of Radford yeoman, Thomas Collett of London gent. Nicholas Martiall of Little Tewe Yeoman, George Clement of Church Enstone yeoman, John Ffawdrey of Cleveley yeoman, Richard Huggins of Neat Enstone yeoman, Henry Drinkwater of Gagingwell yeoman, Edward Drinkwater of Gagingwell yeoman, and John Budd of Ludston yeoman.

1701. At the time of the Inquisition made into the state and

management of the Church lands at Witney in 1701, it was decreed, "that such of the Feoffees as were then living," viz. John Cary, John Ffawdrey, Nicholas Marshall and Thomas Briskquett, should within one month enfeoffe and convey the estate to Harry Cole Esq. Nicholas Marshall, Stephen Marshall, William Young, Richard Righton, Thomas Rogers, Joseph Stone, William Boulton, John Parsons, Henry Warland, Joseph Harris, Bartholomew Ffortnam, Benjamin Martin, Ffrancis Clement, Thomas Wisdome, Thomas Ffortnam, and William Drinkwater. The deed so ordered to be made is wanting, but there is little doubt that the order was complied with, and that the more because in the account books of this time there are entries of legal charges, which obviously belong to this matter.

1737. Of these last named feoffees all deceased except Thomas Briquet and Nicholas Marshall, who then ought to have made a new deed, but they also having died without having done so, it devolved upon their heirs at law, John Briquet and Nicholas Marshall to make a new deed, who thereupon made a grant of the lands to William Taylor of Radford Gentleman, and he regranted them by a new deed of feoffment to John Briquett of Norwood Baringham, Norfolk, Esquire; Nicholas Marshall of Church Enstone, Gentleman; Thomas Walker of Chalford, Gentleman; Thomas Kinch of Church Enstone, Yeoman; Daniell Kinch of Radford, Yeoman; Henry Rook of Church Enstone, Yeoman; Humphrey Cox of Neat Enstone, Blacksmith; Thomas Blackwell of Neat Enstone, Yeoman; John Watkins of Neat Enstone, Innholder; Richard Johnsons of Neat Enstone, Yeoman; Henry Wayland the Younger of Neat Enstone, Yeoman; John Allen of Neat Enstone, Yeoman; Richard Prickett of Neat Enstone, Innholder; Stephen Wisdom of Gagingwell, Yeoman; Robert Drinkwater of Gagingwell, Yeoman; Henry Ealey of Church Enstone, Butcher; William Harrison the Younger of Broadstone Hill, Yeoman; Edward Harrison of Lidstone, Yeoman; William Fletcher of Chalford, Miller; Samuel Allen of Neat Enstone, Yeoman; Thomas Parsons of Neat Enstone, Carpenter; and John Phillips of Cleveley, Yeoman. It cannot fail to be observed that this list of feoffees is a very different one from any preceding list, and that it contains persons who should not have been included within it. The fact is also noticeable, that, although the deed refers distinctly, by name, to two vicars and the churchwardens, who, on former occasions, had, according to all the Chancery decrees, both of Banbury and Witney, elected and chosen the new feoffees; and although it directs the Minister and Churchwardens thenceforth to do so; yet it is not mentioned that the Vicar or Churchwardens did elect and choose the last named feoffees. It appears also by reference to the account of the Parochial Clergy already given, that no Vicar was resident in the parish for many years, and that at the time of making this deed there was not even a resident Curate, and this will at once account

for both the defects we have alluded to ; namely, the election and choice of new feoffees by the Minister and Churchwardens, and as the almost necessary consequence of that the further defect of unsuitable persons being appointed.

1774. Thomas Blackwell and John Phillips were the last surviving feoffees of the deed of 1737, and in the year 1774, they surrendered the Church lands to James Brooks of Woodstock, who reinfcoffed the surviving feoffees, together with others, chosen and elected by the Rev. George Sheppherd Clerk Minister of the parish of Enstone, and Nicholas Marshall and John Phillips Churchwardens. The feoffees now were Thomas Blackwell Yeoman, John Phillips Gentleman, Nicholas Marshall Esquire, Daniel Kinch, Nathaniel Kinch, Rice Prickett, William Morris, William Allen, John Blackwell the Younger, Thomas Harrison, James Cross, Thomas Kinch, William Haynes, and Thomas Cross, all of Enstone, Yeomen.

1824. The last survivor of the last appointed feoffees was Nathaniel Kinch, who in conjunction with the Rev. Samuel Nash Vicar and Thomas Davis and William Bayliss Churchwardens made a new deed of feoffment, the last and present existing one, by which the following persons were appointed feoffees. The Rev. Nicholas Marshall Hacker Clerk, Nathaniel Kinch and John Phillips Gentlemen, Joseph Blackwell, William Baylis, Thomas Chadburn, Charles Drinkwater, William Claridge, John Parsons, William Taylor the Elder, Isaac Baylis, and John Melen, all of Enstone Farmers.

II. Deeds relating to the Charity of Benjamin Marten, Esq. of Radford, commonly called the Beef Estate.

1. *The Kiddington Land.* Mr. Benjamin Marten of Radford left by his will the sum of £120 to be invested in land, and the profits or yearly income thereof to be laid out in meat, and distributed to a certain number of poor persons. In discharge of a part of this Legacy, Dr. John Marten, of Merton College, Oxford, a Physician and the Executor of Mr. Benjamin Marten's Will, made over to the Parish of Enstone a piece of Land in the parish of Kiddington "containing by estimation eight acres or thereabouts, . . . being late the Estate of the said Benjamin Marten deceased and by him purchased of and from one John Colegrove of Kiddington aforesaid." The only deed that remains relating to this transaction is

An Indenture made the seventeenth day of March in the second year of the reigne of our Sovereigne Lord George the second by the Grace of God of Great Britain France and Ireland King Defender of the Faith and in the year of our Lord One thousand seven hundred and twenty eight between John Marten of Merton College in the University of Oxford Doctor of Phisick and Harry Cole of Enston Esq. the Reverend Thomas Skeeler Clerke William Young and Thomas Walker Gentlemen to the effect that Dr. Marten made over to these four "in consideration

of the sum of five shillings" the beforementioned land in Kiddington for one year, they "paying therefore during the said terme unto the said John Marten....one peppercorne on the ffeast of St. Michael The Archangell next ensuing," in order that they the four might "thereby be enabled to take and accept from him the said John Marten a good and sufficient Release and Confirmation to them and their heirs." This deed was executed by the signing, sealing, and delivering of John Marten in the presence of Gil. Trowe, Joseph Taylor, John Pointer.

Such was the clumsy contrivance and artifice by which the perverse ingenuity of lawyers effected the conveyance or transfer of land, but which modern legislation has put an end to by substituting a simpler mode in the Statute 8 & 9 Vic. c. 119, entitled "An Act to facilitate the Conveyance of Real Property." The further deed, referred to above, does not exist, or at least is no longer known to exist in the parish, and the only additional deed we have relating to the Kiddington land is the following :

An Indenture made the fifth day of February in the Six Yeare of the reigne of our Sovereign Lord George the Second &c Annoq. Dom. 1733: Between Thomas Skeeler of Lutemar Doctor of Divinity and Vicar of Church Enstone Humphry Cox and Thomas Blackwell both of Neat Enstone the present Churchwardens of the said Parish of Enstone of the one part, And John Margetts of Neat Enstone Carpenter and Anne his wife of the other part, Witnesseth that in consideration of the yearly rents and covenants to be paid observed done and performed the four Hath demised Granted and to Farme letten unto the two all that Inclosed piece of Ground called and known by the name of the Ground Belonging to the Poor of the Parish of Enstone situate lying and being in the Liberties of Kiddington To Have and to Hold for the full terme of Twenty and One years yielding and paying yearly the rent or sum of five pounds at two equall Payments, one upon the Feast of St Thomas the Apostle and the other upon Easter Eve. This deed has two seals to it, but is only signed by John Margetts, Anne Margetts being incompetent to execute either by coverture or by inability to subscribe. It was Sealed and Delivered in the presence of Thomas Willis Robert Turner.

2. *Longcroft or Poor's Close in Gagingwell.* The Kiddington land having been given in 1728 by Dr. Marten, in part discharge of the legacy of Mr. Benjamin Marten, in the year 1730 another piece of land was purchased at Gagingwell, called Longcraft, since, sometimes called Poor's Close, and conveyed to the parish of Enstone by four several deeds, as well as by other certain processes of law hereafter to be explained. The four deeds are the following.

1. An Indenture made the ffive and twentieth Day of March in the Third Yeare of the reigne of our Sovereigne Lord George the second by the Grace of God &c. Annoq. Dom. 1730, Betweene

Abigail Freeman of Church Enstone Widdow and Thomas Freeman of Ditchley in the parish of Spelsbury Gentleman son and heire of the said Abigail Freeman of the one parte, and Thomas Walker of Church Enstone Gentleman, Benjamin Busby of Gagingwell Yeoman, William Harris the Elder of Church Enstone Yeoman, and Jane Ryman of Radford Widdow of the other parte, Witnesseth that for and in consideration of ffive shillings to the *two* paid by the *four* the *two* bargained and sold to the *four* All that Close in Gagingwell commonly called or known by the name of Longcroft to have and to holde for the terme of one whole yeare yielding and paying therefore one pepperorne att the ffeast of St. Michael the Archangell To the intent that by vertue of these presents and by force and vertue of the Statute made for transferring of uses into possession the *four* might be in actual possession and thereby enabled to take and accept a Grant and Release of the reversion and inheritance thereof. This deed is executed by Abigail Freeman and Thomas Freeman having been sealed and delivered by Abigail Freeman in the presence of W. Wilcockson and Ja. Belchier and by Thomas Freeman in the presence of William Varney and Ja. Belchier.

2. An Indenture with a chirograph in Latin to the effect that "This is the Final agreement made in the Court of the Lord the King at Westminster from the day of Saint Michael for fifteen days in the third year of the reign of George the Second by the grace of God of Great Britain France and Ireland King Defender of the faith, and so forth, before

Alexander Denton and John Fortescue Aland Justices, and other faithful subjects of the Lord the King then there present between Benjamin Busby complainant and William Ranel and Anne his wife, Abigail Freeman widow, and Thomas Freeman and Anne his wife, deforciant, concerning a cottage and an acre of land in Gagingwell, whereupon a plea of covenant was summoned between them in the said court, to wit that the aforesaid *five* have acknowledged the aforesaid tenements to be the right of the aforesaid Benjamin and have remised and quitted claim of them to him and his heirs for ever . . . And for this recognition, remise, quit claim, warranty, fine, and agreement, the said Benjamin hath given to the said William and Anne, Abigail, and Thomas and Anne Sixty pounds sterling (sexaginta libros sterlingos.)

3. An Indenture made the six and twentieth Day of March in the Third yeare of the reigne of our Sovereigne Lord George the second &c. Annoq. Dom. 1730 Between Abigail Freeman as before Thomas Freeman as before and Anne his wife of the one parte and Benjamin Busby of Gagingwell of the other parte, Whereas in Michaelmas terme last before the date hereof the said Abigail Freeman and Thomas Freeman and Anne his wife did with others viz. William Ranel and Anne his wife acknowledge and levy in due form of law unto the said Benjamin Busby and his heirs

before the Justices of his Majesties Court of Common Pleas at Westminster *one fyne sur cognizance de droit come ceo &c.* of and upon all that Close as before Now this Indenture witnesseth as to for touching and concerning the said Close that it is covenanted, granted, &c. to the use and behoof of the *four* as before Upon this SPECIALL TRUST nevertheless and to the intent and purpose they doe pay or cause to be paid the yearely rents and profitts of the said premisses from time to time for ever to the Minister and Churchwardens of the said Parish of Church-Enstone for the time being who shall lay out and expend the same upon good Beefe in manner and forme following (that is to say) One halfe parte of the said yearely rent on or upon such Saturday as shall happen in every year hereafter the week before Easter Sunday which said Beefe when soe bought shall be divided as near as possibly may be into Twenty equall pieces or shares ffive of which pieces or shares shall be distributed on the said Saturday aforesaid in the Church-porch of the said parish (upon Notice to be given by the ringing of one of the Church Bells by the Clarke of the said parish Two or Three hours before such Distribution) to such ffive of the poorest ffamilies of Radford in the said parish of Church-Enstone as the said Minister and Churchwardens for the time being shall think fitt and the remaining ffifteen pieces shall be distributed by the said Minister and Churchwardens att the time and place aforesaid to ffifteen of the poorest ffamilies in the parish aforesaid as the Minister and Churchwardens for the time being shall think fitt: the said Clarke for the time being to have one of the said pieces (if he shall be diligent in ringing the said Bell and in obeying the said Minister and Churchwardens in this affair.) And the other halfe parte of the said yearly Rent shall be alsoe laid out in good Beefe and distributed in manner as aforesaid ffive of the pieces or shares to ffive of the poorest ffamilies in Radford and the other ffifteen unto ffifteen other such persons as the Minister and Churchwardens shall think fitt as aforesaid (the said Clarke to be one of the said persons upon condition as aforesaid) on the Saturday before Christmas day in every yeare hereafter and soe by God's permission for ever (pursuant and according to the last will and Testament of Benjamin Marten late of Radford aforesaid Gentleman deceased) and to and for none other use Interest and purpose whatsoever. Sealed and Delivered by Thomas Freeman and Benjamin Busby in the presence of William Varney, Ja. Belchier and by Abigail Freeman and Anne Freeman in the presence of W. Wilcockson, Ja. Belchier.

4. An Indenture made the day and year before mentioned, A.D. 1730 between Abigail Freeman, Thomas Freeman, and Anne his wife of the one parte, and the *four* as before of the other parte, conveying in consideration of the sum of five and forty pounds, Hopcraft Close in Gagingwell to the same *special Trust*, and in the very same words as before. Sealed and Delivered by all seven parties and duly attested by various witnesses.

These three English deeds are a terrible example of the results of special pleading and conveyancing. Each one increases in length and verbiage, as if the writer were insatiable and "increase of appetite did grow by what it fed on." As an instance of the powers of expansion here exhibited, the words "Easter Eve," which are employed in the deed relating to the Kiddington land, and which clearly enough denote the time intended by them, are in these deeds extended into, "such Saturday as shall happen in every year hereafter the week before Easter Sunday;" and so again instead of the words "given and granted," we have, "Granted Bargained sold aliened remised Released Confirmed and for ever Quit-claimed." They are, however, important deeds, as being the only ones we have that give any exact account of the application of the Charity. And yet even in this respect they are faulty, for they apply the rules of the Charity to the income arising from this piece of land alone, whereas those rules apply to the income from all the land, including both the Kiddington and this Gagingwell land. In addition to which the manner in which it is attempted to amplify and enlarge all the details of the Charity are as amusingly absurd and ridiculous as they are vainly prolix and useless.

Two of the deeds, the second and third, are worthy of notice, as exhibiting one of the devices had recourse to, in due form of law, to make a good title to an estate. They relate to what is called the Levying a Fine. The nature of a Fine is thus described by Judge Blackstone in his Commentaries. "A fine is sometimes said to be a feoffment of record: though it might with more accuracy be called an acknowledgement of a feoffment on record. By which is to be understood that it has at least the same force and effect with a feoffment, in the conveying and assuring of lands: though it is one of those methods of transferring estates of freehold by the common law, in which livery of seizin is not necessary to be actually given.... A fine is so called because it puts an *end* (*finis* being the Latin for *end*) to all suits and controversies concerning any matter." The levying a fine as it was called, was a legal contrivance by means of which a sham suit for possession was carried on, and so brought to a conclusion, that is an *end* or *fine*, that a judgment was obtained from the superior court, giving safe and sure possession to any party, in order that he might then sell his estate to another, and so put that other into safe and sure possession. Fines are of four different kinds, the most common one in use being that obtained in the case before us, and set forth in the second deed. This, says Blackstone, is "what in our law French is called a fine '*sur cognizance de droit, come ceo que il ad de son done*;' or, a fine upon acknowledgement of the right of the cognizee, as that which he hath of the gift of the cognizor." Or, in simpler language still, such a fine is the completion of a legal investigation, whereby recognition is made, and secured to a party purchasing an estate, of his full right to it, as

having come to him by the full and safe grant of the party selling to him. To sum up all in the note of Dr. Christian upon Blackstone,—“ the chief use and excellence of a fine is, that it confirms and secures a suspicious title, and puts an end to all litigation.” Now in the case before us it appears, that the Widow Freeman wished to sell Longcraft close, but as a widow in all probability her title was doubtful, and as having a son and heir it would be still more suspicious, which state of things was rendered still worse by the marriage of her son Thomas Freeman subsequent to the execution of the first deed. So that in order to get rid of all difficulties, and to bar all future possible claim, that might arise from any heirs male born to Thomas Freeman, the three, viz. Widow Freeman the mother, Thomas Freeman the son and heir, and Anne Freeman his wife, all joined in the act of levying the fine, together with others, viz. William Rand and Anne his wife, (although of them and their share in the transaction nothing else appears) and thus effecting such a good and sufficient title as that the estate might safely be purchased by those desirous of doing so.

The fictitious suit already referred to was thus carried on in the instance before us. By the first English deed Benjamin Busby took a lease for one year of the land to be sold from the vendors Abigail Freeman, Thomas Freeman and Anne his wife, and Benjamin being thereupon in possession commenced a suit against the three to convey the land to him for ever, upon the pretext of a supposed covenant existing between him and the three, that they will so convey the land to him. This was done by suing out a writ of *præisise* to compel the fulfilment of this supposed covenant, the breach or neglect of which is the matter of action. The next step was the taking out a *licentia concordandi*, or leave to agree to the suit, the defendants, the trustees, thereby admitting themselves to be in the wrong, declaring their willingness to amend it, and applying for permission to make the matter up, lest the suit should be continued and they be cast, which would bring upon them heavy consequences. The defendants, then, having thus sued for leave to settle the dispute, there next issues *the concord*, that is the agreement itself, admitting on the part of the deforciant, the three, that the land in question does belong to the complainant. This is followed by the *note* of the fine, which is an abstract of the agreement, naming the parties, the land, and the covenant, which must be enrolled in the proper office, and remain there as a record of the transaction. And now at length we reach what is called *the foot* of the fine, it being the final, conclusive, and confirmatory document of this whole transaction. It is the second deed mentioned above, the Latin one, and is entitled, “The Foot, Chirograph, or Indenture of the Fine.” It commences *Hæc est finalis concordia*, “This is the Final Agreement,” and is an indented deed having a Chirograph, the cipher of which, however, from being mutilated is not legible. Thus was



completed that legal process which made this acre of land purchaseable by giving it a safe marketable title, and now the bargain and purchase went on to completion, through the other lengthy and verbose deeds framed for the conveyance of the estate; so that the treaty, purchase, and completion of the sale of this one acre of land occupied considerably more than a year, and required all this tortuous and expensive system of law.

III. Awards and other public documents, with their relations to parochial property or charities.

1. *The Radford Inclosure Award*, thus commences and sets forth its origin and purport. "To all to whom these presents shall come, John Watts of Sulgrave Northamptonshire, John Clary of Steeple Aston and John Mitchell of South Weston both in Oxfordshire Commissioners appointed by George Bowden of Radford Mary Delont of Radford John Phillips of Enstone and George Marten of London Surgeon for dividing and Inclosing the Open and Common Fields Common Pastures and Commonable Places and grounds in the Hamlett or tything of Radford, And also the said *four* and George Shepherd Minister and John Phillips and Thomas Blackall (Blackwell?) Churchwardens of the Parish of Enstone, Send Greeting. Whereas by Articles of Agreement of three parts Indented bearing date on or about the Twentieth day of April One thousand seven hundred and seventy-two made between" the respective parties it had been determined that an inclosure of Radford should be effected, and this award now sets forth the results of the Commissioners' labours therein, of which this is one. "We the said Commissioners have set out and allotted and by these presents do award set out and allot . . . To the said Minister and Church Wardens of the Parish of Enstone for the time being and their Successors in lieu of their property in and over the said Common Fields and premises by the said Articles intended to be inclosed as aforesaid One Plot lot or parcel of ground containing One Acre two Roods and five Perches Including all Roads and Ways through and over the same which is set out on purpose to be exchanged with the said George Bowden and Mary Delont . . . And the said Minister and Churchwardens have by consent of Commissioners exchanged with the said George Bowden and Mary Delont all their Allotment in the Eastfield for all that Antient inclosed ground called Skersbrook's containing one acre, one rood, and seventeen perches." This deed was signed and sealed the 30th of April, 1773, by John Watts, John Clary, John Mitchell, Geo. Bowden, Jno. Phillips, Geo. Marten, Geo. Sheppard, Thos. Blackwell.

2. *The Neat Enstone Inclosure Award* commences thus. "To all to whom these presents shall come John Davis of Banbury the Commissioner appointed in virtue of an act of Parliament of his late Majesty King William the Fourth intituled 'An act for facilitating the inclosure of open and arable fields in England and Wales,' for dividing allotting and inclosing the open and common

arable meadow and pasture lands and fields situate lying and being within the limits and boundaries of the hamlet of Neat Enstone in the parish of Church Enstone in the County of Oxford sendeth greeting, Whereas all provisions having been fulfilled, Now know ye that the said John Davis doth in obedience to the directions of the said act make and declare his final award in manner following (that is to say) *inter alia*

“ Unto and for the Feoffees of the Enstone Church Estate in lieu of and full compensation for all their common field lands One allotment of land or ground numbered 42 on the Plan situate in Sheep Walk quarter containing two acres two roods and twenty-six perches bounded on the west and on the north by the seventh allotment to the said James Banting on the East by the first allotment to the said Trustees of the fuel allotment and on the South by the Woodstock Turnpike Road. The fences to belong to this allotment are those against the said road and on the West against the seventh allotment to the said James Banting. (By a supplementary award subsequently made the above allotment was increased by the addition of three roods and ten perches exchanged by the Feoffees in lieu of the house and old inclosed garden called the Folly House.)

“ To the said Viscount Dillon the Reverend John Jordan Clerk Vicar of Enstone the said James Banting and the Reverend Richard Goddard of Broadstone Hill in the parish of Enstone Clerk as Trustees for the Poor of the Township of Neat Enstone aforesaid entitled to the right of cutting fuel on the said lands and fields in lieu of and full compensation for such right all those several allotments of land or ground next hereinafter described (that is to say) One allotment of land or ground numbered 43 on the Plan situate in Scarow Hedge and Sheep Walk quarters containing seventeen acres one rood and twenty-five perches Bounded on part of the South west and the North west by the seventh allotment to the said James Banting on the North east by the second allotment to the said Thomas Davis, on the South east by the Bicester and Woodstock Turnpike roads and on the remaining part of the South west by the allotment to the Feoffees of the Enstone Church Estate. The fences to belong to this allotment are those against the said roads against the last mentioned allotment and on the South west against the said allotment of the said James Banting.

“ And one other allotment of land or ground numbered 37 on the plan situate in the Folly quarter containing five acres two roods and twenty-eight perches bounded on the North by the Woodstock Turnpike Road on the east by the first allotment to the said James Banting on the south by the third allotment to the Principal and Scholars of Brasenose College and on the west by the hamlet of Lidstone. The fences to belong to this allotment are those against the said road and against the said allotment of the said James Banting.”

The Neat Enstone Award was executed by the Commissioner signing and sealing at a Special Meeting of the Proprietors held for that purpose on the 23rd day of May, 1843, and a copy of it was delivered to the charge of the Clerk of the Peace for the County of Oxford on the 28th day of March, 1844.

3. *The Church Enstone Inclosure Award* commences exactly in the same manner *mutatis mutandis*, as the foregoing, having been made by the same Commissioner, Mr. John Davis, and contains, besides other orders, these following. "Unto and for the tithingman for the time being of the township of Church Enstone aforesaid in lieu of and full compensation for all his common field lands, All that one allotment of land or ground numbered 10 on the Plan situate in the Quarter between the Charlbury Turnpike Road and the Enstone and Bicester Turnpike Road containing three roods and sixteen perches bounded on the west and on the north by the third allotment to the said Edward Marshall on the east by the township of Gagingwell and on the south by the Enstone and Bicester Turnpike road. The fences to belong to this allotment are those to be made against the said township of Gagingwell and against the said turnpike road." As, however, Gagingwell township was already inclosed when this award was made, and had its own fence, so no new fence was made on the east side of this allotment, but the fence existing on that side belongs to Gagingwell. "To the said Viscount Dillon the Reverend John Jordan Clerk Vicar of Enstone aforesaid the said Reverend Edward Marshall and the Reverend Richard Goddard of Broadstone Hill in the parish of Enstone Clerk as Trustees for the poor of the Township of Church Enstone as aforesaid entitled to the right of cutting fuel in the said lands and fields in lieu of and full compensation for such right, All that one allotment of land or ground numbered 5 on the Plan situate in the Quarter between the Charlbury Turnpike Road and the Little Tew Road containing fourteen acres one rood and seven perches bounded on the north west by the second allotment of the said Viscount on the north east and on the south east by the second allotment to the said Edward Marshall and on the south west by the Little Tew Road. The fences to belong to this allotment are those to be made against the said road and against the allotment to the said Viscount." The Church Enstone Inclosure Award was executed by the Commissioner in the same manner as the preceding one on the 6th day of January, 1844, and a copy of it was lodged with the Clerk of the Peace for the County of Oxford on the 28th day of March, 1844.

4. *The Tithe Rent Charge Apportionment*. This document is entitled, "Apportionment of the Rent Charge in lieu of Tithes in the parish of Enstone in the County of Oxford," and opens thus, "Whereas an Award of Rent Charge in lieu of Tithes in the parish of Enstone in the County of Oxford was on the eighteenth day of February in the Year One thousand eight hundred and forty-one, confirmed by the Tithe Commissioners for England and

Wales, of which award, with the Schedule therein comprised, the following is a copy. Know all men by these presents that I Joseph Townsend . . . . Commissioner according to the provisions of the Act for the Commutation of Tithes in England and Wales . . . . do hereby award as follows . . . . Whereas I find that the Appropriate Glebe lands of the said Parish consisting of Forty-five acres by estimation of which Thirty acres are arable and Fourteen acres are meadow and pasture are exempt from Tithes. And whereas I also find that the Vicarial Glebe Lands of the said Parish consisting of Twenty-seven acres by estimation of which Twenty-six acres are arable and one acre is meadow or pasture are exempt from all Tithes. And whereas I find that the estimated quantity in statute measure of all the lands of the said Parish which are subject to payment of Tithes amounts to Six thousand and four acres which are cultivated as follows, that is to say, Four thousand nine hundred and fifteen acres as arable, Nine hundred and fifty-nine acres as Meadow or Pasture, One hundred and nine acres as Wood Lands, Three acres as Water, Eighteen acres as homesteads . . . . . Now Know Ye, that I do hereby award the annual sum of One thousand two hundred and forty pounds fourteen shillings and eleven pence by way of Rent Charge subject to the provisions of the said Act to the Dean and Chapter of Christ Church instead of all the great tithes . . . . . And the annual sum of Three hundred Pounds by way of Rent charge subject to the provisions of the said Act to the Vicar of the Parish for the time being instead of all the small Tithes." Then follows the Schedule, specifying, in ample detail, the apportionment of the aforesaid sums upon the lands on which they are assessed, all of which are numbered to denote their place upon the large and valuable map of the whole parish annexed to the Apportionment. The acreage, however, according to the apportionment, differs materially from that given above.

5. *Lease of Land for the National School.* This Indenture made the thirty-first day of October 1837, between Charles Henry Viscount Dillon of the one part, and Rev. Joseph Sibley of Enstone, Thomas Davis of the same, Rev. Charles Dayman of Great Tew, Rev. John Geoffrey Brown of Kiddington, and Nathaniel Parsons of Radford witnesseth that the said Viscount hath leased to the said *five* all that piece of ground containing in length eighty-seven feet and in breadth fifty-five feet situate &c. to have and to hold for the term of ninety-nine years yielding and paying therefor yearly a Peppercorn if demanded. And the said *five* covenant with the said Viscount to keep in repair and rebuild whenever necessary the buildings now erected or to be erected thereon. Provided always and it is hereby declared that the lease hereby granted by the said Viscount to the said *five* is granted to them as Trustees of a School or Schools erected on the said plot of ground for the purpose of educating poor children of the parish of Enstone according to the principles of the Church of England.

Provided lastly that when the *five* shall be reduced to one acting Trustee only such last acting Trustee or his executor may appoint any number not exceeding nine. This deed is signed and sealed by all the seven persons forming the parties to it.

IV. *The Parish Registers and Account Books.* No such documents as Registers of Births or Baptisms, Marriages, and Deaths or Burials, were known or in use before the time of Henry VIII. During his reign, and the Archiepiscopate of Cranmer, in the year 1538, they were for the first time directed to be kept, and they formed a part of that system of Church discipline, which the progressing reformation then introduced. Amongst the injunctions of Cromwell, issued in the king's name, and consequently with all the legal force of the royal authority at that time, it was ordained, "that every parson, vicar or curate, was to furnish a book to register weddings, burials, and christenings." (Collier's Chur. Hist. iv. 430.) These first registers were generally of paper, and were either not very durable, or not well kept, so that some years after another series was commenced. As the reign of Mary blotted out the work of the Reformation as much as possible, so these parochial registers were many of them probably at that time destroyed, and none of so early a date exist here.

The following Tabular statement will best show the present condition of the Books, premising that the divisions into periods imply the several volumes in which they occur:—

Baptisms.	Marriages.	Burials.
1558—1626.	1558—1626.	1558—1626.
(1.)1654—1684.	1654—1677.(2.)	1654—1677.(2.)
1685—1757.	1689—1753.	1689—1757.
1758—1783.	1754—1783.	1758—1783.
1783—1812.	1783—1812.	1783—1812.
1813—1841.	1813—1837.	1813—1852.
1841— „	1837— „	1852— „

(1.) Up to 1626, the second year of Charles the First, the Registers were well and regularly kept, but at that period they appear to have been entirely neglected. On the 26th of September 1626, the Rev. John Pringe, at that time Vicar, died, and with his decease the regularity of the Registers fails, nor do they appear to have been renewed in any shape at all until the year 1654, when the Rev. John Beckenham, Vicar, "was sworn and approved to be Register of the Parish of Enston," and commenced by entering "Birthes of Children in the Parish of Enston that are not punctually entered in the ould Register Book." This old book, however, is altogether lost, one of the results doubtless of this sadly troubled period.

(2.) These are very imperfect indeed.

The Registers of this Parish commence with the year 1558, being the first of Elizabeth, but up to about the year 1603, they are written so entirely in one hand and style, as to give reason to suppose that they were transcripts made at that date. By the

Constitutions and Canons Ecclesiastical, enacted by the Convocation in the year 1603, the first of James the First, it was ordered in the 70th Canon, thus: "In every Parish church and Chapel within this realm, shall be provided one parchment book at the charge of the Parish, wherein shall be written the day and year of every Christening, Wedding, and Burial, which have been in that parish since the time that the law was first made in that behalf, so far as the ancient books thereof can be procured, but especially since the beginning of the reign of the late Queen." In compliance, then, with this Canon, as seems apparent from the uniform style of the Registers up to about 1603, these Registers were in all probability at that time made.

In reading these old Registers I have been led to observe the origin of a peculiar abbreviation, which has often before occasioned me much conjecture. On tombstones, and in writings of about 150 or more years past, instead of the word *the* the form *ye* is continually made use of. Thus in our oldest account book we have many examples of it, as "*ye* poor," "*ye* same time," "*ye* sum of," "*due to ye* parish," &c. Our old Register supplies us with the origin of this form, for there it appears that the letter *h* was always made with a tail below the line, very much in the manner in which the *y* is now written, while the *t* before it seemed only to be the commencement of the same letter, and thus gradually the two letters became so blended as apparently to make but one, which was so like a *y* that *the* at length became corrupted in writing into *ye*.

The Christian names that occur in the early registers show a very different choice from those now generally in use. Thus of Male Christian names besides the common ones of John, William, Thomas, Richard, and Roger, we have the more rare ones of Walter, Cameron, Troilus, Gregorie, Cymon, Cyrus, and Ffollantyne, which last is of course a mere corruption of Valentine. Of Female Christian names there are the ordinary ones, Joane or Jane, Katharine, Margaret, Eleanor, Marie, Annie; and others of more rare occurrence in our time, as Alis, Rosalie, Christian, Joyes, Mildred, Jolian or Julyan, Frideswood, Repentance, and Jaruma.

There are two old Account Books, one the Overseer's book, and the other having inscribed on it the Church Book. The Overseer's book commences with the year 1660, and contains, besides the statement of receipts and expenditure for each year, the annual appointment of Churchwardens and Overseers, and of Road Surveyors, and records at various times of other parochial matters, that came under the cognizance of the Vestry. It is also regularly signed by the inhabitants in Vestry assembled, and also by the Magistrates of the district, so that it contains a great number of names, and in this respect forms an interesting document in addition to those that have been already mentioned. It begins in 1660, and concludes in 1773, one of the earliest Magistrate's names being Fra. Henry Lec, and the last, Litchfield. The

Church Book contains only the accounts of the Receipts and Expenditure of the Charity Estates, which have always been, and are to this day, kept separate from all the other parochial accounts; plainly indicating that these funds are not for the statutable relief of the poor, but for charitable uses, while the name of the book, the Church Book, implies what an important claim the Church has always been understood to have upon the principal part of this Estate. The book commences with the year 1700, and the accounts were kept with much regularity until the year 1742, when, a statement of the application of the Earl of Litchfield's Legacy having been wrongly introduced, the book was reversed, and is again regularly kept from 1742 to 1831. It contains, as the foregoing book does, many names of the parishioners, who at different times signed and approved the accounts, and in this respect, besides some incidental entries, is an interesting record.




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## CHAP. VII.

### BENEFACTORS TO THE PARISH.

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THE most ancient, and the most valuable, charity, belonging to the parish of Enstone, is that which goes by the name of the Church Estate. Who were the original donors of the lands so entitled it is not possible with any certainty to say. It is most probable that they were given at different times by different persons, and that being supposed we may further hazard a conjecture as to the names of some of the donors. In the catalogue of ancient deeds already given, and which, as having been kept in the parish chest, and with other parochial deeds, we may assume to have relation to these charity lands, and that the more because they all treat of lands and tenements at Cleveley, where all the Church Estate is situated, it will be seen, that there are certain parties having such interest in these lands, and to whom either their possession was granted, or their tenure confided, as to enable us to detect the original grants probably of some, if not of all, the lands, now belonging to the church. It is observable in the first place, that, by the oldest deeds there are of the year 1295, Margery of Dychelye a widow granted to her daughter Elizabeth of Tastan certain property at Cleveley, and that Elizabeth of Tastan a widow also granted certain property at Cleveley to her daughter Elianor, and that these would seem to have been the same land and tenements though not described precisely in the same terms.

Again, it is noticeable, that to this same Elianor of Tastan in conjunction with one John Newman of Cleveley, who was evidently the husband of Elianor of Taston, a certain John the fuller of Cleveley grants certain lands and tenements in Cleveley. Now this introduction of the name of Newman carries us on to the consideration of a set of deeds that seem more like the first deeds of grant to the parish than any others. For in 1346, William Newman of Cleveley, the heir and successor it may be of John Newman, named above in connexion with Elianor of Taston, makes a grant to Sir (domino) Richard Mandegod Vicar of Enston, Richard Bondess of Hognorton, their heirs &c. for ever, of property in Cleveley corresponding to that before granted to Elianor of Tastan and John Newman. Again in the year 1399, in the month of April, we have William Newman of Cleveley, the son and heir probably of the first-named William Newman granting apparently the same property in Cleveley, to Richard Hey Vicar of Spellesbury, John Ffeyreford of Chadlyngton, William Attehalle of Lydston in the county of Oxford; and by another deed of the same year 1399, but in the month of August, whereas the former was in the month of April, we have these same persons Richard Hey, John Ffeyreford, and William Attehalle granting the same lands again to the same William Newman of Cleveley. Then again in the year 1403, William Newman leases certain lands to John Sclatter of Cleveley for certain rents in kind and other necessaries. But in 1409, William Newman appears to have deceased without a son, and his property to have become distributed amongst his married daughters, who inherited portions of his property; and here all traces through the name of Newman become lost.

It is now again to be noticed that, as John the fuller of Cleveley was the person who granted to John Newman and Elianor of Tastan the land and houses in Cleveley that were again and again surrendered to various persons in trust, as in 1346, to Richard Mandegod Vicar of Enston, and in 1399, to Richard Hey Vicar of Spellesbury, so this same John the fuller of Cleveley is the frequent recipient and holder by a great number of the deeds of different lands and tenements of Cleveley. What is further noticeable respecting this John the fuller is, that the lands he thus again and again receives are granted to him by Alice le Veysi of Chaleford widow, either singly or jointly with her son and heir John Browne, so that she would seem to have been the donor of these lands whatever they were, John the fuller only holding them of her.

By the last deed of Feoffment, before the visitation of the Charity Commissioners in the reign of Elizabeth, which deed was made in 1588, it is stated that the then feoffees hold "of the grant and feoffment of William Sleymaker." In the Decree of the Commissioners made at Banbury in the year 1602, this William Sleymaker is described as the occupier of the lands in Cleveley viz. one messuage two yard lands and one third part of a yard land,



one acre and a rood of land in Cleveley, and at the same time are mentioned other lands no where else previously alluded to, viz. two acres in the fields of Radford in the tenure of William Margetts, and four acres in Neat Enstone in the tenure of William Ffortnam. Of all these lands, however, it is only stated in the Banbury Decree, that "durynge alle the tyme whereof the memorie of man is not to the contrarie," they have been employed for "the benefit of the inhabitants of the town of Enstone, towards the repairing of their Church and maintenance of their poor and other such good and like charitable uses."

From all this, however, we have been unable to gather any sufficient evidence as to who were the original donors of these charity estates, though at the same time we think we can offer some probable conjectures respecting them. It will have been seen that the lands descending through the Newmans, and held in trust at various times, came originally from the widowed mother and daughter Margery of Dychelye and Elizabeth of Taston, while those held by John the Fuller came from the widow Alicia le Veysi of Chaleford. Now as widows, in their position of desolateness and distress, were just the kind of persons, under the superstitious influence of Popery, to make such grants as these for religious and charitable uses, as if "to purchase to themselves a good degree, and great boldness in the faith," so it is at least plausible, in the absence of all positive evidence, that these estates originally came to the parish from these three widows, Margery of Dychelye, Elizabeth of Tastan, and Alicia le Veysi of Chaleford. These lands so given were entrusted to the charge of others, and were surrendered to, and let by, the trustees at different times; as in 1346, some of them were surrendered to Richard Mandegod Vicar of Enstone and another, but the deed by which they were then relet does not remain. Again in 1399, both the deed of their surrender to, and that of reletting by Richard Hey Vicar of Spellesbury and two others still exist.

There is, indeed, another very probable source whence the property that had been held by John the fuller might have come to the Church. All the grants are made to John the fuller and Alice his wife, but he, having died first granted them to William ffuller of Cleveley, evidently his brother, or possibly his son, but who was capellanus, a chaplain, and as a priest would not have heirs of his own to leave them to. He, by a deed of the year 1350, which recites that he held certain property in Clevely "by the grant and ffeofment of John the ffuller of Clevely," grants them to Alice le ffuller, for her life, and as then they would revert to him, who of course as a good and faithful son of the Church could have no other heir of his estate so fitting as holy mother Church herself, may have given them at his decease to this use. In 1374, we find them in the possession of John Phynes of Selwelle (Swell), who grants them to John Sclatter; but who this John Phynes was, or how he came into possession does not appear.

In the Banbury Decree already referred to mention is made of another benefactor in these words:—"Also Robert Blount deceased did by his last will and testament give a stock of five pounds in monye to be yearlye for ever employed for and towards the relief and maintenance of the poor people in the parish of Enstone;" which was then held by John Childe the elder who paid 8s. yearly for the use of it, but has been since and now is entirely lost.

According to a statement on his monument, in the south chancel chapel, Steven Wisdom was the donor at his decease in 1633, of a sum of £10 for the use of the Poor. His monument bears on a black slab, in front of him as he kneels, the following inscription, which is the only record of his donation. "Here lieth the Body of Steven Wisdom the sun of Thomas Wisdom who decesed the XXII day of Aprel and hath geven x Poun<sup>d</sup> to remaine for the use of the Pore for ever the on halfe of the use on Saint Steavens day the other on Saint John Bap<sup>t</sup> is day by the Vicker and Churchwardens of the Parish. An: Do: 1633." Besides the palpable errors of orthography in this inscription, there is the strange discrepancy between it and another on the same monument as to the day of his decease, as will appear from the following copy of it. "Here lieth the body of Stevens Wisdom who decesed the XXIII day of Aprell whos body resteth here in hope of a joyful resurrection. Anno Domini. 1633."

About the year 1684, Sir Edward Waldo of Pinner in the County of Middlesex gave to the parish a folio volume containing all the works of the author of the *Whole Duty of Man*.

About the same year, Mr. Thomas Marten, the father of Mr. Benjamin Marten of Radford, the donor of the *Meat Estate*, gave *Comber's Companion to the Temple*, or a *Help to Devotion in the use of the Common Prayer*, &c. Both these volumes were set up in church for public use, and chained there for safety, the chains still remaining upon them.

In the year 1694, died Mrs. Elizabeth Marshall, relict of Mr. Nicholas Marshall, who was one of the Feoffees appointed in 1655, though then resident at Little Tew, and this Mrs. Elizabeth Marshall left by her will, bearing date the 6th of April, 1693, the sum of Five Pounds, the interest thereof to go to the use of the poor of the parish of Enstone for ever, to be distributed yearly on the feast of St. James, according to the direction of the Churchwardens for the time being.

In the year 1696, Charles Aldworth, Savilian Professor, and a fellow of Magdalen College, Oxford, gave to the Parish a Volume being "A Collection of Cases and other Discourses lately written to Recover Dissenters to the Communion of the Church of England."

There was also given, as appears by the decree of the Charity Commissioners who sat at Witney in the year 1701, at some time previous to that date, though when it does not appear, another sum of Five Pounds, stated in the decree to have been given by one — Scott to the use of the poor of Enstone.

This commission just referred to was one held at Witney in consequence of alleged mismanagement of nearly all the Trust funds then in the parish. The Commission consisted of five persons, Sir Robert Jenkinson Bart. Sir Edmund Warcupp Knt. Phillip Wenman Esq., Thomas Abell and Matthew Pryor Gent., and a jury of twelve, and was issued under the authority of the Act of the forty-third of Elizabeth entitled, "An Act to redresse the Misimployment of Lands, Goods, and Stocks of Money heretofore given to Charitable Uses." From the Inquisition and Decree then made, it appears that there was much division in the parish at the time, and that the two parties evidently tried to outdo each other. The one party consisted of the Vicar, Rev. John Naylor, his Churchwarden Mr. Richard Eyans, and Humphrey Coxe who had been Churchwarden two years before. At this time the Feoffees of the Estates had become reduced to four, of whom two only were resident, Mr. Nicholas Marshall also Churchwarden, and Mr. Thomas Briskquett, the other two, John Cary of Woodstock who was very ancient, and John Ffawdry who had parted with all his estate, being nonresident. Mr. Marshall and Mr. Briskquett as the only resident Feoffees, together with other persons formed the other party. Now the Vicar's party had resolved upon building the gallery which is at the west end of the Church, and for this purpose Mr. Coxe while Churchwarden had called in Mrs. Marshall's Five Pounds and had expended it and the whole income, or nearly so, of the charity lands on the gallery, and Mr. Eyans again, when he became Churchwarden, had done the same. But the gallery having been adjudged by the Commission unnecessary, and not in agreement with the tenor of the Charity Trust, which directs the income of the estates "to be employed for and in the repaire of the Nave and Body of the Church and the relief and sustenance of the Poore," the Vicar's party were defeated, and were ordered to repay the whole of the money. Thus Mrs. Marshall's Five Pounds was restored, and in the account book for the year 1703 we have the following entry respecting it.

March ye 13<sup>th</sup> 1703-4 Lent out at Interest to Esay Alwin  
at 5 pr cent the sume of 5 lb it being 5<sup>s</sup> and it being Mrs.  
Marshall's money for the use of poor Widowes 5 0 0

In the same decree, ordering the repayment of Mrs. Marshall's Five Pounds, it is stated that Blunt's Five Pounds were in the hands of Robert Sleamaker, and that Wisdom's Ten Pounds and Scott's Five Pounds were in the hands of Edmund Marshall of Little Tew, and that the Interest of the moneys was duly paid and distributed. In 1716 Wisdom's £10 would appear to have changed hands, for there is the following entry in the Churchwarden's accounts that can only refer to that. "Expences when John Salter gave bond for the £10. 0:03:00." There is no mention, however, of the expenditure of any of these sums, in the accounts, excepting that of Mrs. Marshall, and of hers only to the

year 1704, nor does there ever after appear, or remain now, any account or any trace of these several sums, unless they are parts of a sum of £20 called in in the year 1731 and applied in part payment of Scarsbrook Close, which was then purchased and included in the Meat Estate.

Notwithstanding the above Decree of the Charity Commission, by which Messrs. Eyans and Coxe were ordered to refund the sum of £28 14s. 11d. it appears from the accounts that resistance was made to this Decree by Mr. Eyans, in consequence of which he obtained an award in his own favour, allowing this very sum which before had been ordered to be refunded, and in this award the parish at large acquiesced, and so concluded this long dispute. This, however, was not until the year 1709, when there appears the following statement in the account book, subjoined to a full debtor and creditor account of receipts and expenditure from the year 1700 to the year 1704 and the year 1708.

“Whereas there was an award signed by Richard Knapp and Scroggs Good Esqrs on 24th of March 1707 for putting an end to a difference concerning ye Churchwardens for the parish of Enstone, now in pursuance of that award we ye parishioners and inhabitants whose names are underwritten have perused the accounts of Richard Eyans, Esq. one of ye Churchwardens for ye said Parish and doe allow and approve the same to be truly and regularly made according to that award.” This statement is very numerously signed by some of the principal residents of the parish, and very properly concluded the dispute; for there can be no doubt that this award allowing the expense of the gallery was right, and the former decree against it wrong. The term the Nave of the Church seems then to have been misunderstood, and to have led to a wrong decree, for notwithstanding it admits the employment of the funds to be for the repair of the Nave and Body of the Church, yet it seems to deny that the setting up seats in a gallery was within the tenor of those words. The subsequent Award, however, rightfully upsets that decree, since undoubtedly the estate is applicable to any kind of repairs within or without the Church for which the parishioners at large are liable.

In the year 1701, Mr. Keck gave a folio volume of Tillotson's Works, which was chained as the others were, and still retains its chain.

In the year 1703, a donation of £5 was left to the poor of the Parish by Mrs. Ffortnam, the record of which is thus preserved in the register of Burials:

“1703. Jane Ffortnam Widow of Neat Enstone, and Relict of William Ffortnam Yeoman of the same, dyed the 20th and was buried the 22nd of June in Woollen, in her husband's grave in the church. She was a pious and very charitable woman in her life time, and by her last will she gave five pounds to remaine for the use of the Poor of Enston for ever, the interest to be distributed yearly by the Minister and Churchwardens of Enston at or

upon the feast of the nativity of our Saviour Jesus Christ." This entry is made in the handwriting of Dr. Naylor at that time Vicar, and it shows the value of such entries, for this is the only vestige that remains of the donation, which appears to have been long since lost. Although Mrs. Marshall's gift of £5 is mentioned for a few years in the accounts, and then altogether ceases, there is no mention whatever of Mrs. Ffortnam's. Mrs. Fortnam lies buried in the south aisle beside the easternmost pillar, under a small square brown stone marked J. F. 1703, and near it is a similar one over the grave of her son Thomas Ffortnam, marked T. F. 1741.

In the year 1716 a valuable charity, commonly called the Beef Charity, was founded by Mr. Benjamin Marten of Radford. His monument, which was until lately on the eastern pillar on the south side of the middle aisle, but is now in the north aisle of the church, well describes the nature of the charity, in the following inscription. "Near this Pillar Lieth the body of Mr. Benjamin Marten of Radford Son of Thomas Marten of Rowsham Gent who besides many works of Charity in his life gave by his last Will 120 Pounds to Buy Lands, the income whereof he ordered to be laid out on Meat to be distributed to Twenty Poor Parishoners of Enston Five of whom are to be inhabitants of Radford. He died Febr. 4th 1715-6 Aged 47 years." The sum of money so left was invested in the year 1728 by Mr. Marten's executor, John Marten M.D. of Merton College, Oxford, in the purchase of a piece of land in the parish of Kiddington which he conveyed to the Rev. Thomas Skeeler Vicar of Enstone, and three others, William Young and Thomas Walker the Churchwardens, and Harry Cole, Esq. a gentleman then resident at the Rectory, and probably the Lessee for the time of the great tithes. The parish account book is unfortunately defective at this time, so that there are no items discoverable here connected with this matter, as there are with the next. It does not appear what was the sum given for the Kiddington land, but it did not exhaust the whole sum left by Mr. Marten, and which must have accumulated by interest between the time of his decease in 1716 and the purchase of the Kiddington land in 1728, and there was sufficient left to purchase another piece at Gagingwell, the transactions connected with which can all be traced out in the accounts. There it appears that Benjamin Busby was one of the Churchwardens for the year 1729, and that in the early part of that year, the date of the day being wanting, he went to Oxford to confer with Dr. Marten, for the first entry for the year is,

For going to Oxford to Doctor Marten .. .. 0 1 6

This visit was no doubt to inform him that there was a probability of their being able to purchase another piece of land with the surplus of the money, and accordingly we learn that some months after Benjamin Busby had a meeting with Mr. Freeman

of whom the land was eventually bought, for this is noted by the following entry:—

Sep: ye 20. Spent with Mr. Freeman . . . . . 0 1 0

On this occasion it would seem, that preliminaries only were talked over, and the necessary haggling incidental to all such kind of bargains was gone through, so that another meeting was required in order to come to terms and to complete the agreement. This was effected in the following month, when we have this entry:—

Oct: ye 6. Spent with Mr. Freeman and Bought the Close 0 1 6

This evidently was a longer sitting, as it certainly was a more important one, than the preceding, as now the bargain was made, and consequently it will be observed that the parties waxed more familiar, and more jovial over it, so that this time their conviviality cost them 6*d.* more than before. But there was yet a grander and a graver occasion to come. Mr. Freeman was to be paid his money, and this certainly had a right to be to him an occasion of jolification. Whether it should have been so at the expense of the Charity funds is altogether another question. However this does not appear to have entered much into the consideration of these high contracting parties, who possibly were above such matters of casuistry as these, and accordingly the charity funds had to bear the expenses of this third meeting, which according to the sum charged must have severely taxed the powers of consumption of Benjamin Busby and Thomas Freeman, judging from their former expenditure; unless they had, as indeed it is probable on this great occasion they had, witnesses on each side, as well for the payment as for the receipt of the money. This occurrence did not take place until the following year 1730, the date of the deeds connected with the sale and purchase being March 26, 1730, and the payment was made in the June following. There are two entries connected with the matter, which are as follow:—

June ye 27. Ye charges of Eating and Drinking when

Mr Freeman was paid his money . . . . . 0 11 6  
Lay down for the parish to pay Mr Freeman . . . . . 1 15 0

This, however, was by no means the purchase money, for the land had been bought for the sum of five and forty pounds, so that the five and thirty shillings paid at a cost of eating and drinking to the amount of 11*s.* 6*d.* was only a very small instalment, giving us occasion to fear a proportional expenditure when the remainder shall be paid. Fortunately the next Churchwarden, Mr. Nicholas Marshall, was either not so addicted to charitable liberality, or less able to maintain these parts of the Churchwarden's duties, for he contrived to pay in 1731, to Mr. Freeman, who also managed to receive it, in one single sum twenty pounds without any attendant expenses whatever, as appears by this entry:—

February the 8th Paid Mr Freeman . . . . . 20 0 0

The land that had thus been bought was purchased of Mrs. Abigail Freeman Widow and her son Thomas Freeman, but before she could so sell it she had to pass a fine upon it, the nature of which has already been explained, and the expenses of which were paid by the charity funds as shown in this entry in the year 1730 :—

Nov: ye 13. Paid Mr Belcher for passing a fine 3 10 0

This land is called in the conveyance Longcrofts, and is sometimes also called Poor's Close, or Poor Boy's Close, though these names have probably been added since it became charity land. The conveyance is from Abigail Freeman Widow, and her son and heir Thomas Freeman, to Thomas Walker, Benjamin Busby, William Harris, and Jane Ryman; Walker and Busby being the Churchwardens, and Harris or Harrison and Ryman the Overseers. For it is remarkable that although Harris is the name in all the deeds the signature of execution is Harrison, testified by his son Harrison Junior, and the Overseers' account books show that William Harrison and The Widow Ryman were the Overseers of the Poor for that year. It is still more strange that there should be no Vicar's name in the deed, for the charity is expressly entrusted to the Minister and Churchwardens. The Curate's name, Rev. W. Wilcockson, attests several of the signatures.

In all the deeds, as well those relating to the purchase of the Kiddington land, as those connected with Longcrofts, or Poor Boy's Close, at Gagingwell, the purpose and design of the charity are fully set forth, committing it to the disposal of the Minister and Churchwardens, and requiring them to distribute it in meat at Christmas, and at Easter, amongst twenty persons, five of whom are to be of Radford, one the Clerk of the Parish for diligently tolling the bell to give notice of the distribution, and the remaining fourteen at their discretion. The first occasion on which a distribution took place was in December 1729, when the occurrence was celebrated by a peal of bells, for which of course the charity had to pay, according to this entry in the accounts:—

Dec: ye 20. Spent upon the Ringers when the Beef was  
gave away ..... 0 2 6

This was done by the same Churchwarden Benjamin Busby, who had so jovially discussed and completed the contract for the purchase of the land at Gagingwell, and who took care to be as just to himself in all such transactions, as he was generous to others, for during the year 1730, while he was Churchwarden we have the following entries :—

	£	s.	d.
For giving the Beef away to Poor .....	0	1	0
Nov: ye 5. Spent upon the Ringers of Enstone ...	0	7	6
Dec: ye 18. Spent att taking Mr. Freeman's rent ..	0	1	0
Dec: ye 19. For giving Mr. Marten Beef away ....	0	1	0

All which said generosity, liberality, and justice to himself

were accomplished by Mr. Churchwarden Busby at the charge and cost of the charity funds with which he was entrusted.

The rents of the Lands so purchased and appropriated as above have varied from time to time as the following table will show:—

	Kiddington land.			Gagingwell land.		
	£.	s.	d.	£.	s.	d.
1731.....	0	0	0	1	10	0
1757.....	4	0	0	1	10	0
1790. ....	4	10	0	0	19	6
1797.....	0	0	0	1	0	0
1807-9. ....	6	0	0	1	5	0
1821.....	11	0	0	0	0	0
1822.....	9	0	0	0	0	0
1823.....	7	0	0	0	0	0
1848.....	15	8	0	2	0	0
1854.....	12	0	0	2	0	0

In consequence of the increase in the rents since the first foundation of the charity, they having become nearly three times their original value, a proportionate number of persons has been benefitted by it, this being deemed the most faithful principle on which to administer a charity thus improved. At the same time the principle has been held to of securing to the Radford people about one fourth, and to the Clerk about one twentieth of the whole amount of meat distributed, these parties being deemed to have vested rights in the charity according to the special appointment of the donor. With respect to the disposal of the rest, as it is always best to have some distinct and well understood qualification for partaking of such charities, in order to avoid the appearance of undue favour, and the disagreeableness of grumbling and discontent, all persons of either sex above the age of sixty, and all widows of whatever age, are admitted as the recipients of the charity. It need hardly be said, that the bad example set by Benjamin Busby, of a fee to the Churchwarden for distributing the charity, no longer exists. It prevailed, however, far too long, for it did not cease until about the year 1808. After having been 1s. a time, that is 2s. a year, for some years, it rose to 2s. a time or 4s. a year, and one year, 1800, was 4s. a time or 8s. for the year. This imposition probably raised an outcry, for the next year it fell again to 2s., and a few years after ceased altogether, like other abuses no doubt put an end to by public opinion.

It is interesting to contrast in this instance the very different increase in the value of the two pieces of land that were purchased out of Mr. Marten's Legacy. It is not until 1757 that we can detect the rents of both pieces, for Churchwardens in that day seemed more intent on charging their disbursements, than rendering an account of their receipts. As, however, in that year we find the Gagingwell land still let at the same rent it produced at first, so we may safely assume that the Kiddington land was in the same position, and thus we may take both the rents of 1757,



to have been those that the lands produced when first purchased. But as we know that the Gagingwell land, which was only one acre, was purchased for forty-five pounds and produced a rent of £1 10s. while the Kiddington land which was seven acres produced a rent of £4, we may thence form an estimate of the value of these seven acres, which must have cost £154, that is the Kiddington land cost only £22 per acre, while the Gagingwell cost £45. And yet at the present time the Kiddington is worth three times its first value, but the Gagingwell has increased only one-fourth.

It will be seen that according to the estimate we have made of the cost of the Kiddington land, which was purchased, and conveyed to the Vicar and Churchwardens in 1728, by Dr. Marten, executor of the donor, Mr. Benjamin Marten, that it cost more than the sum left by Mr. Marten's will, viz. £154. It has also been shown that the first distribution of the Beef was in 1729, so that thirteen years elapsed before the charity came into operation. It would seem, however, that there was interest paying upon it by Dr. Marten until he purchased land, and that out of this interest was saved the forty-five pounds to purchase the Gagingwell, and this conjecture is confirmed by one entry in the accounts implying this, which appears in the year 1731, when Mr. Nicholas Marshall was Churchwarden and paid Mr. Freeman £20. This entry is as follows:—

February the 11th, Receiv<sup>d</sup>. of Thomas Roocke for Princip-  
pal and Interest money 12 5 0

In the year 1785, Robert, Earl of Litchfield, left by will a Legacy, of which the following professes to be an exact account copied from the will into the Churchwarden's book. "I give to the industrious poor of the parish of Spelsbury and Enstone, that do not receive relief from either parish, the sum of fifty pounds to each parish towards Clothing such poor boys and girls in each parish in order to place them in services abroad with a view that they may not afterwards prove burthensome to their first parish. The money to be disposed off in such like manner as the Minister, Churchwardens, and other Principal inhabitants approve." By means of this charity, which was only temporary, thirty-three boys and girls were fitted out for service during the years 1785 to 1789 when the charity being exhausted expired.

In the year 1844, the Rev. Richard Goddard, who had resided some years at Broadstone Hill in this parish, left by will the sum of £100 to be given away at the rate of £10 per an. for the succeeding ten years at Christmas, entirely at the discretion of the Vicar. This charity has been applied in the formation of a Clothing and Bedding Fund, in such a manner that every Christmas Clothing and Bedding to the amount of £30 have by means of it been distributed amongst the poor. This Charity, however, like the last, was only temporary and expired at Christmas, 1853.

In the year 184      Mr. Thomas Davis, who died here after

many years' residence, but was buried at Churchill, left by will £100 3 per cent. Consols to remain for ever for the use of the poor at Christmas, according to the discretion of the Minister and Churchwardens, in whose names it stands at the Bank of England.

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## CHAP. VIII.

### MANORIAL RECORDS.

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The first mention to be met with anywhere in history of the Manor of Enstone relates to the year A.D. 818, or thereabouts, when it was conferred by Kenulph, King of Mercia, upon his then newly founded, endowed, and consecrated Abbey at Winchcombe in Gloucestershire. The Abbey continued to enjoy it, and, either as a corporate body or by their Abbot, to be the lords of it until the time of the general suppression of the monastic houses throughout England by Henry the Eighth. At that time it was granted by the king to Sir Thomas Pope, a native of Deddington, an eminent statesman and lawyer holding important offices under both Henry VIII. and Mary, the friend of Sir Thomas More, and the founder of Trinity College, Oxford. The date of the Manor coming into possession of Sir Thomas Pope was, June 5, 1542. Pat. Hen. VIII. an. regn. 32<sup>o</sup>. part. 5. The manor continued in the possession of Sir Thomas Pope's family for about 125 years, that family having in the meantime become ennobled by the title of Earl of Downe, most probably during the reign of James I., who created in the course of it a large number of peers. The Downe family was settled at Wroxton Abbey, and there, at an early age, died Thomas, the fourth and last Earl, in the year 1668. The Earldom thus became extinct, but there survived the last Earl two sisters and coheireses, one of whom married, in 1671, Sir Francis North, afterwards Lord Guildford, in whose descendants the estate of Wroxton Abbey still is; and the other married Sir Francis Henry Lee of Ditchley. By this latter marriage the Manor of Enstone passed into the Lee family, in which it remains to the present day, that family having been created Earls of Litchfield, and subsequently having become, by the extinction of that Earldom, and by intermarriage with the Dillon family,

Viscounts Dillon, the present representative being Charles Henry Dillon Lee, 14th Viscount Dillon.

The Manorial Records of the Court of Enstone, that I have been able to see, consist of some ancient Rent Rolls, the Court Rolls for a limited period, and some few deeds and leases. None of the latter afford much information of importance, but some of the gleanings from the other two will be interesting. Unfortunately, however, we have no very ancient Court Rolls or Rent Rolls, for the earliest of the former that I have been able to meet with is one of the year 1711, and of the latter about 1660. A fire at Winchcombe Abbey had destroyed all the most ancient records that had been preserved there before the period of the Reformation, and at the time of the surrender neither the Abbot nor Monks were likely to be more communicative than they were forced to be. Whatever, therefore, may have related to Enstone of an early date was either suppressed or had perished, while even those of a later date are also wanting. At the same time we can, in a manner, supply this latter deficiency, for there are Court Rolls existing of the adjoining Parish and Manor of Spellsbury full two hundred years older than any that we have, commencing with the year 1510, and although at that time the manors of Enstone and Spellsbury were not as now in the same family, yet they are so adjacent and connected that what were the customs of the one parish and manor in that age, we may be sure, were equally so of the others. It will, then, materially assist us, in the absence of all Court Rolls of our own, to gather from those of our neighbour, such information as we can respecting the customs and habits of our forefathers in this vicinity. In the year 1533-4, Spellsbury was a Royal Manor, for the Jurors are then said to be "pro Domino Rege," for the Lord the King; but they are not so spoken of previously, and thence it may be inferred, that it had only recently become so, as the Manor of Enstone had by confiscation. For until the year 1539, the Manor of Enstone belonged to the Abbey of Winchcombe, but it was then surrendered to the crown, and continued in its possession until purchased by Sir T. Pope in 1542. So probably Spellsbury might also have been a manor surrendered about that time, but, however that might be, in that year certainly it was a royal manor. Thus, then, about the same time, both manors were, for a time at least, royal manors, and we may conclude therefore, that the Rolls of Spellsbury will, not very imperfectly, represent to us what were the state and condition, the manners and habits of Enstone at that period. The earliest Roll we have is peculiarly interesting, as showing the Members of which Spellsbury consisted, and plainly evidencing thus that Ditchley was originally a separate tithing and hamlet, and of this Roll therefore we propose to give a copy of the first part, and a translation of the whole. After having done this we will then give some extracts from various rolls, serving to illustrate the state of things, and the habits of the people at that time.

ROLL I.

Spellesbury. Visus ffranc p<sup>i</sup> cum cur tent ibm xvii<sup>mo</sup> die Octobris Anno Reg Henrici octavi II<sup>do</sup>.

Esson. Null.

Decenar ibm cum to<sup>is</sup> dece<sup>mo</sup> Jur<sup>s</sup> present q<sup>d</sup> Johes (vi.d.) Tarlom Johes (vi.d.) Weber et Alicia (vi.d.) Webb sunt comes bras<sup>s</sup> ad fine per an ut pro. Et quod Johes Norrey custom tenens huj<sup>s</sup> man' ii citra ult cur diem clausit extremum und accidit de heto pecuniis mundat ut prox. copia inde confect II.s. et ad cetera omnia bene.

ffin. bras<sup>s</sup> xviii.d.

Et heto ii.s.

Chadlyngton. Decenar ibm Jur present Thomas (vi.d.) Weber et ffyn. bras<sup>s</sup> xii.d. Thomas (vi.d.) Wilynge commes bras<sup>s</sup> ad finem per an ut prox. et ad alia omnia bene.

Ffulwell. Decen ibm Jur<sup>s</sup> present quod Riccao tailoro permittit tres porcos mamulat contra ordinationem inde permiss. id rpd mercedem xii.d.

Mer. xii.d. Decenar ibm Jur present Willim Hasilwode Taston. solitar bras<sup>r</sup> et fregit assiam id rpd m.

Mer. iii.d. Decen ibm Jur prest q<sup>d</sup> Willim<sup>s</sup> Smyth debet Dicheley. sect et fac des id rpd m.

Mer. ii.d. Ad istam ven Ricus Warde et cepit sibi et ux<sup>i</sup> Capto. suæ Johannæ pro termino vitæ eor. sec'm consuetudinem manii unum mess. et di. virgat terr et; virgat terr. dom<sup>i</sup>. cap<sup>i</sup>. pro reddit. et servi inde debit. Et dat de ffyn mgr<sup>r</sup> ii.s. et fecit ffidel.

ffin. ii.s.

Assess<sup>s</sup>. { Ricar<sup>s</sup>. Mason } Jur pr. Sum. Total.  
 { Johes Tarlom } cum Cur. vii.s. xi.d.  
 Unde Expens<sup>s</sup> Sene<sup>lis</sup> . . . iii.s. x.d.

TRANSLATION.

Spellesbury. View of Ffrank Pledge with the court holden there the 18th day of October in the 2nd year of the reign of Henry the Eighth. (1510-11.)

Excuses. None.

The Tithingman there together with the whole tithing present that John (vi.d.) Tarlom John (vi.d.) Weler and Alicia (vi.d.) Webb are common trespassers at a yearly fine as in the margin. And that John Norrey a customary tenant of this manor since the last court day has closed the end of his life whereupon there falls for a heriot in money sterling as in the margin a copy thereof being made ii.s. And as to other things well.

And a heriot ii.s.

Chadlyngton. The Tithingman there sworn presents Thomas fine for trespassers. xii.d. (vi.d.) Weler and Thomas (vi.d.) Wilynge common trespassers at a yearly fine as in the margin. And as to all other things well.

- Ffulwell. The Tithingman there sworn presents that Richard Tailor suffers three breeding sows contrary to the order therein granted. He is fined xii.d.
- Mer. xii.d. The Tithingman there sworn presents William Taston. (iii.d.) Hasilwood as an accustomed trespasser and he has broken the bye law. He is fined Mer. iii.d. iii.d.
- Dicheley. The Tithingman there presents that William Mer. ii.d. Smyth (ii.d.) owes suit and does service. He pays ii.d.
- A Taking. To that (court) came Richard Warde and took for himself and his wife Johanna for the term of their life according to the custom of the manor a messuage and half yerde of land and one yerde of land of the chief lord for the rents and services thence due. And gives for a fine as in margin ii.s. and did fealty.
- A fine ii.s.
- Assessors. { Richard Mason } Jurors present the Sum Total  
 { John Tarlom } with the Court vii.s. xi.d.  
 Whereof by the Steward's expenses iii.s. x.d.

Spellisbury At the court holden there the seventh day of  
 with its May in the third year of Henry the Eighth.  
 Members. (1511-12.)

The Homage there sworn present that John Smalle had committed an assault against the peace upon Rich. Stone. fined vi.d.  
 And that Laurence Ffermor owes suit for his manor of Chad-lyngton Eastend.  
 And that John Wright bakes bread of weights less than the assize.

Also they say upon their oaths that Thomas Weste a customary tenant of this manor hath died since the last court, whereupon there falls for a heriot a calf of a black colour of the value of xx.d.

Moreover they present that Thomas Maynord (nativus domini) a native of the lord (or villein) surrendered into the hands of the lord a messuage and a yerde of land, whereupon there falls for a heriot a cow of a red colour of the value of viii.s.

## ROLL II.

Spellisbury. At the court holden there on the seventh day of  
 May in the ninth year of Henry the Eighth.  
 (1517-18.)

The Homage there sworn present that John Messer customary tenant of a cottage with half a yerde of land hath closed his life, whereupon there falls for a heriot iii.s. iii.d. in money. And upon this came Thomas Smyth and took the premises to hold for himself and Elena his wife for the rent and service thereupon

due. And he gives for a fine iii.s. iiii.d. and has done fealty. And he will give the heriot when it shall fall.

And that Thomas Wisse a customary tenant cut off the head of a tree called the Crabtree in his tenancy. He is fined iiii.d.

And that Hugh Cureton has taken half a yerde of land, lately in the holding of the Vicar, of the chief lord to hold for himself according to the custom of the manor, paying as a fine xx.d.

Spellesbury View of Frank Pledge with the Court holden  
Maneria. there the tenth day of October in the ninth  
year of the reign of Henry the Eighth.  
(1517-18.)

The Tithingman there together with the whole tithing sworn present that John Tailor, Robert Syr, John Messer, Thomas Wheler, Thomas Wetnyng, Robert Hardis are common trespassers within the domain, wherefore they give for a fine annually each of them vi.d. (In the margin adjoining iii.s.)

And that William Chalne a villein by blood (nativus de sanguine) since the last court day has closed the term of his life, whereupon there falls for a heriot an ox of the value of xv.s. (in the margin there is, het nativi xv.s.) And that Edward Osbaston by force of the chattels and goods of him now lately deceased there did seize a cow of the value of viii.s. for a heriot of the said William Chalne a native of the Lord the King, when of right no heriot is due to him. He is there (postposite disses) subsequently disseised thereof and made to surrender. (In the margin is, pposito viii.s.)

### ROLL III.

SPELLISBURY. View of Frank Pledge with the Court holden the xx<sup>th</sup> day of July in the 15<sup>th</sup> year of the reign of Henry the Eighth. (1523-4.)

TASTON. The Tithingman here with his Tithing present that Robert Syr does service. (After two other deaths and heriots follows this.)

Also they present that Mary Chalne widow of William Chalne a native of the lord by blood respecting this manor, since the last Court died, whereupon there falls to the Lord for a heriot ii.s.

FFULLWELL. The Tithingman there with his tithing present that all things touching their tithing hold themselves well to this day.

The Homage there sworn and summoned present that William Joyner who holds of the Lord according to the custom of the manor a messuage &c. since the last court has died, whereupon there falls to the Lord a heriot vi.s. &c. (Two others follow.)

CHADLYNGTON. The Tithingman there with his tithing sworn and summoned present that Robert Smyth is a defrauder. Fined ii.d.

Also they present that John Busbey and John Handes are common trespassers and have broken the byelaws. Each fined iii.d.

Robert Carter is elected Constable and sworn.

DYCHELEY. The Tithingman there with his tithing sworn and summoned present that Thomas Blackett is a common trespasser and has broken the byelaws. He is fined.

And that all other things are well.

Then follow some similar presentments, and afterwards the names of all the Jurors in full, this being the first occasion on which we so meet with them.

#### ROLL IV.

Spellysbury View of Ffrank Pledge with the Court of the  
with its Manor there holden xxiii<sup>th</sup> day of October in  
Members. the twenty-fifth year of the reign of King  
Henry the Eighth after the Conquest. (1532-3.)

*Spellysbury.* The Tithingman and *Tastator* are there sworn and summoned, upon the articles of the view, together with their tithing come and present that William Webbe and Alicia Hadeley are common trespassers in selling (*ad vendend*) they have broken the byelaws. Each fined ii.d.

*Taston, Ffulwell, Dicheley.* The Tithingman there sworn and summoned comes with his tithing and presents that all things touching the view there are well to this day.

*Chadlyngton.* The Tithingman there sworn and summoned comes with his tithing and presents—That William Damoroy Corn Miller took toll in excess. He is fined ii.d.

The Constable there sworn and summoned presents that William Gyles made an assault upon William Buy with his fist. He is fined ii.d.

Then follow the names of the Jurors, who are styled in the margin, xii Jurors for the Lord the King, and then the Roll is continued thus:—

Sequitur of the Court Baron holden there the day and year above written.

*Spellysbury. Fealty. Veleme vi.s.* To this court comes Thomas Damoroy son and heir of Robert Damoroy deceased and did fealty to the Lord for a Messuage called Coldron Mill &c. Whereupon the said Thomas Damoroy gave to the lord for a Veleme according to that tenancy vi.s. and so was admitted a free tenant of the lord.

*Spellysbury. Capto. 1.y. Capto pcellm tredincalm. fm. xx.d.* To this court came Thomas Damoroy and took of the lord a yerde of land a parcel of the chief lord's land in Spellysbury together with all meadows &c. thereto belonging, To have and to hold for the term of his life by the yearly rent thence due and accustomed in manner and form following. Others holding there other parcels and yedes of land by custom hold the same chief lord's land although

they have held it no brief time. Whereupon he gives to the lord for a fine according to the tale in the margin thereto belonging xx.d. and he did fealty to the lord for the same. And so he was admitted tenant thereto in manner and form aforesaid.

View of Frank Pledge with the court of the Spellysbury with manor there holden xxiii<sup>rd</sup> day of April in its Members the twenty-sixth year of the reign of the King above written.

*Spellysbury.* The Tithingman and Tastator are there sworn and come and present that William Webbe and Alice Hadeley are common trespassers *ad vendend* they have broken the bye law. They are each fined ii.d.

And that William Damory Corn Miller there has taken toll in excess. He is fined ii.d.

*Chadlyngton.* The Tithingman there sworn comes and presents, that there is there a blind horse of black colour of the value of vi.d. de exth superrement. And above the annual receipts of his claim of any one, the same being valued in the market. The Constable there sworn comes and presents that William Kersey has committed an assault upon Thomas Sheppard. He is fined.

(Then follows the list of XII Jurors for the Lord the king.)

Sequitur of the Court Baron there holden the day and year before given (antedata, antedated).

To this Court comes William prenties and customary tenant of this manor and surrenders into the hands of the lord a messuage &c. in Taston and also a yerde of the chief lord's land with its appurtenances in Spellysbury, whence there falls to the lord a heriot for the said messuage &c. vi.s. viii.d. And for the foresaid yerde of the chief lord's land, for a heriot nothing, because by custom there no heriot is customary therein. Thereupon came Robert prenties and took the aforesaid messuage &c. in Taston and the yerde of the chief lord's land in Spellisbury To Hold the said messuage &c. in Taston for his life, And Also to Have for himself the said yerde of the chief lord's land for his life for the annual rents thence due &c. in manner and form following. The others holding there other parcels and yerdes of land by custom hold this same chief lord's land and have so held it no little time. If the said Robert prenties shall have held the said messuage &c. and if it meanwhile shall pay viii.s., or he has completed the form then he immediately quits the said yerde of the chief lord's land and has done the form. Whereupon the same Robert prenties gives to the lord for a fine according to the tale in the margin to be had thereupon—x.s. And he will give heriot whenever it shall fall according to the custom there—vi.s. viii.d. and he has done fealty to the lord and has been admitted tenant therein in form aforesaid.

The Homage there sworn and commissioned upon the articles of the court come and present that they have been given to understand that Sir John Saint John knight (miles) holds lands and



tenements in Dicheley of the lord of this manor, by what (tenure) they are as yet ignorant. They appoint a day at the very next court here to be held for inquiring and for then and there presenting as much for a fine as is according to the quality and quantity of the lands and tenements which the same Sir John St. John there holds; And as the lord aforesaid and his witnesses are present they have withdrawn these (proceedings).

And also they say that Thomas Eton Gentleman, brother and heir of William Eton Gentleman deceased holds of the Lord of this manor lands and tenements in Dicheley descended to him by right of inheritance but by what tenure they are held they as yet know not. They appoint a day at the very next court here to be holden the better to inquire and thereupon to present as much for a fine as is according to the quality and quantity of the lands and tenements which the same William lately held.

Whereupon afterwards Bail was taken of the said Sir John St. John and Thomas Eden for the next court to do fealty to the Lord, velem , the suit of the court, and other things that may be due by them for their lands and tenements of ancient time and of right accustomed.

#### ROLL V.

Spellisbury  
with its  
Members.

View of Frank Pledge with the court of the manor of the Lord Henry the Eighth by the grace of God of England France and Ireland King Defender of the Faith and in the territory (terrâ) of the Church of England and Ireland supreme head holden there on the Vigil of St. Luke the Evangelist in the thirty-third year of his reign. (October, 17th 1541.)

The Constables there sworn and commissioned of and upon the articles of their office come and present that John Burley did commit an assault upon William Dobbs. He is fined ii.d. The Tithingman there similarly sworn comes and presents that William Wetherhed is a common rogue (carnifex) there and makes gain by begging (capit lucrum exactione).

And that a certain sheep came there as overstocking (*exthur*) for the year and day now last past. The same at present is adjudged to the Lord the King and is valued at vi.d. which sheep indeed remains in the custody of John Jamys.

#### BY CUSTOM OF THE COURT BARON.

The Jurors for our Lord the King together with the homage there sworn and commissioned of and upon the articles of the Court and of the View of Ffrank Pledge come and affirm that all things above presented were true. And further of the Court present the following:—

The Homage present that Richard Hopkyns before the lord and the Inhabitants there with his ducks. Fined iiii.d. And that Thomas Juse and George Juse rescued their ducks, taken by the harvestman in the act of doing damage upon

the crops of the manor, from the custody of the said harvestman. Fined each iii.d. And that William Shurley broke the common pound (parcum) of the Lord the King there and his ducks impounded in the same with force and arms took and carried away. Fined iii.d. And that David Fletcher is a common trespasser with his pigs. Fined ii.d. And that William Marshe of Dicheley is a common trespasser with his pigs amongst his neighbours. Fined iii.d.

And further they present that William Shurley has not repaired his tenement by the day appointed to him by the Court. He ought therefore to pay the penalty as in chapter. Fined xii.d.

Sum of this	} v.s.	Assessors	{	Will. Ryman	}	Sworn	
View and Court.				John Smyth			in manner
				John Joyner			

Spellisbury View of Ffrank Pledge with the Court of the with its Manor there holden xviiiith day of the month of Members. April in the year above written.

The Constable there sworn and commissioned of and upon the articles of the View of Ffrank Pledge aforesaid comes and presents that Richard Suche and Richard Medys committed an assault upon him. Fined each ii.d.

The Tithingman there similarly sworn comes and presents that there is there a sheep a ewe (mater) which did come as *extedhur* for a year and a day now last past. It remains in addition to the yearly rents to the Lord and is in the custody of the said Tithingman. And that all other things touching his office are well.

The *Tastator* there sworn present that William Webbe, Suche Checkley, Matilda Maynerd, Thomas Stowe, and Richard Fferde are trespassers there, and have broken the bye law. Each fined iii.d.

BY THE CUSTOM OF THE COURT.

The Homage there sworn present that Jacob Suche Robert Ryman William Ffrenche and Jacob Huckhill have not done their parts of the mounds at Dervell Woods (de les mounds apud dervell Woods) by the day appointed to them by the Court. Each fined iii.d.

And that Thomas Wyse and Thomas Prynce permit their sheep to depasture and to wander at large (ad largn spatiare) within the limits of the Wheat Field (de le Whete fylde) contrary to the orders therein. Each fined iii.d.

To this court comes James Huckwell in his own proper person and surrenders into the hands of the lord a tenement and a yerde of land in Ffulwell to the use and service of Richard Huckwell his son, by which there falls to the lord for a heriot iii.s. iii.d. Whereupon comes the said Richard Huckwell and takes out of the hands of the lord all and singular the premises with their appurtenances To Have for himself for the term of his life at the will of the lord according to the custom of the manor for the rents

and customs thence of old due and of right accustomed. And he will give for a heriot when it falls iii.s. iiii.d. And he gives thereupon a fine as in the margin for his holding in the premises iii.s. iiii.d. and he did fealty to the lord and was admitted tenant thereupon.

Sum of this View and Court. }	xi.s. i.d. Assessors	}	Robert Prentyse John Jamys William Ffrenche	}	SWORN
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Sum Total of Orders xvi.s. i.d.

Such, then, are examples of the ancient Court Rolls of the Manor of Spellsbury, illustrating in many particulars the habits and customs of our ancestors, and enabling us to form some comparison between our present state and theirs; for we may be quite sure, that the same state of things existed originally in Enstone, that we here read of as having been in Spellsbury. As, however, some of these things require explanation, so we will endeavour to afford the best that we can, in order to make them intelligible to our readers.

As these courts, whether Views of Frank Pledge, Courts leet, or Courts Baron, were all of them institutions of the feudal times, so their powers and many of their forms partook of the character of those ages, and even vassalage or slavery are still distinctly observable in them. Thus we have another instance in addition to those we have already given above, of the prevalence of villenage, or domestic servitude, in our country, down to so late a period as only about 340 years since. Blackstone tells us that the children of villeins were also in the same state of bondage with their parents, whence they were called in Latin "*nativi*." Such then was the condition of William Chalm, of whom we have read above, and who was there described as "*nativus de sanguine*," that is "a native by blood," or a born slave; so that not three hundred and forty years since, there lived in Spellsbury, and doubtless there were also living in this our own parish of Enstone, persons who were in the degraded position of serfs, bondmen, slaves, villeins, vassals, or whatever other term might be applicable to those who had no proper freedom, or liberty. What a change has been effected since these last lingering relics of slavery existed amongst us, and how must we not connect this happy change, as well as many others, with the Reformation which was then about to commence, and with Protestantism, the parent of the civil and religious liberty that we now enjoy.

We have many instances existing in these records of the ancient system of letting land under the feudal system, before a circulating medium was in use, and when as yet rents were paid in kind, either by service done, or by articles contributed. Thus in Roll I., it is returned at the court by the Tithingman of Dycheley, "that William Smyth owes suit and does service," and this was effected at that time by a money payment. "Suit and Service" were the

common obligations to which all tenants bound themselves to the lord; suit meaning following or attendance upon him, and service the discharging such duties or offices as might for the time and circumstances be imposed upon him. During peace these were the exercise of such civil offices as we have seen described—the serving as Jurors, Constables, Tithingmen, Tastators, or whatever other might be appointed; and during war the following the lord to the field and serving in whatever rank or capacity he might determine upon, and for such a length of time as by the terms of the original grant of land should have been stipulated for in proportion to the quantity granted. The confirmation of this grant was that which we have frequently spoken of above, the doing *fealty*, or professing fidelity to the lord, the manner of which is thus described by Blackstone. “Besides an oath of *fealty* or profession of faith to the lord, which was the parent of our oath of allegiance, the vassal or tenant upon investiture did usually *homage* to his lord; openly and humbly kneeling, being ungirt, uncovered, and holding up his hands both together between those of the lord who sate before him; and there professing that ‘he did become his *man*, from that day forth, of life and limb and earthly honour: and then he received a kiss from his lord. Which ceremony was denominated *homagium*, or *manhood*, by the feudists, from the stated form of words *devenio vester homo*, I become your man.” Having given the text of Blackstone, I cannot forbear adding the admirable commentary thereon of Christian. “Nothing, I think, proves more strongly the detestation in which the people of this country held the feudal oppressions, than that the word *vassal*, which only signified a feudal tenant or grantee of land, is now synonymous with slave; and that the word *villain*, which once meant only an innocent inoffensive bondman, has kept its relative distance, and denotes a person destitute of every moral and honourable principle, and is become one of the most opprobrious terms in the English language.” To these instances we may also add another. The “natives” is an expression made use of still to denote the meanest and most abject, and therefore the most ignorant kind of people, as when anything egregiously absurd occurs, it is said, “How it will astonish the natives.” But this term, natives, is evidently like the others remarked on by Christian, the survival of the word *nativus*, which expressed a born villain.

We have further learned, in the preceding remarks, the sense of another word that we have met with, *homage*. We cannot fail to have observed, that it is used as of the Jurors, who being in fact the lord’s men, thus formed his *homagium* or *homage*, and adjudged, assessed, or determined according to the rights of the lord.

Another mode of payment in kind, besides suit and services, was that of articles, the most usual of which was what was termed a heriot, of which we have many examples, as a calf of a black colour, 20d., a cow of a red colour, 8s., an ox, 15s., where the

article was selected and fixed on by the Jury, and a price set upon it so that it might be redeemed. And in this way heriots came to be at last some stated sum agreed upon, as 6s. 8d., or 3s. 4d.; these sums being the half and the quarter of a mark, or 13s. 4d. And these heriots in money continue payable down to the present time, and are constantly observable in such rolls of our own Manor Court at Enstone as we have, one of the most noticeable of these being the following, which occurs in the year 1718 :—

“Item ad hanc Cur Jurator et Homagii p<sup>ti</sup> sup eor: Sacrament dicunt et præsentore quod Carolus Comes et Dux de Shrewsbury nuper obiit seiz de quibusdam terris customar tent de dom<sup>o</sup> hujus Manerii unde accidit domino Herriott.” In English thus :—

Also, at this Court the Jurors and Homage aforesaid, upon their oaths say and present that Charles Count and Duke of Shrewsbury hath lately died seized of certain lands customarily held of the lord of this Manor whence there falls to the lord a Heriott.

The exact nature and description of this claim of the lord of a manor was uncertain, and would depend somewhat upon the custom of the manor. What it was in Enstone we learn from a previous entry of the year 1714, when one Edward Silver, who held of the Lord of the Manor, by a copy of the rolls, a messuage and two yard lands, having died seized of these, there fell to the lord, or as it is expressed in the original words of the roll, “unde accidit Domino unum Herriott videlicet optimum animal vel bonum prædicti Edwardi,” that is, “whereupon there falls to the lord a Heriot, viz. the best animal or good of the said Edward.”

Judge Blackstone, in his usually elegant and lucid manner, gives us this account of the origin of this kind of payment. “The first establishment, if not introduction, of compulsory heriots into England, was by the Danes: and we find in the laws of Canute the several *heregeates* or heriots specified, which were then exacted by the king on the death of divers of his subjects, according to their respective dignities; from the highest *eorle* (earl) down to the most inferior *thegne* or landholder. These, for the most part, consisted in arms, horses, and habiliments of war; which the word itself signifies.... The heriots which now continue among us, and preserve that name, seem rather to be of Saxon parentage, and at first to have been merely discretionary. These are now for the most part confined to copyhold tenures, and are due by custom only, which is the life of all estates by copy.... An heriot may also appertain to free land, that is held by service and suit of court; in which case it is most commonly a copyhold enfranchised, whereupon the heriot is still due by custom.... This heriot is sometimes the best live beast, or *averium*, which the tenant dies possessed of, sometimes the best inanimate good, under which a jewel or piece of plate may be included: but it is always a *personal* chattel, which, immediately on the death of the tenant, who was the owner of it, being ascertained by the option of the

lord, becomès vested in him as his property . . . . The seizing of heriots, when due on the death of a tenant, is a species of self-remedy; not much unlike that of taking cattle or goods in distress. As for that division of heriots, which is called heriot-service, and is only a species of rent, the lord may distrain, as well as seize: but for heriot-custom, which, Sir Edward Coke says, lies only in *prender*, and not in *render*, the lord may seize the identical thing itself, but cannot distrain any other chattel for it."

In exercising this self-remedy, however, and in seizing, or attempting to seize his heriot, the lord had sometimes to experience the truth of the warning, "Easier said than done;" for the heir would become refractory, and resist the surrender of the heriot claimed; and, even under the most favourable circumstances, there was left so much room for difference of opinion between the lord and the tenant, that disputes arose, which led to terrible disasters; and a very memorable instance of this has been beautifully versified by Sir Walter Scott in his Lay of the Last Minstel. The minstrel, who is supposed to be singing his lay in presence of Anne, Duchess of Buccleuch and Monmouth, representative of the ancient Lords of Buccleuch, and widow of the unfortunate James, Duke of Monmouth, who was beheaded in 1685, about thirty years before the date of the Heriots payable here at Enstone, thus addresses the Duchess, and describes the result of a refusal of a Heriot due:—

Hearken, Ladye, to the tale,  
 How thy sires won fair Eskdale.  
 Earl Morton was lord of that valley fair,  
 The Beattisons were his vassals there.  
 The Earl was gentle, and mild of mood,  
 The vassals were warlike, and fierce, and rude;  
 High of heart, and haughty of word,  
 Little they recked of a tame liege lord.  
 The Earl to fair Eskdaile came,  
 Homage and seignory to claim:  
 Of Gilbert the Galliard, a heriot he sought,  
 Saying, "Give thy best steed as a vassal ought."  
 —"Dear to me is my bonny white steed,  
 Oft has he helped me at pinch of need;  
 Lord and Earl though thou be, I trow.  
 I can rein Bucksfoot better than thou." —  
 Word on word gave fuel to fire,  
 Till so highly blazed the Beattison's ire,  
 But that the Earl the flight had ta'en,  
 The vassals there their lord had slain.  
 Sore he plied both whip and spur,  
 As he urged his steed through Eskdale muir;  
 And it fell down a weary weight,  
 Just on the threshold of Branksome gate.

XI.

The Earl was a wrathful man to see,  
 Full fain avenged would he be.

In haste to Branksome's lord he spoke,  
 Saying—"Take these traitors to thy yoke ;  
 For a cast of hawks, and a purse of gold,  
 All Eskdale I sell thee, to have and to hold :  
 Beshrew thy heart, of the Beattisons' clan  
 If thou leavest on Eske a landed man ;  
 But spare Woodkerrick's lands alone,  
 For he lent me his horse to escape upon."  
 A glad man then was Branksome bold,  
 Down he flung him the purse of gold.  
 To Eskdale soon he spurred amain  
 And with him five hundred riders has ta'en.  
 He left his merry men in the mist of the hill,  
 And bade them hold them close and still ;  
 And alone he wended to the plain,  
 To meet with the Galliard and all his train.  
 To Gilbert the Galliard thus he said :—  
 "Know thou me for thy liege lord and head ;  
 Deal not with me as with Morton tame,  
 For Scots play best at the roughest game.  
 Give me in peace my heriot due,  
 Thy bonny white steed, or thou shalt rue.  
 If my horn I three times wind,  
 Eskdale shall long have the sound in mind."—

## XII.

Loudly the Beattison laughed in scorn ;—  
 "Little care we for thy winded horn.  
 Ne'er shall it be the Galliard's lot,  
 To yield his steed to a haughty Scot.  
 Wend thou to Branksome back on foot,  
 With rusty spur and miry boot."—  
 He blew his bugle so loud and hoarse,  
 That the dun deer started at far Craikcross ;  
 He blew again so loud and clear,  
 Through the gray mountain mist there did lances appear ;  
 And the third blast rang with such a din,  
 That the echoes answered from Pentoon-linn ;  
 And all his riders came lightly in.  
 Then had you seen a gallant shock,  
 When saddles were emptied, and lances broke !  
 For each scornful word the Galliard had said,  
 A Beattison on the field was laid.  
 His own good sword the chieftain drew,  
 And he bore the Galliard through and through ;  
 Where the Beattisons' blood mixed with the rill,  
 The Galliard's haugh, men call it still,  
 The Scots have scattered the Beattison clan,  
 In Eskdale they left but one landed man.  
 The valley of Eske, from the mouth to the source,  
 Was lost and won for that bonny white horse.

There are numerous and frequent instances of Heriots being payable within the Manor of Enstone down to the year 1803, and

possibly from the occasionally defective state of the records they may have been so since. It seems to have been one of the duties of the Lord's homage or jury, to receive from the proper officer the presentment of a heriot having fallen due, and then on his behalf to assess it, and still further to determine the sum at which it was to be redeemed, that is in fact to fix the payment to be made to the lord in the stead of the heriot due. As far as the chief lord, that is the Sovereign, at the present day is concerned as the head of the government of the country, heriots are still payable to her, in the shape of the Legacy Duty charged upon all property, real or personal, passing from one to another by inheritance.

The values set upon heriots, which might have been the best animal or the best chattel of the tenant, as a few shillings only for a cow, or ox, or a horse, might seem very disproportionate for the value of such things. Yet in truth they were not, as we have many proofs of. In a famous old ballad of "King Edward IV., and the Tanner of Tamworth," in the Pepys Collection, occurs this stanza.

A fayre russet coat the tanner had on  
Fast buttoned under his chin,  
And under him a good cowe hide  
And a mare of four shilling.

Now in the reign of Edward IV., Dame Cecill, Lady of Tooke, in her will, dated March 7, 1466, among many other bequests has this, "Also I will that my sonne Thomas of Tooke have 13s. 4d. to buy him an horse." Har. Cat. 21, 767. But if 13s. 4d. would purchase a horse fit for a gentleman of station like the Lady Cecill's son, a tanner might reasonably supply himself with one at the value of four shillings. See *Beauties of Antient English Poetry*. London, Tegg, 1823. Hume tells us that "William of Malmesbury mentions it as a remarkably high price, that William Rufus gave fifteen marks for a horse, or about thirty pounds of our present money." This was unquestionably a very great price, for Hume himself mentions a few lines after that "a palfrey was sold for twelve shillings about the year 966," and that "a horse was valued at about thirty-six shillings of our money, or thirty Saxon shillings; a mare a third less." Again, he adds, that "about 1232, the Abbot of St. Alban's going on a journey, hired seven handsome stout horses; and agreed, if any of them died on the road, to pay the owner thirty shillings apiece of our present money."

Trespassers are expressed in these rolls by two different words, though of similar sense. The words are *bractatores* and *transgressores*. Bractator is not a classical word, but is of French origin and of Franco-Latin formation. There is indeed an old English substantive *Brack*, meaning *a breach*, which is evidently the immediate origin of *Bractator*, but then this word, as well as our modern one *Breach*, owes its origin to the French *Brèche* signify-



ing also a *breach*, so that in fact *bractatores* were such as committed breaches of the laws. But *transgressores* is a Latin word having precisely the same sense, and employed strictly in it here. This latter is unquestionably the more suitable and appropriate word, and is the one made use of in the writ of Sir John Fortescue we have before examined, who was remarkable for the excellent composition of his writs.

Trespassers were of two kinds: those that were allowed by the lord on payment of a certain annual fine, which was in fact a rent; and those that did acts offensive to him or to the public at large. The first kind of trespassers originated thus. In times when land was not of the same value that it now is, and while much lay waste and common, labouring men would erect for themselves cottages, and enclose gardens around them, thereby improving the lord's estate and making to themselves a property in it. For this property, however, the lord claimed acknowledgment and compensation, and this was allotted to him in the form of a permanent payment, which was in fact a rent, the holder becoming the tenant of the lord, and the property reverting under certain circumstances wholly to the use and benefit of the lord. But as the formation of the property had originated in trespass, so these persons were denominated trespassers. They are commonly said to have broken the Assize, or as it is in the original, *fregerunt Assiam*. This, however, upon the authority of Blackstone as I understand him, I have interpreted to mean the bye-laws, which all those courts had the power, within certain restrictions, to make. He writes, "the word assize is derived by Sir Edward Coke from the Latin *assideo*, to sit together, and it signifies, originally, the jury who try the cause, and sit together for that purpose. By a figure it is made to signify the court or jurisdiction, which summons this jury together by a commission of assize, or *ad assisas capiendas*; and hence the judicial assemblies held by the king's commission in every county are termed in common speech *assizes*. By another somewhat similar figure the name of assize is applied to a particular species of action for recovering possession of lands." And so here, I conceive that by a similar figure assize is made to mean the rules or laws settled by the court, or their *assize*.

The other class of trespassers was such as we now commonly understand by the term, and consisted of those whose lives and conduct made them in fact public nuisances which required to be redressed for the common good, and over all such persons these courts had the power of inflicting penalties. Such, according to Roll I. was Richard Tailor who suffered three breeding sows to be at large. Other similar trespassers are to be noted, and a variety of offences were also taken cognizance of by the lord's court, such as the lopping of trees, a miller taking excessive toll for grinding, a baker selling bread by false weight, personal assaults, and in a word all the cases of fraud, knavery, or violence, which

our County Magistrates now adjudicate upon. For the lord's court had in former times most extensive jurisdiction, and even at one time had the power of life and death.

## LORDS OF THE MANOR OF ENSTONE.

A.D. 818. Kenulphus, King of Mercia, who bestowed the manor on the Abbey of Winchcombe.

A.D. 818 to 1539. The Abbot and Monks of Winchcombe Abbey. From Germanus, who was made Abbot in 985, to Richard Ancelme, alias Mounslow, who surrendered the Abbey to the king's visitors in 1539, and retired with a pension of £160 per an., there were in all 27 Abbots.

A.D. 1539-1542. King Henry the Eighth.

A.D. 1542. Sir Thomas Pope, Knt., Founder of Trinity College, Oxford.

A.D. . William first Earl of Downe.

A.D. 1640? to 1660. Thomas second Earl of Downe, and grandson of the first. He suffered severely for his exertions in the Royal cause during the Rebellion, and received some pecuniary aid from the College which his ancestor had founded, as appears from the following entry in the accounts of Trinity College, Oxford. "Mem. A.D. 1647, Given to the Earl of Downe, post finitum computum, by order of Mr. President and Officers, £145 13s. 4d."

A.D. 1660 to 1667. Thomas third Earl of Downe, and both brother of the first and uncle of the second Earls. He also, like his nephew, was a considerable sufferer in the Royal cause, and obtained similar aid from Trinity College, that body to their honour in both instances displaying a noble gratitude to their founder in the persons of his descendants.

A.D. 1667 to 1668. Thomas fourth and last Earl of Downe. His sister and coheiress Lady Elizabeth Pope married Sir Francis Henry Lee of Ditchley, by which marriage the Manor of Enstone first passed to the Ditchley family.

A.D. 166 to 16 . Sir Francis Henry Lee, half-brother of the famously witty but wicked Earl of Rochester, who was born at Ditchley, their mother having been the wife of 1. Sir Francis Henry Lee, 2nd baronet, 2. Henry Wilmot, Earl of Rochester.

A.D. 16 to 1716. Edward Henry first Earl of Litchfield.

A.D. 1716 to 17 . George Henry second Earl of Litchfield.

A.D. 17 to 1772. George Henry third Earl of Litchfield.

A.D. 1772 to 1776. Robert third and last Earl of Litchfield.

A.D. 1777 to 1787. Henry 11th Viscount Dillon. He married in 1784 Charlotte Lee eldest daughter of George Henry 2nd Earl of Litchfield, and eventually sole heiress of the Ditchley estates. The name of Henry 11th Viscount Dillon does not once appear in the Court Rolls, the Manor having been in the guardianship of Trustees as noted below.

A.D. 1777 to 1781. Constantine John second Earl of Mulgrave and James Phipps Esq. The Earl of Mulgrave was the brother-in-law of Charles 12th Viscount Dillon, who had married Henrietta Maria daughter of Constantine Phipps first Earl of Mulgrave, and the first Earl having married Lepell daughter of lord Hervey, the second Earl and his sister were the grandchildren of the beautiful Mary Lepell, the friend of the famous Alexander Pope the Poet.

A.D. 1782 to 1786. Robert Palmer Esq. and James Phipps Esq.

A.D. 1787 to 1803. Charles Dillon Lee 12th Viscount Dillon.

During some part of this period the Manor was again in the guardianship of Trustees.

A.D. 1787 to 1790. Samuel Phipps Esq.

A.D. 1791 to 1802. Thomas Lane Esq.

In the year 1803, however, the name of Charles Lord Viscount Dillon appears, and the rightful Lords continue in succession.

A.D. 1814 to 1831. Henry Augustus Dillon Lee 13th Viscount Dillon.

A.D. 1832 to 18 . Charles Henry Dillon Lee 14th Viscount Dillon.

#### RENT ROLLS.

These Rent Rolls only consist of the claims, quit-rents, heriots, or other payments, due to the Lord of the Manor; but they illustrate our local history, and give us some curious information respecting the state of the parish at the times to which they refer. The oldest one relates to the years 1661-2, and may be described thus:—

*Endorsement.* The Chief rents due at every Lady Day, and at Martin Bishopp (Nov: 11.) out of the Mannor of Enston.

*Within.* To the Right Hon<sup>ble</sup> the Earle of Downe. Due to him Certaine Rents of ye parrish of Enston bought of Rowland Lary Esq: the Reights behind Sence they were bought on.

Church Enston. Elizabeth Marshall and 2 others.

Neat Enston. George Coles Esq. for one yard land. William Caning. Tymothy Asbaston (Osbastone or Osbaldestone) and 10 others.

Cleveley. Robert Slaymaker for ye Church Land, and 8 others.

Radford. Thomas Marten, Mr. Cary, and 4 others.

Gadgingwell. Edward Drinkwater, Magdalen Drinkwater, and 4 others.

Chalford. One payment.

The totall paid is £3 13s. 10d.

The above roll is very different from all the subsequent ones, and seems to consist of certain claims bought up by the lord of the manor, so as to secure to himself all the manorial rights—a transaction which looks like that of a chief lord buying out all other claimants so as to stand alone; and this may have been the

time when all the various manorial rights existing in the different parts of the parish became accumulated in one. The Earl of Downe who accomplished this, if it was so, was a very likely person to have done it, for he was Thomas the third Earl, a man of considerable energy and power, who had taken a very active part in the Royal cause, had been made a knight in 1625, and at a later time a baronet, and eventually on the death of his nephew the second Earl of Downe became the head of the family. He succeeded to the Earldom in 1660, and this purchase was one of his first acts on entering into possession of the Manor of Enstone. The sums paid, as may be understood from the total, were very small.

The next roll is for the year 1662, and contains a very curious addition in the shape of a poultry rent. Hume speaks of a similar kind of rent having been paid in the early Saxon times, for he says, "tenants of Shireburn were obliged, at their choice, to pay either sixpence, or four hens." *Monast. Anglic.* vol. ii. p. 528. The source from whence he derives this was, as will be seen, an ecclesiastical one, and so probably here it had a similar origin, this Manor having been an ecclesiastical one. Possibly it may have been a species of small tithes. The document is so remarkable that it will be given in full.

*Endorsement.* A rent roll of the Manor of Enston 1662.

*Within.* Maner de Enston cum membris. Rent due at Michas 1662 and payable at Michas only. Freeholders. Mr. William Canning paid for his freehold in Cleveley. Mr. Marten of Radford. The Church Land pd by the Churchwardens. Edward Busbie for ye Chappell Close, and 14 others. Copsyholders and Leaseholders payable every halfe yeare. Mr. Eyans Lease. The Church House John Phipps. The Towne howse in Neat Enston to be pd by Will: Varney, and 29 others.

Poultry rent due only at Michas.

		Capons.	Hens.	£	s.	d.
Enston.	William Butcher	"	1	0	0	8
	Thomas Nunian	2	1	0	3	2
	Richard Jenings	"	1	0	0	8
	William Boulton	2	2	0	3	10
	William Fortnam	"	2	0	1	4
	Marke Huckvale	"	1	0	0	8
	John Hardiman	"	1	0	0	8
	Mary Edwards	"	1	0	0	8
	Radford.	Ralph Fawdrey	"	2	0	1
Gagingwell.	Edw. Drinkwater	2	1	0	3	2
	William Busbie	2	1	0	3	2
	Henry Drinkwater	"	2	0	1	4
				1 0 8		

The price of Capons .. 2s. 6d. pr Coup.

The price of Hens at .. 1s. 4d. pr Coup.

Such were the prices agreed upon here in the country in the year 1662, but these articles had been fixed at a very different rate by assize in London some years before. Hume writes, "we have a regulation of the market with regard to poultry and some other articles very early in Charles the First's reign, and the prices are very high. A turkey cock 4s. 6d., a turkey hen 3s. 6d., a pheasant cock 6s., a pheasant hen 5s., a partridge 1s., a goose 2s., a capon 2s. 6d., a pullet 1s. 6d., a rabbit 8d., a dozen of pigeons 6s. We may judge of the great grievance of purveyance by the circumstance, that the purveyors often gave but sixpence for a dozen of pigeons, and twopence for a couple of fowls. Journ. 25 May, 1626."

The next rent roll is for the year 1681, as follows:—

Enston rent roll for Michas. 1681.

Chief rents of the Freeholders. Mr. Parsons for his farme. Mr. Martin for land in Radford, and 15 others. Lease and Copyholds. Mr. Eyans for Norman's acre. William Read for Cracklands, and 38 others.

The Poultry rents as before.

Of the next rent roll in 1691, we will give a fuller abstract.

*Endorsement.* A perfect rent roll of the Manor of Enston made April 15, 1691.

*Within.* April 15, 1691. Enston Rent roll as now settled.

	£	s.	d.
The Rent of Cracklands yard .....	2	0	0
The Martinmas, or chiefe rents .....	3	13	5
The Freehold Rents, 14.			
The lease and Copyhold rents.			
Church Enston, 18.			
Neat Enston, 17.			
Cleveley, 2.			
Radford, 1.			
Gagingwell, 6.			
The Total.			
Crackland's rent.....	2	0	0
The chief rents due at Michas.....	3	13	5
The lease and Copyhold rents.....	10	10	0
The freehold rents ... ..	1	1	1
The Poultry rents .....	1	1	4--18
			5 10
Of the rents above there is payable			
at Lady day.....	6	5	0
And at Michas .....	12	0	10

April 15, 1691.

Besides the above there are Rent Rolls for various years from 1698 to 1710, but differing little except in a few names from those already given.

## COURT ROLLS.

The oldest Court Rolls that I have seen are of the year 1711, but amongst the Rent Rolls there is a copy of the Court Roll for the year 1698, showing the surrender, after seizin and possession given to Cattern Newman and Richard Newman, of one yard land with the Appurtenances within the Manor, whereupon "Came to the Court the Rht Hon<sup>ble</sup> Charles Count and Duke of Shrewsbury by Dan. Gardner Gent. his Attorney, and the Lord by his Steward gave him seizin by the Rod To have and to hold at the will of the Lord of the said at the yearly rent of 6s. 9d. to be given at the usuall feasts and for a Heriot if it shall be taken, and for other works services &c."

The Rolls commencing with the year 1711, are written on parchment, and are in Latin until 1722, when mixed Latin and English begin to appear, and eventually in 1733, they are entirely in English, and so continue down to the present time. It may be interesting to give a copy of the oldest original form of drawing up the Roll in Latin with a translation, the latter being still the form in which it is drawn up in English.

Maner de Enstone cum Membr in Com Oxon. ss.	Visus franci pleg in Cur Baron pro honôbil Edwi Henr Comit de Litchfield Dom:i M: rii peti ibm tent die Sabti scilet decimo quarto die April Anno Regn Dnæ nr Annæ Dei gra magni Britanniaë Ffranc et Hiberniaë Regin ffidei defensor &c. decimo Annoque Dni 1711º per Carolu Perrot gen Senell M rii prd.
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## TRANSLATION.

Manor of Enstone with its Members in the County of Oxford.	View of Frank Pledge in the Court Baron of the Honourable Edward Henry Earl of Litchfield Lord of the Manor aforesaid held there on the Sabbath day being the fourteenth day of April in the tenth year of the reign of our Lady Anne by the grace of God of Great Bri- tain France and Ireland Queen defender of the faith &c., and in the year of our Lord 1711 by Charles Perrott gentleman Steward of the said Manor.
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It is remarkable that in this instance, the first we meet with, the court should have been held on a Sunday, but happily it is the only instance of its being so. Whether it had been customary to do so previously, or whether it was so held on this occasion inadvertently, it is gratifying to find that so bad a precedent was not repeated, but that for the future either a Thursday or a Wednesday was the day of holding it.

Such courts as these, the Rolls of which we have been examining, were of very ancient origin, and of considerable service and value. They were called indifferently Courts Leet, Views of Frank Pledge, or Courts Baron, but whatever their title their origin and jurisdiction were similar. The word *Leet* or *lath* seems

to have its derivation from the Anglo-Saxon *lathian* or *gelathian* to assemble, both *leet* and *lath* implying a district within which the free male residents (residents) or indwellers assembled at stated times for military and civil purposes. The title of the court as "a view of frank pledge" relates to the use made of it by Alfred under his system of police, which required all freemen above twelve years of age within every tithing to become pledge or security for each other, under the appellation of *borhoe*, whence our English word *borrow*, and whence they were called freeborrows or freemen. In an old English ballad where the Lady Northumberland offers herself to Queen Elizabeth as a pledge or hostage for her husband's submission she says:—

Thy faithful borrow I will be.

The freeborrows received from their Norman conquerors the designation of frank-pledges, and the annual inspection of the freeborrows or frank pledges in each tithing obtained the title of the "view of frank pledge." The head man amongst the freeborrows had the title of the head-borrow or chief-pledge, he being in an especial manner responsible for the good conduct of the rest, whence our official the headborough is derived, or as he was also called the tithingman. Thus it became the duty of the View of Frank Pledge to appoint the tithingmen and eventually the constable, haywards, and other necessary officers.

But besides these duties it had other very important ones, being a court of record, and having jurisdiction of such crimes as are punishable by common law; and before the Norman conquest, and probably for some time after, it was the sole, or at least the ordinary tribunal for the administration of criminal justice in the kingdom. More recently, however, and by degrees, its jurisdiction has been much straitened, and it has been chiefly occupied in redressing nuisances, in directing and controlling in open and unenclosed fields a common system of agriculture for the benefit of all the residents, and for granting seizin, levying fines, and in other ways facilitating the sale and conveyance of property within the leet or manor. Gradually, however, all the uses and privileges of this ancient institution of our ancestors wear away, and the courts themselves fall into desuetude, the residents conceiving that they are not bound to attend them, the fines leviable for non-attendance being both inadequate to enforce attendance, and not worth the distraining for, and thus from disuse and neglect, rather than decrepitude and insufficiency, these venerable courts decay and surcease.

There is a term made use of in these Rolls, which I have had some difficulty in rightly understanding and interpreting. It is the word *castator*, or *tastator*, as it is variously spelt, though I believe it to be intended for the same word. Thus, in the Rolls of the Manor of Quarendon it is generally written *castator*, while in those of Spellesbury it is *tastator*. I suspect that both are errors of the writers, or copyists, and that the word ought to be

*testator*, meaning either witness or witnesses, as the case may be, and in this sense it is very intelligible, as may be seen at page 313, where it would then appear that "The Tithingman and *witnesses* are there sworn."

It may at once serve to illustrate the nature of the jurisdiction of the Manor Court of Enstone during the last hundred and fifty years, and afford us some information as to the former condition of our parish, if we subjoin a few extracts from the Court Rolls as below.

One chief duty of the Court was to prevent all formation of new roads and paths by trespass; and to see that all the public highways were kept open and in good repair, and of their discharge of these duties we have such examples as the following:—

"1717. Item presentant per sacramenta Ricardi Righton et Willielmi Ryman Magistrum Marshall et Mariæ Marshall Spinster pro ordinand oves suos pellend angl to be drove per agrum vocatum de Bricknill ad pastura vocat le Cowpasteur de Enstone contra consuetud per quadraginta annos; et plus, vizt. nullâ viâ angl drift way per Bricknell existent per tempus prædictum."

The meaning, not the rendering, of which choice piece of Latinity is, "Also they present on the oaths of Rich. Righton and Will. Ryman Mr. Marshall and Mary Marshall Spinster for ordering their sheep to be driven through the field called Bricknill's to the pasture called the Enstone Cowpasture contrary to custom for forty years; and moreover, that there has been no drift way through Bricknell existing for the time aforesaid." So again in the same year we have:—

"Item ad hanc Cur Jurator et Homagii prædicti sup Sacras cor presentant Joha<sup>n</sup> Cave pro ponend Sterquilem angl laying a dung-hill in vico de Church Enstone. Idem in mia si non removat infra tres menses." This in English is,

"Also at this court the Jurors and Homage aforesaid upon their oaths present John Cave for laying a dunghill in the street of Church Enstone. He is fined if it be not removed within three months 2s. 6d."

1773. In the Manor records for this year there appear the following presentations and order:—

"Also William Barnes, Thomas Hopkins, and Samuel Allen, Certificated Men are presented for cutting Furze off Church Enstone Common."

"Also James Castle, Thomas Falkner, Simons Webb, Samuel Allen, Certificated men are presented for cutting Furze and thorns off Neat Enstone Common, and also John Savory of Lidstone for cutting Furze and thorns from the Common."

"Also it is ordered that if any Certificate or other persons shall hereafter encroach on the Commons belonging to Church or Neat Enstone by cutting Furze or other Fuel contrary to the Custom of the Manor he or she shall forfeit for every offence the sum of 20s. one half to the informer, and the other to the Lord of the Manor."



Certificated men, as the above-named persons are styled, were a class of persons existing in agreement with the state of the Poor Law at that time. Some years before this we met with another class of persons, called "inmates," which may surprise us still more, for we frequently find persons fined by the Court for having "inmates;" and according to Lord Hale a very heavy fine was imposable, for he lays it down that a bye-law imposing a fine of £5 per month for placing or taking an inmate without giving security to the overseers against any charge upon the parish was usual and valid. As a further remedy the overseers had the power of removing all such strangers from a parish, and compelling them to return to their own parishes, lest by any accident they should become chargeable, or bring burthens upon the parish in which they had become "inmates" and so for the time residents. This, however, led to much evil and oppression; for the powers of removal from one parish to another were made so stringent, and were often exercised so captiously and spitefully by the Parish Officers, who without any necessity would expel industrious persons from their parish, and compel them, under the pretext of the possibility of becoming chargeable, to return to their own parishes, that the law became intolerable, and a relief provided against its misapplication, by which persons not residing in their own parishes could obtain a certificate to the effect that they would not fall chargeable on the parish, where they might for the time reside, and such persons were called as above Certificated Men. The distinction made respecting them by the Presentation and Order of the Court, is one of very great importance, for it shows that none but the legally settled parishioners had any rights in the ancient commons both of Church Enstone and Neat Enstone. But as the Fuel Allotments at Lidstone, Neat Enstone, and Church Enstone, were set out under the Enclosure Awards in lieu of the rights of Common before enjoyable in those parts of the Parish, so it is obviously evident from the case and circumstances of the Certificated Men, that none but legally settled Parishioners now have any right to enjoy the privileges attaching to these Allotments.

The means of punishment within the power of the Court at this time are also indicated by various presentments. In the years 1723, 1724, and 1733, it was presented that the "Whipping Post" was out of repair, which of course included the Stocks also, as these two were always combined. So, again, in 1728, Neat Enstone Pound is complained of. And in 1732, certain persons accused of being "Disorderly and Tipplers" were summoned to appear.

## CHAP. IX.

## ANCIENT NAMES AND FAMILIES.

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“Family tradition and genealogical history is the very reverse of amber, which, itself a valuable substance, usually includes flies, straws, and other trifles; whereas these studies, being themselves very insignificant and trifling, do nevertheless serve to perpetuate a great deal of what is rare and valuable in ancient manners, and to record many curious and minute facts, which could have been preserved and conveyed through no other medium.” — *Waverley*, Chap. iv.

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It is hardly possible to conceive anything more apparently uninteresting, and more unpromising of either entertainment or instruction, than a volume of parochial registers. Continuous lists of children born and baptized, of couples married, and of persons buried, certainly seem little likely to have much in them to encourage our perusal and study of them. And yet these same lists, if well digested and abstracted, are not only capable of directing us to matters that may illustrate the past, and that are worthy of being remembered and recorded; but, what is far more important than this, a well-devised scheme for exhibiting their contents may be of invaluable service to some, and may afford the information and the means for settling disputed successions, and questions affecting the rights of persons, and the ownership of properties. Thus the idea of Sir Walter Scott, which has been cited above, may be found to be itself reversed, and “family tradition and genealogical history” may be rather shown to resemble amber in its richness and excellency, although its purity may occasionally be tarnished by the inferior objects imbedded in it.

It will suffice to mention only one or two instances in proof of this. Of late years there has been a property in Scotland of enormous value, both in land and money, awaiting distribution amongst a family of the name of Innes, pronounced here with us Annis, when the various members of the family shall have proved their right of heirship to it according to the provisions of the Testator's will. The person leaving this property was an old lady in Edinburgh, who had a brother at one time settled in the adjoining county of Gloucester, and of whom there is every reason to believe that other relatives have resided about this vicinity for some years past. What these parties need to establish their right to a share of this vast property is legal proof of their

descent from the same stock as the lady originally devising it. Yet while they can make out a very satisfactory moral proof of this, certain links in their genealogy are wanting to complete the legal proof, without which of course they cannot succeed. Now such digests as these, of which we propose to offer an example would materially aid enquiries of this kind, and assist in the establishment of rights and settlements of properties. Another case of the same kind was not long since brought under my notice. A family of the name of Whiter, about 150 years since, owned the mill at Radford and worked it as a fulling mill, and some of this family having lately a claim to property were searching the neighbourhood for evidence of a marriage, without which they could not complete their proof. Even since this history was prepared and ready for the press, another case of a similar kind has been referred to me, and I have been requested to note any evidence I may meet with relating to another family. It appears that one Samuel Claridge was a follower of the famous William Penn, the Quaker and founder of the state of Pennsylvania in North America, and obtained a grant of land, which now is (or was, not many years since) unclaimed and unappropriated in the city of Philadelphia. This Samuel Claridge was shipwrecked on his homeward voyage, and is believed to have died both unmarried and intestate. There are still persons conceiving themselves to be the rightful heirs of this property, but unable to find the necessary legal proof of their being so. Now the great difficulty in all these cases is to know where to look. Marriages, until about a century ago, were performed almost anywhere, and parties not being bound down to their own immediate locality often went elsewhere to be married. We have in our registers several instances of persons being married in the Chapel of All Souls' College, Oxford, and even entries of persons being married in other parishes. This would not always be the case, but thus it is often difficult to find out where marriages have occurred, and where baptisms and burials have taken place. At the time that this is printing (March, 1857), the whole of this neighbourhood is being searched for the marriage of Dr. Talbot, an ancestor of the Shrewsbury family, in connexion with the claim of one of the parties contending for the title and estates of that most ancient peerage. If then there were prepared and published for every parish, only the digest of names we shall here first present to the reader, and then of that digest an alphabetical list, such a work would form one of the most valuable documents that could exist; and one, which, having the brightness and transparency of amber, would allow every one, in quest of his forefathers, at once to descry whose of his it might contain, and facilitate the settlement of litigated rights and properties by directing to the lines of succession in which they ought to pass.

The sources, from whence we are able at the present day to derive information respecting persons or families who have

resided in or been connected with the parish, are a number of very ancient deeds, some manorial records, the parish registers, and the old account books, from all of which we may glean information of a more or less interesting character. In doing so we propose to collect all the names, or nearly all, that occur in these various documents, arranging them chronologically as the names first appear; and, after having done this, to explain anything that there is particular relating to any family. In this way we think we shall best be enabled to show what information of this kind we have, and to lead others in their search for further, should they discover any names or traces of families hitherto unknown to or wanted by them.

1. *Ancient names occurring in our old parochial deeds, previous to the time at which the Registers commence.* As in these times surnames had not come fully into use, in the way in which they have subsequently, forming family names and distinctions, we are obliged to give the Christian names, as well as the surnames that we here cite; and as, moreover, the names appear in these deeds either in the Norman French form then in use, or in such Latin as the deeds were written in, so the names are given both in their original terms and in English ones also, to make them as intelligible as possible to modern readers. The names will be given chronologically, according to the date of the deed in which any name first occurs; and all names, mentioned after the date of any year, are to be understood as first occurring in that year.

1295. Radulfus de Dychelye, Radulf of Ditchley; Margeria de Dychelye, Margery of Ditchley; Willielmus le Columna, William the Farmer or Yeoman; Ricardus de Dobemanton dominus de Dene, Richard of Dobemanton Lord of the Manor of Dean; Ricardus de Gardino de Kiddilton, Richard of the Garden at Kiddington; Ricardus Wayland de Charlbury, Richard Wayland of Charlbury; Rogerus de Gardino de Clyveley, Roger of the Garden at Cleveley; Johannes le Ffuller, John the Ffuller, or John Fuller. 1317. Henricus de Jacob de Torstan, Henry (the son) of Jacob of Tastan; Hugo de Bartone, Hugh of Barton; Johannes de Bladintone, John of Bledington; Willielmus le Heyr de Radeforde, William the Heir of Radford; Johannes le Neuweman, John Newman; Johannes Sibelis, John Sibell. 1339. Johannes Zane-Wyrthe de Gadelig-Welle, John Zane-Wyrthe of Gagingwell; Willielmus de Louches, William Louch; Radulfus Jordan de Clyveley, Radulf Jordan of Cleveley. 1341. Alicia le Veysi de Chaleford, Alice Veysi (a widow) of Charlford; Johannes Brown de Chaleford, John Brown of Charlford. 1345. Hugo le Talbar, Hugh Talbar; Magister Robertus de Chaleford, Master Robert of Charlford; Ricardus Attebroke, Richard at the Brook; Willielmus Aubyn, William Aubyn. 1346. Dominus Ricardus Mandegod, Vicarius de Enstan, Sir Richard Mandegod, Vicar of Enstone; Ricardus Hondess de Hognorton, Richard Hondess of Hooknorton (In a list of gentry in the County of Oxford in 1434,

occurs the name of Thome Hoggys. Such a name may have originated Hognorton); Ricardus Mason, Richard Mason; Willielmus le Sur, William Sure; Willielmus the Slatter, William Slatter; Rogerus aux Stonehard, Roger of Stonehard; Rogerus le Mason, Roger the Mason, or Roger Mason; Ricardus aux Broke, Richard at the Brook; Johannes Brun, John Brown; Johannes le Tayllor, John the Tailor, or John Taylor. 1349. Robertus de Louches de Radeford, Robert Louch of Radford; Jacobus le Blount de Faulor, Jacob the Blunt, or Jacob Blount of Fawlor; Walterus Cysur de Lodewell, Walter Cysur of Ledwell. 1350. Willelmus Follar de Clyvele Capellanus, William Fuller of Cleveley Chaplain or Officiating Priest; Johannes Tailour, John Taylor; Ricardus Mason de Enstan, Richard Mason of Enstone; Robertus Aubyn de Lydynstan, Robert Aubyn of Lidstone. 1363. Johannes Long de Enestan, John Long of Enstone; Johannes Leukenor, John Lewkner; Johannes ate halle, John at the Hall (Lidstone); Johannes Cyr, John Cyr; Robertus de Wichulle, Robert Wichulle. 1374. Johannes Phynes de Sewelle, John Phynes of Swell. 1399. Ricardus Hey Vicarius de Spellesbury, Richard Hey Vicar of Spelsbury; Johannes Ffeyreford de Chadlynton, John Fairford of Chadlington; William Attehalle de Lydston, William at the Hall of Lidstone; Johannes Attewelle, John at the well; Robertus Pope, Robert Pope; Johannes Sayer, John Sayer; Johannes Maynard, John Maynard; Johannes Byllyng sen., John Byllyng the elder; Willielmus Attewelle, William at the Well. 1403. Johannes Mandigod de Asterlye; John Byllynger; William Cyr. 1409. John Paynell; John Sheperd; Thomas Palmer of Haseloge in the County of Warwick; William Pynson; William Ram. 1411. John Willycotes of Great Tew. 1412. John Walker of Great Tewe. 1455. Sir John Fortesque of Ebertun, Thomas Wodeward. 1485. John Bewe of Stowe in the County of Gloucester; William Wely, Richard Wely, Thomas Wely, of Broad Campden in the County of Gloucester; John Ffysher of Enston, William Ellyn, Richard Myllynd, Richard Comyn, William Wysdom, Thomas Ellyn.

2. *First period of the Registers, before the Commonwealth.*

We now come to the period of the Registers, and will from them give the surnames that occur in them, exactly in the same manner that we have already given the preceding. 1558. Morry, Gibons, Vaughane, Butcher, Fford, Masonne, Perpointie, Hedges, Busbie, Drinkwater, Haddocke, Botte, Hutchins, Clerk, Bennet, Vaudrie, Cooke, Collat. 1559. Ffoxe, Jennings. 1560. Hill, Lostone, Stoketon, Jurden. 1561. Adyngrove, Hammond. 1562. Hortley, Davis, Morney, Slatter, Moysey, Pammer, Catesby, Bailey. 1563. Molden, Taylor, Eaton, Bolton, Fletcher, Sleamaker, Hyde, Mollines, Bourne. 1564. Crosse. 1565. Clerym, Gibbard. 1566. Child, Jacobs, Hillman, Blunte. 1567. Belcher, Gardner, Ryman. 1568. Millinge, Kilbe. 1569. Brasbridge, Camden, Ffortnam. 1570. Greene, Noake, Harris, Ffreeman,

Staunton, Hillman, Broadocke, Templar. 1571. Hassam, Tomes, Lamberd, Barnstone, Gebyns, Peverill, Fuller, Honnyman, Hike. 1572. Hicks, Needle, Johnson, Bolton, Dabrey, Liht, Smith. 1573. Vicars, Commyne, Wisdome. 1574. Eccles. 1575. Clement, Compton, Wakefield, Toolie, Saunders, Fernh, Lavdner, Classone, Clifton, Morye, Baker, Androe, Rymillila. 1576. Whiting, Ellis, Bonher, Pearse, Kinge. 1577. Gregorie, Hierne, Richardson, Derle. 1578. Mabbett, Savage, Turfrey. 1579. Huggins, Brayne, Aseley, Halfhede, Norwell, Blye. 1580. Renhe, Mylles, Porter, Jakeman, Hobyns, Hyarne. 1581. Boxe, Halles, Gustines, Ball, Hyde, Spooner. 1582. Hoytinge, Kanche. 1583. Maberley, Denneton, Dent, Hussions. 1584. Bytten, Hynedone, Blackdone, Brickett, Wynchester, Walker, Basse, Masei, Ryley. 1585. Margitts, Arkill, Towers. 1586. Norrice, Marten, Baily. 1587. Lannder, Leech, Weaver, Souch, Borrowes, Stockwell, Ratliffe. 1588. Munche, Haine, Howes. 1589. Mericke, Canninge. 1590. Meaddowes, Wattle, Tuckwell, Bull, Ripplingale, Weelye, Moore, Phipps. 1591. Kente, Warringe, Varney, Sherard, Duglasse, Dearle, Deacon. 1592. Jenckes, Moortone, Creeke, Juyman. 1593. Symons, Robins, Hanwell. 1594. Lee, Wells, Prate, Holden, Tommessonne, Talbot. 1595. Holowaye, Dotton, Hyatte, Parratt. 1596. Edwine, Ban, Lee, Owen, Wakeline, Lucas, Longford. 1597. Impe, Bridge, Elmes. 1598. Hammane, Savanaya. 1599. Horne, Wynter, Arnold, Sammon, Cansome, Hale, Wetherhed. 1600. Birde. 1601. Ensbery, Lanchbery. 1602. Andrees, Herald, Grat. 1603. Tanner, Gyllet, Gilks, Townesend, Blakeburne, Lambe. 1604. Wickens. 1605. Richardson, Beere, Ffletcher. 1606. Poole. 1607. Gowne. 1608. Ayres. 1609. Wynge, Ffryers, Tydmarsh, Overbery. 1610. Osbastone. 1611. Hancocke, Passions, Dumbleton, Dammerie, Lambert, Sharp, Ffaxon. 1613. Clifford. 1614. Kayle. 1615. Treavice, Weeden, Morry. 1616. Webster, Cripps, Noabe. 1617. Keene. 1618. Tittmouse. 1619. Cole, Kingsonne, Ward, Bringfield, Bedwell, Sodone. 1620. Adams, Hitchman. 1622. Heath, Carter. 1623. Bannester, Hardiman, Robinsone, Beesley. 1624. Budd, Silver. 1625. Ffranklen, Poole. 1626. Bushell.

During the time of the Commonwealth, that is, from the year 1626 to the year 1654, there is a complete blank in the Registers, and even when they do commence again they are very defective. In extracting the names again from this time all have been taken the first time that they occur, in order that the changes in the parish consequent upon the period of disturbance just passed through may be observed.

3. *Second period of the Registers during the Commonwealth and since.* 1647. Goswell. 1649. Browne, Cannyne, Marten. 1654. Ffox, Sutton, Haslewood, Disling, Jennings, Collett. 1655. Marshall, Purdue, Allen, Hony. 1656. Box, Clement. 1657. Burnett, Tomes, Edwin. 1660. Saunders, Drinkwater. 1661.

Reade, Turfrey, Sharpe, Evans, Hawkins, Clement. 1662.  
 Righton, Brock, Busby, Briquett, Greene, Davis, Cox, Sleamaker.  
 1663. Gardiner, Calcott, Budd, Hart, Butcher, Timms, Durford,  
 Millen, Nobbs. 1664. Harris, Marshall, Newell, Bates, Warde,  
 Simpson, Newman, Hardman, Ffortnam. 1666. Castle, Silver,  
 Huckvale. 1667. Spurr, Maunder. 1668. Cooke, Plesto, Bol-  
 ton. 1669. Bannister, Warland, Haddock, Gibbs, Bradford.  
 1670. Ffearne, Varney, Drury, Randolph, Ffawdrey, Parker,  
 Michael, Belcher, Low, Potter. 1671. Hutchins, Hoogan. 1672.  
 Wisdome, Drury. 1673. Harpell. 1675. Brett, Eeley, Hollo-  
 way, Sadberry, Phipps. 1676. Huggins, Hitchcocks, Mason.  
 1677. Bungama, Broadwater, Hermitage, Ryman, Mullis, John-  
 son, Hunt, Lock. 1680. Wright. 1681. Berriman, Spelsbury,  
 Harrison, Tasker. 1686. Weekens, Freeman, Hanwell, Keam.  
 1687. Burkit, Randall. 1688. Rogers, More. 1689. Grimes,  
 Treadwell, Douglas. 1690. Grafton, Meads. 1691. Heart,  
 Andrews, Harpett. 1692. Haton, Spicer, Hounsone, Ffranklin.  
 1693. Watts, Rock, Fletcher, Topping, Cross, Larner, Classon.  
 1694. Williams, Eaton, Huckfield, Brunson, Osbaldestone. 1695.  
 Pasey, Tilliard, Cary, Burborough, Stonehouse. 1696. Haines,  
 Boumley. 1697. Lowell, Parsons, Clary, Castell, Ffennimore,  
 Rawlins, Calgrove. 1698. Hodgkinson, Milton, Palmer, Quid-  
 dington, Phillips. 1699. Scarsbrook, Blereley, Diston, Manning.  
 1700. Clarage. 1702. Hopcroft, Naylor, Care. 1704. Jen-  
 nings. 1705. Duglass. 1706. Crain, Warren. 1707. Dollton.  
 1709. Archer, Bayly. 1711. Izzard. 1712. Benson. 1714.  
 Walter Tyrell. 1715. Bennett. 1716. Blackwell. 1717. Soden,  
 Grantham. 1718. Phillips. 1720. Ivings. 1721. Earl of  
 Litchfield. 1724. Brion, Biffin, Kently. 1725. Atkins. 1726.  
 Lee or Lay. 1727. Bouden or Booden. 1728. Hawtin, Surman,  
 Minchin, Hartley, Seear. 1729. Hitchcock, Rook. 1730.  
 Collet, Castel. 1731. Butler, Johnson, Wooten, Margetts. 1732.  
 Pricket. 1733. Nixon. 1734. Kench, Scarlet, Wild, Skinner.  
 1735. Harrison, Tasker. 1736. Leech, Robinson, Pittam.  
 1737. Timms, Minton, Clarke. 1738. Gardner. 1739. Leonard,  
 Ffortnam. 1740. Gunn, Sheppard, Rickets. 1741. Kemp.  
 1742. Hemming. 1743. Holland, Bridge, Bosbury, Gregory,  
 Coxhead, Warland. 1748. Churchill, Sidebottom. 1749.  
 Richardson, Whiting. 1750. Mitchell, Nibbs, Slatter. 1752.  
 Hatton, Bull. 1756. Herring, Griffin, Nichols, Hall. 1757.  
 Bonner, Parish, Simmons, Wakefield, Day, Bushell. 1758.  
 Bumpus, Middleton, Clack, Brooks, Skregg, Jordan, Charlton.  
 1759. Corey, Pain, Watson, Faulkner, Turner, Carter, Bishop,  
 Thomas. 1760. Townsend, Wilsdon. 1761. Freeman, Banner,  
 Corbett, Morris. 1762. Chadbourn. 1763. Stevens, Cook.  
 1764. Akers. 1765. Barnes, Doe, Shuffell or Sheffield, Wheeler.  
 1766. Gilson, Hyat, Thorneck, Knight, Palmer, Bond, Williams.  
 1767. Prince, Adams, Tennant, Nevil. 1768. Skinner, Willet,  
 Evans, Bazeley. 1769. Edenborough. 1770. Grimet. 1773.

Brewer, Meadows. 1774. Midenter. 1778. Goliver, Pittaway, Alcock, Stratford. 1779. Wright, Graften, Dyer, Herbert. 1780. Savage, Warren. 1781. Carter, Low, King. 1783. Bayliss, Bull, Beeman. 1784. Rushell, Grafton, Ecock, Bench, Walker. 1785. Lambard. 1786. Warton, Newport. 1787, Nevill, Grace, Jolly. 1790. Maycock. 1791. Willoughby. 1792. Seale, Lister, Summerscales, Andrews. 1795. Stratford. 1796. Strong, Diggin, Savory. 1797. Sanders. 1799. Wright. Carver, Alder. 1800. Box. 1801. Lidden. 1802. Gregory, Collet, Chadboun. 1803. Savory, Cleaver. 1805. Hitchman, Aldridge. 1806. Jeffries, Rodd, Neal, Tomelin, Ashby, Newport. 1807. Parry. 1808. Loggin, Wilsdon. 1810. Couling, Simms. 1813. Silver. 1814. Parker, Arthur, Burge, Hastings, Anniss or Innes. 1816. Messer, Kettle. 1817. Lawrence, Tretman. 1820. Grimett, Fidler. 1823. Gomm. 1825. Austin. 1827. Bayliss, Goodrich. 1828. Burden. 1829. Carron, Baldwin, Pearce. 1832. Lewis, Townsend, Hadland, Paget, Horwood, Roper, Cattel. 1833. Pinfold, Poole, Dowdeswell. 1835. Holder. 1837. Beck, Steele. 1838. Jewell. 1840. Bury, Gould, Lainchbury. 1841. Keck, Lester. 1843. Trinder. 1844. Smart, Wilkins, Goddard, Eden, Bowdery. 1845. Rainbow. 1847. Viggers. 1850. Hooper. 1851. Pratt, Baker. 1853. Oakley. Mumford. 1854. Hands, Lowe. 1855. Parsons. 1856. Checkley.

As we are now about to give such account as we can of any families of interest observable amongst the names already recorded above, it may be well here to point out the origin and growth of surnames; in doing which we can refer to a good authority on this subject, Rev. Mr. Barnes, of Emanuel College, Cambridge, the author of a valuable history of the reign of Edward III., which is the very period during which the oldest names and families we have to refer to occur. Relating the birth of Edward III., he writes, "he was born at the Castle of Windsor, whence he had his surname (after the manner of that age)," and he further adds that the father of Edward III. was for a similar reason "surnamed Caernarvon," as his son Edward the Black Prince was "Woodstock." Again, referring to the tutor of Edward III., he observes, "when he was capable of receiving ingenious education, a man of good reading, education, and honour, was provided from Oxford to be his tutor, who tho' commonly called Richard Bury, from the place of his birth, was indeed son to one Sir Richard Augerville Knight." He further speaks of the origin of the name of Barnes thus, "Ralph de Berne alias Barnes." Thus it will be seen that one source of such names was the place of birth or even of residence; but the names of stations, trades, occupations, &c., all served to supply additions to the baptismal name given to each, in order to distinguish one from another; and the transmission of these from father to son at length succeeded in establishing amongst us the common use of



surnames, so needful to distinguish and trace out the origin, growth, and progress of family connexions. We shall have occasion to observe upon and point out various examples of these, although some doubtless will at once suggest themselves and their origin to the reader.

1250. COLONNA OR COLLINS. About the year 1250 there was resident at Cleveley a family of the name of le Colonna, that is in English the husbandman or the farmer, and from which Latin word Colonna has been derived the common English one of Colin or Collins. The names William le Colonna, and Roger le Colonna occur frequently in our oldest deeds as witnesses or other characters. Thus, in the oldest deed we have, two of them are mentioned, of whom the one was the father of Margery of Dycheleye, and the other was apparently her brother, but was certainly lord of the manor of Cleveley, for he was to receive twelve denarii a year in lieu of all services, suits, courtesies, and demands, except what was reserved to the King as the lord paramount. In 1346 the name Colonna had already become corrupted into Colins, for in a deed of that date is the name Roger Colins; while at a later date, in 1374, it is met with spelt Kolonse. It is a name still common amongst us here, and to be frequently met with in our old documents, the registers, &c.

1295. RADULF AND MARGERY OF DYCHELEYE. It has been already stated that Margery of Dycheleye was the daughter of Thomas le Colonna, of Cleveley, and the brother of William le Colonna, who at this time, 1295, was certainly Lord of the Manor of Cleveley. Of Radulf, her husband, however, we have no further mention than this, for at the time of the deed he was already deceased, Margery being described therein as a widow and his relict. They had a daughter Isabell, who had married Henry Jacob de Tastan, but had become a widow also by the year 1317, when she makes a grant of the estate to her daughter Elyanor, who subsequently became the wife of John le Neuweman, or John Newman.

1300. LE FFOLLER OR FULLER. A family of this name was settled at Cleveley quite as early as 1300; for in a deed of 1339 a William le Ffoller and a John le Ffoller are mentioned, who were evidently father and son, and as John was at that time old enough to act independently we may safely assign to William, the father, as early a date as 1300. In the year 1350 one member of the family, William Ffoller, was a Chaplain or Priest, described as of Cleveley, but whether officiating and residing there does not appear, although there are grounds for believing that there may have been a chapel or ecclesiastical building of some kind here. In the year 1571 the family still continued in connexion with the parish, for in that year John Fuller married Doritye Phillips, but as they do not appear to have had any family baptised here the probability is that they did not reside. The name of Fuller at once denotes both its own origin from the trade of fulling broad

cloths, and the occupation of those who first held it. For many generations the business of fulling was carried on at Radford, Cleveley, and probably Charlford also.

1325. LE NEUWEMAN OR NEWMAN. In a deed of about this time, although of no certain date, occurs for the first time the name of John le Neuweman, which is evidently the original of the common English name Newman. He appears to have married Elyanor de Tastan, and jointly with her to have become one of the first Trustees or feoffees of the estate which her grandmother, Margery of Dycheye, had endowed the parish with. He and his family continued their connexion with this land, chiefly as the tenants of it, for many years, and are to be traced at intervals in various parish records down to the present time almost. In the Court Rolls of 1698 a widow Newman and her son Richard sold a part of their property, a yard land, to the Duke of Shrewsbury, and in 1711 we find the son admitted to full possession of the remainder on the death of his mother.

1339. JORDAN. This surname occurs very frequently indeed in all the earliest records we have, and is to be traced at intervals all through the Registers, down to the commencement of the present century. There are, however, none of the former families of that name now resident here; for although the family of the present Vicar, 1855, is of that name, yet it is in no way whatever connected with any that have been before in the parish. It is occasionally to be found spelt Jurden, which is the way in which it is sometimes pronounced, instead of according to its own proper form, Jordan.

1341. LE VESCI OR VEYSI. A widow of the name of Alicia le Veysi, of Chaleford, and who was the daughter and coheiress of Roger aux Stonhard. She subsequently married John of Bladynton, a person of property at Cleveley, for in a deed of 1349 she speaks of herself as having been the wife of John de Bladynton, and describes him as having been her husband. She was, therefore, at that date a widow for the second time. She had one son by her first husband, whose name was John Brown, and who was of sufficient age before her second marriage to execute with her the release of certain lands, but this is all that appears relating to him. Alicia le Veysi appears to have been one of the original donors of some part of the charity lands which have come down to us. The name of Eustace de Vescei was that of one of the great barons who won *Magna Charta* from King John, June 15, 1215. His is the first signature after that of Robert Fitz-Walter, the great leader of the barons, and its position implies the station and dignity of Vescei himself.

1345. ATTEBROKE. Ricardus Attebroke is a name which occurs at the prefixed date, but in a deed of the year following is spelt more correctly Richardus aux Broke, meaning Richard of the Brook, and giving the origin of the surnames Broke, or Brooks, or Attebroke. The name of Brook is still found in the

parish, but whether derived from this remote source or not cannot now be determined. The name Attebroke is clearly the abbreviation of *At the broke*, as we have afterwards John Attehalle which is John *At the halle*, and John Attewelle which is John *At the well*.

1345. SLATTER. William the Slatter whose name is mentioned at this date, is an instance of the origin of a surname from a man's trade or calling. It has since been a common name in the parish even to the present time.

1346. SURE. The original of this name is Willielmus le Sur, or William Sure, a name which is afterwards traceable as Cyr, and Sayer, and Seear.

1346. MASON. This name appears frequently as a witness to ancient deeds. For the first time in 1346, it is Roger the Mason of Clyveley, which at once indicates the origin of the name. In 1350, the "the" is dropped and Mason is assumed as a surname thus, Richard Mason of Enestan. In 1382, according to the inscription on the Rectorial Barn, Robert Mason was bailiff of Enstone. The Bailiff of a manor was a person of no mean importance in ancient times. He was appointed by the Lord, generally by an authority under seal, to superintend the manor, collect fines and quit rents, inspect the buildings, order repairs, cut down trees, impound cattle trespassing, take an account of wastes, spoils, and misdemeanors in the woods and demesne lands, and do other acts for the lord's interest. (Bacon's Abridgment, Tomline's Law Dictionary.)

1349. LE BLUNT OR BLOUNT. Jacob le Blount of Faulor appears to have been the forefather of a family that were to be found in the parish more than two centuries later as persons of some consideration from the manner in which they are described in the Registers. Thus in 1568, Tho. Blunte gent. & Myldred Kylbe were married. In 1580, Mrs. Christian Blunt wife of Mr. Robert Blunt was buried. In 1588, Thomas Blunt gent. was buried. In 1589 there were a Mr. William Blunt and Katherine his wife, who had a son Richard baptised, but he died the following day, and the family are no longer traceable in the Registers.

Subsequently, however, in the decree of the Charity Commissioners made at Banbury in 1602, Robert Blount deceased was mentioned as the donor of the sum of Five Pounds, which was then rented out at eight shillings a year, and the sum so raised was applied in agreement with his will towards the relief and maintenance of the poor in the parish of Enstone. In a recent life of the poet Pope, occurs the following interesting and appropriate notice of the Blounts. "The families of Le Blount were of great antiquity, and could trace their descent from two brothers who accompanied William the Norman to England. Sir John Blount, in the reign of Edward III., was married to Isolda Mountjoy, and from this union is descended the family of Blount of Sodington, conspicuous in history, partly as Lords Mountjoy,

(Charles Blount, the favourite of Queen Elizabeth, will occur to the recollection of most readers,) and is now represented by Sir Edward Blount. Sir John Blount had a son who married Sancha de Ayola of the house of Castile, and from him descended the Blounts of Oxfordshire. Sir Walter Blount of history and of Shakespeare, who fell at the battle of Shrewsbury, was of this family. In the following century Sir Michael Blount, Lieutenant of the Tower, purchased the manor of Maple-Durham, and erected the large and venerable mansion which still remains in the possession of his descendants.... In the time of Pope's youth this ancient and distinguished royalist family was represented by Mr. Lister Blount, who had one son, Michael, his successor, and two daughters, Teresa and Martha Blount—names which will for ever be associated with that of Pope, as Stella and Vanessa are with the name and history of Swift. Happily the Pope connection was less painfully interesting and less tragical in its results than that of Swift, but in both cases a mystery was preserved which still baffles investigation." (pp. 39, 40.) The Blunt family has a direct branch surviving in that of Croke. In the reign of Henry IV. Nicholas le Blount became obnoxious to that king in consequence of his fidelity to Richard II., and fled the country. Returning again to England before the death of Henry IV. he took the name of Croke to conceal himself, and thereby originated that family, of which the late Sir Alexander Croke was a distinguished member.

1350. MILLEN, MYLLYND, OR MILLINGE, is the name of a family that has long been settled in this parish, and chiefly at Cleveley, although at the present time (1854) it threatens to become extinct. In the year 1350 we meet with John Millen of Clyveley in an ancient deed of that date. Again in connexion with the Church lands in the important deed of 1485, the name of William Myllynd appears as that of one of the Feoffees of the estate. In the year 1568 there occurs the register of the death of William Millinge. In the deed of feoffment of the year 1588, Thomas Myllyn of Cleveley, husbandman, is mentioned as one of the then surviving feoffees from some former time, and Abraham Myllyn was then made one of the new feoffees. So again in a lost deed of 1615, but which is recited in one of 1655, Abraham Millin was a feoffee; and in 1655, Richard Millen of Cleveley yeoman was made a feoffee. In 1663, after all the vicissitudes of the period of the Commonwealth, the name still appears in the registers, and is to be traced there down to the present period, being evidently that of one of the oldest and most respectable families that we have had resident in the parish.

1374. PHYNES OR FYNES. Johannes Phynes de Sewelle, that is evidently, John Phynes of Swell, in the County of Gloucester, is a name that occurs in our ancient deeds of the date of 1374, and is no doubt that of an ancestor of the noble family of Lord Saye and Sele, which still has possessions in this county, and the

family name of which at present is Wykeham-Fiennes. The John Phynes of Swell referred to, no doubt acted in his day as one of the Feoffees of our Church lands.

1399. ROBERT POPE. Thus early do we find the name of Pope connected with this parish, as it was afterwards in a higher and nobler degree. The position which this Robert Pope held in the parish in 1399 is to be implied from the deed in which the name occurs. It is one of the oldest feoffment deeds we have relating to a certain portion of our charity lands, and, as in a matter of so much importance to the proprietors of the parish, none but the principal persons would take part in it, so we may thence infer that Robert Pope was of some consideration and influence. Indeed the Popes were a family that had many branches in this, the northern part of Oxfordshire, and one member of it, who may be regarded as the head of the family at the time, and whose descendants were eventually ennobled, became possessed of the Manor of Enstone and transmitted it to his successors. This was Sir Thomas Pope, who in 1542 purchased the Manor of Henry VIII. ; for Warton, though he states that he had held it by grant from that king, yet adds that this was for "a valuable consideration." Warton further states that "in the statutes of Trinity College, Oxford, it is recited as one of Sir Thomas Pope's manors." Sir Thomas Pope was not only born in this vicinity, but was educated at Banbury School, and it is probable enough that in Robert Pope he had an ancestor here, and was thus drawn to purchase the manor. The family of Sir Thomas Pope at a later period obtained the title of Earl of Downe, and were possessed of property at Wroxton as well as here. The last Earl of Downe left two daughters, coheireses, one of whom married the Lord Keeper North, and retained Wroxton ; while the other married Sir Francis Henry Lee of Ditchley, and thus united the manor of Enstone to the estates of the Lee family.

From this same family of Pope it was, that our great English Poet Alexander Pope derived his descent, although as we shall see he had but an imperfect idea of his connexion with it.

When Lord Hervey, son of the Earl of Bristol, and vice-chamberlain in the court of George II., conspired with Lady Mary Wortley Montague to satirize Pope by writing of him,

While none thy crabbed numbers can endure,  
Hard as thy heart, and *as thy birth obscure* ;

and when the Curlls, and others, endeavoured to stigmatize Pope by representing him to have been the son of a mechanic, a hatter, a farmer, and even a bankrupt, the poet in his Epistle to Dr. Arbuthnot contemptuously repelled their insinuations by writing,

Let the two Curlls of town and court abuse  
His father, mother, body, soul, and muse,

and then added in a note explanatory of his family origin, " Mr. Pope's father was of a gentleman's family in Oxfordshire, the head " which was the Earl of Downe, whose sole heiress married the

Earl of Lindsay." Thus Pope himself appears to have had a traditionary, and consequently uncertain knowledge of the family, which the recent author of his *Life*, Mr. Carruthers, has more accurately developed. But that he was connected with the family that resided here seems beyond doubt; while it is indeed remarkable, that the two sisters, Teresa and Martha Blount, with whom he appears to have carried on simultaneously some species of Platonic intercourse, also had ancestors resident here, as will have been observed in the account given of that family commencing here in 1349 with Jacob le Blount of Faulor.

1399. BYLLYNG. The name of this family is mentioned at this date here, and is also to be found in the Rolls of the Manor of Quarendon, where in 1438-9 Robert Billyng was Tithingman, and in 1441 he served at the Court as one of the homage or jury.

1411. WILICOTES, OR WILLYCOTES, of Great Tewe. The name of John Wilicote occurs as a witness to a deed of the year 1411 by which John Paynett and Alicia his wife grant and consign certain houses and lands at Cleveley to John Ffuller of Great and Margaret his wife, the deed being dated at Cleveley. In the next year the name of John Willycotes occurs in another deed as the releaser of John Scfatter of Cleveley from all his, Willycote's, claim upon the lands at Cleveley formerly belonging to William Newman, this deed being dated at Great Tewe. Thus then we have John Willicotes of Great Tewe brought into connexion with this parish, and its charity lands to which these deeds refer; and the reason for this connexion we learn from the fact, that the family had possessions at Charlford in this parish, which we learn from the following account of the family collected by Dr. Warton, and given in a note to his history of Kiddington.

"There was an old Oxfordshire family sometimes written Willicotes: but whether the same with this before us, (Williams-cote, Willescote, or Wollascote, whose original he was discussing) I am at a loss to ascertain. In the year 1397 William Willicotes, esquire, has licence to purchase the manour of Willicotes in Gloucestershire (f. Oxon) of the abbey of St. Euold (Elnulf) in Normandy, Pat. 3. et ult. ann. 20°. Ric. II. In 1399, the same William was seised of the manour of Hedington, of Bullington-Hundred, and North-gate Hundred at Oxford. Dodsw. M.S.S. vol. 53. f. 152. And Pat. 3. et ult. ann. 22°. Ric. II. And Pat. 11°. Henr. IV. By which also he appears to have had the custody of the royal Park of Cornbury. (Escheat. Burdell. interr. P. 117.) See also Carte's *Rolles Gax.* i. 337. 348. ii. 197. By inquisition after his death in 1410, the said manor and hundreds appear to have been inherited by his son Thomas. Dodsw. M.S.S. vol. 36. f. 81. The said Thomas is in possession of the same in 1415. M.S.S. Ashmol. X. p. 350. I find Thomas Willicotes, esquire, infeoffing his estate at Chalkford to Oriel College, and founding an obit in the church of Spellesbury, where he was buried, and another at the tomb of his father in the Church of Great Tew, all

places in this neighbourhood, in 1471. Hearne's *Trokelowe*, Appen. p. 329-334. In painted glass, in the old mansion-house at Great Tew, were the names of John Wylcotes and Alicia his wife, father and mother of the said Thomas, with the date 1401. The said John lived there, and had the lordship. See *Life of Sir Thomas Pope*, edit. 2, page 435. William Wilcote in 1391 and 1392, and John in 1400, 1413, and 1417 were Sheriffs of Oxfordshire and Berkshire. Ashmole's *Berksh. i. cxv. cxvi.*"

Hence then it would appear, that, while Thomas W. the son of William W. inherited the manors of Willicotes in Gloucestershire, and Hedington, Bullington, and Northgate in Oxfordshire, his brother John W. came into possession of the manor of Great Tew; and that the son of this John W., namely Thomas Willicotes, esquire, resided at Chalkford, properly Chaleford, in this parish, and that eventually he granted his estate here to Oriel College, who enjoy it to this day (1854). The grave of John Willicote is still to be seen in Great Tew Church, and consists of a flat stone with a brass plate, on which are represented a man in armour and his wife by him, with hands erect under two arches. At his feet is a greyhound, at hers a dog. Between them a coat of arms. Round the edge of the brass plate is an inscription in Latin, so mutilated as not to be perfectly legible, but the words *Alicia cara*, his dear Alice, denote at once the persons whose grave this is, by connecting them with the Memorial window already referred to.

1455. FORTESCUE. This name occurs in a writ issued under the authority of Sir John Fortescue at Ebertun. He was an eminent lawyer, lord chief justice of England in the reign of Henry VI., and afterwards chancellor. He was the author of a treatise, written in Latin, but since several times translated into English, entitled "Of the Praise of the Laws of England." It has ever been held by all the great Expositors of the law, as one of the most noble works on the subject, and Chancellor Kent observes respecting it, "We cannot but praise and admire a system of jurisprudence, which in so uncultivated a period of society, contained such singular and invaluable provisions in favour of life, liberty, and property as those in which Fortescue wrote." Ebertun at which the deed is dated is Ebberton or Ebbington near Campden in Gloucestershire. "Sir John Fortesque, lord chancellor of England in the reign of Henry the Sixth, purchased the manor of Ebbington, alias Ebberton; and upon his attainder, 7 E. 4. it was granted to Sir John Brug, who died seized of it 11 E. 4. But it was afterwards restored to the Fortesque family, and Matthew lord Fortescue, a direct descendant from lord chancellor Fortesque, is the present lord of this manor, and holds a court leet here." Rudder's *Hist. of Gloucesr.* 1778. In fact the estate was restored to Sir John Fortesque himself, for he having fled with Queen Margaret to Flanders, and on his return still struggling for the restoration of the house of Lancaster, was taken

prisoner at the battle of Tewkesbury, but subsequently obtained his pardon from Edward, and was allowed to retire to his seat at Eberton in Gloucestershire, where he died at the advanced age of 90 years. He was himself the son of Sir Henry Fortescue, Lord Chief Justice of Ireland, and was moreover of an honourable descent; a warrior ancestor, having won by his deeds of valour the name of the family, which is derived from the motto of their armorial bearings. This is a remarkable instance of what is called canting, that is rhyming, heraldry, which is the origin of cant language or cant expressions. The motto of the Fortescues is "Forte scutum Salus ducum," which in English, however, loses all its point, for its signification is, "a strong shield is the safeguard of generals," referring to the fact of the founder of the family having covered his general with his shield in battle and both saved his life and won his own renown and name. The family of the present Earl Fortescue, and some other families of distinction in the west of England, are the direct descendants of the great Chancellor Fortescue of Eberton.

1485. WYSEDOM OR WISDOM. In the small and once richly ornamented chapel on the south side of the Chancel, is the tomb and the remarkable monument of Steven Wisdom, who died in the year 1633, and was a benefactor to the parish, by a legacy of ten pounds for the use of the poor for ever. Of the birth or death of this Steven Wisdom there is no record in the Registers, although the family had been some time settled in the parish, and was a numerous one. The earliest mention of them is, first in a deed of 1485, in which William Wysedom is one of the Feoffees, and, secondly, in 1573, when "Amos Wisdom was buried the xviith of August;" and this Amos I take to have been the progenitor of the family here, as well as elsewhere in Oxfordshire, as will hereafter be shown. The next mention of the family in our Registers is in the year 1582, when we learn from the baptisms that there were a Thomas and Anne Wisdom residing here, which Thomas I take to be the son of the before-named Amos, and which Thomas and Anne had the following family:—1582, Jane; 1586, Annie; 1589, Thomas; 1590, Richard; 1593, Edward; 1595, Mary; 1598, Rafe; 1602, Thomas; but although there were eight in this family there was no Steven amongst them. It is quite possible, however, that there may have been older children of this family before 1582, and so amongst them a Steven, for in 1600 we meet with a second Thomas W. married to Mary, which Thomas and Mary Wisdom have the following children:—1600, Anne; 1602, Mary; 1611, Richard; 1613, John; 1616, Elisabeth; 1622, Richard; amongst whom, however, there is no Steven, although between Mary and Richard there is a period of nine years, during which there may have been one, either born or baptized elsewhere. However we have a third generation in which we have Thomas and Elisabeth Wisdom, whose children were:—1672, Mary; 1676, Steven; 1680, Lusie; amongst whom we have at last a Steven,



which Steven married, and we have his family entered as the children of Stephen and Ann Wisdom. They were:—in 1710, William, and in 1712, Anne. They no doubt had others before 1710, for at that time Steven was already 34 years of age, and we have in 1734 another Stephen, who evidently must have been the son of the preceding. He again had a wife Ann, and this second Stephen and Ann Wisdom had:—1734, Ann; 1740, John; 1742, Stephen; 1744, William; 1748, Silvester; 1752, Susannah.

Besides these successions of the family here, we are enabled to trace them elsewhere in Oxfordshire, by a very certain clue given to us by Anthony Wood in his *Athenæ*. He there mentions a Simon Wisdome, of whom he writes thus:—“He died at Burford in 1587, leaving behind him a brother named Thomas Wisdome, and a nephew named Ralph.” Now this description at once connects him with the family here, for the first Thomas Wisdom had a son Rafe or Ralph, and thus these two, Simon and Thomas would appear to be brothers, and the sons of Amos who died here in 1573. Of the former, Simon, Wood thus writes:—

“I find one Simon Wisdome to have been Alderman of Burford, and to have given constitutions and orders for the government of a Free School in the said Town, 13 Elizab. Whereupon he was then, as he is now, reputed the Founder of the said School. He died at Burford in 1587, leaving behind him a brother named Thomas Wisdome, a nephew named Ralph, and a grandson called Simon, son of his son called Will. Wisdome. Which Simon if he be not the same with the writer, may be the same with another Simon of St. Alban's Hall in the latter end of Queen Elizabeth.” Of the Simon Wisdome, whom Wood here distinguishes as “the writer,” he gives the following account:—

“Simon Wisdome, was born in Oxfordshire, being of the same family with those of his surname who lived at Burford, was entred a Student of this University about 1566, and took the degree of Master of Arts as a member of Glouc. Hall. Afterwards retiring to his Estate at *Shipton-under-Wood*, near to Burford, lived as a Gentleman there many years, and employed his time (being a zealous and harmless Puritan) in virtuous industry and piety. He hath written several books, as I have been informed by persons of his neighbourhood, but I have not seen any, only An Abridgement of the holy history of the Old Testament, from Adam to the incarnation of Christ. *Lond.* 1594. Oct. He died in July or August in 1623, and was buried, as I conceive, at Shipton before-mentioned, where in the Churchyard, at the East end of the Chancel, were some of his surname buried before his time.”

Wood mentions another Wisdome thus:—“One Robert Wisdome, of Cambridge, a good Latin and English Poet of his time, and one that had been an Exile in Qu. Maries reign, succeeded to the Archdeaconry of Ely, but the year when I cannot justly say. He was also Rector of Settrington in Yorkshire, and died

in 1568." The "exile in Mary's reign" and the "zealous and harmless puritan" of Elizabeth, that is the Robert of 1554 and the Simon of 1594, seem evidently to have been akin in spirit as well as in flesh. Scott in his *Life of Dryden* mentions three poets only as acceptable to the puritans: Hopkins, Wither, and Wisdom; and doubtless this last was of the family which had already shown itself earnest in its love of the truth.

1485. ELLYN OR ALLEN is a name that first appears in this year, again occurs after the time of the Commonwealth in 1655, and continues to the present time, the family being the same, as evidenced by one Christian name, Esau, which constantly occurs and is still in use in the family. Both the surname and this Christian name are most corruptly and diversely spelt, as Alwin, Alwing, Elwin, and Aling; while for Esau we have Esay.

1558. BUTCHER. The name of William Butcher appears in the register as the sponsor of Gyles Vaughane. From the manner and form of the entry he was evidently one of the gentry of the time, but whether he had any family does not at all appear. Subsequently, however, there were contemporaneously three families of this name, who were all probably descended from the before-mentioned William B. There were:—1st. Troilus and Mary Butcher who had a family of ten, born in the following years, 1573, Elisabeth; 1575, Mildred; 1576, Marie; 1577, Thomas; 1579, Joane; 1580, Mary; 1583, John; 1585, Robert; 1586, Hercules; 1589, Edmund. 2nd. John Butcher married Katherine Compton in 1575, and they had four children in the following years:—1576, Myldred; 1577, William; 1580, Ellen; 1582, Thomas. 3rd. Hercules and Mary Butcher had three children as follows:—1582, Anne; 1584, Robert; 1587, Thomas. Amongst the new feoffees appointed in 1588, were Hercules Butcher and Robert his son; and in 1655 William Butcher, of Neat Enstone, yeoman, was one of those who received the church lands in order to their reinfeoffment.

1558. BUSBIE is the name of a family which, from this date to the present time, has never failed to have its representatives in the parish, and those evidently of respectability, as they were constantly in responsible positions, as in the office of Feoffee, as Churchwarden, &c. It was in this last capacity that one of the family effected the purchase of Scarsbrook Close, which forms part of Martin's Charity.

1558. DRINKWATER. In a list of Names of the Gentry in the county of Oxford, returned by the commissioners in 12 Henry VI., 1434, is Will Drynkwater. This name occurs first in the Register as the sponsor of William Hedges, so that the family must have been settled here previously, and it is one that has continued without intermission from that time to the present. The principal residence of the family seems to have been at Gagingwell, where one member still held a farm within the last ten years; but as they have branched out at various times, and

have been occasionally engaged in other occupations than agriculture, one having been a mason and another a tailor, so they have dwelt in various parts of the parish. There is no family of the present time, probably, in the parish, of whom so full and well-sustained a pedigree might be made out. At times to distinguish members of the family of the same name from one another, peculiarities are mentioned, as thus:—1619, John Drinkwater (ye lame) was buried 16th of Feb.; while another was more honourably remembered, thus:—1599, John Drinkwater was buried ye 16th day of October. *Formosi peccoris custos Gagingwell*; that is, “a keeper of handsome cattle at Gagingwell.” In the feoffment deeds of 1655, Robert Drinkwater of Neat Enstone, tailor, was one of the parties to whom the old feoffees surrendered the church lands, in order that they might restore them to new feoffees, among whom were Henry Drinkwater, of Gagingwell, yeoman, and Edward Drinkwater, of Gagingwell, yeoman. In 1701 amongst the feoffees then chosen appears William Drinkwater; in 1737, Robert Drinkwater, of Gagingwell, yeoman; in 1774, none of the family are named; but in 1824, the last deed of feoffment, Charles Drinkwater was chosen and appointed. In 1701-2 the three following burials in the family occur, showing its numbers and diversity at that time:—Robert Drinkwater, a tailor, died April 28; Thomas Drinkwater, of Gagingwell, yeoman, died Sep. 24; Henry Drinkwater, senior, of Church Enstone, a poor man, died Feb. 14. The chief seat of the family was at Gagingwell, where they possessed land for many years, and some of their names still remain attached to various fields, as Robert’s Close and Andrew’s Close. The surname Drinkwater is said by Rudder, in his History of Gloucestershire, to have been derived from the name of the Lake Derwentwater, in Cumberland, and this would imply that this family came from Cumberland.

1558. VAUDRIE OR FAWDREY. This name is spelt most variously thus:—Vaudrie, Vaudry, Vawdrie, Ffaudrie, Fawdrey, and even Fawthery. The family has at times apparently been of some consideration, and has always been resident here from the above date, and earlier, to the present time, the first burial in the registers being that of Joane Vaudrie, in November, 1558, and the fifth that of John Vaudrie, in September, 1560. They appear to have resided both at Radford and Cleveley, and to have had property at each place, but they lived in other parts of the parish engaged in trade; and also, more than any other family that can be traced in the parish, they had enterprise enough to seek occupations elsewhere, ventured even to London, in former times the oft-desired but dreaded sphere of the country people, and there evidently rose to opulence and wealth. These facts respecting them will be established by the various extracts from documents which we shall now give. In 1588 William Vadrie, of Cleveley, yeoman, was one of the then last surviving feoffees of the Church

lands, and amongst the new feoffees then made were Radulph Vadrie and Richard Vadrie, son of William Vadrie, of Cleveley. In 1615 Ralph Ffawdrey was one of the then last surviving feoffees, but as the new deed then made is missing, and the name does not appear in that of 1655 amongst the last survivors, we cannot tell whether any of the family took part in it. However in the deed of 1655 we have John Ffawdrey, of Cleveley, yeoman. In 1689, in the registers, we have "Sarah Ffawdrey, the heglar, of Gagingwell, buried." In 1690 we have "Richard Ffawdrey, of the parish of St. Andrews, in Holborn, London, dyed January 26, and was buried ye 19 of March following in Woollen." In 1696 we have "Robert, the Son of William Fawdrey, a Citizen of London, and Hester, his wife, was baptized." In 1704 we have "Alice, ye Relict of Richard Faudrey, a Londoner, was brought from London." About this time the family would seem to have been declining, for in the decree of the Court of Chancery, made in 1701, respecting the then state and management of the Church lands, it is mentioned as one of the grounds for ordering a new deed of feoffment, that "John Ffawdrey had parted with all his estate in the said parish and county, and was gone out of the said county to live." Accordingly, in the deed then made, the name does not appear, nor in any deed afterwards to the present time, although the family still remain in the parish and are traceable all through the Registers. It is not altogether improbable that this family may have come from Quarendon, in Bucks, whence the Lees of Ditchley came, for the name, which is a remarkable one and seems of foreign derivation, occurs in the Court Rolls of that Manor.

1558 and 1559. **FFORD and FOXE.** In the former of these two years there were resident here a Richard and Alis Fford, who had that year a daughter Mary born. In the following year we find a William Ffoxe and his wife having a son Roger. In the year 1563 Richard Fford was buried the 26th day of July, and in the month of November following occurs the marriage of Richard Ffoxe, gent., and Alis Fford. Whether this Alis Fford were the widow of Richard Fford, which it may be hoped she was not, or his daughter, does not appear, but the two families that thus became united, and whose names we have therefore mentioned together, continued for many generations resident here. In 1661 Thomas Fforde signed the Overseer's Book as a Magistrate, but whether resident here or not does not appear.

1562. **CATESBY.** The name of Catesby has too often been one of ill-omened celebrity. When the infamous Duke of Gloucester, afterwards Richard III., desired to suborn the Lord Hastings from his allegiance, "Catesby, a lawyer, who lived in great intimacy with that nobleman," was basely employed to "sound his sentiments at a distance," in other words, to try his faith and steadfastness, but, happily for the Lord Hastings himself, "he was found impregnable in his allegiance and fidelity to the

children of Edward." Hume's Hist. of England, vol. III. p. 193. Catesby subsequently became one of the ministers, or rather creatures, of Richard III., and acquired such influence that he was one of three persons referred to in a caustic epigram of William Collingbourne, who was executed under the pretext of rebellion, but really for the severity of his criticism in the following lines :—

The Rat, the Cat, and Lovel, that Dog,  
Rule all England under the Hog.

The Hog was Richard, his ensign bearing the figure of a boar, and the other three were the Viscount Lovel, Sir Richard Ratcliffe, who was slain on Bosworth field, and Sir William Catesby, who was taken prisoner there, and afterwards beheaded.

But another Catesby became, at a later day, more famous for infamy than his predecessor, for he was the suggestor, the designer, the plotter, and the instigator of the great Gunpowder treason conspiracy in the reign of James I. He is spoken of by Hume as "a gentleman of good parts, and of an ancient family," and it was by his especial influence, and by the confidence reposed in his character, that others, themselves honourable men, were induced to take part in the conspiracy. So terrible is the power of Popery that it can thus sear the consciences of men as with a hot iron, and reconcile them to deeds the most diabolical and flagitious. Catesby, the conspirator, was a member of the family of that name who formerly owned Chastleton house and manor, and who sold it in the time of James I., probably in consequence of peril from their relative's crime, to Walter Jones, Esq., the ancestor of the family of Jones still residing there. It is therefore exceedingly probable, that a family of the name of Catesbie, who were at one time resident in this parish, were of the same family as that settled at Chastleton. In the year 1562 there were living here Richard and Jane Catesby, who had in succession these children :—1562, Humphrey C. ; 1564, Lucie ; 1566, Joane, bur. 1570 ; and 1568, Annie. The father of this family, Richard Catesby, having died, though there is no entry of his burial, so that he was most probably taken to Chastleton, and his wife Mrs. Jane Catesby being left a widow, she in the year 1578, married Rev. William Bourne, Clerke, and at that time Vicar of the parish. But this her second marriage did not continue long, for having been married July 17, 1578, she was buried on the following October 18.

1563. BOURNE. This is the name of a family, two members of which appear to have been Vicars of the parish. The first mention of the family was in 1563, when the burial of Anne Bourne was recorded. She was apparently the wife of the Rev. William Bourne, Clerke, who thus became a widower, and so continued until the year 1578, when he married Mrs. Jane Catesbie as referred to above. He survived her death, which occurred a

few months after their marriage, for several years, being buried in 1582. He appears to have left two sons, Michael and Thomas. Of the first we trace this family :—Michael and Anne Bourne had in 1580, Annis ; 1583, Alis ; 1585, Hercules ; the father Michael being buried about six months before the birth of this last child. Thomas Bourne was a clergyman and vicar of the parish, though unfortunately so, for on the 27th of December, 1592, he married one Joane Moortone, and had a son Thomas born on the 2nd of January following. He was himself buried June 11, 1598, and his widow married, on the 19th of February next, one Francis Smith and is no more heard of.

1563. BOLTON OR BOULTON. A very numerous and extensive family of this name lived here as early as the year 1563, for at that date a daughter of the family was married. The family then consisted of Thomas Boulton who died in 1572, and Eline his wife who died in 1567. Their children were Margaret Bolton m. John Taylor 1563. Anne m. William Ffortnam 1570. Katherine m. Thomas Classome 1575. William Bolton m. Anne Halfehed 1570, but left no family ; and John Bolton, who must have married some time before William, and who had a numerous family. These, the children of John and Alis Bolton, were :—1570, Andrie, a daughter, married 1590 ; 1572, Thomas, died 1578 ; 1573, Bridget mar. 1596 ; 1575, Anne mar. 1590 ; 1577, John mar. 1605 ; 1580, Thomas died 1580 ; John, who is sometimes called John Boulton, minor, probably to distinguish him from his father, and at other times Black John, apparently to distinguish him from a third John, his contemporary, married in 1605, Elisabeth Beere, and the children of these, viz. Black John and Elisabeth his wife, were : 1605, Thomas died 1605 ; 1606, Phillip ; 1607, Elisabeth ; 1610, Alice ; 1612, Joane ; 1613, Edward ; 1617, Thomas. Besides the above families, there were also two others connected with them, although how is not quite clear, which two families appear to have been brothers' families, and probably were cousins of the last-named Black John. The first of these is the family which was almost entirely taken off by the plague in the year 1609, and which is described as living at the Inn, and the father of which is said to have been the Inn-holder. The family consisted of the parents, William and Elisabeth Bolton, and their children, 1583, Anne ; 1586, Joane ; 1589, Robert ; 1591, Alis ; 1593, Marie ; 1597, Elizabeth. Alis had a son, the reputed father of whom was Thomas Tommes. When the plague raged in the year 1609, William Bolton the Inn-holder, Robert his son, Alis and her son, and Elisabeth were all carried off by it in a very few days, so that there were none left to carry the name of Bolton on. But then there still survived another family, that of the third John before referred to, and who, to distinguish him from the others, was called Pouch John. He married in 1590, Elisabeth Wattle, and the family of this couple, Pouch John and Elisabeth Bolton, were 1591, Robert ; 1593, Margerie ; 1596, Elisabeth ; 1599, Mildred ; 1600, Anne ; 1601, Alis ; 1602, a daughter ; 1604, Rachell.

During the troublous times that now arose, and in the very neglected and imperfect state of the Register, we learn nothing more of the family until the year 1692, when there is mention made of the baptism of "Mary ye daughter of George Bolton Civis Londinensis (a Citizen of London) and Elisabeth his wife," from which it is evident that some part of the family had taken up a new and substantial position in London. A few years after, in the year 1707, we have the death of William Bolton, very probably the father of George, and then in the year 1710 by means of a document of that year with which I have been favoured, we are enabled to determine the ancient place of residence of the family, and the house where they resided, and which was in all probability the Inn before referred to, where so many of the family at one time died of the plague. Of the document thus referred to, the following is a sufficient abstract, to explain its purport, and to exhibit such peculiarities as may be interesting.

"This Indenture made 9 Anne 1710 between Mary Boulton of Neat Enstone Widow and William Boulton one of her sons of the one part and Thomas Blackwell of Fullwell, Spelsbury, Yeoman of the other part, Witnesseth that Mary & William to farm let to Thomas All that Messuage or Tenement and ffoure yard Lands situate at Neat Enstone in the parish of Church Enstone now in the demise or occupation of Mary Boulton and one Josiah Oldaker Excepting and alwaies out of this present demise unto the said Mary and William all trees, and all fruit trees, and all these rooms following, viz. the Chamber called the Best Chamber for one month yearly and likewise the Little Room under those stairs that rounds downe into the hall of the said tenement, To Have and to Hold for eight years Yeilding and Paying therefore yearly the summe of 26 Pounds half-yearlie at Michaelmas and Lady Day, and all taxes and duties of tythes (excepting the Land Taxes) and likewise the customary rent to the lord or lords of the Manor of Enstone."

The Widow Mary Boulton died in the year 1719, but during the years 1728-31 there was still resident here, though not at the above-named house, a John and Elisabeth Boulton, with a family of Richard, Thomas, and Betty, and no doubt the family still survives here, although their property passed at last to the lord of the Manor, and now belongs to the Ditchley estate.

1563. SLEAMAKER. For a long time a notion seems to have prevailed in the parish, that a person of the name of Sleamaker was the donor of the Church estate; and this idea seems to have arisen from the fact, that this was the name at various times of the tenant or occupier of the lands, particularly at the time when the Banbury decree was made by the Charity Commissioners, in which the lands are described as in the tenure of one Sleymaker, and are continually afterwards so described in all our deeds of feoffment. In fact persons of that name, and presumedly therefore the same family, were the tenants of these lands from before

the time of the Banbury decree in 1602 until the year 1703. In the year 1682 rent due from Robert Sleymaker was paid. In 1693 a lease for eight years was made to William Slymaker, which lease still exists. In 1701 a new lease then being made to Robert Slaymaker, was by the Banbury decree forbidden to be completed, and yet notwithstanding this decree the same Robert Slaymaker continued to be the tenant until 1713, when he ceased to be so. The name appears very early in the Registers, for in the year 1563 William James married Annie Sleamaker, and in the year 1566, Henrie Hilkman married Julian Sleamaker, so that already before this time the family was settled and resident here, and so continued until the year 1713 and later, but are now entirely unknown here.

1566. CHILDE. A family of this name, and of some importance, from the manner in which they are described in the register, as sometimes "gentleman," and at other times "esquier," dwelt here formerly. The first generation mentioned consists of Mr. John Childe and Rosalie his wife who had the following family:—1566, John; 1567, William; 1569, Anne; 1574, Thomas; 1579, Phillip; 1582, William. In the year 1585 is recorded the marriage of John Childe gentleman, but whether the father or the son is uncertain, and Mrs. Marie Towers. They do not appear to have had any family, and in 1624, John Childe Esq. was buried, apparently the father, and therefore at a considerable age, having been about eighty. His third son Thomas married and had a family, for we find the following children born of Thomas Childe, gent. and Katherine his wife:—1596, John; 1597, Mary; 1600, Anne. On removing the pavement of the Chancel to renew it, underneath one of the long blue stones of the Cole family was found a large massive one of Hornton stone, the face of which had been coloured blue, and on it had been worked in red lines a cross, having an inscription both on its figured head and its plain base. The inscription on the head was the following: "Here lieth the Bodi of John Childe Esquier deceased 14 of October A.D. —Ætatis suæ—." The blanks had been worn away by treading on, before the stone had been buried, but the date of the year, and the age to which he appears to have lived, have been given as above from the Register. For the same reason only four letters of the inscription on the base were legible, and even one of these seemed doubtful. The letters were M E N E or M E H E, but the first is the most probable reading, and no doubt the correct one, for it would imply that the legend was, Mene Tekel Upharsin, "Weighed in the balance and found wanting," a very suitable one for every child of man, in conviction of his own sinful nature, to lay at the foot of the cross, as expressive of his entire and alone dependence on Him who died thereon. The fact of Mr. Childe being buried in the chancel would imply that he had been resident at the Rectorial Mansioun which formerly stood here.



1567. RYMAN is a name which occurring thus early, nearly three centuries since, has been continued almost without any intermission from that time to the present, but varying frequently as to the mode in which it is spelt, as Rymill and Rymell as well as Ryman.

1569. FFORTNAM. Exactly a century after this first mention of the name of Ffortnam we learn from the account books that in 1669 they lived at Lydston, a member of the family being at that date appointed a road surveyor. It is exceedingly probable that they may have lived at the residence, the ruins of which still remain there in Cane's close. Joane Ffortnam is recorded in the register of burials as a very excellent and charitable person, and at her decease she left Five Pounds for the use of the poor for ever. She is buried, as well as her son, in the North aisle at its East end, the only memorials on the graves being J. F. 1703 and E. F.

1570. FREEMAN. A family of the name was resident here at this time, was still to be found here after the Commonwealth, and at the beginning of the last century seem to have been of some importance from the fact of some of the members being entered in the Register as Mr. and Mrs. There were a William Ffreeman and Joan his wife, who, between the years 1686 and 1696, had several children, as Elizabeth, William, John, and Ann. About the same time also there was a Thomas Ffreeman, of Radford, Yeoman, and Margaret his wife, who, in the year 1702, had a son Thomas. The father, Thomas Ffreeman, died in 1746, and his burial is thus recorded:—"Mr. Thomas Freeman was buried, in woolen only, Septem. ye 7, 1746." While digging out foundations for the new flooring of the Church in 1856 his grave was opened. It was a very shallow one, and but very lightly covered. It was immediately under the easternmost arch on the south side of the middle aisle. The coffin was in good condition, and was a wooden one coloured black, and ornamented with brass nails. It had handles on the side, but no plate. In brass nails, in the stead of a plate, were, T. F.—AG. 52, 1746.

1571. TOMES, TOMMS, OR TOMBS. This is the name of a family which is to be traced from this its first mention down to the present time. Nothing remarkable is recorded of them except that Robert Tomms, who died in 1706, was the Parish Clerk, and that William Tomms, Servant at Rousham, died in 1704. This last was most likely the son of the former, and his going into service at Rousham, and being brought thence to be buried, may be accounted for by the fact, elsewhere apparent, that the Martin family left Enstone to reside at Rousham, and thus took W. Tomms with them. The before-named Robert Tomms was succeeded in the Clerkship by his son Robert Tomms, who continued in the office until he died in 1750.

1575. FERNH. The name of this family is spelt variously at different times, as Ferne, Fferne, Fearne. It was as early as

1575 resident here, for in that year a marriage took place between Thomas Fernh and Joane Lardner; but it does not anywhere appear that there were any issue of the marriage. That there were, however, other members of the family here is evident from the facts that in 1587 John Ferne was buried, and in 1611 Thomas Horsley married Grace Ferne. Afterwards we find the family increasing; for William and Margery Fferne had in 1617 William, 1618, the twins John and Joseph; 1620, Elizabeth; 1622, Jane; 1624, Anne; 1626, Grace, the mother dying six months after the birth of this last child. During the period of the Commonwealth we find no records at all of the family, but in 1670 we meet with Robert and Alice Ffearne who have one son, Edmund; and in 1695 "Bridget ye wife of George Ffearne, of Radford, dyed." He did not continue a widower long, for his wife having died in August, in the following April he married Alice Baylis, of Marston, and had two children, in 1697 George, and in 1705 Mary. In the year 1708 two members of the family were buried, the one Robert Fearn, April the 18th, 1708; the other William Fearn, of All Souls' College, in Oxon., on May 9, 1708. Where they were so buried, particularly the last, and whether in the church or not, there is no record of, but the family thus appear for the last time, and the member of All Souls' College, most likely a fellow, and therefore unmarried and without descendants of his own, would seem to have concluded the line here. Whose son he was himself cannot now be determined, though it is most likely that his father was the Robert Fearn who was buried the same year, and who, in 1670, had a son Edmund. There was an eminent lawyer of this name, which is not a common one, Charles Fearne, born in 1749 and deceased in 1794, who may possibly have been descended from this family.

1582. KANCHE. No name perhaps has more varied in its pronounciation and orthography than this, for we find it spelt at various times, Keanch, Kench, and Kinch, which last is the common sound of it now. The family has been in the parish from the above date to the present time.

1584. BRICKETT or PRICKET. This name also, like the preceding, has varied very much, being spelt Brickett, Briquet, and eventually Prickett, which is the latest form that it was known in, for the name no longer occurs here.

1584. WALKER. Gyles Walker and Jane Sleamaker were married this year, and had in 1586 Anne, 1587 Annyt, when the births of the family cease, but in 1587 is the death of Marie Walker. Amongst the lands belonging to Oriel College, at Chaleford, is one called Walker's coppice, indicating the residence there of a family of that name, but whether this or not does not appear. At a later time, from 1750 to 1800, a family of the same name lived here, and were buried in and adjoining to the Chancel, from which it is to be inferred that they may have been tenants of the Rectorial Mansion and Glebe.

1586. MARTEN. The name of Marten is that of one of the chief benefactors of the parish, Mr. Benjamin Marten having been the founder of the Beef or Meat Charity. It is only due to him to trace his family in connexion with the parish as far as we can. In 1586 we have the following marriage:—"John Marten and Ffrisses (Frideswed or Frideswide) Comyne were married the 18th of October." In 1587 they had one son, Thomas Marten, baptized, and no more mention occurs of the family until 1649, when there were living here Thomas and Lucie Marten, the son it may be of the before-named Thomas Marten. Thomas and Lucie Marten had the following children:—1649, Lucie; 1651, John; 1654, Elisabeth; 1656, William; 1658, Edmund; 1663, Ann; 1664, Ann; 1665, Joseph; 1668, Moses and Benjamin. This last child was the founder of the Charity. He resided at Radford and had property there, but the family quitted the parish and went to live at Rousham previously to his doing so. A full account of the Charity he founded, and, in connexion with that, a copy of the inscription on his monument in the Church, will be found in the account given of the Benefactors of the Parish.

At the time of the memorable rebellion in 1745, in favour of the House of Stuart against the reigning Royal Family, when an Association of the Nobility, Gentry, and Clergy of the County of Oxford was formed, denouncing the rebellion as "horrid and unnatural formed and carried on by wicked and traitorous persons enemies to our Religion and Liberties in order to dethrone King George the only rightful and lawful king of these realms in favor of a Popish Pretender;" amongst the signers of this declaration in company with the Duke of Marlborough, the Earls of Jersey, Macclesfield, and Harcourt, the Bishop of the diocese, Sir Jonathan Cope and others, is the name of Mr. John Martin, of Rousham, who had been born here in 1651.

1589. CANNINGE. A family of this name and of some consideration resided here, both before and after the time of the Commonwealth, and was among those who were most anxious to have themselves recorded in the Registers of the parish, at the time of the restoration when the Vicar, the Rev. Mr. Beckingham, was appointed Registrar. As early as the year 1589 we have the marriage of Edward Canninge and Joan Walker, whose children were the following:—1590, Elisabeth; 1597, Rachell; 1599, Richard; 1600, Robert; 1602, Mary; 1603, Anne; 1606, William. This last son appears to have been the one that returned after the Commonwealth, when we find resident here, William and Sarah Canninge, whose children were, 1649, William; 1651, Sarah; 1653, Mary; 1655, Edward; 1659, John; 1661, Robert; 1662, Richard; 1665, Richard; 1666, Richard; 1670, Joane; 1671, Margaret. The Cannynge lived at Neat Enstone, for in the account book in which Road Surveyors for the year 1669 are mentioned William Canninge is stated to be of Neat Enstone.

The noble families of Viscount Canning in the English peerage, and Lord Garvagh in the Irish, are, as is well known, descended from the same stock, for George Canning, who was supposed to be the eighth son of Richard Canning, of Foxcote, in Warwickshire, and Elizabeth, his wife, was the originator of the Garvagh family, and died about 1646 being succeeded by his eldest son. Now the vicinity of the two counties, and the fact of Richard being a name of such importance in the Oxfordshire family, that the first generation had one Richard, and the second had three Richards all in succession, implies evidently a connexion between them, and make it exceedingly probable that the family resident at Enstone was also ancestral of the two noble families already referred to.

In two rent rolls of the Manor of Enston, for the years 1661 and 1662, there appear, amongst the rents payable at Michaelmas by Freeholders, the following items:—

Mr. William Canning paid .....	00	:	00	:	10
for his freehold in Cleveley					
Mr. Canning for Mrs. Scott for ye					
freehold in Neat Enston .....	00	:	05	:	00

These two rent rolls, according to a note on a slip of paper connected with them, are said to have been "taken out of Mr. Caning's Closett," from which it may be inferred that Mr. William Canning held the office of receiver of rents, or steward of the manor, during the time he was resident here. And this we find confirmed by a monumental slab in Spelsbury Church, whereon is inscribed, "Here lyeth the Body of William Canning, Gent, Steward to the Earl of Lichfield. He departed this life June the        A.D. 1721, Aged 71." This, then, was the William Canning whose birth was recorded in our register in 1649, and it was his brother, who, according to an account by Taylor, the Water Poet, cited in a former chapter, kept one of the two Inns at that time existing here.

We have already spoken of some of the ancestors of the Caning family in Warwickshire, but now, for a special reason presently to be given, we must mention a far older progenitor of theirs than any we have yet referred to, and one who was both eminent himself by his own acts during his life, and has since his death been rendered even more so by being associated, in name at least, with one of the most remarkable literary frauds that was ever committed. Of the person thus referred to we have the following account:—"At the time of Edward IV.'s succession to the crown, 1461, he came, in his progress through the western counties, to Bristol. William Canynges, the most celebrated merchant of his day, the reputed founder of the church of St. Mary Redcliff, was then mayor, and of him it is reported by William of Worcester, a contemporary authority, that he paid to the king 3000 marks for his peace, *pro pace sua habenda*. This must be understood to refer

to the whole fine levied on the Lancastrian party in the town, and which Canynges would have had, in his official character of escheator to the king, to pay into the exchequer. The king appears to have been well satisfied with the transfer of allegiance on the part of the burgesses, and with the ready service rendered on their part. It is further recorded of William Canynges by William of Worcester, that he employed for the space of eight years 800 seamen, and every day 100 artificers. The same writer furnishes a list of his vessels, 10 in number, including one of 900 tons burthen, one of 500, one of 400, and two of 220. The wealth of Canynges was certainly considerable: in his old age he became a Priest of Westbury, which he founded." Pen. Cyclop., Bristol. In the quotation just given he is spoken of as the reputed founder of St. Mary Redcliffe, but this church, as Britton has shown from its architecture, has been at various times adorned and beautified, and William Canynges only enriched and ornamented it, though at a very great expense.

In connexion with his name were the literary forgeries of the unfortunate Chatterton executed; for Chatterton ascribed the principal poems, which he professed to have discovered, to one Thomas Rowley, whom he described as Priest of St. John's in the city of Bristol, and Father Confessor to Mr. William Canyng, Founder of St. Mary Redcliffe Church, and even attributed some one or two minor and inferior ones to William Canynges himself. This I have thought well to mention, both because of the branch of the family at one time resident here; and also because there are at Ditchley two MSS. volumes, containing the poems so forged and attributed to Canynges, and they would appear to have been made at a time when as yet they were believed to be genuine, and possibly may have been so under the direction of Warton the Poet, who at the time of Chatterton's death was engaged upon his most valuable History of English Poetry, and may have been at that time in doubt as to whether these compositions were genuine or not. Warton's position in the University of Oxford while one of the Earls of Lichfield also held office there as Chancellor, and his being Rector of Kiddington, and so in connexion with Ditchley here, make this all the more probable.

1593. HANWELL. Although there is no mention of the name of Hanwell as a surname before the year 1593, yet it occurred frequently before that time as a Christian name. Thus there was a family named Hanwell Commyne, for in 1579, Hanwell Commyne, daughter of Richard Commyne and Alis his wife, was baptized. So again in 1585, Hanwell Commyne Widdowe was buried, from whom probably the former child was named. This child was buried June the 10th, 1501, her father Richard having been buried two days before, on the 8th. Another family in which the name obtained as a Christian name was that of Parratt, Hanwell Parratt having been buried in 1595.

But in 1593 we have evidence of a family of the name of Han-

well being resident here. For in that year we have William Hanwell buried. About 1600 there were three families living here: I. William and Elisabeth Hanwell, who in 1600 had one daughter Jane baptized. II. In 1601 Robert Hanwell married Joane Cooke. No children are registered to them, and Robert Hanwell having died in 1619, his widow Joane Hanwell married Oliver Man. III. In 1604 we have "Math<sup>r</sup>. Hanwell of Lydstone was buried the 3rd of June."

Another part of the family is to be found at a later time at Radford, for John and Mary Hanwell had in 1686 Anne, and in 1668 Dorithie; but in 1689 the father, "John Hanwell yeoman of Radford was buried," and as he had no son the name from that time has disappeared.

1594. HOLDEN. In the year 1594 is registered the death of Mildred Holden on March 9, and on July 26 of the same year the marriage of Arthur Holden and Anne Busbie. Whether Mildred Holden was the first wife of Arthur Holden, or only his mother or sister does not appear, but it may be hoped that she was not the former, because of the soonness of his marriage after her decease. Arthur and Anne Holden had the following children:—1595, Mary, her sponsors being Edward Canninge, Mrs. Mary Parratt, and Margarat Busbie; 1597, Robert; 1598, John, whose sponsors were John Busby and John Hardwicke, and Mrs. Marye Child; 1600, Arthur; and 1603, Anne. Besides the fact of Arthur Holden being described as "gentleman," it will be observed, that, in the two instances in which the sponsors of his children are registered, they were some of the principal gentry at that time resident here, evidencing therefore the gentility of the Houldens. This is still further confirmed by another fact that appears in the register of the burial of Arthur Holden, which is thus recorded: "1604, Arthure Houlden was buried the 24th day of June and lyeth under ye greate stone before ye Vicar's seate."

In consequence of several changes in the place of the pulpit and Vicar's seat which seems always to have been adjoining it is difficult now to say where the particular site indicated is, but that it was almost central in the Church there can be no doubt of. The eldest son of Arthur Holden appears to have succeeded him here, and to have married and had a family, as we find the following children of Robert and Elizabeth Holden:—1625, Anne, who died the same year; 1626, Robert. This son was born in June, and his mother having died in September following, the family disappears from our registers, implying that they were no longer resident here.

That they were, however, still connected with the parish is evident from the fact of their holding the office of Feoffee. In the deed of 1588 their name does not appear, whence we may infer that at that time they had not become connected here. Probably they did not do so until about the year 1594, when Arthur Holden's marriage with Anne Busbie may have fixed them here.

In 1602 the Charity Commissioners directed the name of Arthur Holden to be added to these of the then feoffees, but he having died in 1604 soon ceased to be one. In 1615 Robert Houlding became a feoffee, and was one of the survivors in 1655, when he was described as "Robert Holdinge of Lambeth in the County of Surrey Gentleman," so that he had apparently after his wife's decease in 1626 retired from Enstone, and taken up his abode in the vicinity of London. It is quite possible that the troublous times of Charles I. and the Commonwealth may have had something to do with this, as this is one of the families altogether lost here after them.

1595. PARRATT. This is the name of a family that was of some importance in this vicinity, and was at one time resident in this parish, although there are only two notices of them in the registers. In 1595 Hanwell Parratt was buried; and in 1597, the year during the autumn of which the mortality was so great, "John Parrat sonne of Robt. Parratt gent. and Marye his wife was buried the 10th of October."

1610. OSBASTONE OR OSBALDESTONE, for the latter is the spelling which the name has in the registers after the time of the Commonwealth. They were a family of considerable importance hereabouts, for the name appears in our earliest account books as that of a Magistrate signing and allowing them, and one member of the family Jarlamont Osbaldeston, who died in 1694, is described as of Neat Enstone. For some years, commencing with 1661 the signature is that of Littleton Osbaldestone until 1690, when it appears much shaken and does not occur again; but in 1712 we have W. Osbaldeston, which occurs at intervals until 1738. This branch of the family resided at Chadlington, and on June 25, 1664, Littleton Osbaldeston was created a Baronet by Charles II.

1617. KEENE. Robert Keene and Alice his wife had this year Jane Keene, and this is the only mention of the family. Is it probable that this was the family from which Cane's Close, possibly Keen's Close, at Lydstone may have been named, and where therefore they would have resided?

1619. COLE. A family of the name of Cole resided for several generations on the Rectorial Glebe at Enstone, and were probably the Lessees of the Great Tithes as well as the Glebe, both of which are held and enjoyed by the Dean and Chapter of Christ Church, Oxford, the Impropropriators. In 1619, William and Francis Cole had one William baptized. In 1624, Henry Cole was buried; and in 1625, John Cole. Then succeeded the blank of the Commonwealth, after which we have George and Anne Cole, whose children were:—1666, Harry; 1668, Francis; 1670, Jane. This George Cole had property also in Devonshire, but from the fact of his wife and himself being both buried here, it might be presumed that here was the older seat of the family. Their grave-stones in the Church thus record their burials. "Here lieth the

body of George Cole of Buckish in the County of Devon Esq. and was here inter'd Anno D<sup>ni</sup> 1678. Aged 48." "Here lyeth ye Body of Anne Cole Widow Relick of George Cole Esq. who departed this life, November ye 1st Anno Domini 1690." Their daughter Elisabeth married Sir John Stonehouse, as will be shown presently. In 1686 there were Thomas and Mary Cole, who had one son Thomas baptized. In 1690 Harry Cole the eldest son of the above George and Anne Cole, married and had a numerous family, as given below, being the children of Harry and Mary Cole:—1690, Edward; 1691, Elizabeth; 1692, Mary; 1694, Jane; 1695, Anne; 1696, George; 1697, Harry; 1698, Grace; 1699, Gregory; 1700, Sarah; 1702, Francis; 1704, Johanna; 1705, Potter; 1707, George. Mr. Harry Cole was in the Commission of the Peace, and his name appears frequently in the parish account books as one of the magistrates signing and allowing the accounts. Three of his children, George, Grace, and George, died in their infancy, and on the diamond stones covering their graves in the Church are Latin inscriptions with mottoes to each, expressive at once of the piety of the parents, and the circumstances of the children. In December, 1702, at the age of four, died Grace, the motto on her stone being "Talium est Regnum Cœlorum," "Of such is the kingdom of heaven," an appropriate sentiment for one so young, and indicating the pious resignation of the parents. In May 1703, in five months after the former, died George, aged seven, whose motto is, "Veni, Vidi, Vici," "I came, I saw, I conquered." These were the memorable words of Cæsar, the conqueror of the world, when he wrote home an account of the vastness and rapidity of his conquests; and they tell us apparently, on this tombstone, of the early piety and hopeful death of this young disciple, who just "came" into the world, "saw" the vanity of the world, and "conquered" it by his early and triumphant death. Born in June 1707, and buried in July 1708, just twelve months old was another George, whose motto is "Bulla est vita humana," "Human life is a bubble," for his had only risen to burst and pass away. Mr. Harry Cole's eldest son, Edward, appears to have succeeded his father, but though married, not to have had any family. At least none are registered here, although he and his wife were buried here, according to the following inscriptions on their gravestones in the Chancel:—"Here lieth the body of Edward Cole of Buckish in the County of Devon Esquire who departed this life the 17th of Decr. 1756, aged 67. And also the body of Sophia Cole Widow and Relict of the said Edward Cole who departed this life the 18th Nov. 1757, aged 47. She was daughter of Hugh Parker Esquire eldest son of Sir Henry Parker of Honington in the County of Warwick Baronet and sister to the present Sir Henry John Parker Baronet."

Johanna Cole, who was born in 1704, married into the family of the Loggins of Warwickshire, and was the grandmother of the Rev. W. Loggin, who through her succeeded to the estates of the



Coles' family in Devonshire, and who married Miss Mary Marshall, the youngest daughter of Mr. Nicholas Marshall and Eleanor his wife. At the time of his marriage he was not in orders, but is described in the Register, as "W<sup>m</sup> Loggin Gent of the Parish of Halford in the County of Warwick." Mr. Loggin left one son, who in his turn also left one, Mr. Nicholas Marshall Loggin, who is at this time the only remaining male representative of the families of Cole and Loggin.

Potter Cole, born in 1705, became a clergyman, and at one time held the living of Hawkesbury in Gloucestershire, at that time worth £80 per ann., and of which Sir Banks Jenkinson was both patron and part impropiator with the Duke of Beaufort and others. As Mr. Harry Cole and Sir Banks Jenkinson were fellow magistrates in Oxfordshire, this will at once account for the Rev. Potter Cole obtaining the living. According to a monument in the church at Hawkesbury, Mr. Potter Cole lost three children there, Harry, Elizabeth, and Frances. The arms on the monument are:—1, Argent, a bull within a bordure sable, charged with eight bezants, for Cole; impaling. 2, Gules, a chevron ermine between three pheons' heads argent, for Arnold. Mr. Potter Cole, the last known survivor of his family, was married four times, and lived to the great age of 97 years, as I have learned from a friend who knew and visited him only two years before his death; when, although debilitated from age and some natural afflictions, he retained much of the vigour of mind and politeness of manner by which he had been distinguished. My informant possesses a portrait of him, done in her presence by a friend, which she regards as very faithful, and which, though made in his 95th year, represents him as a man of much intelligence and power.

In the church of Henbury in Gloucestershire, are monuments of a family of the same name, and of such similarity in their armorial bearings as plainly to imply an affinity with these, though what precisely is uncertain. In 1689 there died a Christopher Cole, aged 76, who might have been the brother of George Cole who died in 1678, aged 48. This Christopher had six children, the eldest being a Christopher, and in 1736 there was buried a third Christopher, who left nearly £1000 to the Free School of the Parish.

Another branch of the family was resident in 1643 at Aston Rowant, where the following monumental reminiscences remain. On a gravestone in the South Transept are these arms and inscription:—"A Bull passant within a Border, imp. a Griffin segreant bet. 3 Crescents."—"Here lyeth the body of Jane Cole, late wife of Gregory Cole of this Parish Esq. and Daughter of William Bligh of Botathan in Co. of Cornwall, Esq<sup>r</sup>. and Mother of Frances Thornehill, hereby also interred, which Jane died on Friday 17 Nov. Anno Dom. 1643."

On another near the former is this inscription:—"Here lieth

the body of Frances Thornhill, Wife of Richard Thornhill Esq<sup>r</sup>. who died 10 Sep. 1640." Arms, Thornehill, 2 Barns jemelles, on a Chief a Tower, over all a Bendlett, imp. *Cole*, a Bull passant, within a Border entoyne of Roundells."

1626. BUSHELL. In the last year of the Registers before the troublesome times of Charles I., there resided here Thomas Bushell, Esq. and Isabell his wife who had one son Francis baptized and buried in 1626. This gentleman was in the household of Lord Bacon, and there doubtless acquired that knowledge of the science of Hydraulics that enabled him to construct the remarkable waterworks that he did at Goldwell, and of which mention has been made and a description given elsewhere. Here, therefore, we shall only have occasion to collect such memorials of him as we can from various sources; and first from Anthony a Wood, who thus writes of him:—"Thomas Bushell was born of, and descended from, a genteel family of his name, living at Cleve Prior in Worcestershire, received some education in Oxon., particularly as I conceive in Baliol College, and afterwards for his generous spirit and mind much addicted to curiosities, he was taken into the service of Sir Franc. Bacon, Viscount of St. Alban's; before whom, when Lord Chancellor, he bore the great seal, got much by that office, but more by the generosity of his master, who was as 'twere an indulgent father to him. After the declension of that noble lord, he travell'd, as it seems, beyond the seas, to satisfy his curiosity in many matters of nature; and at his return, his being much advanced by his travels, especially upon his serious reading of his Master's Philosophical Theory of Mineral Prosecutions, or Discoveries, (which as 'tis confessed did light the first candle to his future discoveries) he did follow the directions of it, as having always been enclined to search out hidden matters, and the secrets of nature, or that he had, as others observed of him, an inclination and affection for mines and minerals, as the most honest gain and greatest good to a commonwealth. The first known and eminent discovery that he made was at Enston in Oxfordshire, where, or else near that place, he had lived, and did use several times in Summer Season to retire." Here it was that he constructed and presented to Queen Henrietta Maria, Queen of Charles I., on the 23rd of August 1636, these remarkable waterworks, of which we have already given some account. Omitting therefore further mention of them we will proceed with Wood's narrative of him. "Soon after having presented the Waterworks to Queen Henrietta Maria he became farmer of his Majesty's minerals in the principality of Wales. The chief stage of his action was in Cardiganshire, where he seems to have laboured with great exertions, much ingenuity, but apparently to little profit. He continued thus occupied till the Civil wars, when he had the grant of a for the King."

Of his occupations during the period just referred to, Aubrey thus writes:—"Not long before Oliver took upon him the Protectorate,

Mr. Bushell (a man well-known for his intimacy with the great Lord Chancellor Bacon) absconded in a fair house in this Marsh (Lambeth Marsh) where the piqued Turret is. He was obnoxious to the Managers of those times, and would have lost his life if he had been discovered; but he sent several letters dated from foreign parts, which were afterwards printed. Only his faithful servant Mr. John Sidenham, and an old woman, was privy to his Concealment. This private life in the day, with his nightly Diversion in the Orchard, he led for above a year, till his friends made his Peace with Cromwell, which was compassed by the Interest he had in the Silver mines in Cardiganshire. He lay in a garret, which was the length of the whole house, hung with Black Bayes; at one end was painted a Skeleton extended on a Mattress, which was rolled up under his head, at the other end was a low Pallet Bed, on which he lay, and on the Wall were depicted some emblems of mortality. He was an ingenious and contemplative man, and an Intimado and Admirer of his Master Bacon." Aubrey's Antiquities of Surrey. V. 278.

Returning again to Wood, we glean from him our further account of Mr. Bushell. "After his Majesty's restoration, he tho' old prosecuted his projects, and Charles II. gave his assent to the bill passed in parliament about the end of April 1662 for confirming agreements between him the said Tho. Bushel and the Miners at the Rowpits (Mendipp) in Somersetshire, for recovering their drowned and deserted works. This work was carried on, and continued near to the time of his death. He published 'a just and true Remonstrance of his Majesty's Mines Royal in the Principality of Wales,' London 1642, and an 'Extract or Abstract of the Lord Chancellor Bacon's Philosophical Theory of Mineral Prosecutions.' London, 1660." His account of the presentation of the Rock at Enston has been already noticed. "He died in the month of April (about the time of Easter) in 1674, aged 80 or more, and was buried in the little cloyster (where Dr. Sim. Patrick's lodgings lately were) belonging to the Abbey church of St. Peter in Westminster, leaving there behind him the character of one always troubled with a beating and contriving brain, of an aimer at great and high things, while he himself was always indigent, and therefore could never accomplish his mind to his original desire, of one always borrowing to carry on his designs, but seldom or never paid." Wood's Athenæ. III. 1008-10. Mr. Bushell thus fulfilled the common lot of genius, which has almost ever been to show the road to wealth, but seldom itself to reach the goal.

1655. MARSHALL. The origin of this surname is obvious alike from the manner in which it was originally spelt, Martial, implying a martial or military office; and from the heraldic arms borne by the family, which are a suit of armour. Martials or Marshals of the field were officers in the ages of chivalry, whose duty it was to marshal the array or the men at arms, in tournaments,

jousts, or the more deadly scenes of duels, or of petty wars, such as neighbouring barons would too often wage. Thus the name denotes a noble and honourable original of those who bear it. In the year 1421 there was a John Marshall acting in the Manor of Quarendon, in Bucks, as Castator there, and as the family of Lee of Quarendon afterwards became Lee of Ditchley, so that Marshall might have migrated this way also. As, however, there were in this parish at one time two families evidently quite unconnected, so one may have originated from this source, as the other, of whom I am about to speak more at large, probably came from a very different one.

This latter family, which is still connected with us by the possession of property here, was originally located in the adjoining hamlet of Little Tew. There resided Ralph Marshall, who had two sons, Nicholas and Ralph, and very probably, as we shall presently see, another named Stephen. But Ralph the son had also a son, his eldest, named Ralph, so that Ralph was evidently a cherished family name. But the name Ralph implies a connexion and origin of a much earlier date, for from the *Liber Niger Scaccarii* (Exchequer) we learn that there were "in Oxenfordscire, in the parish of Periton (Pirton) in the time of Henry I.," a family of this name and distinction in which that of Ralph occurs. Of the document in which we learn this the following is a translation:—"Charter of the Fee of Wigan the Mareshall. Henry the King, Grandfather of our Lord the King (Hen. II.), feoffed Wigan his Mareshall with his tenements which he held of him by the service of his Mareshallry. And our Lord the King has in like manner given them to be held by Ralph his son as his Mareshall. And Ralph, son of Wigan, so holds them of our Lord the King by the service of his Mareshalry &c." It is therefore highly probable that the Ralph Marshall we meet with at Little Tew was the descendant of Ralph, Marshall to King Henry II. and of Wigan, Marshall to King Henry I.

But to return. The first Ralph M., of Little Tew, had a son Nicholas whose wife was Elisabeth, and their son, Nicholas M. 2, appears to have been the first of the family that came to reside here, if not the first that acquired property here. According to a copy of the Court Roll of the Manor of Enstone, in possession of the family, it is evident that in the year 1643 Nicholas Marshall, the son of Nicholas Marshall, was admitted to the possession of lands within the manor and parish of Enstone. His father, the first Nicholas, died at Little Tew in the year 1653 or thereabouts, for on April 20, 1653, the Earl of Down as Lord of the Manor of Enstone granted land to Ralph Marshall the younger, of Chawford, which land had been previously held by Elisabeth Marshall, widow of Nicholas Marshall deceased, and their son Nicholas. This Nicholas M. 2 was appointed in 1655 one of the Feoffees of the Enstone Charity lands, and is described as "Nicholas Martiall of Little Tew in the county aforesaid

(Oxford) yeoman." At this time therefore neither he nor his mother had come to reside here. But the Ralph M., mentioned above, had done so, for in 1662 he served the office of Overseer. In 1663 Nicholas M. 2 married, having previously come with his mother to reside here. And here eventually his mother was buried according to the following entry in the Register:—"1694, Mrs. Elisabeth the Relict of Mr. Nicholas Marshall dyed the 20th and was buried the 23rd of June in Wollen." Her son, Nicholas M. 2, is described above as yeoman, which Johnson defines to mean "a gentleman farmer," but which in the time here referred to meant a country gentleman or landed proprietor of some position and substance, and this is confirmed by the fact of his mother being described in the Register as Mrs. Elisabeth, for that title was only given in these records to such as had a claim to gentility.

Before proceeding with our account of the family here it may be mentioned that Ralph Marshall the younger, of Little Tew, was married in 1645 at Wigginton, according to the following entry in the Register there:—"Rodolph Marshall of Little Tew and Anne Hacker of Churchill were married by Licence, 1645." The Anne Hacker, whom Ralph M. thus married, was sister of Colonel Hacker, one of the regicides who commanded the troops that guarded the scaffold on which Charles I. was so unjustly executed, and of whom, in our last chapter, we shall make some further mention. Ralph M. died in 1687, and according to his will he had a very numerous family, Ralph, Francis, Stephen, John, Nicholas, Gamaliel, Thomas, Mary, Susannah, Elisabeth, Anne. The eldest of these, Ralph, had acquired property at Ardley, for this fact is stated in his father's will. Accordingly we find the family continued there at a subsequent period, as in 1729 there died there a Nicholas who had a wife Mary, and in 1746 a Ralph who also had a wife Mary. One of the daughters named above, Elisabeth, lived to the advanced age of 87, and was buried here under a blue lozenge-shaped stone having this inscription:—"Here lieth the body of Elisabeth Marshall. She departed this life May 1, A.D. 1742, Aged 87 years." This great age makes her to have been born in 1655, which corresponds exactly with the probable time of birth of the Elisabeth mentioned above. It is also exceedingly probable that a Presbyterian clergyman named Stephen Marshall, who is frequently mentioned by Wood in his *Athenæ*, was a son of the first Ralph Marshall of Little Tew, and brother therefore of the first Nicholas M. and the second Ralph M. Wood writes of him as being in the year 1640 the friend and associate of Cornelius Burges, Edm. Calamy, Calybate Downing, and other ministers of the gospel, in endeavouring to stem the flood of Popery which Laud was raising; and who from the fact of his name being Stephen, which was afterwards at least a family name, was no doubt a near relative. It is all the more probable from the circumstance related above

of the marriage of Ralph Marshall with Anne Hacker, the sister of the regicide, which plainly indicates that the political bias of the family was towards the Presbyterian or Puritanical party in the state, and therefore most probably in religion as well. We must return however to those Marshalls who settled here at Enstone, for though at a recent period the Ralph or Hacker branch has become reunited to them, for many generations they had continued separate and distinct lines.

Nicholas Marshall the second married, in 1663, Miss Martha Matts, of Whitchurch, in Buckinghamshire, and from the deed of settlement then made we learn that they were certainly settled and resident here, for the parties to the deed are Ralph Marshall, of Little Tew, yeoman, and Nicholas Marshall, of Church Enstone, yeoman, Grandson of the said Ralph, of the one part, and Edmund Matts, of Whitchurch, Bucks, yeoman, and William Saunders, of Church Enstone, yeoman, of the other part; and the property conveyed or settled thereby was the house at Enstone, occupied by Widow Elisabeth and her son Nicholas Marshall. In the following year, 1664, he served the office of Overseer, and in the next, 1665, added to his property here by purchasing of William Saunders his house and twenty acres of land, Goody Common, Orchard, Commons, &c. As the family had now settled here so we can trace out their succession regularly in our registers ever since. Thus we find that the Nicholas and Martha, whose marriage settlement has been spoken of, had two daughters and one son, whose baptisms are thus recorded:—"1664, Elizabeth Marshall the daughter of Nicholas Marshall and Martha his wife was baptised the 23rd day of Octobr. 1666, Mary Marshall ye daughter of Nicholas Marshall and Martha Marshall his wife was baptised the 23rd day of November. 1668, Steven Marshall the sonn of Nicholas Marshall and Martha his wife was baptized the seaventeenth day of Decr." The birth of this last child would seem to have cost the life of the mother, for she was buried on the same day that the child was baptized, as appears from the following entry:—"1668, Martha Marshall was buryed ye seaventeenth day of Decbr. Where Mrs. Martha Marshall was buried in the church of Enstone there is no record of. Her husband survived her many years, and his burial, at the age of 73, is thus entered in the Register:—"1713, Mr. Nicholas Marshall was buried in woollen unly july the 3d, 1713." He lies under a large blue stone bearing this inscription:—"Here lies the Body of Nicholas Marshall Gen<sup>t</sup>. who departed this life July the 1st A.D. 1713, in the Seventy-third year of his Age." It is probable that his mother, Mrs. Elisabeth M., and his wife, Mrs. Martha M., both lie near the same spot, but his is the first tombstone of the family that marks their burial at Enstone. This Mr. Nicholas Marshall, the second of his name, added very considerably to the patrimony he had inherited, for by his will, which is dated 1707, we learn that he made the following purchases and exchanges:—Of Thomas

Brigwell he bought three yerde lands at Neat Enstone and Lidstone; of Richard Saunders four acres at Church Enstone; of William Saunders two yerde lands and a half with sheep, horse, and cow Commons at Church Enstone; and with his son Stephen, at the time of his marriage, he exchanged one acre, at Grammar's hill, for Saunder's Close. He also held lands at Little Tew by copy of Court Roll from Eton College. To his son Stephen, by this will he gave £10; to his daughters, Elisabeth and Mary, he gave their life interest in his Neat Enstone and Church Enstone lands, with remainder of the Neat Enstone to his grandson Stephen, and of the Church Enstone to his grandson Nicholas. The Little Tew property he gave absolutely to his two daughters. Of the two daughters and the son, mentioned above, one died unmarried, though she lived to a considerable age, and resided here as we learn from the Court Roll of 1717. Her burial is thus registered:—"1740, Mrs. Mary Marshall of Ch. Enstone was buried in Woollen only Nov. 21. Affid<sup>t</sup> made before ye Rev<sup>d</sup>. Mr. Marshall." On a blue lozenge-shaped stone, marking the place of her burial, is the following inscription:—"Here lieth the Body of Mary Marshall. She departed this life Nov. 18, A.D. 1740, Aged 74 years." Her sister Elisabeth very probably lived at Little Tew and died there, for there are no traces of her here; but the brother Stephen, having adopted the profession of the law, married and continued the family, they being mentioned as Stephen Marshall, Attorney, and Mary his Wife. They had three sons whose baptisms are thus recorded:—"1702, Nicholas ye Son of Stephen Marshall Attorney and Mary his wife w<sup>s</sup> borne ye 10 and baptized ye 18 of February. 1705, Stephen ye Sonn of Stephen Marshall Attorney and Mary his Wife Borne July 10th Bap<sup>d</sup>. 15th. 1709, Francis ye Son of Stephen Marshall and Mary his wife was born May ye 28 and baptized ye 2nd of June." Mr. Stephen Marshall did not attain to any great age, having died at the age of fifty. His burial is thus recorded in the Register:—"1719, Mr. Stephen Marshall was bured in woollen only Novem. ye 15th." And on a blue stone lozenge over his grave is this inscription:—"Here lyeth the body of Stephen Marshall Gent. He Departed this life Nov. A.D. 1719. Aged 50 years."

The wife of Mr. Stephen Marshall, who had been Miss Mary Knapp, of Stilton, Bucks., survived him some years, and lived to the age of 80 years. Her burial is registered thus:—"1744, Mary Marshall was buried Feb. 24 in woollen only." She lies in the Church in a grave beside her husband, which is marked by a blue stone lozenge bearing this inscription:—"Here lyeth the body of Mary the Wife of Stephen Marshall, Gent. She Departed this Life Feb. 21, A.D. 1744-5. Aged 80 years." Of the children of Mr. and Mrs. Stephen M., Nicholas, the eldest succeeded to the family estate, continuing their succession in the parish. Of the second, Stephen, and third, Francis, no further traces are to be found here. The third Nicholas M. married Esther Taylor, of

Sandford, and from this Mr. Nicholas and Esther, his wife, were born two sons, whose baptisms are thus registered:—"1736, Nicholas Son of Mr. Nicholas Marshall and Esther his Wife bap. Sep. 8. 1739, Edward ye Son of Mr. Nicholas Marshall and Esther his Wife was baptized July 2nd received into the Congregation of Xts flock Aug. 3." Mr. Nicholas Marshall and Esther, his wife, died within a few years of each other, as shown in the following registers of burial:—"1764, Nicholas Marshall in Woolen March 23. 1770, Ester Marshall in Woollen Jan. 1." They both lie together beneath a long blue stone in the Church, this being the inscription over their grave:—"Here lies the Body of Nicholas Marshall Gent. who died March 20, 1764, Aged 61 years. Also the Body of Ester his Wife who died Decr. 28, 1769, Aged 63 years."

Of the sons of the third Mr. Nicholas M. and Esther his wife, his eldest son, Nicholas, succeeded to the family estate, and the second son, Edward, became a Clergyman. He died unmarried, his death being thus recorded:—"1798, Rev<sup>d</sup>. Edw<sup>d</sup>. Marshall aged 59, of this Parish was buried Sep<sup>r</sup>. 26, in Wool 1798. Registered Sep. 26, by me Giles Prickett Curate." He lies buried in a grave marked with a blue stone lozenge bearing the following inscription:—"Here lyeth the Body of Rev. Edward Marshall He Departed this Life Sep. 18, 1798, aged 59 years."

The fourth Nicholas married Miss Eleanor Coxwell, a lady of an ancient family formerly settled at Upper and Lower Coxwell in Berkshire; and it was in the memory of this lady, as she had heard from others, that, in the time of the disturbances in the reign of Charles I., her grandfather's house was beset by Parliamentary forces, he himself was summoned to appear and answer the demands of Cromwell's soldiers, and, upon declaring his adhesion to the Royal cause, was ejected from his home, and his property confiscated by those who professed to afford protection from tyranny and oppression. Mr. Nicholas Marshall and Eleanor his wife had five children, three sons and two daughters, whose baptisms are thus recorded:—"1768, Nicholas Son of Nicholas Marshall, March 15; 1772, Hester Daughter of Mr. Marshall, July 6; 1774, Edward Son of Nicholas Marshall, 29 March; 1779, Walter Long Son of Nicholas Marshall, May 4; 1781, Miss Mary Marshall Daughter of Nicholas Marshall Gent. May 29.

Mr. Nicholas M. and his wife Eleanor died, the first in 1798, the second in 1832; the latter consequently at a very advanced age, being no less than 87 at the time of her decease. In the Register their burials are recorded thus:—"1791, Nicholas Marshall Esq<sup>re</sup>. aged 55, of this Parish was buried in Woollen 1791 by me Sam<sup>l</sup>. Nash Minister; 1832, Eleanor Marshall Enstone March 16th, 87 years Joseph Sibley Vicar." They are both buried in the Church in separate graves, each being marked with a blue stone lozenge and bearing the following inscriptions:—"Here lieth the body of Nicholas Marshall Gent. He departed this life Oct.



28, 1791, Aged 55 years." "Here lieth the Body of Eleanor Wife of Nicholas Marshall, Who departed this life March 8, 1832. Aged 87 years." The fifth Nicholas M., being the eldest son of the last, became a Clergyman, but never having married he died without issue, and the estate and succession of the family descended to his second brother. He had, however, before his death adopted the additional surname of Hacker, in consequence of property he had inherited, and his brother Edward also took the same name, thus reviving and renewing their original connexion with Colonel Hacker the regicide. The Reverend Nicholas Marshall Hacker died in 1827, and is buried under the Pew belonging to the family, as is recorded on the long blue stone adjoining, which covers the grave of the second Nicholas Marshall. The Register of his Burial and the inscription on the stone are as follows:—"1827. The Rev. Nicholas Marshall Hacker Church Enstone March 17th, 58. Samuel Nash Vicar." "Underneath this Pew lieth the Body of the Rev. Nicholas Marshall Hacker B.A. Who departed this life March 11th, 1827, Aged 58 years." On a marble tablet in the wall over the Pew is a further inscription to his memory which will be given presently.

The sister of the Rev. Nicholas Marshall Hacker, Hester Marshall, was the first female that had been born in the family for more than one hundred years. In the year 1832 she married the Rev. Thomas Oakley, who died in the year 1853, and is buried in the same grave with the Rev. Nicholas Marshall Hacker, and has an inscription to his memory on the marble slab before referred to, which together with that of Mr. M. Hacker, and the Register of Mr. Oakley's burial, are given below.

"1853. The Reverend Thomas Oakley Church Enstone May 3, 84. J. Jordan, Vicar."

"In Memory of A most kind Brother the Rev. Nicholas Marshall Hacker, B.A. Born March 15, 1768. Died March 11, 1827. Aged 58 years; And a most affectionate Husband the Rev. Thomas Oakley M.A. for nearly sixty years a faithful servant of his heavenly Master Born Nov. 1, 1769. Died April 27, 1853. Aged 84 years; Both of whom lie interred in the Vault beneath, this tablet was raised by their loving wife and sister Esther Oakley."

The youngest son of Mr. Nicholas M. and Eleanor his wife received the name of Walter Long in consequence of his mother having been a connexion of the family of Long, one of whom, Miss Tilney Long, the once celebrated most wealthy heiress, married Mr. Wellesley, the brother of the Duke of Wellington, who took the name of Pole in addition to that of Wellesley, and has since succeeded to the title of Baron Mornington. Walter Long M. died unmarried at the age of 25, and is buried in the church under a blue stone lozenge bearing the following inscription, the Register of his burial being thus entered:—"1805. Walter Long Marshall aged 25 of this Parish was buried April 11. Registered by me Samuel Nash." "In memory of Walter Long Son of Nicholas

and Eleanor Marshall Gent. Who departed this Life April 4, A.D. 1805. Aged 25 years."

The youngest daughter of Mr. Nicholas M. and his wife Eleanor, was Mary, who married the Rev. W. Loggin of Buckish in the County of Devon. He was the grandson of Johanna the daughter of Harry and Mary Cole, whose family, as shown on their gravestones in the Chancel, came from Buckish in Devonshire, and resided here for some time in the ancient Rectory house. Johanna Cole married a Mr. Loggin, and her grandson Rev. W. Loggin married Miss Mary Marshall. She died early, and is buried in the Church under a blue stone lozenge, the inscription thereon, and the Register of her burial being as follow:—"1808. October 6, Mary Loggin aged 27 of this Parish was buried. Registered by me Samuel Nash." "In memory of Mary Loggin of Buckish Devon, and daughter of Nicholas and Eleanor Marshall who departed this Life Oct. 20, A.D. 1808. Aged 27."

The Reverend Edward Marshall Hacker, the second son of Mr. Nicholas M. and Eleanor his wife, succeeded on the death of his brother to the estates, and through him the family still continues. He married twice. His first wife was Miss Priscilla Churchill of Deddington, who died young, and left no family. Her death is thus recorded in the Register:—"1804. Priscilla Marshall aged 29 of this parish, wife of the Rev<sup>d</sup>. Edward Marshall was buried August the 18th. Registered by me Samuel Nash." On a blue stone also is the following:—"In memory of Priscilla Wife of Rev. Edward Marshall who departed this life August 12, 1804. Aged 29 years." His second wife was Miss Burton, daughter of Rev. Dr. Burton, Canon of Christ Church, Oxon., and neice of Mr. Justice Burton, an Irish Judge of considerable eminence. In right of his second wife, who was an immediate descendant of the famous Dr. Jenner of Gloucester, the discoverer of the art of Vaccination, he became possessed of very considerable property which Dr. Jenner had amassed; and by inheritance he succeeded to valuable landed property at Sandford, which came by marriage from the Taylors there, and to the property at Churchill, which descended from the Hackers. Although the first wife of Rev. Edward Marshall Hacker was buried here, he was himself buried at Iffley, where he had lived on property that had come to him through his second wife, who is also buried there. They had three sons and one daughter, but none of them have been born in this parish, so that their baptisms cannot here be certified. Their names are: Rev. Edward Marshall, married his cousin Miss Burton, who died, leaving a son Edward and a daughter; Rev. Jenner Marshall married Miss Stohart; Nicholas Marshall deceased, and Mary Anne Marshall. In concluding this account of the Marshall family, of whom there were in the parish until recently fuller memorials than of any other family, it must be stated that in the renewal of the Church all the stones covering their graves were, by the desire of the family, buried under the present flooring in order that its handsome character might not be spoiled.

1657. BURNETT. In the Marriage Register for the year 1657 occurs the following entry:—"March An. 1657, Will<sup>m</sup>. Burnett gen. and Mrs. Bridget Browne wid. were married the first day of June, publication Thereof being made according to Ordinance." The William and Bridgett Burnet so married had two children, the names of which, and the circumstances of the birth of one, indicate in the parents an enlightened and scriptural piety. The birth and baptism of the first is thus entered:—"March the 25, Ano. 1658. Obadiah Burnett the sun of Mr. William Burnett and Mrs. Bridgett his wife was borne the 5th day of November and baptised 7th day of December." The name Obadiah, signifying "the servant of the Lord," would not of itself have attracted much attention, as it is a scriptural name of not unfrequent use amongst those who are accustomed to regard the service of the Lord as the most honourable that can be engaged in, according to the holy resolution of Joshua, "As for me and my house we will serve the Lord." But the name given to the second child, the record of its birth without its baptism, implying that its life was of the briefest, and the mention of the night of its birth, all conspire to assure us that the circumstances were distressing, but yet that they were borne with patient submission to the will and ordering of God. The register is this:—"Mashalath-iah Burnett borne December 30, 1659, at night." The name here employed is most peculiar, and doubtless was intended to express devout confidence in God even under affliction. The word occurs as the last portion of the 5th verse of the 20th Psalm, and is rendered in our version, "The Lord fulfil all thy petitions." We are left to conjecture, however, what the nature of the affliction and yet mercy might have been. Possibly the child born to die and yet the mother saved. But the name of Burnett nowhere again occurs, so that all else is doubtful. Since writing as above I have found mention made in a MS. of Gough in the Bodleian Library, at Oxford, of Rev. Sam. Burnet who was Vicar of Enstone, and was ejected in the year 1662, so that it is exceedingly probable that these Burnetts here mentioned were relatives of the subsequently ejected Vicar. This is all the more probable as this is the only period at which the name of Burnett at all occurs here.

1661. READE and COMPTON. There were at this date a William and Elisabeth Reade who had four children: in 1661, Mary; 1663, Compton; 1664, Elisabeth; 1668, Elisabeth. The Christian name of Compton makes it probable that these were ancestors of the family of Compton Reade in Gloucestershire. Whence the family settled here derived the name of Compton does not appear. So far back as the year 1575 there was a family of that name resident here, for in that year Katherine Compton was married to John Butcher, and in 1587 William Compton was buried. Again in 1589 Ann Compton, who seems to have been the widow of William Compton, married William Baker, who

was also a widower of no long standing, and this probably will account for the fact recorded in the register of their marriage that they went to Shipton-upon-Charwell to be married.

1661. EYANS. This was a family that came into the parish after the Commonwealth, and possessed the property connected with the chapel or chantry at the East end of the South aisle in which they are buried. Three generations in succession resided here. I. Richard and Margaret Eyans, whose children born here were: 1661, Elisabeth; 1664, Eleanor; 1666, Margaret; 1667, Asgyla (a son); 1672, Dorothea. Before coming to reside here, however, they had a son Richard born in 1658 who succeeded his father, as we shall presently see. Richard Eyans, the elder, died in 1677, at the age of 44, and was consequently born in 1633. His wife Margaret had died two years before him, in 1675, aged 41. Their graves were covered with long blue stones, which have recently been sunk under the ground in the South Chancel Aisle, where the new seats are placed. The inscription on her stone was:—"Margaret the wife of Richard Eyans Gent., and only Child of Joshuah Hisgill, D.D. and Hester his wife aged 41. Departed this life July the first 1675. The inscription on Mr. Eyans' stone is the following:—

ORIGINAL. Sub hoc lapide juxta cineres dilectissimæ conjugis requiescant ossa Ricardi Eyans Gen. ex quâ duos suscepit filios quatuorque gnatas conjugalis tori castissima pignora in quibus adhuc vivunt superstites. Qui postquam annum compleverat quadragesimum quartum, in fatalem incidit morbum, quem Rheumatismum vocitarunt tunc temporis, Epidemicam, et cæcâ mortis raptus invidiâ quæ vel dignissimis nescit parcere, animam exhalavit, Oct. 3. 1677.

Gratulor extremo, conjux charissima, morbo  
Communem in locum qui dedit esse  
Dimidiam

Et miser . . . . iteram debilis umbra mei.  
Sordida terra, vale, post hinc nil dulcior intus  
Nempe mihi superest unica vita, mori.

TRANSLATION. Beneath this stone rest the bones of Richard Eyans, Gentleman, near the ashes of a most beloved wife, by whom he had two sons and four daughters, the most chaste pledges of his marriage couch, in whom they as if their own survivors yet live. Who, having completed his forty-fourth year, fell into a fatal illness, which at this time being Epidemic they called Rheumatism, and, seized upon by the blind envy of death, who knows not how to spare even the most excellent, breathed out his soul October 3rd, 1677.

Be grateful, most dear wife, to my last illness, which has granted that your (better) half should come to the same place as yourself

Vile earth, farewell, henceforth no inward pleasantness is left me.  
In sooth the only life that remains to me is to die.



This last passage, which we have been compelled from the mutilated state of the original rather to give an idea than a translation of, might be thus versified:—

O wife most dear, thy sweetest thanks are due  
To that last sickness, which has given to you,  
Your better half in the same home to live,

\* \* \* \* \*

Vile earth, farewell ; henceforth no inward joy  
To me is left. It but remains that I,  
As the last sign of life, lie down and die.

II. The second family that succeeded here was that of Mr. Richard Eyans and his wife Elisabeth, of whom there were born, between the years 1680 and 1696, the following children:—Elizabeth, Richard, Hester, Joseph, Rollinson, Anthony, Thomas, John, Margaret, Mary. Mrs. Elisabeth Eyans died in 1707, and Mr. Richard Eyans two years after, in 1709, and their graves were marked by large blue slabs bearing the following inscriptions:—"Here lyes Elisabeth the wife of Richard Eyans, Esq., by whom she had eight sons and five daughters of which nine were living at her decease viz five sons four daughters she departed this life Sep. ye 21, Anno Domini 1707, Ætatis suæ 51." "Ricardus Eyans Armiger obiit Julii 29, Anno Dom. 1709, Aged 51." Two of their children were buried near them in graves covered with white stones having these inscriptions:—"Mary the daughter of Richard Eyans Gent and Elisabeth his wife was born July 17 and died ye 28 of the same moneth 1696." "Here lieth interred the body of Joseph Sone of Richard and Elisabeth Eyans Who departed this life 1687."

III. A third family in succession, that of Mr. Richard Eyans and Jane his wife commenced here, and two children were born to them: in 1710, Jane; 1711, Richard; but no farther mention or notice is traceable of them in the parish. Their estate, and the Chancel aisle in which the family are buried, have long since passed into the possession of the Ditchley family. Their mansion formerly stood on the ground which now forms the paddock in front of the Vicarage. The last remains of the mansion were pulled down about the year 1845, and the very last relic of all taken down was the ancient coach-house and stabling, in which were formerly kept such a coach as in bygone times was suited to the heavy state of our country roads, and its four horses which were required for exciting it to progress. "Sic transit gloria mundi," so passes away the world and all its glory, but at railroad rather than four-horse pace.

1675. EELEY. In this year Henry Eeley married Catherine Holloway, and they had, in 1676, Adeliza; 1679, Henry; 1685, Francis; 1688, Thomas. The family have continued to the present time, and appear always to have had a Henry and a Francis, as they still have even now.

1695. TILLIARD. Although this name appears only once in

the Register, yet the entry of it both indicates the residence of a family of note here, and at the same time enables us to detect and trace out one of the many mansions of the gentry that have at different periods existed here. The entry in the register thus referred to is the following:—"Catherine the Daughter of Mr. St. John Harry Tilliard and Mrs. Elisabeth his wife was born February the 25 and baptised March the 26 at his Lodge in Woodford Park, 1695."

1695. **STONEHOUSE.** Only one mention is made of the family of Stonehouse, when in 1695 "Sir George Stonehouse, Bart. died ye 13 and was buried in woollen the 17 of April." No doubt he was an ancestor of Sir James Stonehouse, Bart., a physician and divine, who was born in the adjoining county of Berkshire, and was at one time celebrated as an infidel, but by the perusal of Doddridge's *Rise and Progress of Religion* was converted and became an eminent clergyman. The connexion of Sir G. Stonehouse with this parish arose from the fact of his mother being of the family of George Cole, Esq., at that time resident at the Rectorial Mansion here, as appears from the following inscription on his grave stone in the chancel:—"Here lyeth the body of Sir George Stonehouse Baronet the only son of Sir John Stonehouse Baronet of Amender Hall in Essex by Dame Elisabeth his wife the daughter of George Cole Esquire of Buckish in the county of Devon. He departed this life on the 13th day of April, 1695. Aged 16. Here also lyeth the body of Dame Eliz<sup>th</sup>. Stonehouse who died July 20th 1718."

1710. **BLACKWELL.** In the account given of the Bolton family it was stated that they leased their property in the year 1710 to Thomas Blackwell of Fullwell, in the parish of Spelsbury, for eight years. This Thomas Blackwell appears to have brought with him into the parish three sons, all of whom married and had large families. These, with their wives were: William and Frances Blackwell, who had eight children between 1716 and 1735; Thomas and Mary Blackwell, who had nine children between 1729 and 1749; and John and Ann Blackwell, who had six children between 1735 and 1748. The family was continued in 1769 by John Blackwell who then had one daughter, Ann, after which the Registers do not inform us much respecting them. In the year 1737 Thomas Blackwell was made one of the Feoffees of the Church lands, and was one of the survivors in 1774, when the next deed was made, and when Thomas Blackwell, Yeoman, and John Blackwell the younger, became Feoffees. In 1824 Joseph Blackwell was made a Feoffee and remains so to this time, 1857.

1711. **PERROT OR PARROT.** There were two families of this name resident here about this period, one of whom was in the position of labourers, and the other in a higher rank, for in the year 1711 Charles Perrott, gentleman, was Steward of the Manor under the Earl of Litchfield, at that time Lord of the Manor.

1715. **BENNETT.** This is a family that has been resident here

from this date at least, and has maintained itself in much respectability, and promises to do so still. The late parish Clerk, Edward Bennett, who served that office for about 46 years, was of this family.

1721. EARL OF LITCHFIELD. One member only of this family appears in the registers; for although Ditchley, which gives the name to the residence of that family, now by intermarriage that of the family of Viscount Dillon, is situated within the parish of Enstone, the mansion stands in the adjoining parish of Spelsbury. In the year 1721 occurs this entry:—"Frances ye Daughter of ye Right Hon<sup>ble</sup> ye Earl of Litchfield and ye Lady Frances his wife was baptised Decem<sup>r</sup> ye 16, 1721."

1722. BEVIN OR BIFFIN. In 1722 this name first appears, when we have born, David the son of William and Anne Bevin, and in 1724 Elisabeth daughter of William and Hannah Biffin, which, notwithstanding the dissimilarity in the spelling of the names, are clearly the same family.

1728. HARTLEY is the name of a family who have held and worked the Mill at Church Enstone from about this date until the year 1856, the last member of the family remaining with us having retired from business to spend the remainder of his days in the ease which his own exertions have honourably secured to him.

1741. WARD. The family of a clergyman of this name was resident here according to the following entry:—"Catharine Elisabeth ye Daughter of Rich<sup>d</sup>. Ward Clerk and Mrs. Elisabeth his wife was born and baptized June 30<sup>th</sup>. 1741." According to the Overseer's Account Book he was Curate here for a short time during the years 1739-41.

1767. JOLLY. The name of John Jolly occurs in some of the oldest Manorial Records we have given. The family that has recently lived here came from Islip, and the late Mr. John Jolly, in consequence of the number of ricks he was accustomed to raise and heap on one spot, gave occasion for its name of "Jolly's Ricks."

1773. BREWER. In the register of Baptisms occurs "Sarah daughter of Parmenio Brewer a soldier. 28 March."

1792. LISTER. In this year the following entry occurs amongst the Burials:—"Mary Lyster Wife of Rich<sup>d</sup>. Lyster Esq. of the Parish of Charlbury aged 41 was buried in Woollen June 28<sup>th</sup>. 1792. Registered 28<sup>th</sup> of June by me Sam<sup>l</sup>. Nash Vicar."

This Mrs. Lister was the daughter of Dr. Rodd, Rector of Barton-on-the-Heath, and sister-in-law of Rev. S. Nash, at that time Vicar of this parish. The Listers were of a very ancient family, and have within the last sixty years been ennobled. Their most ancient settlement was in the County of York, where in 1312, John Lister, son of Thomas Lister, married Isabel, daughter and heiress of John de Bolton, Bowbearer of Bowland. From them have the present Listers descended, as well those who were connected here, as those who have remained seated in Yorkshire. In

1797 Thomas Lister of Gisburne Park, Co. York, was elevated to the peerage by the title of Lord Ribblesdale. Besides the Mary Lister mentioned above as buried here, a son of hers, who lost his life at the storming of Guadaloupe, was also buried near his mother in the south aisle.

1792. SUMMERSCALES. Within a month of the last named Mrs. Lister, her sister Mrs. Summerscales died, and was buried, according to the following entry:—"Frances Summerscales aged 36 of this Parish July 12<sup>th</sup> by me Sam<sup>l</sup>. Nash Minister." The three Sisters, Misses Rodd, had resided here some time in a residence at Neat Enstone.

1799. CARVER. At the western end of the middle aisle of the Church, under a blue diamond was buried Rev. Dr. Carver, but what was his connexion with the parish does not anywhere appear, for except the register of his burial there is no reference to any family of that name. The inscription over his grave was the following:—"Rev. Henry Carver L.L.D. Rector of Bredicote Worcestershire, Vicar of Farnham Surry, Prebendary of Lichfield Died May 29, 1799. Aged 34."

1844. GODDARD. Rev. Richard Goddard, M.A. of St. John's College, Oxford, and of the family of the Ambrose Goddards, of Swindon, resided here at Broadstone Hill for many years, and died and was buried here in the year 1844. Besides contributing to the erection and maintenance of the National Schools, and aiding many by his benevolence during his life, he left at his death the sum of £100 to be expended at the rate of £10 annually at the sole discretion of the Vicar. It was applied in the formation of a Clothing and Bedding Fund, by means of which more than £30 a year was expended in those useful articles for the benefit of the poor. He is buried in the south chancel aisle, where there is a monumental record of him.

1853. OAKLEY. Rev. Thomas Oakley, M.A. of Brazenose College, Oxford, and of an ancient family of that name in Herefordshire, resided here for a few years before his death in 1853, when he was buried in the north aisle immediately below the marble slab recording his decease. Mr. Oakley had been for sixty years one of the most patiently laborious clergymen of the Church of England, at times walking thirty miles in the day to discharge his duties, in the fulfilment of which he was most conscientious and painstaking. He was most kind and considerate to all classes, a faithful but not bigoted Churchman, earnest and zealous according to his ability, and yet during sixty years never became more than a hardworking Curate. So ill does the Church of England encourage laborious zeal.

Hitherto our information respecting Names and Families has been derived from the parochial Registers, but we still possess some other records, as parochial account books, from which a few interesting gleanings of the same kind may be made.

Our oldest Overseer's Book furnishes us with the names and



autographs of the magistrates of this neighbourhood for a long series of years, and so introduces us to persons and names we might otherwise be unacquainted with. In some instances the old Latin form of allowing the accounts is preserved as thus:— “Aprilis 14<sup>to</sup> 1676. Allocat<sup>r</sup> p<sup>r</sup> nos Justicianos subscriptos. Littleton Osbaldeston. William Sheppard.” “Aprill 19<sup>th</sup> 1682. Allocatur per nos Justicianos ad pacem in Com. prædict. Thomas Rowd. William Sheppard.” The meaning of which is “Allowed by us Justices for the peace in the County aforesaid whose names are hereunto subscribed.” The Latin form, however is curious, as being one of the last lingering relics of the state of things before the Reformation, when all learning, not only religious but legal, was shut up from the people, and rendered a mystery to them, by being secluded in the unintelligible form of a dead language. But yet strange to say, such is the ingenuity of the craftsmen, the English language itself, although liberated both in legal documents and in our church services, has been made in the hands of lawyers, and according to the lengthy system of special pleading and conveyancing that has grown up, to become almost as unintelligible and quite as mysterious to the mass of the people, as ever any ancient Latinized deed was. It is not our present business, however, to concern ourselves with that expert class of legists whose powers of verbal multiplication and mystification are so great, but rather with those honourable and worshipful gentlemen, who, at much cost and labour to themselves and none to the country at large, have from time to time according to the best of their judgments and ability conducted the administration of the laws, and discharged the responsible offices of Justices for the peace of the King his Crown and Dignity. The names of such Magistrates as in the exercise of their functions have left their names recorded in our books, we will now give in chronological and family order, appending to them the periods during which they acted, and any other matters that may be collected respecting them.

In 1661 Fra. Wenman and Tho. Fforde signed, but not afterwards. From 1661 to 1690 for twenty-three years Littleton Osbaldeston signed. His family had been resident here since 1610, and as in 1694 Jarlamont Osbaldeston is described as having died at Neat Enstone, their mansion was no doubt there. Littleton Osbaldeston was succeeded by W. Osbaldeston who acted eleven years, from 1712 to 1738. During the period from 1662 to 1674 Tho. Penyston signed eleven times. He was succeeded by Ffairmedow Penyston, who, between 1685 and 1705, signed seventeen times. Some years after, in 1755 and 1769, F. Penyston signed. The first of these was Sir Thomas Penyston, Bart., of Cornwall, who married Elizabeth, sole daughter and heiress of Sir Cornelius Fairmeadow, from whom the next baronet Sir Fairmeadow Penyston acquired his name. The arms of the Penystons were, Argent, three Cornish choughs proper. William Walter

signed in 1663 and 1672, Jo. Walter in 1706, and Rob<sup>t</sup>. Walter six times between 1723 and 1731. Sir Francis Henry Lee, of Ditchley, the immediate descendant of the famous old Sir Harry Lee in Scott's classical and historical tale of Woodstock, the third baronet, and the father of the first Earl of Litchfield, signed in the years 1665 and 1666. Ro. Jenkinson, between 1675 and 1709, signed fifteen times, and was succeeded by R. B. Jenkinson, who, between 1716 and 1737, signed sixteen times. The former of these was Sir Robert Jenkinson, Bart., and the latter Sir Robert Banks Jenkinson, Bart. The son of the last, also Sir Robert Jenkinson, Bart., died without issue at Hawkesbury, in Gloucestershire, of which they had possessed the manor, part of the impropriated tithes, and the patronage of the living.—Rudder's Gloucestershire. In 1777 Sir Banks Jenkinson was in possession. The arms of the family were, Azure, on a fess undy argent, on a cross paty Gules; in chief two estoiles Or. From 1676 to 1683 Rev. W<sup>m</sup>. Sheppard signed five times, and was succeeded by Robert Sheppard, who, between 1691 and 1698, signed seven times, being followed by Will. Sheppard, who, between 1712 and 1717 acted four times. In a list of the gentry of Oxfordshire for the year 1673, there are mentioned William Sheppard, resident at Great Burford, and William Sheppard, resident at Great Rowright, or as it is frequently spelt, Rowlandright. In 1677 Edmond Warcup acted; in 1681, Tho. Rowd; in 1683 Tho. Wise; in 1686, Giles Reade; and T. Reade in 1710; and in 1687 Edm<sup>d</sup>. Goodere. Between 1708 and 1714 Harry Cole, who resided at the Rectorial residence at Church Enstone, signed as a Magistrate four times, his name constantly occurring as a parishioner for a much longer period. Rob<sup>t</sup>. Barber signed in 1711. Jona. Cope acted almost without intermission from 1721 to 1756. For a period of years, between 1740 and 1752, J. Lenthal, a descendant of the too famous Speaker of the Parliament during the Commonwealth, frequently signed. In 1747 Rob<sup>t</sup>. Leyborne, in 1753, Jo. Travell; in 1756, Edw<sup>d</sup>. Stone; in 1770, J. Jones; and in 1773, the Earl of Litchfield successively acted.

## CHAPTER X.

## MISCELLANEOUS SUBJECTS.

I. ANCIENT CHAINED BOOKS. A striking memorial of the past, telling of the days when learning was rare, and books were scarce, and contrasting strongly with our own times, when many run to and fro, and knowledge is multiplied, exists in a few volumes of divinity, still bearing the chains with which for security they were set up in the Church for public perusal. It may seem strange to our present ideas to learn, that, even in such a place as a church, it should have been necessary to make books secure for public reading; but this will the less surprise us when we learn that the practice was not confined to churches, but was deemed necessary even in the comparative privacy of educational establishments. Dr. Gascoigne, one of the benefactors of Oriol College, Oxford, besides contributing five marks towards the building of the library gave "several volumes to be *chained* therein for the use of the students of the said college."—Ingram's Memorials. Of the place in the church which these books occupied there is no record or sign, but the books themselves are valuable standard works of divinity to this day, and evidence the desire of the donors, whose names are in some instances preserved upon them, for the religious edification and improvement of the people. Below is a list of these volumes, with such observations as their present condition demands. It will be at once observable how, according to the age and circumstances of the times, the style of divinity selected for common reading varied, and was adapted to its prevailing exigencies.

1. Foxe's Booke of Martyrs, entitled, "The First Volume and The Second Volume of the Ecclesiasticall Histories, conteyning the Acts and Monuments of Martyrs, &c. Newly recognized and enlarged by the Authour John Foxe. At Lunden Printed by Peter Short, dwelling on Bread-street Hill at the sign of the Starre. Anno Domini, 1596." It is a fine old copy in folio and in black letter, slightly broken and mutilated from its ponderous size, the two volumes being in one and containing 1949 pages besides the index. The whole body of the work is perfect, but the title-page of the first volume, and a few pages of the Calendar at the beginning and the Index at the end are wanting.

2. A volume of treatises on the Roman Controversy, by John White, D.D. The title-page of the first is wanting, but that of the second is as follows:—"A Defence of the Way to the True

Church, against A.D. his reply, &c. By John White, Doctor of Divinity, sometime of Garwell and Caius Coll. in Cambridge. At London Imprinted by Felyx Kyngston for William Barrett, 1624." Thirdly, it contains, "Two Sermons the former delivered at Paul's Cross 24th of March 1615; the Latter at the Spittle on Monday in Easter Week, 1613. By John White D.D." Fourthly, "The Orthodox Faith and Way to the Church Explained and Justified: in answer to a Popish Treatise, entituled, White died Blacke. By Francis White Doctor in Divinitie and Deane of Carlisle, elder brother of Doctor John White. Printed at London by John Haviland for William Barret, 1624."

3. A volume of Sermons by Thomas Adams, a witty and learned divine, but the title-page, and the first 250 pages being wanting, we only glean the fact of his authorship from two title-pages to two of the sermons in the interior of the volume. The whole volume contains 1240 pages, and the sermons are of considerable length, but they are full of that kind of inuendo, wittiness, punning, and repartee, which were the delight of the age, though utterly contrary to that great example of preaching, St. Paul, so happily described by Cowper, when denouncing what yet remained of this jesting vein even in his day.

He that negotiates between God and man,  
As God's ambassador, the grand concerns  
Of judgment and of mercy, should beware  
Of lightness in his speech. 'Tis pitiful  
To court a grin, when you should woo a soul;  
To break a jest, when pity would inspire  
Pathetic exhortation; and to address  
The skittish fancy with facetious tales,  
When sent with God's commission to the heart!  
So did not Paul. Direct me to a quip  
Or merry turn in all he ever wrote,  
And I consent you take it for your text,  
Your only one, till sides and benches fail.  
No: he was serious in a serious cause,  
And understood too well the weighty terms  
That he had taken in charge. He would not stoop  
To conquer those by jocular exploits  
Whom truth and soberness assailed in vain.



With gratitude to Cowper, who may be said by this just and powerful rebuke, entirely to have freed the pulpit of jesting and witticism, such as prevailed especially in the reign of James the First, we may rejoice that such a style has entirely passed away, and that the sanctifying power of the truth is tried and proved by the simple preaching, and rightly dividing, of the Word of God. But to return to the volume of Sermons by Thomas Adams. The Title-page of one of these is this:—"Eire-nopolis, The Citie of Peace. London Printed by Augustine Matthews for John Grismand, 1630." This has a dedication, "To all that love Peace and Truth," which is signed, "The

heartie desirer of your peace, Tho. Adams." The Title-page of another is, "The Soldier's Honour. Preached to the Worthie Companie of Gentlemen that exercise in the Artillerie Garden, and now on their second request, published to farther use. London, Printed by Augustine Matthews for John Grismand, 1629." This also has an Epistle Dedicatorie address to the Gentlemen before whom it was preached, which is full of jests and witticisms on warfare, of which this is a specimen:—

"Be you but ready for worse, and I durst warrant your peace. Whilst you are dissolute, they grow resolute. Ludovicus Vives reports that the young nobles and gallants in Spaine, were faine to such levitie of carriage, that instead of marching to the sound of the Drum, they were dancing Levaltos to the Lute in a Ladies chamber: their Beavers were turned to Bever hats." And so he proceeds with what the apostle would call "jestings which are not convenient." I have cited the passage, however, because of its strong similarity to one that Shakespeare has put into the mouth of the Duke of Gloucester, afterwards Richard III.:—

And now, instead of mounting barbed steeds  
To fright the souls of fearful adversaries  
He capers nimbly in a lady's chamber  
To the lascivious pleatings of a lute.

Either Shakespeare borrowed his idea from this Ludovicus Vives if Adams has described him faithfully, or what is more probable, perhaps, Adams adopted his description from Shakespeare, whose plays were then in full vogue.

4. A volume of the Works of the Author of the Whole Duty of Man. It contains, first, "The Whole Duty of Man," the title-page of which, and much of the first page, are gone: second, "The Cause of the Decay of Christian Piety:" third, "The Gentleman's Calling." All three bear the following imprint: "London, Printed by Roger Norton, for Robert Pawlet, at the Sign of the Bible, in Chancery-Lane, near Fleet Street, 1683." Then succeeds, "The Second Part of the Works of the Learned and Pious Author of the Whole Duty of Man. Printed at the Theatre in Oxford and are to be sold by George Paulet Bookseller in London 1684." This second part contains these Tracts: "The Ladies Calling, The Government of the Tongue, The Art of Contentment, and The Lively Oracles given to us." This volume has been much used and mutilated, but there yet remains on its dishevelled cover this inscription:—"The Gift of ye Worshippfull Sir Edward Waldo of Pinnar in the County of Middlesex to the Parish of Enstone in the County of Oxford."

5. A nearly perfect volume, being "A Companion to the Temple or a Help to Devotion in the Use of the Common Prayer, &c. By Thomas Comber D.D. London, Printed by Samuel Roycroft, for Robert Clavell at the Sign of the Peacock, near the West end of St. Paul's Church, 1684." The inscription on the cover of this

book states it to have been, "The Gift of Thomas Martin Gent. Late of Rowsham to ye Church of Enston."

6. "A Collection of Cases and other Discourses lately written to Recover Dissenters to the Communion of the Church of England. By some Divines of the City of London. London: Printed for Thomas Basset, at the George in Fleet Street, and Benj. Tooke, 1694." The writers of these Discourses were: Dr. Grove, Lord Bp. of Chichester, Dr. Sherlock, Dean of St. Paul's, Dr. Williams, Dr. Freeman, Dean of Peterborough, Dr. Sharpe, Lord Archbp. of York, Dr. Calamy, Dr. Scott, Dr. Claget, Dr. Fowler, Lord Bp. of Gloucester, The Dean of Worcester, Dr. Resbury, Dr. Tillotson, Lord Archbp. of Canterbury, Mr. Evans, Dr. Hascard, Dean of Windsor, Dr. Patrick, Lord Bp. of Ely, Dr. Tennison, Lord Bp. of Lincoln, Dr. Cave, and Dr. Hooper, Dean of Canterbury. A great array of very noble divines, and a valuable volume of divinity, as containing the most probably that could at that time be advanced in defence of the ecclesiastical system of the Church of England, and dissuasive of the then rising sects in England not to increase separation from the Established Church, and division thereby in the household of Christ. This volume bears on the cover this inscription: "D.D. Vir Claris: Car: Aldworth Savilian: Professo: & Coll: Magda: Oxon: Socius. Anno Domini MDCXCVI." Which in English is "Given by that very renowned man, Charles Aldworth, Savilian Professor and Fellow of Magdalen College, Oxford, A.D. 1696."

7. A volume containing fifty-four Sermons, and The Rule of Faith, by Archbp. Tillotson. The title page to the volume is wanting, but that to the Rule of Faith is as follows: "The Rule of Faith, or an Answer to the Treatise of Mr. J. S. entituled Sure-Footing, &c. By His Grace John late Lord Archbp. of Canterbury. The sixth edition. London, Printed by W. Richardson, for Brabayon Aylmen, at the Three Pigeons against the Royal Exchange in Cornhill; and William Rogers, at the Sun against St. Dunstan's Church in Fleet Street, 1701." This volume bears on its cover this inscription. "The Gift of the Honour'd Esquire Keck. 1701."

II. THE ANCIENT HIGHWAYS. In examining into the Ancient Highways of England, we must bear in mind the very different mode of transport in use amongst our ancestors, and then we shall not be either surprised or misled when we come to trace out the remains of public roads existing a few centuries past. Coaches, for any purpose at all, but especially for travelling the length and breadth of England, are of comparatively modern invention. Previous to their introduction the saddle horse and pillion, and the pack horse, were the only means of conveyance for either persons or goods, and the roads consequently were of very different breadth and construction from any that now exist. Beckman, in his History of Inventions and Discoveries, informs us, that, "The oldest carriages used by the ladies in England were known

under the now-forgotten name of *whirlicotes*. When Richard II., towards the end of the fourteenth century, was obliged to fly before his rebellious subjects, he and all his followers were on horse-back; his mother only, who was indisposed, rode in a carriage. This, however, became afterwards somewhat unfashionable, when that monarch's queen, Ann, the daughter of the Emperor Charles IV., showed the English ladies how gracefully and conveniently she could ride on a side saddle. Whirlicotes therefore were disused, except at coronations and other public solemnities. Coaches were first known in England about the year 1580, and, as Stow says, were introduced from Germany by Fitzallen, earl of Arundel. In the year 1598, when the English ambassador came to Scotland, he had a coach with him. Anderson places the period when coaches began to be in common use, about the year 1605. The celebrated duke of Buckingham, the unworthy favourite of two kings, was the first person who rode with a coach and six horses, in 1619. To ridicule this new pomp, the earl of Northumberland put eight horses to his carriage . . . Coaches to be let for hire were first established at London in 1625. At that time there were only twenty, which did not stand in the streets, but at the principal inns. Ten years after, however, they were become so numerous, that Charles I. found it necessary to issue an order for limiting their number. In the year 1637 there were in London and Westminster fifty hackney coaches, for each of which no more than twelve horses were to be kept. In the year 1652 their number had increased to two hundred; in 1654 there were three hundred, for which six hundred horses were employed; in 1694 they were limited to seven hundred, and in 1715 to eight hundred." Beckman, vol. 1. pp. 75 and 81. To this account of Beckman I may add, what is within my own knowledge, that a century and more later, that is about 1820, the number of Hackney Coaches was still limited in London to only twelve hundred, and that it required no little interest and patronage to obtain "a pair of plates" as the phrase was, each coach being compelled to have a plate with a number on each door of the Coach. This number of twelve hundred was utterly inadequate to the wants of London, but it was a most difficult matter to persuade the authorities of this, or to obtain an increase of them, so that it was often almost impossible to get a coach for hire. My father exerted himself much to obtain an increase of them, and endeavoured to introduce something of the nature of the Omnibus system, by using the short stages as they were called that ran out of the City to Chelsea, Richmond, &c., but these not being licensed to take up and put down on the stones, that is within the range of the houses of the metropolis, always incurred a risk by doing this. It was, however, by such efforts as these, that the hackney chariots, cabriolets, the useful cabs, and at last omnibuses were introduced.

If, then, coaches came into use so gradually in large cities, it will not surprise us to find that in the country and for general

travelling it was long before they were adopted. When first so employed their form was cumbrous, their progress slow, and their whole design most complicated. The Coach was slung on wheels very far distant from each other. The driver's seat was really a box to carry implements for repairs that were too often necessary. Beneath it was a leathern receptacle formed upward like the leg of a boot, and thence denominated the boot. And behind was a large basket for carrying luggage. Such a conveyance as this at the beginning of the seventeenth century took the better part of three days to journey from Oxford to London. Old Anthony a Wood, the famous Oxford Antiquarian, had in his day gone to London in such an one in an expeditious journey of two days, sleeping a night at Beaconsfield. But he lived to see a wonderful change, and was himself one of the travellers in the first Flying Coach that went the whole journey from Oxford to London in one day in thirteen hours, starting at six and arriving at seven on Monday, May 3, 1669. Such rapidity of travelling excited the protectionist ire of one John Cresset, who predicted the most disastrous consequences from such perilous enterprises, and in a pamphlet entitled "The Grand Concern of England Explained," forewarned the astonished lieges of all manner of troubles in the loss of revenue, the decay of the breed of horses, the ruin of inn-keepers, and a whole host of other afflictions and calamities that were to arise out of the increased celerity of motion assumed by our stage coaches.

Of the heavy and clumsy contrivances of our ancestors to improve even their ordinary means of locomotion and conveyance, Dr. Plot gives a memorable proof, in his account of what was then esteemed a remarkable invention of iron axle trees for carts, and which he thus described:—"About Banbury most of their carts have axel-trees of iron, made square at one end and round at the other; at the square end they are made fast into one of the wheels, and move round together with it; and at the other end they move within the Box of the wheel, and the wheel round them too. With this sort of Axel some are of Opinion that the cart moves much lighter for the cattle, than with a wooden one." Chap. ix. 106.

In such slow times as these, then, we may easily understand that the public highways were of a different character from what they now are, and there yet survive in this parish some of the ancient roads that were in use when the saddle, the pillion, and the pack, were the chief means of conveyance. In an old Road book, entitled "Britannia Depicta, or Ogilby Improved," the first main road described in it is that from London to Aberiswith, and this very accurately sets out the principal road then passing through this parish. It then came through Islip, and leaving Oxford on the left, passed through Bletchington, Kirtlington, Wootton, Glympton, and Kiddington, running through Enstone to Chappel House, Little Rolwright, Long Compton, and Little



Compton to Morton in the Marsh, and thence to Worcester. Of the state of travelling along this road about the year 1780, I have the evidence of a lady now resident here, and who at that time was accustomed to go to Worcester to school, by the Stage Coach that then daily travelled this road. It was a pair-horse coach, and starting from the Litchfield Arms here at eight in the morning arrived at Worcester at eight in the evening, taking twelve hours to do a distance of forty-four miles. Of course much time was consumed in meals and gossiping on the road, for dinner never occupied less than an hour or two, as indeed used to be the case in France only thirty years back on the high road between Calais and Paris. But before this line of road was adopted there was an older one passing through Enstone in a very different direction, and forming at that time the king's highway, which is frequently referred to in the old deeds we have as having passed through Cleveley. It is continually mentioned as denoting the position of the boundary of certain of the lands there spoken of. Thus, in a deed of the year 1341, the piece of land described is thus set out: "Abuttat se super viam quam tendit versus Oxoniam." It abuts upon the road which goes towards Oxford. In another of the same date thus: "Quæ abuttat se super viam quam tendit usque Oxoniam." Which abuts upon the road that goes to Oxford. In a third the situation is thus described: "Quod prædictum messuagium situatum est in superiori parte dictæ villæ ex parte qui veniat super regiam viam vocatam Enston Lane." Which said message is situate in the upper part of the said village (Cleveley) on the side which comes upon the King's highway called Enstone Lane. So in another there is "Abuttat supra viam Regiam versus Aquilonem." It abuts upon the King's highway towards the North. Now this is exactly the situation of the ancient house which stands on its first site, although unhappily it has of late years been modernized, and robbed of the fair proportions its once handsome doorway and windows had. But thus we learn that here was the ancient King's highway leading to Oxford, and which, descending from Church Enstone to Cleveley, passed on through Radford to Kiddington, and thence to Glympton and London as before. This road had various branches, as at Cleveley from the top of the hill it went down the side of the Cliff, as it still does, into the further part of the village, and thence to Fulwell, from which last-named place it took a direction towards Lydstone, the old green lane forming it having been blotted out by the recent enclosure. Its course northward of Church Enstone would seem to have been through Neat Enstone, and thence through Lydstone and Charlford and across to Chapel House. In Beesley's History of Banbury, when referring to the Hoarstone here, he observes, "An ancient trackway, marked in some old maps as 'The London Road,' and communicating with the country about Worcester and Hereford, runs westward from the Hoarstone." This road remained until the time of the enclosure

of the field of Enstone, when it was blotted out, and the road now running to Lidstone substituted for it, but parts of it still remain in the parish, and appear under different names in our Tithe Commutation Map, as from Lidstone to Charlford Green where it is called the Lime Kiln Lane. From Charlford Green it continues without a name until where there is a branch off to New Charlford Farm, after which, under the name of Cow Ditch Lane, which shoots off towards Chapel House, and there has other branches, its course within Enstone parish ceases. But in all this course it was but a narrow road, in parts not so wide as bridle roads are now set out, as may be distinctly seen at that part of it descending to the brook at Cleveley as you approach from Church Enstone, where it is bounded by the ancient wall and hedge, at the entrance to which is a gate with a huge stone set up for it to shut against; and in Cow Ditch Lane, which is enclosed between two high hedges and banks. Between Radford and Kiddington also it retains its original form and width. It was along such narrow rugged roads as these, that our forefathers roughly jaunted on their heavy-paced, broadbacked nags, capable of bearing both the master and the mistress; and it is to roads like these, that such good old conservatives as John Cresset, referred to above, whom some in our own day would doubtless regard as of the wise and good of the past, would still have confined us, forbidding us alike the Yorkshire Highflyer, "the Derby Dilly carrying six inside," the Mails, the Birmingham or Brummagem Tantivy, or even the Railroad which has brought Oxford within one hour and a half's ride of London.

Indeed the changes that have been effected here at Enstone by the railroads are most remarkable. On enquiring of Mr. John Jolly, of this parish, who was during the running of Stage Coaches and Waggoners one of the largest proprietors of both kinds of conveyance, I learn, that as many as twenty-two four-horse coaches passed through Enstone, many of them changing here, in the course of every four-and-twenty hours, some being day and some night coaches; and that at least six heavy waggons went through daily: half of all these going up the road as it was called, towards London, and the other half down. In fact this was one of the great post roads from London to Worcester, Hereford, Birmingham, and other important places.

In some notes upon the roads in this vicinity, made by the late Vicar, Rev. Samuel Nash, who seems to have paid some attention to the subject, and which are to be found in one of the Marriage Register Books commencing 1755, we have the following account given of them:—"As it is probable that the water at Oxford was always passed at the ford, we may see that the original road, to this day called the London drift road, was from Oxford to Campsfield, and from thence through the parishes of Wootten, Glympton, Kiddington, Church Enstone, Heythrop, and Chipping Norton, where it becomes the Birmingham Road and branches off to

Evesham and Worcester. . . . The ancient road from Oxford to Campsfield turned to Stonesfield, where was a Roman Military Station near the king's domains, as appears from a tessellated floor, the quantity of Red Roman Tiles and Coins that have been of late found in that parish. From Stonesfield it leads through Ditchley Farm to the Park, where it is at this day called the Roman road; it then passed before the House, through the Farm-yard to Lidstone and Chipping Norton. And a branch from it crossed Cleveley Field, and is now visible on the west side of the new Banbury Road at Woodford; it then crosses Church Enstone field, and is to this day called the Iron Monger's or Military Way, and led through Little Tew Field to Pomphret and Hook Norton. . . . Of late years a new road has been made from Woodstock to Chipping Norton, through the Village of Enstone." As I have frequently heard the first making of this last-named road described, it may be well to mention that the way in which it was commenced was by ploughing up the whole length of it, and that the furrow thus ploughed up running through Enstone was six miles in length, the team ploughing the whole length from end to end, to end at each *bout* as the ploughmen term it. With respect to the road described above as passing Ditchley farm, the Park before the House, through the Farm-yard, &c., Mr. Nash was altogether in error, having mistaken the blotting out of the old blind ditch at all these points which is the boundary between Enstone and Spelsbury for the remains of a road.

Of the former condition of some of our other roads, before they became, as they now are, turnpike roads, we have evidence from various sources. That part of the Charlbury and Great Tew road, which passes through our parish near Woodford, formerly had a much more precipitous and narrow course down to the ford at Woodford than it now has, and thus its former course is visible in the deep hollow parallel to it. This ford, and the bridge at it, are occasionally mentioned in the Enstone Manor Court Rolls, as in the years 1726 and 1727, Woodford bridge is presented as needing repair; and again in the years 1762 and 1766, "Woodford Ford and the Sink under it" are presented. From the same source we also learn something of the state of the Bicester and Enstone turnpike road, particularly that part of it now commonly known as Marshall's Lane. Thus in the years 1721 and 1728 Stonybridge and the highway in Church Enstone were presented; and in the years 1763 and 1766 "the Highway from the Town Well in Church Enstone to Stoney Bridges" was again presented. The state of this particular piece of road within a very few years after the last date of its presentment I have upon the evidence of a lady who then lived beside it, and consequently was well acquainted with it. On each side of the road were high sloping banks, along which stood very lofty trees, growing in such a manner that their roots spread from one side of the road to the other, intertwining in the middle, and protruding their "old

fantastic roots" above the surface, in such a manner that any vehicle passing up or down was severely tried and bumped. No wonder, then, that such roads were complained of and presented at the court. Nor was this one singular in its ruggedness. The same lady tells me that such was the state of the road between Enstone and Great Tew, that it was a day's journey to toil along its deeply rutted course.

III. PAROCHIAL STATISTICS. *The Acreage* of the Parish of Enstone, as stated and recognised amongst the Proprietors, at the Commutation of Tithe, was reputed to be the following:—

Subject to Tithes	Arable.....	4915	
	Meadow or Pasture	959	
	Water.....	3	
	Homesteads.....	18....	5895
Exempt from ,,	Rectl. Glebe Arable	31	
	,, ,, Pasture	14....	45
	Vical. ,, Arable	26	
	,, ,, Pasture	1....	27
			5967

This statement, however, although deemed sufficiently accurate for the purpose of determining the commutation of the Tithe, was not by any means considered so for apportioning the payment of the Rent Charge for which the Tithe had been commuted amongst the several Proprietors. To effect this the most accurate survey and admeasurement of the parish that has ever existed was made, and this gives the following amended and more correct account:—

				A.	R.	P.
Subject to Tithes	Total so subject .....	6064	1	14		
Exempt from ,,	Rectl. Glebe .....	53	0	24		
	Vical. ,, .....	25	2	33		
	Roads.....	34	0	34....	113	0 11
	Total acreage.....	6177	1	25		

*The value of the Tithe* to be commuted for Rent Charge, as agreed upon and finally settled between the Tithe owners and the Proprietors was the following:—

	£	s.	d.
Vicarial Rent Charge in lieu of Tithe .....	300	0	0
Appropriated ,, ,, ,, .....	1240	14	11
	1540	14	11

*The Gross estimated Rental* of the Parish, for the purpose of levying rates, and the amount of Rates levied at the present time are as below:—

	£	s.	d.
Gross estimated Rental .....	11,809	10	10
Four rates at 1/4 <sup>1</sup> / <sub>4</sub> in the £ for 1855.....	709	9	2 <sup>3</sup> / <sub>4</sub>

The population of the parish, for each Census year of the present century, I have been favoured with by the kindness and courtesy of the Registrar General, for which I beg leave thus to tender him my very respectful thanks. From the rates of Births, Deaths, and Marriages for the County of Oxford, which he has also obliged me with, may be formed some probability as to the amount of the population during such periods as the Registers seem to give occasion for confidence in them, according to the tables I have constructed from them.

## PARISH OF ENSTONE, OXON.

(Area in Statute Acres, 6177.)

POPULATION.						
	1801	1811	1821	1831	1841	1851
<b>Enstone Parish :</b>						
Lidstone Hamlet ..			146	166	161	197
Church Enstone ..			254	240	237	263
Neat Enstone ....			326	370	378	418
Cleveley .....	912	962	214	253	198	228
Radford .....			74	84	90	67
Gagingwell .....			63	59	57	76
<b>Total .....</b>	<b>912</b>	<b>962</b>	<b>1077</b>	<b>1172</b>	<b>1121</b>	<b>1249</b>

	HOUSES.					
	1841.			1851.		
	Inhabited.	Uninhabited	Building.	Inhabited.	Uninhabited	Building.
<b>Enstone Parish :</b>						
Lidstone Hamlet....	31	2	.	36	1	2
Church Enstone.....	53	.	.	53	.	.
Neat Enstone.....	79	8	.	91	1	.
Cleveley.....	39	6	.	48	1	.
Radford.....	20	.	.	15	2	.
Gagingwell.....	12	.	.	16	1	.
<b>Total .....</b>	<b>234</b>	<b>16</b>	<b>.</b>	<b>259</b>	<b>6</b>	<b>2</b>

In the Districts of the *County of Oxford* in the year 1853 (the latest for which the abstracts are made up), the following were the Rates of Birth, Death, and Marriage :—

To 1000 Inhabitants—Births.... 29.57  
Deaths .. 20.38  
Marriages. 7.22

GEORGE GRAHAM,  
Registrar General.

General Register Office,  
8th February, 1856.

TABLE OF BAPTISMS, MARRIAGES, AND BURIALS,  
FOR PERIODS OF TEN YEARS.

PERIODS Ten Years or less.	BAPTISMS.				MARRIAGES.				BURIALS.			
	Highest Number	Lowest Number	Average Number	Total Number	Highest Number	Lowest Number	Average Number	Total Number	Highest Number	Lowest Number	Average Number	Total Number
1558-60	10	3	6	18	3	0	3	3	2	2	2	6
1561-70	10	1	6.8	68	5	0	1.4	14	7	2	3.8	38
1571-80	22	5	11	110	7	0	3	30	11	3	4.6	46
1581-90	16	9	12.6	126	7	2	3.7	37	11	3	5.6	56
1591-00	15	8	12.2	122	6	2	3.7	37	22	3	7.7	77
1601-10	15	7	11.1	111	7	1	3.2	32	10	2	5.6	56
1611-20	20	4	13.3	133	4	0	2.9	29	10	3	6.5	65
1621-26	15	8	12 $\frac{1}{3}$	74	5	2	2 $\frac{2}{5}$	17	17	5	11	66
1627-60	..	..	..	..	..	..	..	..	..	..	..	..
1661-70	16	1	9.7	97	3	0	1.8	18	10	0	3.2	32
1671-80	12	4	7.3	73	4	0	1.2	12	..	..	..	..
1681-90	21	2	8.4	84	..	..	..	..	..	..	..	..
1691-00	19	9	13	130	4	1	2.8	28	17	8	9.2	92
1701-10	18	9	13.5	135	4	1	1.8	18	14	4	8.9	89
1711-20	19	7	12.5	125	4	2	2.5	25	16	6	9.9	99
1721-30	26	10	17.8	178	4	1	2.8	28	18	4	10.5	105
1731-40	24	14	18.5	185	..	..	..	..	21	4	11.4	114
1741-50	26	15	20.6	206	..	..	..	..	23	7	13	130
1751-60	23	13	18.7	187	7	3	4.7	47	18	6	11.9	119
1761-70	23	12	18.7	187	8	2	4.5	45	25	11	15.9	159
1771-80	38	17	25	250	10	4	6.3	63	17	8	12.9	129
1781-90	36	19	26.8	268	11	2	5.5	55	24	8	15.3	153
1791-00	27	16	23.8	238	10	2	5.5	55	27	9	17.4	174
1801-10	29	10	20.4	204	10	3	5.4	54	24	11	19.8	198
1811-20	29	14	19.8	198	8	2	5.8	58	28	10	16.8	168
1821-30	32	20	26.3	263	13	3	7.8	78	29	11	17.8	178
1831-40	51	17	33.2	332	11	3	6.5	65	36	13	24.7	247
1841-50	20	15	17.7	177	11	3	6.3	63	29	9	19.7	197
1851-55	25	10	15	75	10	5	8	40	24	15	19	96

On reviewing the preceding tables of Baptisms, Marriages, and Burials, it will be easy to see what periods may be at all confided in, as giving approximately accurate accounts; and we may reasonably surmise the causes of apparent defects or inaccuracies. Thus between the two periods 1558-60 and 1561-70 and the six succeeding ones, there is so marked a difference as at once to betray error. When, however, it is borne in mind, that the first two periods, consisting of thirteen years, were the first of the employment of Registers among us, it will not surprise us to find, that some years were required to get them well and satisfactorily into use, and that the more because of the then recent change of

the nation from Popery to Protestantism, and the consequent jealousy of many against any innovation.

The breach of more than thirty years from 1627-60, when no Registers at all are to be found, occurs about the time of that disturbed period when King Charles I. became embroiled with the Parliament, when civil wars resulted, ending in the death of the king upon the scaffold and the elevation of Cromwell to the throne, and when therefore the whole country was disorganized. To judge by the first three periods after this, from the year 1661 to 1690, our population must have suffered very considerably by those turbulent times, for according to our baptisms for that thirty years they fell very much below former averages. Much of this, however, is evidently due to the incorrectness of the Registers, for there were as large *highest years* during that period as in the preceding ones, indicating rather defective entries than a diminished population. We could not venture to calculate, therefore, from any of those periods from 1627 to 1690. Beginning again with the period of 1691-00, and observing that the baptisms and burials from that period to 1791-00 appear comparatively accurate and reliable, we might venture to calculate the probable amount of population for that period, comprising the whole century immediately preceding the time when in England the census has been taken with any regularity and dependence. At the same time it is obvious that we want the proper ratio to calculate by, for that of 1853, as given by the Registrar General, would be no criterion for the earlier years. Lastly it must be mentioned that our parochial registers have of late years become, with respect to Baptisms, very defective data for such calculations, for many children are now baptized and registered elsewhere than in the Church of England.

IV. PAROCHIAL RATES AND ACCOUNTS. The earliest account book we have commenced thus, with the Churchwardens' account to the year 1659:—

“Accompts entered into this book the 4th of Aprill, 1659, as followeth:—

The Receipts weare examined from the 30th 1657 to the 4th of Aprill 1659, and weare found to amount unto the sum of .....	}	34 09 00
Disbursements for the same time amount unto .....		
Due from Thomas Marten to the parishioners.....		01 00 10

John Clarke, Tho. Briquett,  
Mark Huckvale, Robertt Clemment,  
Edward Drinkwater.

Rec <sup>d</sup> by me Thomas Marten the sum of 1 4 0 since this accompt was taken for land in Nete Enston field due for the yeare of our Lord, 1658 .....	}	1 4 0
Soe there is due to the parishioners this 5th of May, 1659 Whereof I have expended upon a journey to Oxford to answer a warrant from the Sheriff 1/. and for the other 2 8 10 that remayneth I have payd it to Edward Drinkwater.		

The Churchwardens' accounts from this period, that is from 1657-9, until 1699, were kept in the same book with that of the Overseers. From 1700 until the present time the two sets of accounts have been kept quite separate. Previous to the year 1700 the Churchwardens' receipts appear to have consisted of both Rates and the Rents of the Charity Lands, for although it is not possible to separate these items from one another, the accounts from year to year giving nothing more than the two statements, Receipts and Disbursements, yet not only do these far exceed the income of the Charity Estate at this period, but in one year, 1664, this memorandum is added to the stated surplus, "where of past was parte of the pores stock," proving that there must have been other sources of income besides the Charity Estate, which of course could only be Church Rates. The separation of the Churchwarden's and Overseers' accounts in 1700 was no doubt one of the results of the differences then existing in the parish, and only settled by a Chancery Commission, and so far great benefit has ensued to the Estate. This also would seem to have been the time when Church Rates ceased to be made in the parish, for in the new Churchwarden's accounts, commencing with the year 1700, none appear.

The earliest Overseer's account is entered in this form, the names being illegible in consequence of the leaves of the book being worn out.

— — — and — — — Overseers of the Poor gave up their accompts the 15 <sup>th</sup> of Aprill 1660 as followeth	
Their Receipts amount unto .....	12 11 04
Their Disbursements amount unto .....	11 06 00
	<hr/>
Due from the Overseers to the Parishoners .....	1 5 4

In the year 1670 there appears for the first time the Constable's account, which stands for that year in the following form :

Apr. 5, 1670.

The Constable's receipts for the yeare past .....	8 3 0
His disbursements .....	6 18 11
	<hr/>
Remains in his hand .....	1 4 1
The mone due to the Parish from ye Constable on 2 Levies for ye trained Souldiers .....	1 5 4

These Levies or Rates, then, were made for the purpose of maintaining trained soldiers, or militiamen as they are now called. Whether any other objects were ever included in these Levies does not appear, for although at various times they are mentioned as being raised for this purpose, no other object is ever spoken of. And yet in some years they were very large indeed, as in 1675, £86; in 1676, £46; in 1678 and 1679, £44; and in 1680, £55. The times, however, were very disturbed, for this was the period when the party names Whig and Tory were first used; when the Papists were using all their efforts to re-establish their influence



in the kingdom, and to that end were embroiling it in civil strife; when the infamous Ryehouse plot, or conspiracy, was perpetrated; and when such good and wise statesmen as Lord William Russell, and Algernon Sidney, were murdered on the scaffold with a show of justice, but in reality the victims of perjured villains who swore away their lives, and of the most cruel, hardened, and disgraceful wretch, that ever pretended to administer justice, and who in his character of judge degraded at once his office and his manhood, and has earned the deserved and execrable name of the bloody Jeffreys.

It is observable that the sum levied by the Constable in 1670 was £8 3s. 0d., and this is about the sum generally raised in ordinary years. According to an Escheat of the Crown for the Hundred of Chadlington, which I have given in a subsequent part of this work, in Chap. IX., it will be found, that the sum therein assessed upon the Parish of Enstone was £8 16s. 0d.

Tables exhibiting the expenditure of rates, levies, or other monies, in the Parish of Enstone by the Churchwardens, Overseers of the Poor, and the Constables, for periods of ten years each, giving for each period, the highest and lowest years, the average of each, and the sum total expended.

#### CHURCHWARDENS' EXPENDITURE.

Period of Years.	Highest.	Lowest.	Average.	Sum Total.
1661-70	37 15 5	6 14 5	16 9 4½	164 13 9
1671-80	18 12 0	5 3 0	12 3 6	97 8 2
1681-90	32 9 9	6 5 9	11 18 5	119 4 8
1691-00	33 13 7	4 11 8	12 16 1½	128 1 3
1700-10	55 12 6½	2 4 2	9 1 5	99 15 9
1711-20	20 2 8	2 14 4	8 16 1½	88 1 5½
1721-30	*8 11 8	0 11 0	4 13 1	27 18 6
1731-40	35 1 0	0 13 6	10 8 6	104 5 0
1742-				8 3 4
1756-60	22 3 0	5 19 11	10 10 6	63 3 0
1761-70	25 12 10	6 16 3	11 19 8	119 16 9
1771-80	39 10 2	7 2 0	19 15 4	197 13 6
1781-90	45 3 9	12 3 1	23 17 11	238 19 2
1791-00	59 10 9	18 4 0	36 2 10	361 7 4
1801-10	205 14 4	9 3 2	76 1 9½	760 18 1
1811-20	85 13 0	40 2 0	60 3 11	602 3 6
1821-30	130 4 11	38 7 2	55 13 9½	556 18 0
1831-40	200 3 9	54 15 3	98 16 7	988 6 1
1841-50	195 15 0	42 10 0	95 17 7	958 16 0
1851-56	285 5 1	75 18 2	139 2 7	834 15 9

\* Four years' accounts missing.

OVERSEERS' EXPENDITURE.

Period of Years.	Highest.	Lowest.	Average.	Sum Total.
1661-70	22 10 6	5 14 10	14 10 6	145 5 1
1671-80	38 4 8	18 11 3	27 3 6	271 15 4
1681-90	36 1 4	21 3 11	29 4 8	292 6 8
1691-00	61 13 5	20 1 3	36 2 7	361 6 0
1701-10	67 5 11	25 1 5	40 18 7½	409 6 3
1711-20	63 1 9	32 16 2	42 11 5½	425 14 7
1721-30	79 6 5	24 19 7	53 3 11	531 19 4
1731-40	67 13 6	20 15 9	46 15 10	467 18 4
1741-50	174 14 8	68 0 1	101 7 11	709 15 6
1751-60	116 5 11	61 15 9	77 12 6	776 5 3
1761-70	188 3 7	86 1 2	128 5 7	1282 16 7
1771-00	_____	_____	_____	_____
1800-40	_____	_____	_____	_____
1841-45	726 19 2	524 2 6	623 8 0	3119 0 8

Besides the above expenses of the poor for the years 1841-45, there were paid for County Rates and Constables as below :

County R.	103 11 4	70 3 11	88 18 5	444 12 3
Const.	35 15 0	13 7 6	21 12 10	87 1 6

CONSTABLES' EXPENDITURE.

Period.	Highest.	Lowest.	Average.	Sum Total.
1661-70	_____	_____	_____	_____
1671-80	86 0 9	4 16 3	32 0 8	320 7 1
1681-90	25 15 3	3 7 10	10 10 0	105 9 3
1691-00	17 1 8	6 5 11	12 18 10	38 16 6
1701-10	9 5 8	4 0 7	7 0 7½	63 4 2
1711-20	6 17 11	2 10 0	6 4 8	58 0 0
1821-30	7 7 5	2 16 8	5 2 9	51 7 7
1731-40	11 19 8	3 5 0	5 1 3½	50 13 1
1741-50	8 16 10	3 19 7	7 5 7½	43 13 10
1751-60	_____	_____	5 10 0	38 10 1
1765-	_____	_____	_____	9 10 10

## INTERESTING ENTRIES IN THE CHURCHWARDENS' ACCOUNTS.

1700	Paid for 2 quarts of Tent	-	-	0	5	0
	At the Bh's Visitation, fees 5/4, Expen <sup>d</sup> 1/8	-	-	0	7	0
	At the next Visitation, „ 3/.	„	1/8	0	4	8
	Paid the Smoake ffarthings due to her Mat <sup>ie</sup>					
	from the parish	-	-	0	11	0
1704	Payd the Clarkes halfe years wages due at					
	Michaelmas	-	-	0	7	0
	paid the Lords Rent	-	-	0	4	7
	paid for a Common Prayer Book	-	-	0	19	0
1705	P <sup>d</sup> then to George Fawdery the Aparrater at					
	the Visitation for a book and Proclamation					
	for the last ffast which was delivered to Mr.					
	Marshall	-	-	0	1	6
	P <sup>d</sup> for the presentment for the Visitation	-	-	0	2	6
	P <sup>d</sup> to the Registers Clarke for Writing the					
	presentment	-	-	0	0	6
	ffor Expences	-	-	0	1	8
1708	Delivered in for Work and Timber for the top					
	of ye Ile and oth <sup>r</sup> work about ye Church					
	and Bells	-	-	7	17	6
	for 6 Bell Roops 43lbs	-	-	1	1	6
1709	P <sup>d</sup> Arthur Wickings for 5 days work and nails					
	for ye pulpitt	-	-	0	8	3
	Expences at the Possessioning	-	-	1	0	0
1710	Paid George Tasker for 14 hedgehogges	-	-	0	1	6
1711	Paid Francis Eley for leather for lining ye					
	claper of great bell	-	-	0	0	8
1712	Paid in part for the Bible and Common Prayer					
	Book	-	-	1	10	0
1714	My expences at the visitation and horse hier					
	and hay	-	-	0	3	2
1715	My charges when I looked over the Church					
	Land	-	-	0	2	0
1718	For new hanging the bells and spent on men			11	2	0
	P <sup>d</sup> the Clerk 5 days work in helping to hang					
	the bells	-	-	0	5	0
	P <sup>d</sup> for leather for the Bells	-	-	0	5	0
1719	P <sup>d</sup> Phill. Margetts for Timber for the Bells	-	-	5	10	0
	P <sup>d</sup> Will. Andrews for work about the Bells	-	-	1	1	0
1721	P <sup>d</sup> for Mr. Marshall's making the Terier of the					
	Church Land	-	-	1	10	0
1723	P <sup>d</sup> to Mr. Young for Straw	-	-	1	0	0
	P <sup>d</sup> to Sir William Osballdiston for poles	-	-	1	5	0
	for carrage of the poles	-	-	0	5	0
	for Elming, Surveying, and thatching the					
	barn	-	-	0	14	8
1724	Gave to two poor men undone by lightning	-	-	0	1	5

1729	Jan. ye 6, paid twenty poor seamen	-	0	0	6
1732	Gave 3 poor slaves	-	0	0	6
1743	Gave the Ringers on the Coronation Day	-	0	2	6
1756	Pd for a quarter of lime	-	0	12	0
1757	Pd Mr. Asbaldistance for the Cushon	-	1	9	7
	Expences when loaded the Bell	-	0	1	0
	When put down	-	0	1	0
	Expences at Chipping Norton when loaded the Bell	-	0	1	6
	At Enstone when put down	-	0	1	0
	For carriage of the Bell to Chipping Norton	-	0	5	0
	For fetching back	-	0	5	0
	Pd Mr. Bagley his Bill	-	9	8	9 $\frac{1}{4}$
1758	Paid the parreters fees	-	0	3	6
	Expences at the Visitation	-	0	12	3
1764	Pd Mr. Tenant for making a Terrier of the Church Lands	-	0	10	6
1765	October 28, Expences with ye jury in setting out the Church Land	-	0	10	6
1768	Pd for Cloath to mend Pulpit Cushin	-	0	14	0
	Pd Ed. Adkins bill for mending the Cushin and linen a cover for it	-	0	3	0
1769	Pd Mr. Bagley coming over to direct hanging the Saints Bell	-	0	1	0
1775	The lock of the Bellfry door	-	0	7	6
	Two locks Church Gates and Tower door	-	0	5	0
	Visitation Fees and Expences	-	1	0	7
1776	Pd Mr. Marshall for Church Prayer Book	-	1	10	6
	Tithes for ye Church Land due Lady Day 1777	-	9	2	8
1779	Two load and a half of Straw for ye Barn	-	2	5	0
	Thetching, yelming, and serving	-	1	0	0
1780	Visitation fees and expences	-	1	7	1
	Paid for a order from ye Bishop to give account of a Supposed Number of Papists in ye Parish of Enstone which number given in was 53	-	0	2	0
1783	Pd to a Licence for Burials, Mariges, Births, and Christenings	-	0	6	2
	Pd for three Books for Register for Births, Maridges and Buriells	-	1	7	0
	Pd for a Book for Banns Marriage	-	0	9	0
	Pd to a Form of Prayer for the birth of a Princess	-	0	1	0
1785	Pd Thomas Lenard for bilding the Church yard wall and carridge of Mortar. (This is the wall between the vicarage garden and the Church yard.)	-	15	9	9
1786	Pd to a letter of Sequestration in 1784	-	0	5	0
1787	Pd for new casting the Sance Bell	-	1	11	11 $\frac{1}{2}$

	Pd for a New Swrplace &c.	-	-	2	12	6
1788	Paid to a form of Prayer for the King's Better Health	-	-	0	2	0
1789	April 9, Pd to a form of Prayer to the King's restoward to helth	-	-	0	2	0
	NOTE. This was the first mental malady that befel George III. The 24th of Oct <sup>r</sup> 1788 was the last day he appeared in public previously, and Apr. 23, 1789, he returned public thanks at St. Paul's Cathedral for his recovery.					
	Pd Mr. J. Gardner for righing the doneation in the Church. (This was the ugly black boarding over the tower arch, the inscription on which was full of errors.)	-	-	21	1	11½
1790	To pay Mr. Gardner to Eaight new pews in Enstone Church	-	-	39	7	8
1792	Pd Mr. Gardner in part of his bill. (This was for more pews.)	-	-	22	0	0
	Pd fees at the Bh's Confirmation	-	-	0	7	6
1793	Pd fees (7/.) and expences at Visitation	-	-	1	11	6
	Pd Mr. Gardner in part	-	-	15	15	0
1794	Pd Ro <sup>t</sup> Gardner in part of his Bill	-	-	15	0	0
1796	Pd Mr. Gardner of Charlbury in full	-	-	15	9	2
1798	Pd James Gardner in part of his Bill. (This was for more pews again.)	-	-	37	7	0
	Pd Edward Harris for Thatching the Church yard Wall. (This is the wall between the Vicarage and Churchyard.)	-	-	1	13	3
	Pd Mr. Kinch for Hawm to thatching do.	-	-	1	19	0
1799	Paid Mr. Gardner the balance of his bill for work done at the Church in full of all demands	-	-	29	10	8
1800	Paid to a New Common Prayer Book	-	-	1	8	6
1804	Pd Mr. Gardner in part of his Bill. (This is again for more pews.)	-	-	20	0	0
1805	Pd Mr. Gardner's Bills	-	-	88	6	0
	Pd Mr. Aldridge a Bill. (For painting.)	-	-	91	17	0½
1807	Pd Mr. Aldridge a Bill. (do)	-	-	24	8	4
	Pd Mr. Banbury for Measuring and making a Terrier of the Church land	-	-	5	5	0
1808	Pd Mr. Aldridge a bill for the Tower	-	-	33	8	0
	Pd do for repairs of the Church	-	-	13	6	2
	Pd Mr. Hastings do	-	-	45	13	0
1810	Pd Mr. Farden for repairing Clock	-	-	18	0	0
	Pd Mr. Hastings	-	-	12	1	8
	Pd Mr. Aldridge	-	-	37	11	6
1811	Pd " balance of the Bill including the old lead	-	-	23	12	0

	Pd Mr. Farden for repairing the Clock	-	1	2	0
	Pd for 3 New Books	-	9	10	6
	To a journey to Oxford for the Books	-	0	5	0
1812	Mr. Aldridge for Plumbing and Glazing	-	24	12	0
1813	do do do	-	18	13	6
1814	do on account	-	20	0	0
1818	do a bill	-	21	14	4
1822	Pd Mr. Jolly Treasurer of the Club	-	100	0	0
1824	Pd the Club principal and Interest	-	67	2	2
1825	Pd Mr. Aplin a Bill for executing the deeds belonging to the Church Estate	-	18	2	0
1827	Pd a Bill for new Church Doors. (These were the old Porch doors.)	-	9	7	0
1830	Pd for 20 pair of Blankets	-	7	15	6
	Pd for 12lb of worsted	-	1	4	0
	Pd for 30 pair of blankets, 2 Doz. of Worsted	-	13	19	9
	Pd Ed. Bennett a bill for Shoes	-	3	12	0
1831	Pd various bills and charges connected with the repairs of the South wall and the building two buttresses to support it	-	128	14	2
	Pd (by the consent of the Minister and Churchwardens) the expence in erecting the Coal House for the Benefit of the Poor	-	23	2	2
	This well-intended building ceased to be of use, and at the enclosure passed away with the land on which it stood.				
1832	Pd Aldridge for four new lead pipes	-	11	12	4
	Pd for Coats, Cloaks, Calico, Sheeting, Worsted, Shoes, &c., given away	-	27	6	0
1833	Pd for the repairs of the North Aisle	-	108	0	0
1836	Pd Mr. Coggins for Coal	-	10	0	0
1837	Pd towards building the School	-	10	0	0
	Pd for bread	-	10	12	11
1838	Pd for repairs in the Church	-	53	16	9
1842	Pd for cleaning all the stone arches pillars &c and colouring the Church	-	21	1	0
1847	Pd Law expences in righting the Estate	-	171	7	4
1848	Pd for repairs done to the homestead on the Estate at Cleveley. (N.B. The building, which was an ancient one with a very good gothic doorway, was greatly disfigured; and the rents received have never given 2 per cent on the outlay for repairs.)	-	187	11	6

From the year 1831 to the year 1843 various allowances in the shape of payments for Coals, and to the Master and Mistress, amounting in the whole to about £12 pr an. have been made towards the schools, but at the latter date they ceased on account of accumulating legal expences, and since have been only partially renewed.

The publication of the series of items given above will, it is hoped, be not only interesting on account of the singularity of some of them, but most instructive and warning on account of others. From the year 1789 to the year 1815 there had continued such a shamefully increasing waste of the funds of the Church Estate, as at last to excite the indignation of the Parish, and to demand an effort for reform and redress of abuses. Notwithstanding the enormous sums paid during the above period, the Church had not only been disfigured by a large painted board over the tower arch, and a flaming display of arms facing it, but by most inconvenient square pews, while the roof continually required repairs, though so much had been expended upon it. It was not, however, until 1824, when Mr. Thomas Davis and Mr. William Bayliss became Churchwardens, and they together vigorously restrained the expenses, that they were reduced to a proper state. Mr. Davis, by the year 1830, had liberally provided whatever was required for the Church, and yet had saved £212, so that on resigning his office at that period he received the thanks of the parish at the annual meeting, which is recorded worthily to his honour, and to the encouragement of all honest and faithful men, in the account book for the time. But Mr. Davis not only deserved to be thus honoured by the principal parishioners, but to be remembered with gratitude by the poor, for before resigning his office, he gave an example, and it is the first one upon record in all the accounts I have ever seen, of employing the Church Estate as well for charitable purposes as for the Repairs of the Church, and thus he endeavoured to lead the parish back to that just and faithful employment of the Estate, which had been decreed by the Charity Commissioners, at Banbury, in the reign of Queen Elizabeth. In the year 1830, he distributed to the poor of Enstone, Blankets, Worsteds, and Shoes, to the value of £26 11s. 3d.

FEEs CUSTOMARILY PAYABLE IN THE PARISH OF ENSTONE.

		To Minister.			To Clerk.		
Marriages.	Publication of Banns	0	1	0	0	1	0
	Service with Banns..	0	5	0	0	2	6
	„ Licence .	0	10	0	0	5	0
Churching.	Service .....	0	0	6	0	0	0
Burials.	Tolling the Bell .....	0	0	0	0	1	0
	Digging Grave and Tolling .....	0	0	0	0	3	6
	One dwelling out of Parish.....	0	6	8	0	7	0
	In the Church.....	1	1	0	0	10	6
	In the Chancel.....	5	5	0	0	0	0
Graves and Tombs.	A Brick Grave.....	1	1	0	0	0	0
	Opening a Vault ....	1	1	0	0	0	0
	Erecting Grave Stones	0	6	8	0	0	0
	Laying a Flat Stone..	0	10	0	0	0	0
	Erecting a Tomb ....	1	1	0	0	0	0
	Monument in Church						

VI. AGRICULTURAL NOTICES. When the enclosures of Neat Enstone and Church Enstone fields were going on, when the Jury of the Manor was out determining the bounds of the parish and all disputed claims for the apportionment of the Rent Charge to be established in lieu of Tithes, and when again the same Jury was engaged for several days settling the bounds and measurements of the Charity lands dispersed over the open fields of Cleveley, there was much interesting conversation, and many striking incidents were related, denoting the state of agriculture in former times, before science had been brought to bear upon it, before enclosures had given to every man the full rights and enjoyment of his own property, and when the state of cultivation was such as fully to justify the remark of Lord Bacon, that "there is no beast but will thrive the better if you take him off the common and put him on the severalty." And yet according to the Cockney's idea of a donkey, that he lives upon and prefers thistles, this was formerly the place where one beast at least would have thriven better on the common than the severalty; and the most thistle-loving donkey would here have been literally lost in wonder and thistles at the prodigality of provision here made for him formerly. We were told by most credible witnesses, that the thistles habitually growing here, over all the common lands when lying fallow, were of such a height and strength, that a man would not be visible walking amongst them, could he have been able to force his way through them. And yet so stolid and stubborn were the cultivators of the soil in resisting all improvements, that when an attempt was first made to break up these fallows, and to introduce the growth of turnips, the over ardent reformer soon learned to his cost, in the destruction of his crop, that the most convincing proofs are of no avail when men are resolved not to be taught what is best for them.

But at length there arose amongst us one who both farmed to an immense extent, and introduced some of the most excellent methods of modern husbandry. This was Mr. Kench of Church Enstone, who occupied at one time here about a thousand acres, and of whose system of farming there is frequent mention in a Volume on the subject entitled, "View of the Agriculture of Oxfordshire, drawn up for the Board of Agriculture and Internal Improvement," London, 1809. The account relates to the state of things about the year 1800.

*Course of Crops on the Stonebrash District.* The general characteristics of this district are:—that the soil is dry enough for feeding turnips where they grow, and fertile enough for wheat; circumstances immediately bearing on the inquiry before us. It is a maxim not to have wheat oftener than once in six years. They sow their wheat the beginning of harvest, and in October carry out their dung from prepared heaps, for turnips next year. Course of crops at Enstone, Westcot Barton, &c. 1. Turnips fed by sheep; 2. Barley; 3 and 4. Clover for two years, first mown,



second grazed; 5. Wheat; 6. Oats. Mr. Kench of Enstone. 1. Turnips eaten by sheep; 2. Barley on one ploughing; 3. Seeds, 12lb. red clover, and two bushel of ray grass; sometimes add trefoil, or White Dutch: mow the first growth, feed the second; 4. Ditto, fed; 5. Wheat; 6. Oats.

*Wheat crop.* From Mr. Hartley of Church Enstone Mill, which his family have held and worked for the last 140 years, (1856) and who was himself born there and worked in the fields of Enstone in his early days, I have learned, that the wheat crops when he was a lad seldom produced more than two quarters or sixteen bushels to the acre. Some lands might have borne twenty bushels, but there were very few that did, and he had worked on some of the best lands in the parish, such as that now held by the Blackwells and their ancestors for about 150 years. "Mr. Kench did not think it right to put wheat in upon a shallow ploughing. He always ploughed a lay deep, and even on his loose land; and his reason was, that slight frosts lifted it out of the ground, which was prevented by ploughing deep, and treading the surface. The climate on these stonebrash hills is very cold, from their height. At Hook Norton are two springs in the same ridge of country; one flows to the Thames, the other to the Severn. At Enstone, Wescot Barton, &c. the average produce of Wheat was three quarters; they sometimes got five." To this latter statement it may be added that if Mr. Kench did get five quarters to the acre, and no man was more likely to have done so, he must have made very considerable profits, for he held some of his land on a long lease, taken during very low prices, and yet to such a height did the price of wheat rise in the course of his tenancy, that he sold wheat at one time at £50 a load. This I have on the authority of a lady, who was the daughter of Mr. Kench's landlord, and who knew the fact well, as her family had to pay this enormous advance in the price of bread, without obtaining any corresponding advantage in rent. Prices, however, did not long continue so exorbitant, for it is stated that at this period the general idea of the country was, that the average price of wheat ought not to fall short of 7s. 6d. per bushel to be remunerating, that is at the rate of £15 per load, a very different sum from the £50 obtained by Mr. Kench. At the same time, 1806, Straw sold in Oxford at from 42s. to 84s. per load of 22½ cwt.

*Clover.* "Mr. K. finds that clover will not stand, and is therefore forced to sow ray-grass; his oxen are found useful in keeping it down in the spring." His use of ray-grass was, however, questioned, for the most experienced men considered ray-grass as very far from an ameliorating crop; an old and sensible labourer's expression was, 'It is as bad and sucking as oats.'

*Paring and burning.* "At Enstone, Wescot Barton, &c., they pare and burn their sanfoin layers for turnips, which they think far better than ploughing alone, for the land is in a hollow state, which always encourages the slug, whereas by sowing turnips,

and eating them upon the land by sheep, the treading gives the firmness wanted. In order to keep the ashes on the surface they half-plough (rest-baulk) and then a clear earth. The Rev. Mr. Filmer, Mr. Cræek, and Mr. Wing, all agreed that this husbandry is excellent." The keeping the ashes on the surface was a fancy since exploded by the more effectual use of them, by dibbing them deep into the ground with the turnips; and the pasturing the sheep on the ground benefits it far more by their liquid manure than by all the treading they can give it.

*General Improvement.* "Mr. Kench, of Enstone, is clear that both cultivation and live stock, through all the store beast district, are very greatly improved in the last 20 years."

*Teams.* "Mr. Kench, of Enstone, has five teams of Hereford oxen which he buys in that county at three years old, and works for two, three, or four years, just according as *times* favour the sale of them to graziers; they work as well (five in a plough) and walk as quick as horses. He works them while fed on grass or hay, and sometimes on hay only; nothing better for them than sainfoin hay. He has been in the practice many years, and has not the least doubt or question of their being more profitable than horses for home work, but on the road uses horses. He never shoes them; he buys them at £10 or £12 each, and after working them three or four years, sells them at £16 or £18; but for horses he gives £20 or £21. Gives only a bushel of oats per week, racks them up at some seasons with pea or bean straw, yet oxen far, very far cheaper. Let it be remarked that Mr. Kench is not a whimsical *gentleman*, but a common farmer that pays rent for about a thousand acres of land, has a very clear head, and a good understanding and long experience; and may I not ask, after this, whether any impertinence can be like that of men's condemning the use of oxen from theory and calculation, who never worked a score of them in the course of their lives." This defence of Mr. Kench from being "a whimsical *gentleman*," or anything better than "a common farmer," and therefore supposed to be better capable of judging of the relative merits of oxen and horses for farm teams, is amusing enough, and reminds one of the anecdote connected with Francis, Duke of Bedford, so famed for his interest in agricultural pursuits. Having taken the trouble himself one day, on one of his own farms, to unhook four horses from a plough, with a man and a boy to attend them, and in place of the four to put on only two with a lad to hold plough and drive with a rein, he hoped by such evidential proof to convince his tenant, "a common farmer," of the saving both in horses and men by this method, but instead of doing so was rebuked by the astute reply, "Ah, my Lord Duke, that may be all very well for a gentleman like you, but a common farmer like me can't afford it." Ox teams are still in use on the same land that Mr. Kench held here, but the present tenant of them, Mr. Steel, turns his horses to such good account that but lately he had two on sale, and only

cart-horses, which he had bred himself, for which he refused an offer of £100, and would not part with them until he obtained his own price for the two, £110.

*Sheep.* "Mr. Kench, on 1,000 acres of stonebrash, keeps 300 breeding ewes, half Cotswold and half New Leicester; his flock is consequently (as he keeps round) 1,200, that is 300 ewes, 300 lambs, half ewes and half wethers; 300 hogs and theaves; 300 shearlings going off; varied by culls fatted; theaves set for stock, and rams."

*Rents.* It is always a matter of interest to learn, if possible the variation in the value of property in any district, although this is not always easy to acquire. I have already given in the Church and Beef Estates the variations in their value, so far as I have been able to trace them, and I have been favoured with a document relating to another portion of land which will afford us some information of a similar kind. It is the following receipt, which is in the possession of the Blackwell family:—

"Received 7th of May, 1785, of Tho<sup>s</sup>. Blackwell in Money and Taxes Fifteen Pounds Ten shill. for half a years Rent due to Sam<sup>l</sup>. Phipps and Rob<sup>t</sup>. Palmer, Esq<sup>rs</sup>. at Mich<sup>s</sup>. last 1784.

£15 10 0

Ja<sup>s</sup>. Burr.

Stamp 0 0 2"

The farm so let, at the annual rental of £31, including rent and Taxes, was let at the time of the inclosure for the sum of £103 besides taxes, and was continued at the same rent after the enclosure, notwithstanding 18 acres were taken from it, thereby in fact increasing its value by that of the 18 acres subtracted. Now as the whole farm measured 144 acres, 18 acres were exactly one-eighth of the farm, and the rent therefore was increased one-eighth.

Thus then we obtain its value at three successive periods:—

1784 Rent and Taxes of 144 acres	....	£ 31	0	0
1842 Rent of the same	.....	103	0	0
1855 Rent of the same	.....	116	0	0

VII. ATMOSPHERICAL PHENOMENA. The situation of the parish of Enstone on high ground, and on a series of hills unsheltered by any trees, and but few hedges even, renders the general character of its climate both colder and keener than much of the surrounding neighbourhood, as is evidenced by the fact that vegetation is much more backward here than elsewhere; sowing in our gardens, either very early or in the preceding winter, is seldom attended with any proportionate advance in the crops, and the foliage of our trees and hedges begins to fall much sooner than in other places. At the same time, in consequence of rapid drainage amongst our hills, and of the free circulation of the winds around us, although sometimes rough and violent, we are favoured with a dry clear atmosphere, of all others most conducive to health.

Storms generally take with us a peculiar direction. For many years past, whether here or elsewhere, I have very carefully observed and watched the course of storms, so much so that I can now tell with some certainty, especially here, what will be the course of a storm, and where its greatest force will be spent. The regular course of storms is from west to east, or from north-west to south-east, and this was specially observable in the memorable storm we experienced on the 9th of August, 1843, for it past over England in that direction, and burst simultaneously on three different points, here in Oxfordshire, at Bedford, and Cambridge, with terrible and most disastrous effect. With us it rose steadily up from the north-west, and, coming over us from that point towards the south-east, spent its utmost fury upon us. This, however, is the only severe storm that, within my experience, we have been visited by, though many have occurred around us, and I believe that our peculiar position, notwithstanding it is so high and exposed, protects us against them. My general observations upon storms lead me to these conclusions respecting them. If a storm is brewing, as the phrase is, due north-westward of any place, that place will be sure to feel the full effects of it. If it commence either more northward or more southward of the first-named point, it will pass proportionately further northward or southward, and will so be proportionally less felt according to the nature of the surrounding district. If the storm be seen gathering or raging eastward of any place, that storm will not be felt in that place with any force if in any degree at all. Now the bald nature of our hills presents but few attractions for storms, while on one side of us we have Wichwood forest, Ditchley, Blenheim, and Kiddington, all well wooded and all therefore highly attractive; and on the other side Over Norton, Heythrop, and the Tewes, all of which are equally well wooded, and therefore equally attractive. Now either of these lines of wooded country, but especially the former, serves to draw off storms from our uncovered hills, so that by far the greatest number of storms, that I have known and noted here, have taken the course from Wichwood forest by Ditchley and Kiddington, and have gone by without visiting us with more than a passing salute. The reason of their most usually taking this course seems obvious, from the vast extent of wooded surface contained within Wichwood forest, which, being thus highly attractive, is accustomed to draw the accumulating storm to itself, and thence, from its own alembic as it were, to send it forth charged with all its powers of destruction and terror to take the course which has been indicated for it above; and thus are we more or less protected from the effects of storms, both by our own exposed position, and by the more sheltered and covered nature of the adjoining country.

I remember one, and only one, very remarkable storm occurring here, immediately to the eastward of us. It hung directly over Sandford, and raged there with very great fury. We were just

at the back of it, for of course it was steadily pursuing the pathway of such phenomena, still further to the eastward. I knew, therefore, that there was not the slightest cause for anxiety or alarm, but that it might be safely watched and admired. It was truly grand, and I have seldom seen lightning to such great advantage as I witnessed it on that occasion. The clouds of the storm hung over the whole east in grand masses, gradually lightening off until just over our heads they were of the same leaden hue, but like small waves on a smooth sea stirred by a rising gale, and thus they continued to descend from over us into the vortex where the storm was most raging. But the electric flashes were most vivid, frequent, and intense, and as I stood admiring them, and enjoying this display of Nature's grand galvanic battery, some labourers, employed on a rick in the fields somewhat nearer the storm than I was, left their work and came to consult me as to the amount of danger to which they were exposed. I pointed out to them that they were quite safe, that the storm was beyond us, that it was the nature of such storms to rage eastward, and that they might securely pursue their work, which they returned to and went on with, the storm pursuing its appointed course and leaving them unmolested.

There are certain circumstances, which would seem to militate against that regular course of storms, which I have here propounded, but these are in reality only the exceptional incidents of the system. Thus, when a storm has burst upon a particular place, after exhausting much of its fury there, the atmosphere around will be thrown into confusion, and the scattered fragments of the storm will be tossed hither and thither, and thus will seem to contradict the general laws stated above. But, allowance being made for this peculiar state of things, and for the gradual settling of the atmosphere again, the above views will, I believe, be found to be generally correct, according to the observations I have from time to time made.

There is another peculiarity about storms well worth observing upon, and it is the subsequent effects of them. These are so palpable, and so obvious, that even when a storm has occurred a considerable distance off, the observer of these effects, in any particular place, may tell with certainty at what point of the compass from himself a storm has occurred. There will constantly follow for a number of hours, sometimes even for a day or two after a very severe storm, and that more especially in the summer time, severe puffing gales of wind, which I conceive to originate thus:—A storm having spent itself in some locality, there has occurred there a sudden atmospheric collapse and revulsion, and this, being communicated far and wide, agitates the air through extensive regions, and brings on the gales I have described, which, according to the quarter *from whence* they blow, will indicate the place of the storm.

One memorable year to our parish we were made sensibly to

feel, and deeply to experience, the power of that Divine wrath which such storms are sometimes made to subserve. This was the year 1843, already referred to, in the spring and autumn of which we were visited by storms, each of which affected us, but the last especially in no ordinary degree. Of this year, as to its general character, and of these storms in particular, I drew up at the time a very full account, which I cannot do better than again embody here, only premising that it was the substance of a lecture delivered before the Ashmolean Society of Oxford.

In the early part of the year, during the month of April, when very severe thunder and lightning do not usually occur, we were visited by an alarming storm, which did some damage to buildings, and, but for a providential circumstance which shall be detailed, might have caused very great destruction of human life. About five o'clock on the morning of April 19th, I was roused from sleep by a clap of thunder, which seemed not only to shake my house to its foundations, but even to cause the earth beneath it to tremble. Succeeding peals followed, but none fortunately equal to this one, and with the customary burst of rain, that usually follows the ebullition of thunder, and which is doubtless caused by the discharge of the electric fluid, the consequent disengagement of caloric, and the condensation of moisture in the atmosphere into the heavy drops of the thunder shower, the storm gradually abated and subsided. It was not long, however, before I learned that at the moment of the first alarming thunder-clap, the electric fluid that caused the explosion had, with the appearance of a ball of fire, as described to me by a man who witnessed it, struck a stack of chimneys, common to two cottages, about the distance of a mile from my own residence. On proceeding to visit and examine the premises, it was impossible not to be amazed with the imminent peril the inmates had escaped, and the providential circumstances that had mercifully contributed to their preservation. The cottages were higher than such buildings usually are, being two stories each, and between the two was a common ridge of chimneys in brick-work, rising about four feet above the highest part of the roof. Standing upon a hill, they had presented an attraction to the storm, in its passage over. The lightning struck the chimney, and threw down all the upper part of it, scattering the bricks to a considerable distance round the house. Providentially its course was not down the chimneys, for if so it would most probably have destroyed all the inmates, who at that early hour were, with one exception, still at home in their beds. Not descending by the chimneys, it took a divided course down the roof, both at the front and back of the houses, stripping off all the slates in its passage. On reaching the eaves, both at the front and back of the house, it was again divided, taking its course down the line of the iron casements, which formed an irregular channel for its transmission to the earth. Here were seen the consequences of a broken, instead of a continuous, com-

munication with the earth. Had there been a continuous communication, such as the common conductor, used for the safety of buildings, the electricity would have passed down this without causing any considerable damage to the houses; but as in this case the conductor that it met with was not continuous but broken, there was an explosion at every interval, and much damage consequently done to the cottages. Between every upper and lower window, where these explosions took place, the stone-work was broken and scattered about. The lower windows were closed by shutters on the outside, strongly fastened within with bolts and pins. The pins were cut in two, and the shutters hurled to some distance from the houses, and every door in the house that was shut was torn from its hinges, or ripped in its panels. Every article of crockery was destroyed, clothes that hung against the walls were spoilt by singeing, the houses were filled with the dust of scattered mortar and stone-work: but, marvellous and merciful to relate, no human being in either house had even a hair of the head singed, or "the smell of fire passed upon them." One man, so deaf that he could not hear the thunder, had gone to a window to observe the state of the weather, and was in the act of stepping into bed again, when the lightning struck the house, and all the stone-work of the window where he had looked out was blown into the room. So wonderfully does the Almighty speak in warning, and yet spare in mercy;—display his power, and yet restrain his wrath.

So providential an escape necessarily produced much sensation amongst all who visited the spot, and witnessed the frightful effects of the lightning. But these afterwards appeared little in comparison with a more awful, though as far as human life was concerned, a no less merciful dispensation than that which has just been alluded to. The month of August was at times extremely wet, sultry, and stormy: the consequences of which were felt more or less over an extensive district of England, from Worcestershire and Gloucestershire in the west, through Oxfordshire and Northamptonshire, into Bedfordshire and Cambridgeshire, and so concluding in Norfolk in the east. Thus the course of the storm was the usual one of thunderstorms, from west to east. It may be doubted, indeed, whether the succession of storms that occurred on the 9th of Aug. in the middle of the day in Oxfordshire, and in the afternoon and evening at Bedford, Cambridge, and in the county of Norfolk, were parts of the same storm, although the line of continuation was to all appearance so decidedly from west to east; for a similar visitation was experienced at Rochester, in Kent, about the same time that the storm was at its height at Cambridge. It would seem more probable that the same conditions of the atmosphere produced the same awful and disastrous effects on the several parts where their strength was from time to time concentrated. In this way, certainly, they might be regarded as continuations of one and the same storm, and what favours this

view of the matter is the fact, that when the storm broke in Oxfordshire it rolled off in two distinct portions, and in directions correspondent to the points of its subsequent descent in Cambridgeshire, Norfolk, and Kent.

Having taken this general view of the stormy visitations of the memorable ninth of August, I will now confine myself to that one which has been so severely felt in this county, and of which I was fortunate enough to be a very close observer.

Previous to that day, a very remarkable and sudden depression of the thermometer had occurred. At Birmingham, to the north of the storm, it fell as low as  $49^{\circ}$  on the night of the 6th, rose during the 7th, and on the 8th was as high as  $73.5^{\circ}$ , nor did it sink lower than  $66^{\circ}$ . Here, in Oxford, to the south of the storm, the thermometer on the night of the 6th was  $46.5^{\circ}$ , on the 7th it rose to  $64.5^{\circ}$ , on the night of the 7th was  $57.0^{\circ}$ , during the 8th increased to  $73.7^{\circ}$ , at ten at night was still  $62.4^{\circ}$ , and did not fall lower than  $57.1^{\circ}$ . This sudden depression of the thermometer on the night of the 6th resembles the shivering fit, that in the human subject precedes and indicates febrile or inflammatory action; and, in this instance also it preceded, if it did not indicate, the oppressive weather that ensued, for the following two days and nights, being those immediately preceding the ninth, were excessively hot and disagreeable. Not, however, the rich warmth of glowing summer, but heavy with the intolerable pressure of an atmosphere, wearisome to sustain. A gentleman travelling on this day towards Cheltenham, describes the oppressiveness of the weather as very great, and even imagined, so cumbersome was the air, that it was poisoned with a sulphureous taint. At this time a deluge of rain was descending in the neighbourhood of Worcester, and without doubt the storm of the succeeding day had commenced accumulating. The night of the eighth was most sultry, and being awake, in consequence, at a very early hour, I heard distant thunder in the north west. Tremendous rain, accompanied with thunder and lightning, was falling at this hour between Cheltenham and Evesham, and at Broadway, in Gloucestershire, a stable was struck and three horses were killed. From five o'clock in the morning, until about eleven, distant thunder was to be constantly heard in the north west, although the storm showed no appearance of approaching us. Its dark clouds were discernible above the horizon, but not so as to indicate any great propinquity. During this time it was, in the seaman's phrase, *brewing up*. About half-past eleven the oppressiveness of the atmosphere became very great. Sitting in the house I endeavoured, by opening windows and doors, to obtain a draft, but the air was stagnant. This oppressiveness of the air was observed by all, and several of the labouring people in the fields, and others who were overtaken by the storm, would assure me, that they plainly discovered the smell of sulphur in the air. This, however, I deem altogether improbable, and rather attribute their notion to the choking cha-



racter of the air, which I myself experienced, but which certainly had no sulphureous taint. The thunder had by twelve o'clock become *incessant*, and I never before heard such continuance of it. There was no single interval of time at which there was any cessation of its hoarse and rolling sound, peal answering to peal in such quick succession, that the roar was unintermitted. The storm rose very slowly and majestically, and directly in the teeth of the wind, which, though imperceptible in the slightest degree, was indicated by the weathercock to be in the east, while the storm came from W.N.W. About half-past twelve it seemed approaching us, which until now I had hardly anticipated, so distant did the thunder seem. At length it increased very sensibly indeed in sound, and the flashes of lightning began to be distinctly forked, or zigzag, upon the pitchy clouds of the storm. I now took my station at a west window, and watched the steady approach of the storm, expecting some great electrical display, but never anticipating the terrific scene that followed. Two things struck me as remarkable at this time, that though the storm approached, there was no change in the wind, nor any violent puffs, such as generally herald similar storms; and that the lightning, though very vivid and distinct, was by no means near. In fact, during this part of the day, the storm rode extremely high, and I felt relieved from all fear of the lightning, so that I watched its progress the more freely.

The country over which I looked was quite open, and bounded by a line of hills, about a mile distant. Along the top of these, thick heavy clouds were advancing in rapid succession, but with the greatest steadiness and order. They were rolling by, from north to south, apparently an off-shoot from the main body of the storm, which still continued to rise upwards from the W.N.W. towards the zenith. The weathercock still indicated the wind to be with us due east, and this may have tended to give the clouds that were drifting by from N. to S. their southward direction, since coming from the W.N.W. and meeting with the east wind, the resolution of the two forces would drive them in a southerly direction. They were dense, heavy, massive clouds, such as I have seldom seen before, and, what was singular to me, they had faint smearings of blue and red light over their pitchy rolls. Although I remark these as singular to myself, never having witnessed anything of the kind before, yet they are the common characteristics of such clouds, as noticed by Professor Brande, who writes—"The clouds from which hail is precipitated, appear to be of very considerable extent and depth. It has been remarked that they have a peculiar grey or reddish colour, and that their lower surfaces present enormous protuberances, while their edges exhibit deep and numerous indentations."—(Brande's *Encyclo.* p. 538.) But to return,—the clouds that I saw darkened the whole atmosphere, as if a pall overhung it, and, looking back from the window, where I was stationed, to judge of the effect of their blackness, I was

surprised to see how dark the room was. All the while the horizon, along the tops of the hills, presented a band of light of a sombre hue, relieving the darkness of the clouds, and forming a light ground for the exhibition of their changes, which were of an extraordinary character, for they rose and fell, assuming all varieties of forms, as they seemed to pass before me in parade view. A gentleman who was observing the storm at Chipping Norton, and was consequently much nearer to its commencement than I was, saw these clouds thrown out of the main body of the storm as it were, and rapidly chasing one another, in a south-easterly direction.

Up to nearly a quarter past one the storm had not ascended more than about half way, or to the height of  $45^{\circ}$  towards the zenith; the clouds still driving, as I have described them, from north to south, without rising over us, or apparently extending any great distance, as evidenced by the brightness along the horizon. The lightning, however, became very vivid, and the thunder increased in sharpness and rapidity of intonation. It was no longer rolling, but the sharp crackling sound of thunder. At about a quarter past one, I observed that the weathercock had just shifted from due east to due north. I was at once satisfied that we were in the wind of the storm, and must expect its fury. My attention, however, was arrested by an extraordinary and awful sound in the air, such as I do not remember ever to have heard before. It resembled, in some degree, the roar of the ocean, or the noise of an ascending bore in a river; it came on steadily for between five or ten minutes, increasing, as it approached, in intensity, until at last I saw, at a considerable height in the air, long descending streams, dancing as it were, or rising and falling in lines, of what seemed to be thick rain or hail. I now thought it time to close the window at which I was sitting, and to see that all others in the house were also shut, and this was only just accomplished when the rain and hail were upon us, in the most furious form I ever beheld. At first, indeed, the hail was only of an ordinary size, but soon some stones as large as pigeon's eggs began to fall, to strike the ground with great force, and to bound up again to the height of four or five feet. These were succeeded by great balls, of the average weight of two ounces, which burst in at the north windows of the house, leaping and bounding about in all directions. This continued about a quarter of an hour, when the fury of the storm abated; a light broke through the clouds very nearly due north, and its strength seemed to have exhausted itself in this awful effort.

But though the hail and the rain ceased, and the storm seemed to have rolled on to the eastward, it left us in the very midst of clouds that were discharging lightning, accompanied with heavy thunder, from every quarter of the heavens. The whole afternoon this continued to be the case, the lightning being very grand. At about three o'clock we had some of the most severe that occurred

during the whole day. A cloud came over us from the S. W. discharging, as it passed over Neat Enstone and approached Church Enstone where I was watching it, such fearful lightning and such tremendous peals of thunder, that I felt convinced once or twice that some buildings were struck, but providentially this was not the case. Again, at six o'clock in the evening, there seemed to return upon us from the S. E., a repetition of the morning's visitation, and the rain fell so fast, and such large hailstones appeared, that I thought it prudent to close up all the south windows of the house, fearing that we should have to sustain an assault similar to that we had before experienced. From this, however, we were spared; and after this, although the thunder and lightning, which I had seen and heard from five o'clock in the morning, continued until ten at night, yet nothing more serious and alarming took place than that which I have already noticed.

The most remarkable phenomena connected with this storm, were the immense *size* of the hailstones, their peculiar *structure* and *formation*, and the *extraordinary roar*, quite distinct from the intonation of thunder or the rustling sound of wind, that heralded the approach of the storm.

The average *size* of the hailstones I measured was a circumference of six inches, but one individual assured me he measured one seven, and another that he saw one that measured eight inches round. I can easily credit both these statements, though I saw none so large myself. Eight that I weighed together were exactly one pound, averaging two ounces each, and on being melted produced rather more than three quarters of a pint of water.

As the hailstones were hurled to the earth by the rapid fury of the storm, they had the appearance of misshapen morsels of ice, devoid of any peculiar form, and many accordingly have represented them as being merely great pieces of ice. To a careless and inaccurate observer, therefore, there seemed to be nothing remarkable in their *structure* and *formation*. Not so, however, as they reposed upon the ground, for then they all manifested evidently a generally symmetrical appearance, varying no more than all crystallized formations are liable to do, which have a general contour, but vary in each individual instance. Thus, for example, crystallized quartz is always hexagonal, but its angles and faces vary in every case, so that it would be hardly possible to detect two that would measure the same. Now all the hailstones had a general ball-like or spherical form. When taken up in the hands, the common observer would have stated them to be masses of smaller hailstones, congealed together; and, without further examination, they might have been described as congeries of lesser hailstones, conglomerated into spherical form. Such, however, would be a very deficient account of these truly beautiful, though destructive, productions, and I will therefore proceed to detail their structure, as developed both by their fracture and gradual dissolution. Each hailstone, instead of being a conglomerate, was

a separate and independent crystalline formation, its peculiar form and structure arising from various causes. My attention was first drawn to them by one bursting in at a window, leaping down the stairs, and falling at my feet broken; I picked it up, and was immediately struck by its similarity, both externally and internally, to white botryoidal veiny chalcedony. I examined others, and found them exactly the same as that I first noticed; and amongst the millions that I walked over immediately after the storm, I was enabled to observe their internal structure most perfectly. Their centre consisted of a white opaque mass, like compressed snow, yet not sufficiently so as to have become translucent ice. The diameter of this snowy nucleus was about one fourth of the diameter of the whole stone; it was enclosed by a band, the width of which was about one eighth of the diameter, and which was of a radiated structure, converging towards the centre of the snowy nucleus. The acicular radiations of this band were very evident, and they appeared to have been formed with the rapidity, which a very simple experiment in frosty weather exemplifies, viz. breathing on a pane of glass that is covered with frost, so as to melt it, and then observing, as it freezes, the acicular prisms, starting this way and that way, and producing the beautiful foliage, or efflorescence, that is often seen in such cases. A second band, enveloping the former one, was of a totally different character; instead of radiating it was veiny, the course of the veins being that of the circumference. It was about the same width as the preceding, and was covered by another of similar width, partly veiny and partly of the botryoidal structure, that gave to the external form the appearance of conglomeration. The general figure of the stones was that of our own planet, the earth—that is, an oblate spheroid, very much compressed at the poles by its gyration round its axis. The compression was very great, the diameter through the minor axis being at least one fourth less than that through the major, and in some instances still less, which occasioned some to describe them as egg-shaped, their length one way being so much greater than the other. They partook, however, more of the form of an orange, than an egg.

In confirmation of the external form that I have here attributed to the hailstones, I may add, that the same was also attributed to those that fell in a very similar storm on the 19th of August, 1800. The account given of this storm is that “about 7 p.m., after a very heavy clap of thunder and vivid lightning, the hail fell for about ten minutes only; it consisted of balls of ice of from six to eight or nine inches in circumference. A small one weighed about two ounces; the form was an oblate spheroid. The storm originated about Fenny Stratford, in Buckinghamshire, and passed into Bedfordshire, in a north easterly direction, extending over a district about fifteen miles long, but not more than a mile and a half wide.”—(Luke Howard on Climate, and Young’s Annal, v. 42, p. 32.)

Such being the internal structure and external configuration of the hailstones, the manner and progress of their formation I conceive to have been as follows.—The storm at its greatest height consisted of snow in very massive flakes; these descending, came in contact with moisture, either vapour or rain. The incessant discharge of the electric fluid would necessarily occasion very rapid disengagement of caloric from the moisture of the atmosphere, which thus froze around and enveloped the flakes of snow that presented the desired nuclei for the sudden congelation, or crystallization, of the moisture into ice. These becoming heavy were no longer buoyant in the air, as the snow had been, but commenced their descent towards the earth; in their fall they assumed a rotatory motion, which both diverted the radiation of the ice into a veiny form, and at the same time gave to the stones their oblate spheroidal form. Their external roughness, or botryoidal structure, I imagine to have been put on by meeting lower down with drops of rain that settled on them, and became frozen at the moment of contact, in the form of drops. Thus every stone was a single crystalline formation, varied according to circumstances in the different stages of its progress.

A well known illustration of the effect of electricity, is that of combining oxygen and hydrogen, by effecting an electric or galvanic discharge in a receiver filled with these two elements in a gaseous form, in the proportion to produce water. What then takes place is this:—The electric or galvanic fluid, at the moment of its discharge, disengages all the caloric, which, in a latent state, held the elements of oxygen and hydrogen in the form of gases, commingling, but not uniting. Their gaseous character being destroyed, and these elements forced by the electric shock into close contact, thus combine to form water. In the same manner, I conceive, that the immense discharges of electricity, in the mighty laboratory of the atmosphere, surcharged with moisture, might rapidly disengage very large portions of caloric, and thereby occasion that sudden and extraordinary congelation, which issues in the development of such fearful storms of hail as we are sometimes visited with.

The third phenomenon to be observed upon was the extraordinary roar that I have mentioned, as preceding the appearance and descent of the hail. This I conceive to have been caused by the rapid rotation of the hailstones in the course of their formation and fall. The height of the storm, and the steadiness with which it approached, may be understood from the fact, that this roar was heard distinctly at least five or ten minutes before the hail descended. It was to me the most awful part of the storm, for as I could not, at the time I heard it, imagine the cause of it, so being unexplained it seemed the more ominous and fearful. Had there been any furious wind, such as often precedes the descent of heavy falling weather, the sound might have been attributed to it, and not occasioned so much remark. But it was

singular, that throughout the whole of the storm there was very little wind, and the hail fell so steadily, that a casement window that stood open, and apparently therefore most exposed to its fury, had not a single pane of glass injured, because it presented only its edges of iron to the storm, while the other window adjoining it, which was closed, was entirely broken to pieces.

Indeed, it was a most extraordinary feature of the storm, that while the other elements, caloric and electricity, were in so disturbed a state, and the hail was descending with such fury, there was hardly any wind. Before the storm none was perceptible—during its height there was but little—and when it had swept by, it left a stillness behind it, that contrasted strangely indeed with the turmoil and rage of the preceding quarter of an hour. At Birmingham, the force of the wind, during the whole of the day, never exceeded 2lbs. on the square foot, as registered by Mr. Osler's anemometer; and this during a period of  $16\frac{1}{2}$  hours, in the course of which the total amount of rain deposited was 1.340 in.—a quantity equal, within little more than four-tenths of an inch, to that which fell during the whole of the month of July, although rain, more or less, fell on twenty-one days of that month.

It was a melancholy scene that presented itself to view upon the first subsiding of the storm. Immediately adjoining to my own premises was a tract of about fifty acres of barley, which had been throughout the year the pride of the cultivator, and the admiration of all who had seen it. In the brief period of twenty minutes had this, and many other crops besides, been completely destroyed; and, where but half an hour before all had been smiling, and hopeful, and promising, nothing was to be seen but desolation and dismay. The first comfort, in the midst of all the ruin and destruction was, that no lives had been lost; for, with the exception of two men killed at Clanfield, near to Bampton, twenty miles from us, whither that portion of the storm which I had seen passing before me from N. to S. drifted and spent itself, no instance has occurred of the destruction of human life by the storm, a mercy of its Ruler most devoutly to be recorded, and most gratefully acknowledged.

The effects of such a visitation are not so easily judged of by the vast extent of devastation caused to the crops, as by a variety of incidents that occurred in connection with it. Thus great fear was betrayed by the cattle, immediately previous to, and during the burst of the storm. A man who had gone into a field to look at some young colts, found them so distressed and alarmed that they came round him, as if expecting protection from him against the impending danger, and very plainly manifesting great fear. A gentleman, who was caught on the high road riding, in the very middle of the storm, dismounted, and crept for shelter under a hedge; his horse, a mare of much courage and blood, was so cowed, that she crept down on her knees into the ditch beside

him, quaking in every limb with fear. I had watched some teams at plough as the storm came on, and wondered that they had not gone home, but they withdrew to a rick in the middle of a field; and the last object that I witnessed, as the storm descended in that direction, was all the teams loose, and tearing in confusion about the hills. The smaller animals and birds were killed in great abundance. A man told me, that as he sat for shelter under a hedge, he saw ten or a dozen hares running about, and one after another was struck by the hailstones, leapt up as if shot, tumbled over and fell dead. A leveret was found cut completely in two. Great numbers of crows, pheasants, and partridges were killed.

The injury done to buildings has been very great. Not only have the more fragile parts of houses suffered largely, as in the town of Chipping Norton, which faced the storm, and the damage in which to windows much exceeds £1000, but even the roofs had been materially damaged. I went into some of my low buildings, where the hailstones were breaking in through the slates, in order to judge of the noise, and such was the tremendous clatter upon the roof, that I could not hear myself speak. Several houses have had their roofs completely destroyed; for, having been slated with a slate found in the parish, and which is not so hard as the Stonesfield slates, the roofs were entirely pounded to pieces, so as no longer to afford the least protection to the building. But even the very best and hardest slates have been materially damaged. Those of my own house, which were some of the best in the neighbourhood, were many of them broken, and the slater, who is acquainted with the force necessary for the fracture of such slates, has assured me that he could not, with a stone as large as his fist, strike a blow, by throwing it, of sufficient power to break the slates as the hailstones did. No doubt their force was acquired, not merely by the accelerated velocity of their descent from the vast height where they were formed, but by their own revolution, which must of course have increased the amount of motion they contained, and thereby have added to their force and power.

The leaden roof of the church was so indented with them as to present, at a little distance, the appearance of a person strongly marked with the small pox. My own grass-plat was an instance of the force with which the hailstones descended. For, notwithstanding it was remarkably firm and hard from frequent rolling, the hailstones cut into it to the depth everywhere of an inch and an inch and a half, the holes being about two inches in diameter. It was here that I had so favourable an opportunity of observing the structure of the hailstones, as they gradually dissolved in their several forms, which they had struck for themselves on their descent upon the ground. The garden itself was completely dismantled. All flowers and vegetables were cut to pieces. Thick substantial cabbage plants were struck, and the hearts cut out and scattered around. All my young fruit trees were so seriously

injured by long pieces of bark being stripped off them, that they never recovered themselves, but were cut down to produce new shoots. Large branches were struck off the trees, and more than half their foliage stripped off them. A lane which had a number of fine elms growing along it, was swamped with leaves and small branches, which lay at least a foot deep throughout it, and many miles of road were strewed in a similar manner.

Where the hailstones descended the chimneys, as in many cases they did, their size and the force of their descent were so great as in two instances to cut through the kettles boiling on the fire. One of these I have seen, and the hole made was about an inch and half long. In a valley at Great Tew the flood of rain, carrying with it the immense hailstones, was so great that it swept down a strong wall, and the hailstones accumulated in so large a quantity, that they had not entirely melted away a fortnight after. Mr. Cartwright of Aynhoe, who lost, it is said, to the amount of £1200 by damage done to glass, used the ice of the hailstones for some days after to cool his wine, and even ice-houses were replenished with them.

While, however, these minor effects of the storm speak to us intelligibly of its fury and power, they are matters of little account in comparison with that vast and overwhelming devastation which fell upon a great number of cultivators of the soil. A considerable district of this county, extending from the parish of Churchill, in the vicinity of Chipping Norton, on the West, to Souldern, in the neighbourhood of Deddington, on the East, and containing about fifty square miles, or one-fifteenth of the whole county, was more or less injured by the storm. Its centre seemed to be the parish of Tew, for here the crops were not only thrashed as they grew, but the stalks were cut down, and the straw driven into and buried in the soil by the hailstones. Its course was very uncertain, for though it was generally from E. to W. yet on passing Deddington, which though high and exposed was not much injured, it suddenly made a sweep to the northward, and ended in the county of Northampton. Its extreme length was about twenty miles, and its greatest breadth four, diminishing to three, and two miles as it gradually exhausted its strength.

The losses caused by it in Oxfordshire alone, far exceeded the sum of £30,000. Indeed so great was the loss both in this county and elsewhere, that the Hail Storm Insurance Company felt the necessity of raising the rate of premium hitherto charged, and determined on doing so, though to what extent I am unable to say.

Altogether, the storm of the 9th of August, 1843, appears to be one of the most remarkable upon record. Whether all the several tempestuous ebullitions of that day are to be regarded as one storm, or as separate results of similar atmospherical disturbances prevailing at different points of our island, the day itself must be long memorable, as the one on which they all occurred: and the



counties of Oxford, Bedford, Cambridge, Norfolk, and Kent, will long have cause to remember the disastrous effects of a calamity, which, though doubtless ordained for wise, and good, and merciful purposes, is one that speaks intelligibly in echo to the words of Holy Writ, "The Lord's voice crieth unto the city, and the man of wisdom shall see thy name; hear ye the rod, and who hath appointed it." Micah vi. 9.

The theory advanced above, as to the mode in which, as I conceive, such vast hailstones are formed, led to some questions controverting it which I endeavoured to satisfy. I have, however, since met with a very strong confirmation of it in the following fact stated by a correspondent of the Times newspaper, in the year 1846, as having been observed by himself after a similar storm that visited Camberwell on Saturday, August 15. Having detailed the sizes of the hailstones he collected, he thus describes their form and nature:—"Most of them had the shape of a flattened pigeon's egg, or a flattened sphere. In general it may be observed that no two hailstones, although nearly of the same size, had nearly the same form, or seemed to have been produced under the same circumstances. The largest stones appeared to have the greatest density; the smallest being spongy, as if formed of pressed snow. The momentum of the hail was very small." Who the writer of this letter, and the maker of these observations was I never knew, but made thus quite independently of those I had previously made, they entirely confirm mine. The writer speaks of their being formed under different circumstances, and these I believe that I have pointed out. Again, he says that they were of various shapes, although there was a general configuration. That general configuration is precisely the same as that I have explained, and the variety of form exactly agrees with the mis-shapen exterior that I observed. But what is more remarkable and more important still, the Times correspondent remarks expressly the formation from compressed snow, and the harder and more compact form of those which had increased in size from the first compression of the snow. And lastly the very small momentum of the fall of the hail most exactly agrees with, and confirms my idea of their riding in the storm in the peculiar manner I have described. For unless something of this kind had been the case, they must have come to the earth from the immense height where they were formed with a vastly accelerated momentum, and with even greater violence than they did.

There is one instance upon record in former times of a similar storm having happened in this vicinity, for Dr. Plot, in his History of Oxfordshire, writes thus:—"It is reported that at Chadlington, in this County, there happen'd a strange Tempest of Hail, which destroyed all the Corn in so grievous a manner that there was no profit made of it, and that it broke all the Windows in the Parish." As the distance of Chadlington from hence is small, and the natural direction of the storm would be towards

us, it must certainly have been felt more or less in some parts of the parish.

I cannot forbear adding here, in connexion with the general subject of storms, the account of two of the severest on record, which is given in his History of our Edward III., by Barnes, for although the one occurred in Italy and the other in France, yet both serve to show what such storms may be and do even when they take place without the tropics, within which they are of the most fearful and disastrous character. The cases related are these :—

“1353. The same year at Cremona, near Mantua in Italy, there fell a mighty storm of Hail, whereby many cattle and people were destroyed, and even strong-built houses not a little damnified. For if we may believe the report of Historians, several of the Hailstones weighed eight pound, and those of the lesser sort a pound.” Barnes, 431.

1360. While Edward the third was importuned by Ambassadors from France to enter into a treaty of peace, and yet was inexorable to all their just and reasonable desires, the king, who was indifferent to the demands of men, was constrained to yield by a remarkable and terrible interposition of Providence, which is thus described :—“Surely the occasion which wholly brought him over was very remarkable if not miraculous ; for presently upon these words (in behalf of peace by the good Duke of Lancaster) while yet the king was inexorable, and refused to give the French Commissioners any agreeable answer, there fell from heaven such a wonderful storm and tempest of Thunder, Lightning, Rain, and Hail among the English Army, that it seemed as if the whole fabrick of nature was falling to pieces ; and with all it was so excessive Cold at the same time, that it cannot be imagined : so that together with all these arrows of God’s anger, there perished no less than 6,000 horses, and well nigh a 1,000 men, among whom were several persons of quality. The boldest heart of all these valiant souldiers trembled at the apprehension of this dreadfull judgment : but king Edward, like a good and pious Prince, looked upon it as a loud declaration of the Divine Pleasure : wherefore immediately alighting from his horse, he knelled down on the ground, and casting his eyes towards the Church of our Lady of Chartres, made a solemn vow to Almighty God that he would now sincerely and absolutely incline his mind to a final peace with France if he might obtain good conditions ; at which time also he made a devout confession of his sins, and so took up his lodgings in a village near Chartres, called Bretigny, where the French commissioners being come the next day with more ample instructions, the King was content to accept of Peace.” Barnes, 583.

Only this very winter, 1854-5, there has been seen here by one of my sons, J. J., one of the two most remarkable phœnomena that can ever be witnessed. These are one’s own shadow by the

light of Venus, and a lunar rainbow. I never saw either, but the latter was visible here very perfectly this winter, the arch of the bow being exceedingly high, and the colours very bright. Yet so transient was it that before I could reach a window to view it, it had passed away.

On several occasions during my residence here, from 1840-1855, I have witnessed very grand displays of the Northern Lights or the Aurora Borealis. One winter the air, for it was not the sky that was affected, nor were there any clouds perceptible about, but the air itself immediately above and around the house presented the appearance of a most rich yet delicate transparent blood red colour. Another winter I was summoned by the fears of some of the neighbours to see a still more varied and extraordinary display of this remarkable phenomenon, and on proceeding to the northern extremity of the village, where the ground is high and the horizon northward clear so that the view is uninterrupted, I beheld for a considerable time rapid and frequent flashes, gleams, and suffusions of light darting and spreading both westward and eastward, and giving the idea of two celestial hosts discharging silently flashing artillery against one another; and yet not in the slightest degree like the sheet lightning as it is called, and which is only the evanescent gleaming of the far distant electric explosion.

In the month of February, 1850, I had the good fortune partially to witness the effect rather than the actual appearance of one of the finest meteors that has ever been known, and which was so remarkable that I made the following communication respecting it to the Astronomer Royal:—"I had been in bed about ten minutes, when, it being then about a quarter to eleven, a flash of light appeared upon the window, increasing in intensity as it continued, and its permanence of several seconds proving it not to be lightning. Some time after the light had disappeared, a sound as of a fearful explosion followed which shook the window and the whole house, but was utterly unlike thunder. Some of the family were greatly alarmed fearing that a forcible entry was being made into the house, and the noise was that of a falling shutter. From a young man who had both seen and heard it I had this account:—He had gone to a rick to cut some hay, and found himself suddenly in such a blaze of light while cutting the hay that he feared he had set the rick on fire, and looking up he saw a large ball of fire of a bluish light in the sky, which moved steadily along in front of him and burst into sparks of fire, leaving him in total darkness, so great was the change when the light disappeared. He then took up his lanthorn and the hay, walked round two sides of the rick, opened a door into a loft, threw the hay in, shut and fastened the door, went round the stable to a gate in the stable-yard, and as he reached this gate heard the explosion, which must have followed the act about a minute and a half or two minutes. The sound was heard dis-

tinctly and loudly everywhere, and in every house around here. Some hearing it fancied that barrels had burst in their cellars, and got up and went down to see; the drumsticks on a drum were shaken by the reverberation; and many other evidences of its effect might be added." In reply to this communication the Astronomer Royal was obliging enough to write:—"Sir, I am much obliged by your account of the Meteor of the 11th inst. . . . I understand that at Rugby the meteor was seen nearly in the zenith. If so its height was about 21 miles. The sound would occupy about  $1^m 40^s$  in passing through this column of air, which agrees sufficiently with your observations. I conceive that there is no doubt of the explosion having taken place when the meteor was at a very great elevation. . . . I am, Sir, your obedient servant, G. B. Airey." To Mr. Glaister, one of Mr. Airey's assistants, I sent, by his desire, some additional particulars from persons I could depend upon, especially from Mr. Jabez Kimber, of Little Tew, who saw it under the most advantageous circumstances, and which were very acceptable. Mr. Glaister's published account was highly interesting, and his conclusion especially so. "It seems certain that this meteor must have come from the regions of space, far beyond the influence of our vapours." How wonderful that to this our earth should come matter in a solid form, and consequently from some other of the heavenly bodies!

During the winter of 1855-56 there have been seen several very remarkable and magnificent meteors. One was seen on Dec. 31, 1855, a second on January 7, 1856, and the third on February 3, 1856. Of these the first and third were plainly visible here. That on Dec. 31 was witnessed by T. B., who was on the road homeward from Chipping Norton, about 6 o'clock, and had just reached that part of it that passes Lidstone, where the view of the sky southward is peculiarly open and uninterrupted, when he beheld in the south-east a splendid ball of fire, which after slowly descending, and leaving behind it a long trail of light, like a fiery serpent, exploded, and so passed away; though its trail of light continued visible for some considerable length of time afterwards. The third on the 3rd of February was seen by my son J. J. in the same quarter of the heavens as the preceding, but rather later in the evening, about 8 o'clock. Its appearance was of a deep red colour, which may have been occasioned by its being seen from a comparatively low position, and when it was not at any great height above the horizon. In exploding it burst into two immense masses, which in their turn also burst into a multitude of glittering stars, and so disappeared. This meteor was seen, as described in the public papers, by persons at Foot's Cray in Kent, and at Burbage near Marlborough. The former particularly describes its shape as oval, its size as that of five or six full moons long and two broad, and its colours, which varied from time to time, as at first orange coloured, then brilliant green, and lastly brilliant red, though its edges were still orange coloured. These changes of

colour, and that prismatic character, seem to indicate dependence on the influence of refraction.

In the summer of 1855, on the 25th of July, about 4 o'clock in the afternoon, the phenomenon of a Waterspout was seen in the sky, exactly due west from Church Enstone, and far over the further hills, in the direction towards Cheltenham. It was seen by my daughter E. J., and by two neighbours, T. B. and J. B., from whom I had an accurate description of it. The height at which it appeared was not very considerable, about one third of the distance between the horizon and the zenith. It descended from a cloud in a long pipe-like form about the size of a man's thigh, and continued lengthening gradually until it reached another lower cloud, or stratum of clouds, when it was drawn aside from the perpendicular, and having apparently spent itself, passed away almost imperceptibly. That very evening, however, between nine and ten o'clock, there commenced in and around Cheltenham a perfect deluge of rain, which continued through the night, increased on the following day, July 26th, and produced a flood, the effects of which were of a most serious and destructive character. The accounts given in the Cheltenham papers describe the rush of rain on the 26th, as that of "a succession of waterspouts bursting over the town." This is the more remarkable, as corresponding so with the phenomenon of the waterspout actually seen from hence, descending in that direction only a few hours before the rain commenced at Cheltenham. For although of course this waterspout could not be one of those imagined by the writer referred to as bursting over Cheltenham, yet it indicates plainly the formation and action of such phenomena at the time, and that the atmosphere was in a state to generate them.

VIII. GEOLOGY. The nature of the soil of this parish is commonly described as Stonebrash, but the stratum, upon which this soil rests, and from which is derived its stony character, is called the Great Oolite. It consists chiefly of rocks, which by their upheaved masses give the rounded configuration that our hills have, and in some places afford us very admirable springs of water, while in others there is a considerable dearth. There is very little variety, except in the texture of the stones which these rocks afford, some of them being very excellent, durable, and dry, and valuable for all building purposes, while others are poor and friable, and scarcely fitted for the roads. Of mineral productions there are none of either value or curiosity, except a few rough stalagmitic specimens, formed by the water dripping through the rocks, but few stalactites have been found here. The Goldwell, which Bushell formed his waterworks at, is an encrusting spring, and objects left in it become covered with a deposit of limy matter. Our Church, the interior stone-work of which is in fine preservation, appears to have been built of stone from a quarry † Heythrop, where formerly there was an excellent one, from which the mansion was built.

There is mention made by Dr. Buckland, in his Bridgewater Treatise, of some few but significant fossil remains that have been found here. He writes thus:—"There is in the Oxford Museum an ulna, from the great Oolite of Enstone, near Woodstock, Oxon, which was examined by Cuvier, and pronounced to be cetaceous, and also a portion of a very large rib, apparently of a whale, from the same locality." Vol. i. p. 115, note. This fact carries back our thoughts to a time when the very rocks themselves, in which these remains of a whale have lain buried, must themselves have been in a state of solution, and have formed a fluid mass, however thick and turbid, which must have whelmed this earth, but in which creatures of this whale species lived and swam. Such a fluid mass must have covered this earth before the time of Adam, and when God spake the word saying,—“Let the waters under the heavens be gathered into one place, and let the dry land appear,” then may have been the occasion when these rocks settled down into their places, carrying with them the creatures that had before lived in them when dissolved, and the waters being gathered from them the dry land appeared.

IX. OF OCCASIONAL EPIDEMICS. Although the situation, airiness, and freedom from exhalations render Enstone a healthy neighbourhood, there have been times when it has been visited by Epidemical diseases elsewhere prevalent, and brought here either by traffic through the place, or the at present undiscovered progress and causes of such visitations. Such indications or notices of these as the registers afford it may be well to recite.

1597. The year 1597 was one in which during the last four months the mortality was unusually great. In the former part of the year there was but one death, while in the last four months there were twenty-one. On the 10th of October John Butcher, of Cleveley, his wife, and Mildred, his daughter, were buried, and subsequently Jane Butcher was buried. These were the first buried, and after them eighteen more. What was the cause of this there is no hint whatever.

1604. The plague was supposed to have appeared here, for the death of one person is attributed to it thus:—"1604, Alic Ffree-man died (as it was thought) of the Plague and was buried the VIIIth of May."

1609. A few years after, however, there was a more terrible visitation of this fearful calamity, which attacked and carried off nearly a whole family. They were the Innholder's family of the name of Boulton of the Inn. In one day three of the family fell victims to the pestilence, their burials being thus recorded, after that of Robert Boulton, who was the first that died with it:—"1609, Alic Boulton of the same Inn and her base son called John, 23, and Elisabeth Boulton her sister were buried the XXIInd day of November being visited with the Plague. Item, William Boulton of the Inn was buried the VIIth day of December being the Innholder."

The Plague first appeared in England in 1563, having been brought by the Earl of Warwick's followers on their return from Havre de Grace, and at that time 20,000 persons died of it in London. In 1604 it again broke out, and 30,000 in London, out of a population of 150,000, died of it. In 1625 again it raged in London, Oxford, and in the fleet. In the interval, then, as it would seem, that is in the year 1609, it visited Enstone.

1625. One case that occurred in 1625 seems also to have been suspected of it, for we have this entry :—" 1625, William Claport was buried the last day of September, as it was reported of the Kentish ague: as it was represented of the pestilent fever." No other case, however, occurred then, and in 1665, when the Great Plague of London occurred, and 90,000 persons died of it, our registers make no mention of any instance of it here.

1677. On the gravestone of Mr. Richard Eyans, who lies buried in one of the Chantry Chapels on the North side of the Church, it is recorded that he died of Rheumatism, said at that time to be Epidemic, thus :—" Qui postquam annun compleverat quadragesimum quartum, in fatalem incidit morbum, quem Rheumatismum vocitarunt tunc temporis Epidemicum." But although Mr. Eyans' burial is entered in the Register, there is no mention there of any such epidemic, and not the slightest indication of it, for the registered deaths for the year are only two, the registers at that time being most negligently kept.



## CHAPTER XI.

CHRONOLOGICAL RECORD OF INCIDENTS AND  
EVENTS.

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THE course of our history hitherto has been to describe, under various heads, those memorials of the past, whether monuments or records, that remain amongst us ; and in doing so to illustrate, as much as possible, the manners, customs, and social condition of those who have inhabited and enjoyed this parish and all its precincts before us, and thus to make it as interesting and instructive to ourselves as possible. We are now about to digest and make use of these memorials in another form, by weaving from them such a chronological record of incidents and events as may increase the interest and instructiveness of our history, and by interweaving with these such other facts as may serve to render our Parochial History still more complete, as an integral part of, and as connected with, the general history of our country. In the Parish Registers and Account Books there are occasionally to be met with references to circumstances and incidents which, although not of any great importance in themselves, yet, as serving to illustrate somewhat the social and domestic manners of our forefathers, acquire thereby an interest and a value by supplying what larger histories seldom afford, much insight into the household and familiar occurrences of the past. But, besides these parochial authorities, there are others of a more general character that sometimes afford us information respecting our own locality, and these we shall introduce, together with the former, arranging them all chronologically, and distinguishing in each particular instance the source or authority whence our knowledge of any fact is derived. In doing so we shall but follow the current of English history, and adopt the ordinary periods and division of it, as exemplified in the succeeding paragraph.

BRITISH AND ROMAN PERIOD, 55 B.C. to A.D. 409. The great Roman emperor, general, and historian, Julius Cæsar, invaded Britain in the year 55, before the Christian era ; that is before the birth of Jesus Christ, from whose birth we now reckon our years, so that this is the year 1857 since He was born, and is therefore called the year of our Lord, or in Latin, Anno Domini, commonly written A.D. It is therefore now 1912 years since Britain was thus visited. Some time, however, before this our country was known to the Romans by the name of Britannia, but it was not



discovered by them to be an island until the time when Agricola was governor, and when he sailed round it. The Romans continued to exercise dominion here for no less than 464 years, that is from the year 55 B.C. till the year 409 A.D. It was during this period at least, although very probably even before it, that our most ancient monument, the Enne Stan, that is the Giant or Great Stone, was erected, for notwithstanding that that name is Saxon there can be no doubt of the monument so called being British, or Romano-British; that is, either founded in the most ancient times, when Britons only knew and inhabited this island, or during the period when the Romans reigned over the Britons and held them in subjection. We can have little difficulty in conceiving what was the state and condition of this vicinity at that time. It was like the uncleared forests of the United States of America, or of Canada, at this day; or, to come home to a nearer likeness still, it was in much the same state as the yet disafforested remains of Wichwood now are. But with the exception of the surface of the earth, and the single monument whence the parish now derives its name of Enstone, no monument or memorial survives to tell us of the past, and to point out to us where our British progenitors dwelt or lived. All that we know further is that in our immediate neighbourhood similar monuments to this have been erected and remain, as the Hawk stone, or Hoar stone, at Dean, the stone at Barton, and the very extensive and interesting British relics at Rollright, commonly called the Rollright stones. It was at this period also that the tumuli to be found at Charlford must have been formed, unless indeed they are to be regarded as of older date.

Our British ancestors, when first visited and subdued by the Romans, were living here in a rude undisciplined state. They wore no clothing scarcely, but had their bodies painted and adorned with figures, much in the same sort of way that the savage New Zealanders have done until they have become Christianized. They were heathens, worshipping the sun, moon, and stars, and rude unshapen crags of stone; their religion was that called Druidical, from the names of their priests, Druids, whose rites were barbarous and cruel, and their morals were, as might be anticipated, of a degraded and debasing nature. Their wants, however, were few, their food simple and moderate, and they eschewed intoxicating drinks, in this respect being a memorable exception to the character of all the other races who have succeeded them here, and who have all of them been grievously addicted to indulge in strong liquors.

Now, however, beyond all doubt, that is during the time that the Romans held sway in this island, must have been made the extensive earthwork that gives name to the Park of Ditchley, as well as the Roman villa, the remains of which have been found there, and the site of which is still visible there. Nor should we omit to remind the reader of the larger one within the same

boundary at Northleigh, or to mention another, discovered in 1810 at Beaconfield Farm.

SAXON PERIOD, A.D. 409 to A.D. 827. *Before the Heptarchy.* The Romans having relinquished their government in Britain and retired from it, in consequence of the steadily progressing decline of the Empire, the Picts and Scots, two savage and warlike people, who had been driven into and restrained within the mountainous parts of the northern portion of the island, now called Scotland, finding themselves relieved from the power of the Romans, descended into the southern portion of the island, now called England, and harassed and oppressed the Britons. These having become unused to war, under the protecting dominion of the Romans, were compelled to seek foreign assistance, and invited the Saxons, a people of Germany, to their aid. These last, however, soon learned to subdue and profit by the Britons rather than protect them, and while they delivered them from the Picts and Scots they reduced them in subjection to themselves. But they did not accomplish this either easily or speedily, for it was not until the contest had lasted 150 years, nor until many other Saxon or German tribes arrived to carry it on, that at last the Saxons gained possession of England, and then only to people it themselves, the unsubdued but persecuted Britons retiring into the mountains of Wales, and the barren recesses of Cornwall, or fleeing to Brittany, which was of cognate origin, and there finding freedom amid trials, rather than accepting life and subjection to the Saxons.

*The Heptarchy; or the Seven Kingdoms.* The result of the conquest of the Britons by the united power of various Saxon or German tribes was that these last divided the country amongst themselves, and founded seven kingdoms, which were called, from two Greek words, *the Heptarchy*. These seven kingdoms were as follows:—1. Kent, comprehending the present counties of Kent, Middlesex, and Essex, and including the principal city London, and the chief cathedral of Canterbury. 2. The South Saxons, comprehending Surrey, Sussex, and the New Forest. 3. Wessex, including Hants, Dorset, Wilts, Berks, and the Isle of Wight. 4. The East Angles, containing Cambridge, Suffolk, and Norfolk. 5. Essex, which was detached from the kingdom of Kent, and included part of Hertfordshire. 6. Mercia, comprehending the Midland counties from the Severn to the boundaries of the two last-named kingdoms. 7. Northumberland, the most extensive of all, as taking in all the northern counties. Such were these seven kingdoms as first established, but their whole history, for nearly four hundred years, consisted of nothing more than the quarrels and wars of their petty sovereigns, until Egbert, king of Wessex, after subduing all the others, made himself sole master of England, in 827.

It was during the heptarchy that the parish of Enstone first began to assume importance as a locality, and to take its place

and rank amongst those who could assert for themselves "a local habitation and a name." It was comprised within the kingdom of Mercia, and was recognized and disposed of as a manor by the sovereign of that kingdom. The Saxons were themselves heathens, and although Christianity had been introduced into England, and had flourished for a time during the British period, it had been entirely driven out of the land wherever the Saxons pervaded it, and scarcely survived even amongst the Britons in their seclusion in Wales and Cornwall. The work of conversion had to be entirely recommenced, and it was begun by the Roman Pontiff, Gregory the Great, sending over Augustine, the monk, with forty companions, who succeeded in founding the Archbishop's see of Canterbury, and so reintroduced the Christian religion amongst our heathen Saxon ancestors. Amongst other religious foundations established in the kingdom of Mercia towards the end of the Heptarchy, was that of the once famous Abbey of Winchcombe, in Gloucestershire, which was at first a nunnery, instituted in the year 787 by king Offa, but within a few years after, in 798, enlarged by king Kenulphus into a monastery with a very noble church, which last was dedicated, in the year 811, with very great pomp. But the Mercian king, Kenulphus, when he endowed the Abbey he had founded with lands for its maintenance, conferred upon it, amongst others, the manor of Enstone. This is the first notice that we have, in written history, of the existence and name of the place, and this manor so conferred we conceive to have been, as already shown under the head of Neat Enstone, that part of the parish which may be strictly called Neat Enstone field, including the present village of that name, and also Church Enstone field and village.

*Subsequent to the Heptarchy.* We have seen that the Heptarchy ceased in 827, and that the Abbey of Winchcomb was endowed with the Manor of Enstone, at the dedication of the Abbey Church, in 811. But at this earlier date it does not appear, that as yet there was any church here. The first founded at Enstone, that we know of, was dedicated to St. Kenelm, whose murder took place about the year 819, so that we may safely infer that no church at Enstone was founded until such time after his murder as he had come to be recognised as a saint, and not therefore until after the Heptarchy had ceased. But, although the whole of England had at this time become consolidated into one kingdom, it was still subject to the invasion of foreign ravagers, and especially of the Danes, who made frequent and violent assaults upon the island. In vain did successive Saxon kings struggle with these fierce invaders, and strive to maintain their independence. Egbert, Ethelwolf, Ethelbald, Ethelbert, and Ethelred, all of whom reigned in succession, were but ill able to cope with their formidable enemies, and when at length Alfred became king, in 871, his kingdom was reduced to the very brink of ruin. He however, roused the dormant energies of the nation, and, by his

energy and example, as well as by his great administrative talents, raised the spirit of the people to assert and maintain their freedom from Danish oppression, and at the same time to lay the foundation of many of the liberties and institutions that we enjoy to this day. More justly and deservedly has he been styled the Great, than most of those upon whom history has conferred the title, for too often has it been bestowed upon the tyrants and oppressors of mankind, than upon such benefactors as Alfred the Great. Whether our church at Enstone was founded during the troublous times after the Heptarchy, or in the happier period of Alfred's reign, it is impossible at this day to determine, but that it was so founded somewhere about this time is most probable. Alfred died in the year 900, and as St. Kenelm, in honour of whom our church was built, was murdered about 819, so at some time or other during these 80 years, from 820 to 900, must the first church have been erected.

SAXON AND DANISH PERIOD, A.D. 901 to A.D. 1066. Notwithstanding all that Alfred had accomplished in relieving his subjects from Danish oppression, and the favours conceded by him to the Danes who still remained in the island, his successors were engaged in similar contests to preserve the mastery that he had won for them. The Saxon kings that now reigned in succession were, Edward the elder, Athelstan, Edmund, Edred, Edwy, and Edgar, the last of whom, although a licentious and unprincipled man, had a prosperous reign, which was remarkable for the great number of foreigners whom he encouraged to settle here, and for the total destruction of the wolves that formerly inhabited this country. Of their having at one time infested this very parish, we have a proof in the ancient Saxon name of a furlong in the field of Clevely, to be found in an old deed we have, the furlong having been called Wolfhaimewelle furlong, which evidently means Wolf's-collar-well, or, it may be, Wolf's-snare-well. After the reign of Edgar the Saxon dynasty began to lose its influence and power, in consequence of the crimes and cruelty of his family. Edward, eldest son of Edgar by a first wife, was murdered at the instigation of Elfrida, the second wife, to make way for her son Ethelred; and he, partaking of his mother's bloody nature, projected and carried out a plan for murdering the Danes throughout the kingdom. This atrocious act brought their compatriots to avenge their wrongs, and Sweyn the king of Denmark was crowned king of England. Subsequently he withdrew, and Ethelred, being recalled, reigned until 1015. His successor Edmund still resisted the Danes, until at length a treaty was entered into with the Danish king, Canute, by which they divided the country between them; but, Edmund being murdered by some of his own people, Canute became the sole monarch, and the Danish dynasty for a time predominant. Canute became king of England in 1017, and was succeeded, sixteen years after, by his son Harold, he being followed by his brother Hardicanute,

and then by Edward the Confessor. Thus, after the Danish monarchs had been supreme for a time, the former Saxon dynasty was revived, and continued in power until the time of the Norman Conquest; William, the son of Rollo, a petty prince of Denmark, and the first duke of Normandy, having become the second duke, and having made an expedition into England, which he conquered, and effectually possessed himself of, by establishing everywhere throughout the island the Norman knights, who accompanied him.

**THE NORMAN PERIOD, A.D. 1066 to A.D. 1154.** It may well be believed that, amongst the Norman settlers, there were some who obtained possessions in this parish. Some certainly there were all around the vicinity, for the old Castle at Oxford was built by one, and no doubt the Castles that formerly stood at Chipping Norton, and Deddington were. One of the oldest names we have in the parish was that of Alicia le Veysi, of Chaleford, which was a Norman name, and one afterwards of much celebrity, for Eustace de Vesci, which is the same name, was the second baron who signed Magna Charta. Alicia le Veysi was the daughter of Roger aux Stonhard, which again shows a Norman origin, and thus we may see how, according to the jealousy of conquerors, they chiefly kept up connexion amongst themselves. Now it has already been shown, that the ancient manor of Enstone, according to the limits that have been prescribed for it, had been conferred upon the Abbey of Winchcombe, and this being so, it is easy to understand that some Norman settler of the name of Veysi obtained a grant of land at Chaleford, and that our Alicia le Veysi was the widow of his descendent, whose line becoming extinct, or threatening to become so, for it is questionable how it was that John Brown was her son, she thereby became willing to dispose of some part of the property to charitable uses. Another name that we meet with at a later time, that of Le Blunt, or le Blount, was also of Norman origin, for the families of Le Blunt were of great antiquity, and could trace their descent from two brothers who accompanied William the Norman to England. Whether they obtained any settlement in this parish may be doubted, but that they were in the vicinity there is no question of, for in the year 1349, there was a Jacob le Blunt resident at Fawler. In the partition of lands made by William the Conqueror, and recorded in Dome's day Book, as already referred to, the Manor of Enstone was awarded to the Abbey of Winchcombe, and this manor consisted of the two fields of Neat Enstone and Church Enstone, as they have since been called; these two fields being of exactly similar extent, on the two sides of the stream that divides them to this day, and maintaining consequently the very same proportions and form that they acquired 800 years since. So another part of the parish, some of the estate at Charlford belonging to Oriel College, the rest of which is in Spellsbury

parish, was at the same time bestowed upon Henry De Ferieres, one of the followers of the Conqueror, and these lands have ever since continued to be one property, though strange to say they are located in two different parishes. Thus we see the proof, that as Britons, Romans, Saxons, and Danes in succession enjoyed this place, so did the Norman measurers divide and apportion it, and that with such exactness, that we recognize their measurement even now in our own.

The kings that reigned in England during what is termed the Norman Period, were William I., or the Conqueror; William II., or William Rufus, that is the red, because of the colour of his hair; Henry I., called *beauclerc*, or the good scholar, because of his learning, who had a palace at Oxford called *Beaumont*, or the Beautiful Hill, near where Beaumont Street now is; and Stephen. The last-named was an usurper who seized the crown of England, and thereby dispossessed of it his cousin Matilda, or Maud, the rightful heiress. In the old Norman castle at Oxford, now converted into a gaol, she endeavoured to maintain her rights, and to defend herself when besieged by Stephen, and it is an interesting fact that that siege having continued for a long time, and the Church of St. George still existing in the castle, being inaccessible to the people in consequence of the siege, there was built outside the town, in the adjacent fields, another church for their accommodation, which remains to this day, and forms the chancel of St. Thomas' Church. The period during which the Norman kings reigned was from the year 1066 to 1153, that is about 87 years. It was towards the end of this period, during the latter years of the reign of Stephen, about the year 1150, that the first great addition was made to the Church that had been founded at Enstone in the Saxon times. Whether the church then first erected had ever been rebuilt until now that this enlargement took place is doubtful. I am inclined to think that it had not, and that the same primitive temple that had first been erected here still remained. This, however, is quite certain, that now, at the close of the Norman period, all the original south aisle (not the whole of the present one) all the noble southern arches and piers or pillars, and the very rich and handsome south doorway were built. There have they stood now about 700 years, and there they endure as a monument of the very great taste and talent of the architect who designed them, of the admirable skill and ingenuity of the mason who wrought them, and of the piety and munificence of those whose zeal for the honour of God and religion prompted them to provide the means for erecting them. Of all alike, however nameless, they proclaim their praise, and to all they still eloquently say, "Go and do thou likewise."

PLANTAGENET PERIOD, A.D. 1154 to A.D. 1483. The kings of England, of the race of Plantagenet, obtained their names from the ensign employed by the founder of their house to express his own humility. This was the lowly broom plant, called in Latin

*Planta genista*, whence was derived the surname Plantagenet, which, beshrew its humble origin, has risen to be one of the proudest names in the annals of history, whether English, European, or of the World. The long period that the Plantagenets reigned in England may well be divided into portions more suitable to the points of our local history.

*Plantagenet*, from A.D. 1154 to 1307. Henry I., the son of William the Conqueror, spoken of before as *beauclerc* the good scholar, had married the last surviving heiress of the Saxon line of kings, so that in their union both the ancient Saxon and the new Norman lines were united. Their only daughter, Matilda, had been supplanted in the kingdom by her first cousin Stephen, who had reigned in her stead, but she having married first the Emperor of Germany, and afterwards Geoffrey Plantagenet, Count of Anjou, had one son by her second husband, who was named Henry, after his grandfather, and who became king of England by the title of Henry II., being the first of the royal line of the Plantagenets. He conferred many favours and privileges upon his people, which he secured to them by charters, that is deeds, so called from the Latin word *charta*, signifying paper, or parchment, on which they were written. But he had to contend against an oppressive and tyrannical power, which, according to its professions and professed origin, ought to have been a blessing to him and his people. This power was that of the church of Rome, wielded by its head the Pope, who readily found in all kingdoms at that time willing agents of its grasping and destroying power. For this was indeed the time "of the power of darkness," and these were the dark ages of the world, when ignorance was supreme and superstition rampant. A striking proof of it was the fact, that when on one occasion, in the year 1160, at the castle of Torci in France, this our Henry II. and the king of France met the Pope, the two kings dismounted from their horses, and holding the reins of the Pope's horse on either side, obsequiously conducted the proud priest within the castle walls, and assisted him off his horse. "A spectacle," exclaims Cardinal Baronius with ecstacy, in his Ecclesiastical Annals, "to God, angels, and men; and such as had never before been exhibited in the world!" With this fact before us we shall not be surprised to find, as we do, that another equally proud and intemperate priest in this country, Thomas à Becket, Archbishop of Canterbury, opposed and resisted the authority of the king, although the king had raised him to that place to assist him in his endeavours to improve his kingdom, and thus effectually frustrate his good intentions. Becket was unjustly and cruelly slain, by some who thought that they would thereby do the king a service, but in effect brought him more under the power of the Pope, to whom he was forced to make an abject submission to obtain his pardon, while the murdered Becket was proclaimed a martyr and a saint, and extraordinary pilgrimages were performed to his tomb

in Canterbury Cathedral by the ignorant and priestled people ; which Chaucer, the famous old English poet, and father of English poetry, who during the last ten years of his life resided at Woodstock, in a house given him by the king, Edward III., has most graphically described in his Canterbury Tales written there. Henry II. invaded and obtained dominion over Ireland in 1171, and added this island to his kingdom. But although in many respects a great king, he was unhappy in his family, and was too much the cause of this himself. At his domain at Woodstock he had, not far from his palace, a bower as it was called, that is a concealed dwelling in the forest, where resided the fair Rosamond, who in consequence of her private intimacy with the king was murdered by his queen Eleanor. The king's sons also were so undutiful to him that he died at last of a broken heart. His son Richard, who succeeded him, and who was named *Cœur de Lion*, or the Lion-hearted, was a very valiant and powerful man, but he wasted all his strength and energy in the prosecution of the absurd wars called the crusades, which were undertaken for the purpose of subduing the infidels who had possessed themselves of the land of Palestine, and so opening free access for the superstitious to go thither on pilgrimages. He nearly lost his kingdom in consequence of the treachery of his brother John, who afterwards succeeded him and became king of England. He has the unenviable character of having been the worst that ever reigned in this country, and was in fact so bad that the people rose against him, the barons took part with the people, and all together at length forced the king to sign a grant of freedom and security to the whole nation, which is the foundation of all our great English liberties, and was called *Magna Charta*, that is the Great Charter. It was done in a meadow between Windsor and Staines, called *Runnymede*, on the 15th of June, 1215, and the name of the second Baron who signed it on behalf of the nation was Eustace de Vesci. About a hundred years later there was a family of the same name resident at Charleford in this parish, so that it is not at all impossible that this was a branch of the family of the baron who won and signed *Magna Charta* for the nation. John was succeeded by his son who reigned, as Henry III., for as many as 57 years, and by his imbecility reduced England to a very wretched state. His son Edward I., who had been engaged in the so called holy wars, revived the spirits and hopes of the nation, and endeavoured to extend his kingdom by the conquest of both Wales and Scotland. In Wales still survived then, as they do now, the remnants of the ancient Britons, who had retired therefrom before the Saxons, and they had their own sovereign, the Prince of Wales. Edward subdued the people, defeated and slew their prince Llewellyn, and made his own son Prince of Wales, so that ever since the eldest son of the Sovereign of England has borne the title of Prince of Wales. But he was less successful in Scotland, for notwithstanding many bloody battles, the dethronement of Baliol, whom



he had allowed to be the rightful king, and the capture of the famous leader of the Scots, Sir William Wallace, a new champion rose up in Scotland, Robert Bruce, or the Bruce as he is often called, who opposed the progress of Edward I., and in his son's reign fought and won the memorable battle of Bannockburn, and secured thereby the freedom of his country.

During the period of which we have now been writing, there existed, in the most northern part of the parish, a chapel, every remnant of which has long since perished. In a bull of Pope Alexander III., the very same Pope mentioned before as the Pontiff to whom the kings of England and France acted as grooms, amongst other property stated as belonging to the Abbey of Winchcombe, are enumerated "the church of Ennestone, with the chapel of Chawford, with all its appurtenances." Of this chapel, or of its probable site, one only memorial exists in the names still given to two fields, which belong to Oriel College, Oxford, and which are called First Chapel hill and Second Chapel hill, but there are no traces known to be visible in either of any foundations even of such a building. The date at which this chapel at Chalford was thus known to exist was the year 1175, but it was at a time subsequent to this that the next great addition to the parish church of Enstone was made. This consisted of the north aisle, and the very beautiful northern row of piers or pillars with the arches over them. As they are of what is called the Early English style of architecture, and are of transition character, indicating that they must have been erected late in the period of the style, which prevailed from the year 1154 to 1307, it is most probable that this addition was made about the middle of the reign of Edward I., or about the year 1290.

It is remarkable that this is about the date of the oldest deed we have connected with our Church Estate, as our charity lands have always been called, for the date of the earliest deed we have is, as nearly as can be ascertained, the year 1295. From that deed we learn that there had been resident at Dychelye one Radulf de Dychelye, whose widow, Margery de Dychelye, did thereby grant to her daughter Isabell two messuages and a yard land in Clevelye. And it further appears from this and other deeds that Margery of Dychelye was the daughter of Thomas Colonna, of Cleveleye, that her brother Roger Colonna was at that time lord of the manor of Cleveley, and that her daughter Isabell became the wife of Henry Jacob de Tastan. There were also present at the execution of this deed, Richard of Dobemanton, Lord of Dene, Richard Gardner, of Kiddington, Richard Wayland of Charlbury, Roger Gardiner, of Cleveley, William Colonna, John the Fuller, and many others. So that in fact we have a pretty good account here of the principal gentry and inhabitants of the neighbourhood for the time. The deed that has now been chiefly referred to is the first grant of lands belonging to the Church, and since there were then resident in

the parish persons like Dame Margery of Dychelye who could thus bestow her lands upon the Church and Poor, we may well understand how there were also those who could provide the means for erecting the elegant north piers, arches, and aisle of our Church, and it is by no means improbable that this addition was made upon the decease of Radulf of Dychelye, whose burial place it may very possibly have been.

The year to which we have attributed the probable date of the earliest deed we have, namely 1295, is doubly remarkable according to the statements of our historian Hume. During the reign of Henry III. that monarch had often resorted to the expedient of allowing the barons in each county to choose a certain number of their whole body to appear as their representatives in parliament, whose expenses were defrayed by the body at large, and an indulgence thereby accorded to the many who were thus relieved from the cost of individual attendance. These representative barons or peers sat in parliament with their own order, there being as yet but one great council of the nation, the house of the barons. But now Edward I., having exacted from time to time great levies upon the laity and clergy, and meeting with difficulties in raising more, the new device suggested itself to him of summoning burgesses, that is representatives of all the boroughs, to Parliament, so that, writes Hume, "this period, which is the twenty-third of his reign, seems to be the real and true epoch of the House of Commons, and the faint dawn of popular government in England. . . . for the king issued writs to the sheriffs, enjoining them to send to Parliament, along with two knights of the shire, two deputies from each borough within their county, and these provided with sufficient power from their community to consent, in their name, to what he and his council should require of them. *As it is a most equitable rule, says he in his preamble to this writ, that what concerns all should be approved of by all; and common dangers to be repelled by united efforts; a noble principle which may seem to indicate a liberal mind in the king, and which laid the foundation of a free and equitable government.*"

And as the popular element was thus introduced into the great council of the nation, so was it at the same time introduced into the ecclesiastical council of the church, for Edward I. "summoned deputies from the inferior clergy, the first that ever met in England, and required them to impose taxes on their constituents for the public service. . . . The king himself had in the preceding year exacted, by menaces and violence, a very grievous tax of half the revenues of the clergy; but as this precedent was dangerous, and could not easily be repeated in a government which required the consent of the subject to any extraordinary resolution, Edward found it more prudent to assemble a lower house of convocation, to lay before them his necessities, and to ask some supply." At first indeed the clergy, fearing what must be the inevitable result of their thus assembling for purposes of taxation, scrupled to meet

on the authority of the king's writ, lest they should thereby become subject to the state; whereupon the device was had recourse to of issuing the writ to the Archbishop to summon them, and then, in obedience to his spiritual summons to the clergy, they no longer hesitated to meet in convocation. And this was the reason why two convocations of the clergy were formed rather than one, which was at first the king's intention, each archbishop being required to summon those of his own province. The clergy, however, were not very willing to comply with the king's demands upon them, so that he ordered all their barns to be locked up, whereupon the bull of Pope Boniface was read excommunicating any of the clergy who paid taxes without the pope's consent. Yet all would not avail, but they were forced to yield, and to grant the king a tenth of all their moveables, which was only the half of what he had demanded.

*Plantagenets from A.D. 1307 to 1377.* Edward II. was a weak and miserable monarch, suffering himself to be the tool of the favourite, whom he raised from obscurity, and so becoming the sport of his indignant nobles, and at length the dreadful victim of his wife's barbarity, at whose instigation he was murdered in Berkeley castle in Gloucestershire, in a manner too horrible to relate, in the year 1327. His son Edward III. reigned for the long period of fifty years, being only fifteen years of age when his father died, and he exhibited, throughout nearly the whole of it, the most insatiable passion for war; so that the kingdom was drained both of men and treasure to gratify this cruel and savage lust. In fact he seemed but too worthy a son of such a mother. He ruthlessly obtained the condemnation and execution of Mortimer, his mother's paramour, and shut her up for life in prison; and although he and his son, Edward the Black Prince, have left the memory of mighty deeds done in battle, at Cressy and Poitiers, yet when it is also remembered that these bloody fights, and the long campaigns connected with them, were enacted to maintain an unjust and unrighteous claim to the sovereignty of France, they must be condemned and regretted by every true Christian, and every honest Englishman; while, at the same time, it must never be forgotten that this wantonly bold monarch, as he professed to be, has for ever tarnished his fame by resolving to put to death, in cold blood and by hanging, the brave defenders of the city of Calais, which was at last forced to surrender to him; and that he was only saved from accomplishing his cowardly and barbarous vengeance by the constraining mercy and compassion of his queen, Philippa, who thus faithfully exercised the influence of her sex in saving the guiltless from unmerited death, and in rescuing even the guilty projector of crime from imbruing his hands in innocent blood. The only palpable result of this king's reign upon his own people and nation, however glorious his renown in war, was to leave them in an impoverished and discontented state. It was during the course of it, in the year 1349,

that a terrible plague, which had raged throughout the world, appeared in England, and took off as many as 50,000 persons in London only; and no wonder that God should thus chastise men, when they themselves were so unmindful of his golden law, to love our neighbour as ourselves, and England was unjustly warring against her neighbour France. It was at the battle of Cressy, as it is said, in the year 1346, that gunpowder was first used for artillery in battle. It was in this reign also that the first toll for repairing the highways was levied, in order to keep up the road between Temple Bar and St. Giles'.

While general history only gives us such ideas of the times as have been represented above, we are able to gather up a few records of our own immediate neighbourhood, and thence to learn somewhat of the inner state of the country, and the domestic condition of our forefathers during these reigns. In the former section of the Plantagenet period we noticed the progress of the family of Radulf and Margery of Dychelye, whose daughter Isabell had married Henry, surnamed Jacob de Tastan, and now we learn that Elyanor, the daughter of these last, had become united to John le Neuweman, that is to John Newman, of Cleveley. About the year 1339 we also hear the names of some other persons who lived around the neighbourhood, and were connected with the parish. Such were Henry of Barton, John of Bladintone or Bledington, who had property at Cleveley, William the heir of Radford, John Sibell, William de Loaches, and Radulf Jordan, of Cleveley.

The year last mentioned, 1339, was the first in which the king, Edward III., commenced his invasion of France, to possess himself of that country, to which he had set up a feigned right; and this was the beginning of that state of jealousy, hatred, and hostility, which has for full five hundred years prevailed between two neighbouring nations, who ought to be friends and allies, rather than rivals and enemies. Edward's first expedition was most disastrous. All who had professed to help him deserted his cause, when the French king appeared with an army of 50,000 men, but the French being equally unwilling to engage the English, as they were now deserted by their allies, Edward had only to return home, embarrassed with a debt of £300,000, with every article of value belonging to himself or his queen pawned, and with all his revenue anticipated. The king's palace was at this time at Woodstock, and thither accordingly he came to join his queen. In the following year, 1340, Edward renewed his attack upon France, and was at first more successful, particularly at sea, showing already how powerful the English were on that element. The king of France prepared a mighty naval armament of 400 vessels, manned with 40,000, to intercept Edward in his passage across the sea, but although the English king had only 240 vessels, such were the skill and prowess of his archers, and such the address with which the English managed their attack, that

the French had 230 ships taken, 30,000 men killed, and among them two admirals. Indeed so total was their defeat that none of the courtiers of the French king dared to approach and tell him of his loss, which was at last made known to him by his court fool, or jester. Notwithstanding this success at first, Edward was again baffled on land, and compelled to return to England, disappointed of all his hopes, offended with his own people, and full of plans of vengeance both at home and abroad.

The state of the labouring people at this time is very forcibly represented to us, by a deed of the year 1340, according to which John de Crombe, Lord of Tydulmyngton, or Tidmington, in Worcestershire, as it is now called, granted his freedom to John Hobbes of the same place, who had been his serf or villein, in other words his slave, for the deed ensured to him every kind of liberty, and full release from all villein service and from every bond of servitude or slavery whatsoever. This most interesting document, which has already been given in full, is of itself a history of the most remarkable and interesting kind, telling us of the degraded and servile state of our labouring population, and reminding them of the vastly improved condition they are now in, notwithstanding all the trials and difficulties, which smallness of income and a life of labour and toil too frequently induce. Yet as the appointed lot of man, which God ordained by adjudging him to labour in "the sweat of his brow," and warning him that he is "born to trouble as the sparks fly upward," it is one to be submitted to with patience, and borne with steadfastness and confidence.

Our thoughts are now to be directed to another part of our parish, that at Charlford, where in the year 1341 we find residing a widow lady of the name of Alicia le Veysi, who was the daughter of Roger aux Stonhard, and was married and settled at Charlford. She had a son John Brown, though whence his surname does not appear. It was not at all extraordinary, however, at that time, for children and men to have special surnames given them, denoting either the place of their birth, that of their residence, or some peculiar characteristic, and so we may infer that the son of Alicia le Veysi was of a swarthy or *brunette* complexion, and so was called John le Brun, or John Brown. In connexion with this family, and in the deeds relating to their grant, there are other persons mentioned, as Mr. Robert of Charlford, Richard aux Broke, or Attebroke, as it is sometimes written, meaning Richard *At-the-brook*, Hugo of Charlbury, and William Aubyn of Lydynstan, or Lidstone. Although, as stated above, Alicia le Veysi, was a widow, yet we find that subsequently she married again, and this time to the same John of Bladinton, who was before spoken of as having property at Cleveley.

In the year 1346, Master Richard Mandegod, that is *a man of God*, or *a godly man*, was Vicar of Enstone, and he, in conjunction with Richard Bondess of Hognorton, or Hook Norton, received

the surrender from William Newman of Clyveley, son of the John Newman who had married Elyenor daughter of Isabell de Tastan, and grand daughter of Margery of Dychlye, of the Church lands that had been originally granted by the last named Margery. About the same time we find resident here and in the vicinity, William the Slatter, Roger the Mason, John the Tayllor, William the Sure, and others, all of Cleveley, besides Jacob le Blunt of Faulor, Walter Cysur of Ledewell, John Miller of Cleveley, and others.

This same year, 1346, there occurred, during the war in France, an incident which sadly marks the low state of religious principle at the time. The English had possession of the fortified town of Angouleme, which was so hotly besieged by the French, that the Lord of Norwich, who was the governor, found that he could no longer hold out, and therefore devised this stratagem to release himself and the garrison. He invited the Duke of Normandy who commanded the besieging army to a parly from the walls, and when the Duke, meeting him, asked if he desired to capitulate, he replied with mock gravity, that he had a very different object in view. "To morrow," said he, "is the feast of the Virgin, to whom I know that you, Sir, as well as myself, bear a great devotion, and therefore I desire a cessation of arms for that day." The truce was agreed to, but Norwich took advantage of it to march out, with all his men and baggage, and the Duke, certainly the honester man of the two, kept his word and suffered them to pass through his army and depart in safety, contenting himself with the thought, that, although *outwitted*, as he moderately termed the cheat of which he was the dupe, yet he obtained thereby the possession of the town. Now we have some five or six deeds of this same year, 1346, the rents under which were made payable on this same day, the feast of the Virgin, yet what would have been thought of the English yeoman, John Newman and others, who were the tenants, if they had found out some such fraudulent mode of cheating their landlords. They would justly have been dealt with as rogues, while in a great and noble warrior such things were regarded as wittily clever, though not the less, and in reality, dishonest and dishonourable, besides being a stain upon even such false religion as was professed.

But it was too much the case in those times, that such frauds were permitted, and amongst nobles, peasants, and princes, the same things were done. This year was memorable for one of the greatest victories ever gained by the English, which was won at Cressy on the 26th of August, when the French had slain in the battle 1200 knights, 1400 gentlemen, 4000 men at arms, and 30,000 common soldiers, besides many of their principal nobility. Among others also were slain the kings of Majorca, and Bohemia; and the crest of the latter, being three ostrich feathers, with the German device, *Ich dien, I serve*, being adopted as his own by Edward the Black Prince, then Prince of Wales, has continued to

be so used by his successors ever since, as a memorial of the battle of Cressy. The first advantage gained by Edward preparatory to the fight, was in consequence of a peasant, called Gobin Agace, betraying his country, and conducting the English to a ford of the river Somme, where they could cross in safety and take up a strong position. The last advantage taken by Edward after the fight, was to set up the French standards he had captured, and to rally around them the scattered remains of the French army, and then to put them to the sword in cold blood without granting any quarter. While victories such as Cressy are boasted of, such murderous treachery as this should not be forgotten and condemned.

It was in the following year, 1347, that the revengeful nature of Edward's character was again displayed. The citizens of Calais, faithful to their own master the king of France, had bravely defended their city against the English. In honourable war such honourable bravery is always respected, and even the vanquished are remembered with renown. But when Calais offered to surrender, on condition that the lives of its brave defenders were spared, Edward refused to treat them with this respect, and threatened to put them all to the sword. At length he consented to spare the city, provided that six of its principal inhabitants presented to him the keys of the city, with halters round their necks, ready for instant execution, which was then to be done upon them. This disgraceful act, disgraceful to the king who demanded them, not to the victims who willingly offered themselves for the people, was only hindered by the mercy of Edward's queen, Philippa, who would not let him go until he had granted her their lives and safety.

But the age was full of contradictions. While Philippa was thus considerate and merciful to the citizens of Calais, her sex generally attended, and excited by their presence, the bloody fights called tournaments, in which men for their amusement, and the display of useless courage, perilled their own lives, the chief reward being the favour and admiration of their mistresses. So, again, while Edward could be thus cruel to the citizens of Calais, he bestowed his favour and a rich reward upon a knight whom he had encountered and overcome in battle, extolling and applauding his prowess, and so indirectly lauding himself who had been his conqueror. A remarkable incident of this time was the institution of the knighthood of the Garter, now one of the greatest honours of the kingdom. The Countess of Salisbury dropped her garter at a ball, and the king, picking it up, and observing some of the courtiers smile, reproved them with the words, *Honi soit qui mal y pense*, "Evil be to him who evil thinks," which words became the motto of the garter, as the garter in honour of the Countess became the sign of this Order of Knighthood.

In ancient times, before the country was cleared of the vast tracts of forest lands that prevailed, their deep recesses served to

harbour and to nourish, either beasts of prey, such as wolves and hyenas, of whose residence and ravages in our island there are many abundant proofs, or noxious serpents that became a terror and dismay to those in whose vicinity they appeared, and gave rise to many fabulous and romantic tales of flying dragons and fiery serpents, and to heroic legends of the daring and hardihood of those who encountered and slew these monsters. Such a story is related in Rudder's Gloucestershire, on the authority of Sir Robert Atkyns, as having occurred in the neighbourhood of Deerhurst, not far from Tewkesbury. As the name Deerhurst, from its Saxon origin, means the wood or forest of deer, implying an extensive hunting ground, and consequently a place suitable for the abode of such creatures as those referred to, so the scene of the legend makes it exceedingly probable. "The story is that a serpent of a prodigious bigness was a great grievance to all the country about Deerhurst, by poisoning the inhabitants and killing their cattle. The inhabitants petitioned the king, and a proclamation was issued out that whosoever should kill the serpent should enjoy an estate on Walton-hill in this parish, which then belonged to the crown. One John Smith, a labourer, engaged in the enterprize and succeeded, for having put a quantity of milk in a place to which the serpent resorted, he gorged the whole, agreeable to expectation, and lay down to sleep in the sun, with his scales ruffled up. Seeing him in that situation Smith advanced, and striking between the scales with his axe, took off his head. The family of the Smiths enjoyed the estate when Sir Robert compiled this account, and Mr. Lane, who married a widow of that family, had then the axe in his possession." Rudder, 402-3. We have no clue here to the time of this occurrence, but as Sir Robert Atkyns died at the beginning of the eighteenth century he must have obtained his account and knowledge of the parties about the end of the seventeenth century, and as then the tradition seems to be indistinct we may infer that its occurrence must have been at least a century earlier, which would make it about 1600, or even prior to that date. The name of the hero, Smith, rather imports his calling or trade, and it would comport well with one whose occupation it was to labour at the anvil so dexterously and effectually to wield the axe against this monster. The surfeiting him first with food showed also an acquaintance with the habits of such creatures, for in the same manner the Boa Constrictor is baited to gorging, that thus he may become the easier and more certain prey.

We have to tell in our neighbourhood of a similar monster having existed hereabouts, and although we cannot be sure that his actual abode was here, yet we may safely assume that he visited, and at times ravaged, some parts of our parish. Nor is it at all remarkable that he should have done so when we consider that in his time much of our parish was uncleared forest land, such as Wychwood is to this day. The account given of him, as



he was known in the year 1349, is this:—"In the County of Oxford, nigh Chipping Norton, was found about this time a Monstrous Serpent, having two heads with faces like women, one being shaped so as to resemble the new time of those days, and the other to represent the old antiquated fashion; it had also great and large wings, but something like those of a flittermouse or bat, as authors have reported. Stow, p. 247." Barnes' His. of Edward III., p. 430. The description here given serves to show how much fancy and imagination, heightened no doubt by fear, had to do with such stories, which, while having foundation in fact, as in the reality of some noxious creature, were yet rendered extravagant, if not absurd, by the overwrought phantasy of the relators. The idea of a two-headed monster caricaturing two different fashions of head-dress, and in fact making his two heads set their caps against each other is ridiculous enough; but, at the same time, it tends to prove the power and influence of fancy, which does not so often originate ideas as adopt them from known objects, and adapt them to its own whims. The attire of this monster's head, and even the two heads and the wings, we may safely attribute to fancy, and when this creature has thus been denuded of his head-dresses and shorn of his wings, he becomes a very credible serpent, such as John Smith slew near Deerhurst.

It was, however, such fanciful descriptions as these, magnified by the ignorance of the age, and emblazoned by the garrulity of terrified persons, that gave rise at first to traditions of such creatures, then to romantic legends of perilous contests with, and conquests over them, and at length afforded occasion for such poets as Spenser to embody, with all his own rich and luxuriant detail, the tale of St. George slaying the dragon, and obtaining thereby, as England's imputed patron knight and saint, immortal renown. The following account of the dragon, so slain by St. George, may almost be supposed to have its original and prototype in our flying serpent described above:—

By this, the dreadful beast drew nigh to hand,  
Halfe flying and halfe footing in his haste,  
That with his longnesse measured much land,  
And made wide shadow under his huge waste;  
As mountaine doth the valley overcaste.  
Approaching nigh, he reared high afore  
His body monstrous, horrible, and vaste;  
Which, to increase his wondrous greatnes more,  
Was swoln with wrath and poyson, and with bloody gore;

And over all with brazen scales was armed,  
Like plated cote of steele, so couched neare  
That nought mote perce; ne might his corse be harmd  
With dint of sword, nor push of pointed speare:  
Which, as an eagle, seeing pray appear,  
His airy plumes doth rouse full rudely dight;

So shaked he, that horror was to heare :  
 For, as the clashing of an armor bright,  
 Such noise his roused scales did send unto the knight.

His flaggy winges, when forth he did display,  
 Were like two sayles, in which the hollow wynd  
 Is gathered full, and worketh speedy way :  
 And eke the pennes, that did his pinions bynd,  
 Were like mayne-yardes with flying canvas lynd ;  
 With which wheras him list the ayre to beat,  
 And there by force unwonted passage fynd,  
 The clouds before him fledd for terror great  
 And all the hevens stood still amazed with his threat.

His huge long tayle, wound up in hundred foldes,  
 Does overspred his long bras-scaley back,  
 Whose wreathed boughtes when ever her unfolds,  
 And thicke entangled knots adown does slach,  
 Bespotted as with sheildes of red and blacke,  
 It sweepeth all the land behind him farre,  
 And of three furlongs does but litle lacke ;  
 And at the point two stinges infixid arre,  
 Both deadly sharp, that sharpest steele exceeder farre.

But stinges and sharpest steele did far exceed  
 The sharpnesse of his cruell rending clawes :  
 Dead was it sure, as sure as death indeed,  
 What ever thing does touch his ravenous pawes,  
 Or what within his reach he ever drawes.  
 But his most hideous head my tongue to tell  
 Does tremble ; for his deepe devouring jawes  
 Wyde gaped like the grisly mouth of hell,  
 Through which into his darke abyse all ravin fell.

And, that more wondrous was, in either jaw  
 Three ranckes of yron teeth enraunged were,  
 In which yett trickling blood, and gobbelts raw,  
 Of late devoured bodies did appeare ;  
 That sight thereof bredd cold congealed feare :  
 Which to increase, and all at once to kill,  
 A cloud of smothering smoke, and sulphure seare,  
 Out of his stinking gorge forth steemed still,  
 That all the ayre about with smoke and stench did fill.

His blazing eyes like two bright shining shieldes,  
 Did burne with wrath, and sparkled living fyre :  
 As two broad beacons, set in open fieldes,  
 Send forth their flames far off to every shyre,  
 And warning give, that enemies conspyre  
 With fire and sword the region to invade ;  
 So flamed his eyse with rage and rancorous yre :  
 But far within, as in a hollow glade,  
 Those glaring lamps were sett, that made a dreadful shade.

Spenser's Faerie Queen, Book I. Canto. ii., Verses 8-14.

As we lately mentioned the manner in which the Commons House of Parliament originated, it may be interesting to give here some examples of its legislation about this time, to show how little it rightly understood as yet the proper duties of such a body. It undertook to deal with subjects that never can be properly regulated in any such way. Thus it took upon itself to fix the price of labour, which is a commodity requiring, and entitled to, as free a market as any other. Attempts of the kind have always proved themselves as vain and useless as they are injurious and unjust. The long continued wars had carried off so many men, and the plague had destroyed so many more, that labourers and artizans had become scarce, and so had a right to demand the best wages they could get for their labour. But the Parliament most unwisely thought otherwise, and ordained that a reaper in harvest time should be allowed two pence a day, that a common carpenter should only have two pence a day, and that a master carpenter should have only three pence. At the same time it made the pay of a common soldier six pence a day, and thus tempted men to leave useful employments for such a service, while it refused to allow those who would employ themselves usefully to obtain a fair remuneration for their labour and skill. For, in fact, the real difference between these payments was much greater than the denominations here made use of express. Two pence at that time was worth as much as six pence, when Hume wrote his history, just one hundred years since, about A.D. 1755; but at that time the piece of money called sixpence of the time of Edward III. was equal in value to five shillings; so that the common soldier was paid ten times as much as the honest and peaceful labourer, and the latter was restricted in demanding what he would have had a right to do for the labour of his hands, while the other was tempted and encouraged to misapply his strength in useless and disadvantageous wars. No policy could be worse, and no law can be more mistaken than that which attempts to settle the price at which any commodities, whether bread and meat, boots and shoes, hats and clothes, labour and skill, shall be sold. Every man has a right to dispose of his own goods, his own talents, and his own strength, in the best manner, and to the greatest advantage he can.

But parliament then thought otherwise, and most absurdly set to work to interfere with and to regulate the private concerns of families, instead of contenting itself with affairs of state and public matters. Thus no man under a hundred a year was allowed to wear gold, silver, or silk in his clothes; servants were forbidden meat or fish more than once a day; none of the gentry were permitted to have more than two courses for dinner or supper, nor more than three dishes in each course, of which, it was expressly provided, that *soused* meat was to count as one. Some good laws, however, they effected, and one of these was for the abolishing the use of the French language in legal documents and allowing

English instead, though it was long before this change was completed, and even to this day it is not entirely so, for the Sovereign always gives assent to laws in the old Norman French form. But in many respects very great ignorance still prevailed, a striking example of which is given in the following fact. The Canary Islands had been recently discovered, about the year 1344, and the Pope, Clement VI., according to his usual assumption of Divine prerogatives, had bestowed them upon Lewis of Spain, with the title of *Prince of the fortunate islands*. This title, however, so amazed and alarmed the English ambassador at Rome, who conceived it to mean that Lewis had been created king of England, that with hot haste he sped home in order to forewarn his government of the imagined danger.

In the year 1350 there is mention of William Ffollar, of Clyvele, being a Chaplain, but whether at Cleveley or elsewhere does not appear. The family of le Follar, or the Fuller, from their business, which was that of working fulling mills at Cleveley, were long resident there, and long held portions of land belonging to the Church Estate; and even when that estate was at last brought into one, a few years since, there was a piece of meadow land, about midway in the meadow still belonging to the northernmost mill there, which was called *parting patch*, from the fact of its nearly dividing the meadow there, and which was then exchanged away. Such a fact serves to show how it was that such a part of the Church land was so continually held by the Fullers, and at the same time helps to point out this mill as the one probably so occupied and used by them. About the time at which William Follar, the Chaplain, is spoken of, we have mention of Robert Aubyn, of Lydynstan, and subsequently, in 1363, of John Long, of Enston, Robert of Wichille, John Attehalle, or At-the-all, of Lydston, John Phynes, of Sewelle, John Jordan, John the heir of Radford, and others; and in 1374, the name of John Colonna had become changed into John Kolonse or Collins.

At that time, under whose directions, or at whose cost, the Parish church of Enstone was enlarged, we are unable to trace, further than itself tells its own history by its style. By this evidence, however, which is no uncertain or doubtful one, we gather that very considerable additions must have been made somewhere about the latter part of the reign of Edward the Third, for then it was that the present decorated tower and chancel were both built. During this period the Abbey of Winchcomb was increasing its possessions about here, for Richard de Ydeburi, who had been Sacristan, and became Abbot in, 1314, purchased "the Assart lands in Ennestan for 100 marks, these lands now forming a part of the Ditchley estate, and still retaining the name of the Winchcomb Assarts. It is therefore not at all improbable that the Abbey found the means of making these additions to the Church of a parish in which they were obtaining such an increased interest.

*Plantagenets* from A.D. 1377 to A.D. 1485. Edward the Black Prince, the eldest son of Edward III., and as great a warrior as his father, had died the year before his father did, so that Richard, the grandson, was only eleven years old when he succeeded to the crown with the title of Richard II. In encountering and quelling the rebellion under Wat Tyler, he gave some promise of being a kind yet firm king, but he subsequently proved a weak and trifling one, although his wife, Anne of Bohemia, was long loved and honoured as the "Good Queen Anne." Richard's folly and injustice led to his own deposition and to the usurpation of the throne, under a false plea of legitimacy, by Henry Bolingbroke, Duke of Lancaster, who became king with the title of Henry IV. His reign was a very turbulent one, and one of the rebellions being headed by the Archbishop of York, he was executed for it, and was the first church dignitary that ever so suffered. Now, too, for the first time in England were any burnt for their religion, several of the Lollards, as the followers of Wickliffe, the earliest light of the Reformation were called, were thus cruelly put to death in Smithfield. Henry IV. was succeeded, in 1413, by his son Henry V., who, as Prince of Wales, had been a very wild dissolute young man, seeking his companions amongst the idle and the dissipated, and even daring to resist the authority of Chief Justice Gascoyne by striking him; but the Judge faithfully and fearlessly committed him to prison, and the Prince had the good sense to admit his fault, and the good feeling to honour the Judge for his fidelity. Henry V., both at the instigation of his father, and to gratify his own pleasure, engaged in a war with France, and won the famous battle of Agincourt in 1415. He died in 1422, and was succeeded by his son, Henry VI., then only nine months old, who was carried to France and crowned in Paris, the English being at this time masters of nearly the whole of that country. But the king proved a feeble ruler, although the queen, Margaret of Anjou, was a woman of considerable energy and ability. And now arose in the kingdom one of the fiercest and most terrible civil strifes that ever afflicted the nation. Henry VI. was descended from Bolingbroke, Duke of Lancaster, son of John of Gaunt, the founder of a family or house, whose ensign was a Red Rose. There was another royal house or family, represented by Richard Duke of York, whose ensign was a White Rose. Thus the kingdom was divided between these houses of Lancaster and York, or the factions of the Red Rose and the White Rose. In consequence of the imbecility of the king, Richard Duke of York aspired to the throne, but queen Margaret encountered him with an army, when he was defeated and slain. But his eldest son Edward was more successful, and having driven Margaret from London was crowned as Edward IV. After a time, however, he was forced to yield again to Henry, who in his turn was once more driven from the throne, and Edward restored to it. Thus the house of York became triumphant, while that of Lancaster

succumbed. But as the White Rose had triumphed over the Red Rose unjustly, so it paid dearly for its sin, for Edward IV. died early the victim of his own licentiousness, his sons, Edward V. and Richard Duke of York, were murdered by their uncle, Richard Duke of Gloucester, who became king with the title of Richard III., and proved himself, both by the murder of his nephews, and by the slaughter of various noblemen and others who had served him, one of the most hated kings that ever reigned in England. He himself at last fell by the sword on the fatal field of Bosworth, in Leicestershire, in 1485, and with his life terminated also both the house of Plantagenet, and the civil wars that had raged between its two branches of Lancaster and York.

Happily for England both education and Scriptural instruction were gradually extending themselves in the land. The night of the middle or dark ages in the history of the world, as the nine or ten centuries just concluded have been called, had been rolling back, and the twilight dawn was steadily opening upon the world. In the time of Edward III. there were no less than 30,000 students at the University of Oxford. The writings of Wickliffe directed many of these to the best of all knowledge, Gospel truth. The invention of printing in 1440, and its introduction into England in 1471, by our famous printer William Caxton, aided in the diffusion of knowledge and light, and from this time commenced that improvement in our laws, our manners, our morals, and our happiness which Christianity always carries with it.

During the last period of which we have been writing, namely from the year 1377 to 1483, two important additions were made to our parish church, the first of which was the chapel or chantry on the north side of the chancel, reaching down to the end of the north aisle, and which there is some reason to think was the Lady Chapel. The exact date of its erection is uncertain, most of its original features having been destroyed by later interpolations. The other addition was a large portion of the present south aisle, which, having been originally erected as a mausoleum, for the stone coffin that remains was found buried in the foundation of its wall, was at first probably a separate building attached to the southern wall of the church which was still left standing, until at a later period that wall was taken down and this mortuary chapel was thrown into the church. The chapel so erected at this period was of a totally different style from the Tudor one that now remains, and the first one built upon this spot must have fallen to decay, though in the walls when stripped traces of its character are plainly discernible, beside the piscina that still is visible in the wall. It was during this period also that, in the year 1382, the great tithe barn was built by Walter de Winforture, who had been Abbot of Winchcombe ever since the year 1359, so that the magnitude of this barn will serve to show how valuable an appendage to the Abbey this living had even then become. Indeed

from the extensive gardens that were once here, as evidenced by the still remaining terraces, there is every reason to believe that the Abbots of Winchcombe made this a frequent and favourite place of residence. The deeds connected with our Church lands still illustrate our history by telling us who were some of the neighbouring Clergy and Gentry, as in 1399 we learn that Richard Hey was Vicar of Spelsbury, and that he, together with John Ffeyreforde and William Attehalle, of Lydston, were the feofees, while a William and Elisabeth Newman were the tenants of the lands in Cleveley. This William Newman would seem to have become a widower about the year 1403, and, his daughters being married and settled away, he gave up housekeeping himself, let his land to one John Scletter, of Cleveley, and covenanted to receive as rent, board, lodging, raiment, and other necessaries according to the terms of a deed which still remains exceedingly perfect, and is a most apt and interesting illustration of the times and manners. No less so is another document of the year 1308, which relates to the payment of a fine to the lord, evidently of Cleveley for there it was done, for permission to Sibilla Ffysshare to marry the same John Scletter before referred to, for she being the daughter of a villein, and consequently born to the lord could not bestow herself in marriage without his permission. For this was paid twenty-six shillings and eight pence, no inconsiderable sum when it is considered that it is two marks, and that this was very nearly the value of two acres of land when the Assarts were purchased by Winchcombe Abbey. But although such relics of the state of villeinage and slavery existed in the reign of Henry IV., in the year 1400, yet we have proof in the year 1455 that the liberties and rights of the people were considered and secured by the king's or superior courts of the realm; for the ancient Latin writ, given and explained in a former part of this work, shows how, in the case of Scletter v. Woodward, this Scletter being evidently the son of the above-named Sibilla, full justice and right were therein insured to all.

**TUDOR PERIOD**, from A.D. 1485 to A.D. 1603. The changes that were now taking place in the kingdom, and that occurred during this period were some of the most eventful, as affecting both the present and eternal welfare of the people, that ever happened to the nation. The strife of princes for the sovereignty ceased with the death of Richard III. and the accession of Henry VII., who by marrying Elisabeth, the daughter of Edward IV., united the Red Rose with the White, and linked again in one the houses of Lancaster and York, founding thereby the house of Tudor, which took its name from his own assumed surname. But now arose a contest of a more remarkable and important character, one in which the people contended manfully to the death for the dearest privileges of man, freedom of thought, of faith, of soul, and liberty to proclaim to others the freedom with which he himself has been made free. Henry VIII., the son and successor

of Henry VII. was a man of such a domineering and intolerant disposition, that he would not submit himself to be governed and restrained in any of his desires or lusts by even the ordinary rules of right or wrong, nor even by the extraordinary power and influence of the Church of Rome, which had by the aid of superstition and ignorance hitherto lorded it over the greatest kings and princes. But ignorance was now fading away under the influence of instruction, and superstition was losing thereby its strongest foundation, and tottering to its fall. Henry VIII., urged thereto by the desire of gratifying his own passions, in order to divorce one wife that he might take a second, and then in succession a third, a fourth, a fifth, and a sixth, rejected the admonitions of the Pope of Rome, and eventually his authority also, and made himself his own Pope, ordaining the system of religion that his people should have. To this assumption, indeed, he had been encouraged by the Pope, for, while maintaining allegiance to Rome, he had written a book against the great German Reformer, Luther, in reward for which the Pope conferred upon him the title of "Defender of the Faith," which the Sovereigns of England enjoy to this day, although now they are the Defenders of the very Faith which Henry sought to destroy, and for endeavouring to destroy which he was honoured with the title, now so oppositely understood and enjoyed. Such, however, is the strange mutability of man's designings and doings. When, then, Henry, though for his own lust's sake, threw off the domination of Rome, his people gladly joined him in it. The Reformation which thus began went on more successfully during the few years of the reign of Edward VI., a young king of the greatest promise, but apparently too early ripe for heaven to remain long upon earth. His reign though brief was lovely, yet it was only too much like the beautiful calm, that precedes and heralds the storm, the wrath of which seems the more terrible and vengeful for having been thus checked and frustrated for a while by the mildness of the calm. Edward's successor, Mary, too eminently deserved the title she acquired of Bloody Mary, and her reign was just such a period as that described in the gospel, when men professed to be doing God service by murdering His chosen ones, and when they were attempting the work, if it were possible, of destroying His own elect. But His arm restrained the wrath of man, and turned it to His own praise, so that His dying saints glorified the Lord in the fires, and proclaimed His never failing goodness to the children of men. For the elect's sake the days of Mary were shortened, and those of Elizabeth, who succeeded her as Queen, wonderfully lengthened out.

The additions made to the Church of Enstone, during the Tudor period, were both very rich and extensive. The first of these was the chapel or shrine on the north side of the chancel, which was the richest and most elaborate piece of work at any time bestowed upon the Church. We have already observed, that the Abbots of



Winchcombe had made this parish a favourite residence, and with the same reason we also think that the very rich and elegant shrine that once existed here was the burial place of some Abbot. Yet whether it was a burial place or not, or whether only a beautiful addition to the Church, we conceive that we can, almost with certainty fix, upon the Abbot who constructed it. Its character is so decidedly what is called the Tudor style, and it was so evidently built before any other parts now standing of the south aisle, that it must have been erected early in the period of that style, which commenced about 1485. Now in the year 1488 there was elected to the government of the Abbey an eminent and learned man of whom we have the following account:—

“Richard Kederminster was confirmed Abbot, July 10, 1488. He had been educated in Gloucester College, afterwards called Gloucester Hall, and now Worcester College, in Oxford, where there was an apartment belonging to this abbey, called Winchcombe Lodging. He was a learned man, and by his wise government, and his encouragement of virtue and good letters, made the monastery flourish so much, that 'twas equal to a little university. Anno 1500, he travelled to Rome, and became afterwards a celebrated preacher. In the year 1515, the privileges of the clergy being attacked, he preached a remarkable sermon on that account, showing that 'twas against the law of God, who, by his prophet David says, ‘Touch not my anointed, and do my prophets no harm.’ He wrote a very valuable history of the foundation of this monastery, and another of the lives of the abbots, beginning with Germanus, *anno* 7 of King Edgar, *anno* 988, and reaching down to his own time; which desirable book was unhappily lost in the fire of London, *anno* 1666. He died *anno* 1531, and was buried in the abbey church, in beautifying which, &c. he had expended a great deal, and in inclosing it with a stone wall, *ex quadrato saxo* towards the town.”

This last fact mentioned of him, his having beautified the abbey church, points him out as the most probable person to have made this the most beautiful addition to our church also, for that it must have been made in his time there can be no question at all about, since he was Abbot during all the early part of the Tudor style of architecture, and could not but take an interest in such a work. That it was not his own shrine or burial place, is evident from the fact stated above that he was buried in the abbey church, but it is not at all improbable that it was a memorial, or even the burial place of the Abbot who preceded him, and who was “John Twinning, a great promoter of learning,” and well worthy therefore of such a mausoleum.

Besides the chapel, now last referred to, there were some other improvements made during this period, for now it was that the two very elegant Tudor arches were introduced between the chancel arch and the lower arches of the main aisles, rendering the church much more light and agreeable than it was before, and

these two arches are so well worked that I should quite suppose they were made at the very same time, under the same supervision, and by the same hands that the chapel had been, thus giving the church an entirety, a lightness, and an equilibrium, which before it had not, the north chapel over-balancing it on that side, and the central part being incommoded with heavy work, or the walls remaining from the original church. And now, again, it was that the south wall was broken through, and the large chapel or chantry in the Tudor style arose on the site of the decayed one, having three very handsome windows, the most eastern one being handsomer than the other two, as being that adjoining which the altar of this chapel was erected. It was now also that the muniment room over the porch was built, and the whole exterior of the south aisle made to range along its entire length to where it joined the chapel or shrine before described. Lastly was erected, some time during this period, and not at all impossibly during the restoration of Popery in Queen Mary's reign, the last addition made to our church, that is the chapel in the south-eastern corner of the church; for although one of the windows, the square-headed one above where the altar stood, was certainly an insertion of a much later date, yet the other is so decidedly a Tudor window, that it must have been made in the time of this style, while the ordinary accompaniments of an altar plainly denote that it must have been erected in Popish times.

It was about this time that an incident is recorded, which strongly illustrates the character of the age, the state of the clergy, and how completely they were losing, not to say destroying their own influence in the kingdom. "1501. About April a commission was made out to try certain clerks convict, detained in the Castle of Banbury, who had robbed Paul Bombyn, a London merchant, of £200 in Bradston field near Enstone. Reg. Linc. fol. 70." In the description given by Leland of the Castle of Banbury, it is said that in the outer ward there was "a terrible prison for convict men;" and the *Valor Ecclesiasticus* mentions annual alms of £10 accustomed of old time, for victuals and necessaries to convict clerks abiding in the prison of the lord Bishop at Banbury. Besides this prison at Banbury belonging to the Bp. of Lincoln, then the Bp. of this diocese, he had one also at Newark. Beesley's *Banbury*, p. 190. These convicted clerks were clergymen, that is priests, who had been tried in the ordinary criminal courts, and found guilty of the charge laid against them. They had thereupon claimed the benefit of clergy, the privilege, that is, of being exempt from the punishment of the criminal laws, but surrendering themselves up to the ecclesiastical laws. The argument, upon which had been founded this exemption, was a perversion of the words of Scripture, "Touch not mine anointed, and do my prophets no harm." At first this privilege was freely granted and faithfully exercised, but writes Blackstone, "the clergy, increasing in wealth, power, honour, number, and

interest, began soon to set up for themselves: and that which they obtained by the favour of the civil government, they now claimed as their inherent right; and as a right of the highest nature, indefeasable, and *jure divino* . . . In England, although the usurpations of the pope were very many and grievous, till Henry the Eighth entirely exterminated his supremacy, yet a total exemption of the clergy from secular jurisdiction could never be thoroughly effected, though often endeavoured by the clergy; and therefore though the antient privilege was in *some* capital cases, yet it was not *universally* allowed. And in those particular cases, the use was for the bishop or ordinary to demand his clerks to be remitted out of the king's courts, as soon as they were indicted: concerning the allowance of which demand there was for many years a great uncertainty; till at length it was finally settled in the reign of Henry the Sixth, that the prisoner should first be arraigned; and might either *then* claim his benefit of clergy, by way of declinatory plea; or *after conviction*, by way of arresting judgement." In 1351, as recorded by Collier in his Ecclesiastical History of Great Britain, "a constitution was made that those clerks who had been convicted of any capital offence should suffer perpetual imprisonment in the bishop's gaol, and be kept under such a constant and rigorous penance, that on Wednesday, Friday, and Saturday, they were to have only coarse bread and water; on other days only bread and the smallest beer; on Sundays the indulgence of a little pulse; and at no time any charities or kindnesses from any friends." The offence then that had been committed in Broadstone field in the year 1501, that is in the reign of Henry the Seventh, brought them under the law as finally settled above, and they having been tried and convicted, and then claimed the privilege, had been surrendered to the Bishop and were confined in his "terrible prison for convict men," awaiting the result of that trial by commission, which was to determine the punishment by which their crime was to be expiated.

At times, however, the very effort thus made, on the part of the clergy, to save a criminal priest from judgment, only tended to bring down upon him a more sudden and terrible condemnation, the people rising up against such unrighteous laws, and taking trial, conviction, judgment, and execution, summarily into their own hands. An instance of this kind occurred in France in the year 1347: Dr. Gavein, a clergyman and an advocate of the Spiritual Court, was convicted of treason in endeavouring to betray the city of Laon in Picardy. "When process was made against him, forasmuch as he was in holy orders, the Provost of Reims sent him to the city of Laon, where he was put in the Bishop's prison. But when the Commons of Laon heard, how there was a man in prison there, who would have betrayed their city, they rose in great uproar, and would have broken up the Prison, with intent to tear him to pieces. But the Bishop, who is

an Earl, and one of the Twelve Piers of France, and of the Supreme Judges, so pacified them by his Officers, that for that time they went back again to their several houses. The next day, to quiet the people, he was brought forth to his judgement, and there (because he was a Clergyman) only condemned to perpetual imprisonment: but for his greater infamy and shame, he was further ordered to be set up on high in a Tumbrel or Dung-Cart bareheaded to be seen of all men; and so with vile instruments of wretched musick, as Bagpipes, and the like, to be carried through the High St. of the City, unto the Bishop's prison aforesaid, there to remain close Prisoner during his life. But he was not carried far in this manner, when the Common people fell upon him with great shoutings, pelting him with dirt and stones so rudely, that before he had finished half his progress he was stoned to death: after which his body was buried in a filthy Moor, hard by the City." Barnes' His. of Edward III. pp. 396, 7.

Besides the before-named incident, so interesting as having occurred in our parish, we have now reached the period of our own local histories, our registers, and from these, as well as other sources, will give some occurrences in the order in which they took place.—1555. Writing as we do our history in the year 1855, it is impossible to forbear calling to mind the memorable events which occurred exactly 300 years since, when on the 4th of Feb. 1555, the first martyr burned by the authority of the then reigning queen, the Bloody Mary, was led forth to judgment, and bore testimony, even unto death, of his faith in the Redeemer whom he knew, and of His faithfulness in whom he confided. The 4th of Feb. 1855, being the tercentenary, or three hundredth anniversary, of that great act of faith on the part of the dying martyr, and of that terrible work of infidelity on the part of his persecutors, happening to be a Sunday, gave occasion for many of our clergy commemorating the fact by preaching in relation to it, and some of the most eminent living ministers of various denominations took part in thus celebrating the occasion. In an admirable weekly publication of the present time, there occurs so powerfully graphic a description of the event commemorated and the circumstances attending it, that we gladly avail ourselves of it, as a picture true to life, and vividly descriptive of the dreadful scene.

"Early in the morning Bonner, Bishop of London, 'shook off dull sloth and early rose,' that he might make him ready to offer up a very different sacrifice from that, which pious Bishop Venn was thinking of, when he challenged his own soul to be wakeful. From his palace by St. Paul's, Bonner stepped over to Newgate, where a company of heretics had been kept in waiting all night to be degraded. Hooper, Bishop of Gloucester, had been brought, with Rogers, from the Clink, in Southwark, after dark, quietly, with no candles in the streets, that the inhabitants might not be tempted to make a rescue. Lawrance Saunders, Minister of All Hallows, Broad Street, and Doctor Rowland Taylor, Parson of

Hadleigh, Suffolk, made up the party. The inquisitorial ceremony of degradation began the business of the day, his Lordship of London tearing off the robes, cutting off the hair, and rasping off the finger nails of those four venerable men. Harpsfield, his chaplain, that cold-blooded gaoler who could hold the hands or feet of heretics in the flames, without wincing at their groans, was happily present, to restrain the choleric Bishop from beating Dr. Taylor with his crozier, and receiving, as he certainly would have received, a heavier castigation in his own dear person. From Newgate Rogers is taken to Smithfield, sometime in the forenoon, as we suppose. The Sheriffs of London walk briskly, dragging this Prebendary of St. Paul's between them. Members of the Queen's Council give authority royal to the perpetration of the murder. Men-at-Arms guard the company to keep off the Citizens, if haply there should be courage enough left within the walls of London to do summary justice on their lordships. Shaven pates in great numbers are seen around the spot, where a strong stake of oak with a heavy chain rises erect over a large heap of fagots. Men stand ready with flaming torches, and one woman, wife of the martyr, with an infant at her breast, and nine children grouped around her, dares to take her station close by, like as another woman, mother of Him who became the first great Sacrifice, dared to take hers outside the gate of Jerusalem. But Mrs. Rogers may not approach her husband. She can only stand there to pray and weep. The priest appointed offers him a written pardon, and his life, but not his wife and children, if he will give his conscience in exchange, deny Christ, repudiate her, and cast off them; but that he cannot. They strip him to the shirt therefore, hoist him on the pile, chain him to the stake, and light the fagots. As the first flame bursts up, he spreads out his arms to catch it, as if he would embrace the fiery messenger that comes to release him from a weary world. God strengthens the widow and the fatherless to give their blessings, willing to die with him, and his undaunted spirit ascends to join the martyred host who still cry, 'How long, O Lord, how long?' This triumph of pure faith and truth made that one day memorable, and we will not now advance beyond it."

But although the writer from whom we quote would not, it may be well that we should. Amongst the ancient chained books belonging to our parish is the famous Book of Martyrs, written by John Foxe, and published in the year 1596, that is only forty years after these very things occurred, and therein may be seen the full account of the examination and condemnation, together with a print of the burning of this John Rogers, Prebendary of St. Paul's and Vicar of St. Sepulchre's, London; the same of Lawrance Saunders, Minister of All Hallows, London, on Feb. 8th at Coventry; the same again of John Hooper, Bishop of Gloucester, on Feb. 9th at Gloucester; and the same of Doctor Taylor, on Feb. 9th, at Hadley. So that by advancing only five

days in this memorable year we have the recorded memorials of the other three martyrs, who were degraded at the same time with Rogers, and are enabled to form a view of all the other scenes of this the first act of that terrible drama, which was now hurried on throughout the short but horrible reign of Mary.

1571. Illustrative of the gradual manner in which surnames came into use, we have an instance of a person, a female, being without any name except her Christian name, and the want of it is not an accidental omission but it is so registered, the deficiency being expressed by the figure of a nought between brackets in the place of a surname. The entry is this:—"1571, Rich<sup>d</sup>. Lambert and Elisabeth (°), were married xxii<sup>o</sup>, Novembris."

1587. The calling or employ of a person is sometimes added, apparently to the honour of the individual, as in the case of one Edward Smith who had been a soldier, though what his deeds of valour or where the field of his glory there is no hint of. The entry is thus:—"1587, Edward Smith *miles* was buried 23<sup>uo</sup> Novembris." As, however, these were times of much anxiety on account of differences between England and Spain, Drake having just destroyed a large Spanish fleet, richly laden and lying at Cadiz, ready to sail for Lisbon, where the famous intended Armada was to rendezvous preparatory to its descent upon England, we can well understand in what estimation at such a time all were held who were engaged to defend our very homes and hearths from the peril of impending invasion.

1589. There is an entry amongst the weddings which is remarkable, as recording a marriage that had taken place in another parish. The parties both of them belonged to Enstone, but for certain reasons went to Shipton-upon-Charwell to be married. These reasons are discoverable by collating a few facts that are deducible from the registers. The entry of the marriage is thus: "1589, William Baker and Anne Compton were married primo Decembris in Shipton sup. Charwell." Now it appears that, on the 14th of February, 1589, Anne Baker, the first wife of William Baker, died, and that on the 24th of June, 1588, William Compton, who would seem to have been the husband of Anne Compton, had died; so that William Baker, being a widower of about nine months, and Anne Compton, being a widow of about seventeen months, when they mutually intermarried for the second time, thought it expedient thus to retire to a distant village to celebrate their nuptials rather than to do so where all were well acquainted with their relative positions. The vicar of the time, Rev. Thomas Bourne, very probably accompanied them and married them, marriages not being at that time so strictly regulated by law as now, for they were on terms of intimacy with him, as proved by the fact that Anne Baker afterwards became one of the Sponsors of his own child, and thus the register of the marriage in the Enstone book is to be accounted for.

1594. Occasionally some special notice is taken of an indi-

vidual without our being able to trace the reasons of it, though doubtless there were some, since in other similar instances they are to be detected. Such, however, is the case in the following entry:—"1594, William Hopper servant to Mr. Culpepr was buried the 24th of March." But the name of Mr. Culpepr nowhere else appears in the Registers as connected in any way with the parish, although there was a family of that name at one time resident in some adjacent part of the County.

1596. During the sixteenth century there was among the gentry, resident in the parish, a family of the name of Child, which was evidently one of much consideration and position. There was also at the same time another family of the same name, so that there happened to be contemporaneously two Thomas Childs, one having a wife named Katharine, and the other having a wife named Doretie. Thomas, the husband of Katherine, is generally distinguished by the title of *Gent* or *Gentleman*, while the other has no designation given to him until his decease, when he is entered thus:—"1596, Tho. Child servingman was buried the xxviiith of Aprill."

1597. This year was memorable for the prevalence of some fatal disease, which, in about two months, between September and November, carried off twenty-one persons. This was nearly three times the average deaths registered for the ten years, 1591-00, for the whole number for that period was 77, giving an average of 7.7 annually, so that 21 in two months was a very large proportion indeed. What was the cause of such mortality there is no record here to show, nor can I trace elsewhere any explanation of it.

1599. Although we have it on the authority of Shakespeare that—

"The evil that men do lives after them,  
The good is oft interred with their bones,"

yet such has not always been the misfortune of excellency, and we have a memorable instance of this in the next entry we are about to cite. There has been a family resident here for the last three hundred years, which has been chiefly settled at Gagingwell, and which has always maintained itself in credit and respectability. Of this family, named Drinkwater, one member acquired such celebrity during his life as a breeder of cattle, that the fact is recorded to his honour in the register of his burial, thus:—"1599. John Drinkwater was buried the xvith of October. Formosi peccoris custos Gagingwell." By an apt and classical quotation from Virgil, the English of which is, "a keeper of handsome cattle," the honourable and laudable occupation of this member of an ancient family has thus been recorded and commemorated.

In the same year as the preceding, we have this entry: "1599. James Butcher, sonne of Willm. Butcher, was buried the xxvith day of December. Rich. Ffawdry's Child." In this mention of Richard Fawdrey's child there seems at first to be an untoward

implication, and we should hardly suppose that this was the entry of an additional burial; yet such is the case, for on turning to the baptisms, to see if we can discover anything relating to such a child, we read thus: "1599. Anne Ffawdry daughter of Richard Ffawdry and Jane his wife was baptised and buried the xxvi<sup>th</sup> day of December." Here, however, we have the very remarkable and most unusual occurrence, of a child being both baptised and buried on the same day, though nothing is mentioned to account for so singular an occurrence.

As the above is the last entry we have to cite in that period of our history when the House of Tudor reigned, we cannot conclude it without reminding the reader that it was during the greater part of this period, from the reign of Henry VIII., and through those of Edward VI., Mary, and Elizabeth, that the great Sir Henry Lee, K.G., flourished, and when he lived at Ditchley, which he enjoyed, besides several other very noble residences; and that in the Memorials of the Lee Family already given will be found full accounts of him and his family.

STUART PERIOD. From A. D. 1603, to A. D. 1714. With the death of Queen Elizabeth, the Sovereigns of the House of Tudor ceased to reign, and those of the House of Stuart commenced with James I. of England, who being at the same time King of Scotland, the two crowns thus became united, and eventually, in the reign of Queen Anne, the two governments and the nations also. In the mean time, however, James I., after a tranquil reign, was succeeded by his son Charles I., whose vacillating and faithless conduct as king led to a temporary overthrow of the monarchy, the powers of which were for a time exercised not unworthily by Cromwell, and which was again restored in the year 1660, under Charles II., and continued under James II., until that king was justly driven from his throne by the righteous indignation of the people, and his son-in-law and daughter became King and Queen as William and Mary, or as William III., deservedly honoured as the first great constitutional monarch of England. His sister-in-law, Anne, a weak and stubborn woman, the mere tool of others, succeeded him, and died in 1714, thus terminating the rule of the House of Stuart. As before we give some chronological incidents of our own history.

1603. Instances occasionally occur of descriptions being introduced without any name being given, thus:—"1603, Mary Borrowes daughter of Hugh Burrowes and Bridget his wife was baptized the first day of Aprill, and the Shepards Child of of Chauford."

1605. Where families were numerous it had become either necessary or customary to attach a soubriquet to the names of those who had received the same Christian names in order to distinguish them from one another. Thus in a family of the name of Boulton, this had been done in order to distinguish several John Bouldons that they had amongst them, and so we find these entries:—



“1605, Thomas Boulton sonne of black John was buried xxii<sup>nd</sup> of February.” “1606, Phillip Boulton sonne of blacke John Bolton and Elisabeth his wife was baptised the iii<sup>th</sup> of March.”

In the year 1609 however the family of Boulton, who were the Innholders, were visited and ravaged by the Plague, so that five of the family were taken off by it in the month of November, and then as the aforesaid blacke John succeeded to the office and honours of the Inn he lost his former nickname, and appears in the following year thus, upon the baptism of a daughter:—“1610, Alice Boulton daughter of John Boulton innholder and Elisabeth his wife was baptised the xxvi<sup>th</sup> day of August.” But there was also another John Boulton of whom, although we hear nothing during his life, we learn at his decease that he also had a distinguishing cognomen, implying an unwieldly size and a preposterous corporation, for we find the register of his burial thus:—“1613, John Boulton was buried the xiii<sup>th</sup> day of November (vocatus Pouch John).” Now as Johnson defines Pouch to be a term “applied ludicrously to a big belly or a paunch,” so doubtless Pouch John Boulton would have been ready to exclaim, with the Black Knight in Ivanhoe, when admitting that he had acquired the epithet of Sluggard, It is a name “whereby I am no way ambitious to be distinguished.”

1606. We have here another instance of the manner in which at times a burial will be entered:—“1606, Dorety Clement was buried the xxviii<sup>th</sup> of Aprill and alsoe one Pittam’s Child that Came from Widdenton.”

1608. The Welsh pride of Ancestry and descent have ever been remarkable, and in the following baptism we have an instance of it:—“1608, George ap Owen ap Evan was baptised the xviii<sup>th</sup> day of October and Katherine.” This Katherine was no doubt the mother of the aforesaid George, and the wife of Owen Evan, but in the desire to record properly and in all due formality the descent of George, not to say of Owen Evan himself, the poor lady, Mrs. Katharine, was left to follow at the tail of the history, somewhat in the manner of a lame and impotent conclusion. However, as death levels all distinctions, so it seems to have done in this case, for when the child George died the following year we find his burial recorded in the simpler and more intelligible English form thus:—“1609, George Evan, the sonne of Owen Evan, was buried the v<sup>th</sup> of July.” And thus, apparently, concluded all the hopes of the ap Owen ap Evan line at Enstone, for the name nowhere again is found in the Registers. An anecdote is told of a Welsh gentleman, in the time of Henry the Eighth, being called on a jury in open court by the style and title of Thomas ap Williams, ap Thomas, ap Richard, ap Hoel, ap Evan Vaughan, when the judge exhorted him to renounce so lengthy an appellation and to adopt some surname, whereupon he took that of Norton, from his principal residence, and transmitted it to his posterity. *Ap* is the old British word for of, and was probably adopted from the Latin

*ab*, and the name Thomas ap William would mean Thomas the son of William. We have the same name in another form thus: William's son, or John's son, which are at once contracted into the common surnames Williamson, Johnson, and the like. In most languages the same formation has occurred, as in the Scotch Mackenzie, Macpherson; amongst the ancient Hebrews Benjamin, Benoni; with the Irish O'Neil, O'Connell, in all of which the surname has originated from the father's Christian name, as Thomas the son of Jack becomes Thomas Jack's son, and at length Thomas Jackson.

1608. The metropolis was formerly, as now, regarded as the very head and centre of the world, so that whenever anything occurs to a Londoner, or any one approaching to a Londoner, it is sure to be noted. Thus we have, "1608, Katheryne Prise the wife of John Prise a hatmaker in Southwark was buried the xiiii<sup>th</sup> day of November."

1608. Here we have an instance of a person's occupation being mentioned, though not one of importance, while we are enabled to detect the reason of this. There occurs the entry, "1608, John Busby a servant in Neat Enstone was buried the xx<sup>th</sup> day of December." He was, however, so described in order to prevent his decease and register being mistaken for another John Busby, who was of more importance than the first, for we find his burial entered thus:—"1610, John Busbie of Cleveley was buried in the Church the iii day of June;" where the fact of the burial within the Church being recorded at once implies a position in life suitable to such a circumstance, and shows the necessity for having distinguished the former John Busby, the serving man, from this John Busby.

1610. In the very same year in which the last John Busby died, and was buried in the Church, there also died here and was buried another individual, whose vagabond life and death are thus recorded against him:—"1610, Thomas Barker a vagrant (called Thom of Oxon) was buried the xxvii<sup>th</sup> of December."

1613. The name of Sleamaker is a very ancient one indeed in the parish, as it occurs in some of the deeds belonging to the charity lands long before the time of the Registers, and as they were an ancient family so one of their members attained to the great and venerable age of a century, the fact being thus recorded in the register of his burial:—"1613, William Sleamaker was buried the v<sup>th</sup> of March—Centenarius." This Latin word is used in English as Centenarian, and means a person who has lived 100 years.

1614. One James Harris had acquired such celebrity by his proficiency in playing the bagpipes, that the fact is referred to in the register of his burial thus:—"1614, James Harris was buried the vi<sup>th</sup> day of January (a bagpiper)."

1616. The memorable fact of one travelling through the parish on his return from visiting some recently discovered well is thus

recorded in connexion with the baptism of his child:—"1616, Elisabeth Harris, daughter of John Harris and Elisabeth his wife, was baptised the xxii<sup>d</sup> day of June. (A traveller from the newe found well, and dwelling att Canterbury.)"

1619. Of the Drinkwater family, before referred to, there were several Johns, of whom one has been already mentioned as a famous breeder of cattle, and another is distinguished as having been lame, according to the register of his burial thus:—"1620, John Drinkwater (ye lame) was buried the xvi<sup>th</sup> day of Ffebruary." There are those living at the present time (1857) who remember to have heard old Lame John spoken of, while the memory of the cattle breeder would have been lost but for the record of the Register.

1622. There are no less than four events deemed worthy of being recorded this year, making it a sort of *Annus Mirabilis*. They are as follows:—"1622, William Kente was buried the vi<sup>th</sup> of July. Both deafe and dombe. John Clarke (dyeinge in the feilds) was buried the vi<sup>th</sup> of Auguste. Ffrideswood Haddocke was buried ye third of October (beinge above one hundred). Richard Beamond of Burford in com. Salopp. was buried the xxiii<sup>th</sup> of October."

1644. From 1626 to 1654, during the troublous times of Charles I. and the Commonwealth, there is a total blank in the registers, and even when they do recommence there are but few notices of interest. As, however, our parish, besides being in the vicinity of Oxford, where the king frequently held his court and parliament, was also on the principal road from Oxford to Worcester, between which two places the king with his army made several marches; we may well seek from other sources any information as to the course taken by him that we can. From a very interesting volume of Historical Collections of Sir Edward Walker, Knight, Secretary of War to Charles I., published in 1707, we obtain the following abstract of the March of Charles I. from Oxford to Worcester, in the year 1644. "June 1, At Gosworth, at Enslow Bridge, and at Tackley Fords, the Rebels were beaten and prevented crossing the river, but Waller's forces coming from Abingdon attempted Newbridge and so crossed the Isis. In consequence on Sunday, June 2, the king went to Woodstock to consult his Council, but hearing of the near approach of Waller he ordered all his forces to be concentrated the next day at Yarnton, and then returned to Oxford. Here being hotly pressed he directed a feint to be made of marching towards Abingdon, which drew Waller off from Oxford and saved it. Then upon Monday night of the 3rd of June, about nine o'clock, he marched for Worcester, taking his route by Wolvercot to Yarnton, and so to Long Handborough to secure the bridge there. Essex in pursuit on the Monday crossed the Charwell, and lay that night at Blechington with his advance at Woodstock, while Waller lay at Ensham, and between that and Newbridge.

The king marched to Handborough heath, passing thence to Minster Lovel and so to Burford, after which crossing the Cotswold he got to Bourton-on-the-water, and thence to Evesham and Worcester," pp. 17-21. On this occasion therefore he seems to have avoided the high road through Enstone, and to have passed to the westward of the parish. On the next occasion, however, in the year 1645, it is exceedingly probable, though not certain, that the king did march through here, for as on August 13, being at Oxford again, he began his march towards Worcester, which was reached in two days, so the rapidity of it makes it exceedingly probable indeed that he did pass this way, which was the most direct and convenient that he could have taken at that time.

In the memorials that we have collected of the Parochial Clergy, it will be seen that our parish did not escape the troubles of these disturbed times. The Vicar, the Rev. John Beckingham, was ejected and his place occupied for a time by Rev. Samuel Burnett, who in his turn was ejected in 1662, and Mr. Beckingham restored. It is also evident, that at this time, and no doubt in consequence of their unquiet state, there were many changes of families here, some of the old names entirely disappearing, and many new ones occurring.

1665. Such great jealousies had arisen, and been fostered at this time, in the minds of the English merchants against the enlarged and increasing commerce of the Dutch, that England was unhappily rife for a war with Holland, and when in the year 1664 the king, Charles II., determined on it, he found himself very largely supported by the whole nation. The city of London lent him £100,000, and from his own resources besides he was enabled to fit out a fleet at a cost of £800,000. When parliament met it augmented the king's means very considerably, for it granted the largest supply that had ever been given to a king of England, voting nearly two millions and a half to be levied by quarterly payments in three years. I have met with a very interesting document relating to the collection of this subsidy for the hundred of Chadlington, and it affords us a sort of bird's-eye view over the neighbourhood at the period of which we write, namely in the year 1665. It is called an Escheat, that word generally having been understood to mean any lands, or other profits, that fall to a lord within his manor by forfeiture, or the death of his tenant, dying without heir general or special; but here being used to signify the grant made, and that so fell, to the sovereign, the lord paramount throughout England. I shall give a general view of this document, thereby showing the country nobility and gentry of the time, and their comparative wealth and possessions; and of the parish of Enstone, as the one with which we are most concerned, I shall give a full detail of all the particulars, and so of all the names of the then principal residents.

This Escheat Indented made at Chippin Norton in the county of Oxford the 12<sup>th</sup> day of \_\_\_\_\_ in the seventeenth yeare of the Reigne of our Sovereigne Lord Charles of England, Scotland, France, and Ireland, kinge, defender of the faith, &c. (1665.) Before Sir Robert Jenkinson knt., Sir John Lary knt., William Walter & Ric. Jones Esq<sup>rs</sup>. foure of the king's Majesties Commissioners assigned amongst others for the Taxeing of the two last of the foure entire Subsidies granted our said Sovereigne Lord the kinge's Majestie att a parliament holden at Westminster in the sixteenth yeare of his highnes Reigne the one part of which Escheate is certified into his Majestie's Exchequer and the other part delivered unto Edmund Rowright aliter Fuller appointed high Collector for the Leveyinge collecting and paying of the sumes of money herein specified due to his Majestie according to the forme of the Statute in that case made and provided.

Chadlington Hundred. Comitu Oxon :					
Kingham.	Anthony Bramsgrove in gooden	0	4	21	4
	Thomas Loggin and } in lande	0	3	24	0
	John Loggin				
	Five others				
Idbury.	Robert Loggin gent in lands	0	4	32	0
	Six others				
Finfield.	Edmund Bray gent in goods	0	5	26	6
	Two others				
Taynton.	Dame Anne Bray in lands	10	4	0	0
	John Moore gent in goods	0	3	16	0
	Francis Hampson gent in goods	0	5	26	6
	Three others				
Tangly.	John Loggin gent in goods	0	3	16	0
Fullbrook.	Richard Jourden in lands	0	1	8	0
	Robert Jourden in lands	0	1	8	0
	Five others				
	Swynbroke.	John Fettiplace Esq. in lands	10	4	0
	Edward Fettiplace Esq. in lands	0	2	16	0
	One other				
Minster Lovell.	Sir Robert Cooke knt in lands	10	4	0	0
	Four others, and Nine Recusants at a payment pr poll of 16 <sup>d</sup> viz. Francis Ewer, Richard Ewer, Margaret Ewer, William Ewer, Alice Ewer,—Reason, Bridgett Walton, Shelagh Morgan, John Kerwood.				
Leafield.	Five				
Ramsden.	Three				
Shorthampton.	Two				
Wallcott.	Sir Robert Jenkinson knt in lands	6	2	8	0
	Dame Anne Lee Widow in lands	8	2	2	6
Chillson and Pudlicott.	John Steane gent in lands	0	2	16	0
	Four others				

Ascott.	Doctor Zouch in goods	0	3	16	0
	Five others				
Shypton sub.	Sir John Lary knt in lands	10	4	0	0
Wichwood.	Twelve others				
Mylton.	Ten				
Lyneham.	Three				
Langly.	Two				
Sarsden.	William Walter Esq. in lands	0	10	8	0
	Four others				
Northmoore.	Eleven				
Churchill.	Augustine Skynner Esq. in lands	5	2	0	0
	Anne Hacker vid. in goods	0	3	16	0
	Ten others				
Bruerne.	The Ladie Elisabeth Cope in lands	15	6	0	0
Chadlington.	John Osbaston Esq. in lands	5	2	0	0
	John Newman Jun. in lands	0	2	16	0
	John Newman Sen. in lands	0	1	8	0
	Seven others				
————	Robert Smith Esq. in lands	7	2	21	0
	Three others				
Spelsbury cum	The Ladie Lea in lands	15	6	0	0
membris.	Six others				
Swareford and	Michael Roe gent in lands	5	2	0	0
Southern.	Two others				
Enstone cum	John Bushell Esq. in lands	0	5	2	0
membris.	Ralph Marshall in lands	0	2	16	0
	Thomas Martin in lands	0	2	16	0
	Robert Clemens in lands	0	1	8	0
	Thomas Brickquet in lands	0	1	8	0
	John Busby in lands	0	1	8	0
	Nicholas Marshall in lands	0	1	8	0
	William Canning in lands	0	1	8	0
	William Miller sen. in lands	0	1	8	0
	William Fawdry in lands	0	1	8	0
	Mrs. ——— Boulton vid. in lands	0	1	8	0
	Robert Butcher in lands	0	1	8	0
	Henry Drinkwater in lands	0	1	8	0
	Edmund Fortnam in lands	0	1	8	0
	Gabriell Coxband in lands	0	1	8	0
	Francis Smyth in lands	0	1	8	0
		<hr/>	<hr/>	<hr/>	<hr/>
		0	8	16	0
Hooknorton.	Richard Parramore Esq. in goods	0	3	16	0
	Edward Croaker Esq. in goods	0	3	16	0
	Thirteen others				
Rowlwright	William Shepard Esq. in lands				
Magna.	Edmund Rowlwright aliter Fuller				
	Here the document is defective both by mutilation and obliteration.				

I have endeavoured to give as complete a view as possible of this document, and in what I have copied have only changed the forms of the figures, and placed them more accurately according to their denominations, whatever those may happen to be. With these exceptions the parish of Enstone presents an exact copy of that part of the document, even to the apparent summing up, which in this case, as in all other parishes, appears to have no relation at all to the preceding sums, so far as their total is concerned. In selecting names in other parishes, I have taken none without some object in view, as will be shown in other parts of this history, but I may explain here why I have introduced one or two, whose selection might otherwise not seem to be obvious. Thus I thought it due to the nine Recusants of the parish of Minster Lovell to give their names, because as sufferers for conscience sake, whether puritans or papists, they deserved this honourable mention, as an encouragement to others to be equally faithful to their principles, and as a warning to rulers of the vanity, folly, and iniquity, of attempting to restrain the conscience of man, and to rob him of his greatest privilege, the right of thinking and judging for himself what he shall believe, and what reject, and wherein he shall place his hopes and confidence for salvation.

The widow Ann Hacker, of Churchill, was without doubt the widow of Colonel Hacker, who was executed, together with the other regicides, for the part he took in the death of King Charles I. The Marshall family, which has been so long settled here in the parish of Enstone, became connected by marriage with the Hacker family in the year 1645, for according to the Marriage Register of the Parish of Wigginton for that year, Ralph Marshall of Little Tew married Anne Hacker of Churchill in the County of Oxford. This is no doubt the same Ralph Marshall mentioned in the document we are considering. The last generation of the Marshall family bore the name of Hacker appended to that of Marshall, thus: Marshall Hacker; and the family enjoy to this day the very property taxed as above for a levy in the time of Charles II. The historian Hume records of Colonel Hacker that "he commanded on the day of the king's execution," but a later writer, the eminent French statesman M. Guizot, has more fully and most graphically described the part that Hacker bore in these tragic scenes, and on account of which he himself suffered condemnation. From the French of M. Guizot we have collected the following account. As soon as the trial of the King was concluded, and judgment of death had been passed, he retired to such privacy as was allowed him to hold pious conference with Bishop of Jaxon, who attended him to the last. Such, however, was the strictness with which he was guarded, that Hacker, who was charged with his safe custody, at first placed two soldiers in the same room with the King, and during the visits of the Bishop commanded the sentinel at the door continually to open it, and to satisfy himself that he was there. . . . The order for the execution

of the king was addressed to Colonels Hacker and Huncks, and to Lieutenant-Colonel Phayre. . . . Early on the day appointed, in a chamber at Whitehall, by the side of the bed where Ireton and Harrison were still reposing, Cromwell, Hacker, Huncks, Axtell, and Phayre, assembled for the purpose of accomplishing the last act of this fatal process, the completing the order to be given to the executioner. "Colonel," said Cromwell to Huncks, "It is for you to write and sign the order." Huncks obstinately refused to do it. Cromwell, after in vain urging him, sat down grumbling, wrote the order himself, and handed it Col. Hacker, who signed it without any objection. The king, meanwhile, being still at the palace of St. James, was engaged in prayer and reading the Scriptures with Bishop Juxon, his Servant Herbert being in attendance, when a gentle tap was heard at the door. Herbert remained immoveable, when a second tap, rather louder, but still low, was made. "Go and see who is there," said the King. It was Colonel Hacker. "Let him enter," said the King. "Sire," said the Colonel in a voice low and half-trembling, "the moment has arrived for your departure for Whitehall; your Majesty will yet have one more hour to refresh yourself."—"I will depart at once," answered Charles, "leave me." Hacker quitted him. The King collected his thoughts for a few minutes, and then, taking the hand of the Bishop, said, "Come, let us go; Herbert, open the door; Hacker summons me for the second time." He descended into the park, which he had to traverse on his way to Whitehall. Arrived there he found a meal provided for him, but declined partaking of it, until the Bishop reminded him that the scaffold would be cold, and he might seem to tremble from the effects of it. "You are right," said the King, and he eat a morsel of bread and drank a glass of wine. It was now One o'clock. Hacker knocked at the door. Juxon and Herbert fell on their knees. "Raise yourself, my old friend," said the King to the Bishop, stretching out his hand to him. Hacker knocked again. Charles had the door opened. "Proceed," said he to the Colonel, "I follow you." And thus bidden, Hacker led his sovereign forth to die upon that scaffold, where he himself subsequently met the retributive doom pronounced by divine judgement, "whoso sheddeth man's blood by man shall his blood be shed."

1676. In the account book, under the date of "March the 28<sup>th</sup> 1676," occurs this entry. "Due to the Parish from William Butcher Constable 3<sup>s</sup>. 8<sup>d</sup>. for the Leavy which was made for the trained soulder." As at this time we were in alliance with France, and had an army auxiliary to the French one engaged against the Dutch, it is possible that our "trained soulder" was employed there. It was then that the great duke of Marlborough, as Captain Churchill, was acquiring under the leadership of the famous Marshal Turenne, that consummate skill in the terrible art of war, which subsequently made him so successful a commander even against the French themselves.



And yet although we have intimated the possibility of our trained soldier having been employed abroad, it is far more probable that he was for home service. The fact of Levies or Rates for maintaining him being raised by the Constable, will serve to exemplify, and so to confirm, what we have before, in speaking of the Lees of Quarrendon, had occasion to remark, that the office of Constable was originally more of a military, than a civil character. The duties of the ancient Tithingman corresponded more with the duties of the modern Constable, for the Tithingman was charged with the peace and good order of his Tithing, as the modern Constable or Policeman now is. But formerly the duty of the Constable was to provide men and equipments for military service. These trained soldiers, as they are here described, were the same as those now called Militia, and were for the defence of the country, at this time engaged in very severe wars. In the time of the Saxons a kind of militia existed, every five hydes of land being chargeable with the equipment of a man. The ceorles, or carles, or peasants, were enrolled under the Ealdermen or chiefs, whence the titles of both Earls and Aldermen were derived. After the Norman conquest, the proprietors of land still had to provide men and arms in proportion to their estates, which troops were raised under the authority of *commissions of array* issued by the crown. This prerogative continued until the time of Charles I., when the parliament wrested it from him, but when Charles II. was restored, it was again vested in the sovereign, with certain limitations, for no one of less than £200 yearly income or £2400 in property could be compelled to provide a foot soldier; and none of less than £500 a year or £6000 capital a horse soldier. Others having less property were required to contribute to both horse and foot according to their means, and these levies or military rates were made as we see by the Constable of each parish.

The occasion of their being raised about the years 1670-80, was the state of war in which we were at this time involved, in alliance with the French, against the Dutch. This latter nation having had many great navigators by reason of its extensive commercial enterprise, had now become so dominant at sea by its numerous and powerful fleets, under such great and valiant admirals as the two Van Tromps, father and son, De Ruyter, and others, that they claimed to be complete masters of the sea, all around our coasts; and one of them, nailing a broom to his mast head, proudly sailed about our channels, and boasted that he would sweep the English from the seas. Had he accomplished his vaunt, we should have been exposed on every side to the descent of the enemy, and must have defended our very homes and hearths. In the year 1666, from June 1 to June 4, there was fought one of the longest sea fights ever known, it having lasted four days, and the combatants were only then parted by a thick fog, which compelled both to retire without either gaining the

victory. On June 25th they again met, and this time the English were the conquerors, the discomfited and fugitive De Ruyter exclaiming "Amongst so many thousand bullets is there not one to put an end to my miserable life?" But he was reserved for even greater disaster and defeat than this. In the year 1672 was fought the memorable battle of Solebay, where De Ruyter suddenly surprised and attacked the English. These last were commanded in chief by the Duke of York, brother of the king, and himself afterwards king as James II., who had as his second in command the Earl of Sandwich. In a council of war, just before the battle of Solebay, the Earl had given the Duke some useful and cautious advice, which if heeded would have saved the surprise and great danger that the English fleet incurred. But the Duke was a proud illtempered man, and, presuming on his position as brother of the king, meanly ascribed the Earl's caution to cowardice. The Earl, indignant at the imputation, as base as it was false, for he was as courageous as he was a prudent commander, vowed that he would never survive such a charge if once again engaged with the enemy. When the surprise overtook the English, the Earl led the van, and that so nobly, that he sunk one of their ships, destroyed three fine ships that attempted to grapple with him, and fought his own ship until she was blown up, and he and all his brave crew perished. The command of his division now fell to Sir Joseph Jordan, the next admiral in it, and he, as we shall presently see, well seconded the efforts of the Earl. The Duke's division of the fleet had so hard a contest with the Dutch, that he was almost vanquished, when the English would probably have lost the day entirely. And now, indeed, the Duke showed his inferiority to the brave but overdaring Earl. The Duke finding his ship so shattered that she could no longer endure the fight, did not, as the Earl had done, stick to her to the last, but shifted his flag and himself to another. Meanwhile the battle would have gone entirely against the English, had not Sir Joseph Jordan rallied the remains of the Earl's division, and brought them up with so bold a bearing, that the balance turned in favour of the English, who by Sir Joseph Jordan's bravery and skill won the battle of Solebay. If I have dwelt upon these facts with too much animation, I trust that I may be excused, as my family have ever had strong reasons for believing this Sir Joseph Jordan, to have been a direct ancestor of our own.

To return, however, to our trained soldiers or militia men. The danger that was imminent in our island, should any disaster occur to our fleets, and leave our coast unguarded, had necessitated these levies of money and of men, and the risk that had been escaped at Solebay fully justified them. For even that battle did not terminate the war. On the 11th of August, 1673, De Ruyter again fought the English, and though not absolutely beaten he gained no success himself. These levies continued to be raised for at least a hundred years or more, for after the Dutch wars

came our own revolution of 1688, then came the first rebellion in Scotland of 1715; and again the greater one of 1745, with the uneasiness of the kingdom until the house of Stuart was entirely displaced and that of Hanover established, and thus through a long course of years the nation was kept in an unsettled state, and these military charges had to be provided for, until from the time of the American war in 1775, and the French revolution in 1790, to the end of the Peninsular war and the Battle of Waterloo in 1814, another system of defraying such expenses was devised by borrowing money under the authority of Parliament, and thereby accumulating upon the nation that great debt which at the present time amounts to more than £700,000,000.

1692. We have before had occasion to notice how much interest seemed to be excited in behalf of those who had become connected in any way with London, and we may here give several instances of this. 1692. Elisabeth Harris a Londoner's Child dyed and was buried. Mary the daugh<sup>r</sup>. of George Bolton Civ : Londin: dyed and was buried 1692. Sarah ye daugh<sup>r</sup>. of John Watts and Mary his wife of St. Martin's in the Fields London, baptised. 1693. Robert the son of W<sup>m</sup>. Ffawdrey a Citizen of London and Hester his wife. 1696.

1693. It is not to be wondered at, that the parish should have been frequently liable to the deaths of strangers passing through, when it is remembered we have so many public and important roads traversing it. Accordingly we meet with the following instances among others. 1693. Richard Stoakes of Tewkesbury a Traveller dyed and was buried. Richard Weston (Peregrinus Salopianus) dyed at Lydston. Elisabeth Prior (Pereg : Varw :) dyed at Gagingwell. 1698. John Whitniss a traveller dyed. 1699. Andrew Dosset a passenger died.

1695. The Registers about this time show that there were a number of families of country gentlemen resident here. At Woodford Park was Mr. St. John Harry Tilliard; at the Rectorial glebe was Harry Cole Esq., who had a very numerous family; in other parts of the parish were the families of Richard Eyans Esq., of Samuel Lovell Esq., of Jarlamont Osbaldestone Esq. at Neat Enstone, of Sir George Stonehouse Bart., of Mr. Nicholas Marshall of Church Enstone, of Mr. William Tennant of Neat Enstone, besides others, as well as many and highly respectable families amongst the yeomen of the county.

1695. In this year also we have two instances of the manner in which marriages were at that time celebrated, without that strict regard to the parish or place of the parties' residence, that is now enforced by law, and is so essential to avoid clandestine marriages. Not that the marriages referred to were at all of that character, but they serve to show how much less strict at that time the requirements for the celebration of marriage were. The instances referred to were those of Edward Cary of Stratton Aidley and Mary Castle of this parish married by Licence

Ffebruary ye 20th, and John Burborough and Mary Sara Browne both of this parish married by Licence Ffebruary ye 23rd, to which two marriages are appended this note, "These two couples were maryed in University College Chapel by me J. N." Mr. Naylor, the writer of this note was at the time Vicar of this parish, and either was still, or had been, a fellow of University College, so that these marriages may have been celebrated there for his convenience, or for the mutual accommodation of himself and the parties themselves, who might prefer being thus married at a distance from their own place of residence.

1696. This year is registered the following marriage. "Thomas Brumley of Monks Risborough in the county of Bucks Widdower and Anne Plaistow of the same parish were maryed by Licence from the Doctors Commons October the 5th." Here both parties came from a distance, but then there was a family of the name of Plaistow or Plestow resident here, which may account for their coming here. This year again, and in the following one also, marriages are entered as having taken place "in Un: Coll: Chappel."

1697. Amongst the baptisms this year is the following. "David a ffoundling at Chalford on Moonday the 28th of February was baptised on Moonday the 14 of March. Supposed to be about a quarter of a year old." Nothing further can be traced of the child thus deserted and found.

1701. "Francis ye son of Bartholomew Styles a Carpenter and Romanist and Elisabeth his wife was born April ye 26th." A similar entry occurs in 1703, and the year following they are described as of Radford.

1702. In the Church Account Book occurs this entry:—

Paid the Smoake ffarthings due to her Majestie from  
this Parish . . . . . 0 11 0

This entry is a very remarkable one, both as indicating the nature of taxes formerly levied on the people, and as showing that this peculiar tax had been revived at this time, although it had been supposed to have ceased altogether in the former reign. Blackstone furnishes this account of the tax. "As early as the conquest, mention is made in dome's-day book of fumage or fuage, vulgarly called smoke farthings; which were paid by custom to the king for every chimney in the house. And we read that Edward the Black Prince (soon after his succession in France) in imitation of the English custom, imposed a tax of a florin upon every hearth in his French dominions." In the time of Charles II. a statute was first made fixing a revenue of 2s. for every hearth, in all houses paying to church and poor, and by subsequent statutes, the constable and two others, duly appointed in each parish, were empowered to view the inside of every house for the purpose of assessing the hearth money. "But, upon the revolution, by statute 1 W. and M. st. 1. c. 10, it was declared to be 'not only a great oppression to the poorer sort, but a badge of

slavery upon the whole people, exposing every man's house to be entered into, and searched at pleasure, by persons unknown to him; and therefore to erect a lasting monument of their majesties' goodness in every house in the kingdom, the duty of hearth money was taken away and abolished.' This monument of goodness remains among us to this day, but the prospect of it was somewhat darkened, when in six years after a tax was laid upon all houses, except cottages, of 2s. now advanced to 3s." Blackstone, however, does not seem to have been aware of the revival of smoke farthings in the reign of Anne, although hearth money had been abolished in that of William and Mary. Nor can I discover whether this tax was levied by statute or by custom, though it could hardly have been by the latter after the revolution. As it is entered in our account book for the year 1702, so it must have been revived by a statute of the short parliament immediately after the Queen's accession. During that brief session only seven acts appear to have been passed. One of these was "for making good the deficiencies, and the public credit," and the state of things implied in this title renders it extremely probable that the tax of smoke-farthings might thus have been revived, as a means of obtaining money widely and equally amongst the people. It was, moreover, much in the spirit of the Tories, into whose hands the Queen cast herself, to revive an antiquated tax of this kind, however hateful and oppressive to the people.

**THE HOUSE OF HANOVER.** From A.D. 1714 to A.D. 1857. We must hasten to draw our history of Enstone and of England to a conclusion. On the death of Anne, the elector of Hanover became King as George I. He was succeeded in 1727 by his son George II. Both being of foreign birth, and bringing with them much of foreign habits, feelings, and manners, were not very acceptable to the people, as exemplified by an anecdote relating to their time, when a mob having rudely surrounded some of the carriages of the court in London, expressing unfriendly feelings towards them, one of the ladies put her head out of the window and endeavoured to pacify them by saying, "Goot peoples, we have come for all your Goots," whereupon a wag replied, "Aye, and for all our chattels too, we doubt not." George III. came to the throne in 1760, and reigned 60 years, until in 1820 he was succeeded by George IV., his eldest son, and in 1830 by William IV., his third son. During the reigns of the first two Georges the discontent arising from their foreign manner and feelings was heightened by the parties of Whig and Tory that existed amongst ourselves, the Tories favouring the rejected house of Stewart, and the Wigs that of Hanover. Two rebellions, in 1715 and 1745, occurred in consequence in Scotland, and in England many civil contentions as exemplified below.

1754. *Great Oxfordshire Election.* The contest on this memorable occasion, when political parties ran so high in the kingdom, a consequence of the recent rising in Scotland in favour of the

Stuarts, the terrible excesses of the conquerors who stained their victory with deeds of cruel and barbarous vengeance, and the yet uncertain position of the House of Hanover under the Second George, was one of the most severe in the annals of elections, such as they were before the Reform Bill curbed their extravagances and violences. The candidates were from four of the chief families in the County, and represented the two parties, Whigs and Tories; who, having originated in the time of Charles II., when they seem to have been almost Antipapists and Papists, at this time represented the parties of those who favoured the Revolution of 1688, and those who desired to see the exiled royal family recalled, and the absurdity of the divine right of kings, and all the consequences of that presumptuous idea renewed. The two parties were represented by the families of Wenman and Dashwood against Parker and Turner, and in the list of voters given below we shall indicate their partisans by the initials of the candidates. The following were the voters in Enstone, all of whom were of course freeholders, and there will be seen even here some indications of those family dissensions and rivalries, which such elections as these too commonly generated and entailed, besides all the other vices of which they were prolific.

Enstone.	Castle, Job	. . . . .	P. & T.
	Faulkinham, Edward	. . . . .	P. & T.
	Wisdom, Stephen	. . . . .	P. & T.
	Freeman, John, resi <sup>t</sup> . at Spelsbury	. . . . .	
	Kinch, Thomas	. . . . .	
	Lay, John, Jun <sup>r</sup> .	. . . . .	
	Lee, Hon. Robert, Charlbury	. . . . .	W. & D.
	Marghetts, Philip	. . . . .	W. & D.
	Marshall, Nicholas	. . . . .	W. & D.
	Tenant, Richard	. . . . .	W. & D.
	Wisdom, William, Cunner.	. . . . .	W. & D.
	Wood, Thomas, Esq., Littleton, Midd <sup>x</sup> .	. . . . .	W. & D.
Cleveley.	Bridgman, Thomas, Enstone	. . . . .	P. & T.
	Lay, John, Sen <sup>r</sup> .	. . . . .	W. & D.
	Walker, Joseph, Dean	. . . . .	W. & D.

Voters resident at Enstone but having their qualifications elsewhere :—

Marghetts, Richard, Chipping Norton	. . . . .	W. & D.
Sheppard, George, Clerk, Hardwick	. . . . .	W. & D.
Watson, Christopher, Hempton	. . . . .	P. & T.

In one of the Squibs circulated at the time of the election Lord Lichfield, of Ditchley, is described as a "hardy chief for drinking." For the facts connected with this election I am indebted to a M.S. Lecture by Mr. William Wing, of Steeple Aston, for the use of which, and for other assistance most kindly afforded me, I desire to express my very best thanks.

1780. In the account book there occurs this year the following entry:—

“Paid for a order from ye Bishop to give account of ye Supposed Number of Papists in ye Parish of Enstone which number given in was *fifty-three* . . . . . £0 2 0”

This was the year in which a bill was introduced into Parliament for the relief of Roman Catholics from certain penalties and disabilities, and it was also famous for the serious riots that arose under the leadership of Lord George Gordon, who strenuously opposed the relief, and marched at the head of an immense mob to present a petition against it. He was subsequently impeached of high treason, but was acquitted and escaped attainder. It is probable therefore that this enquiry into the number of Papists was connected in some way or other with the measure that had been proposed and so perilously resisted.

1811. The following fact I have found recorded on the fly-leaf of a Prayer Book, in the Vicar's Pew in the Church, in the handwriting of a late Vicar, Rev. Samuel Nash, and with his signature appended to it:—“On the 27th of May, 1811, when walking along by the side of the road, I was very much surprised to see what I then considered a very *extraordinary* thing. I saw a body lying on the ground, stabbed in three different places near the heart, and the scull split open. I went and fetched a cart, and it was brought to a house. An inquest was held upon it, but it was not known whose body it was, or who the murderers were. It certainly was killed by violence, and the face was very black. I tried some time to find out who did it, but my search was unavailing, until after a long time it was found out that it was done by some pedlar travelling along, and he had confessed it when he had been condemned for another murder. He said that it had so preyed upon his mind ever since, that he had no peace. I don't think he could have felt it much, or he would not have committed a second murder. Samuel Nash.” It is somewhat unfortunate that there are no entries at all in the Register of Burials for the year 1811, the vicar having been accustomed to trust to the Clerk to keep lists, from which he copied them, and as the books were all changed about this time, the burials for 1811 are altogether omitted, and no other record remains of the above fact than that now given.

And now at length we must bring our history to a close. We have brought it down to our own times, when each one knows its story for himself, and if he knows it aright, knows also that we are living in one of the most remarkable, and it may be truly said, one of the happiest periods of our country's, not to say our parish's, history. There never has been a time, in all that we can learn from the past, when our country, and therefore our parish, has enjoyed so many blessings, liberties, rights, and privileges as we now enjoy under the reign and government of Queen Victoria. The crown is worn, and the sceptre wielded by a lady,

who, to all feminine grace and virtue, adds the true dignity of her royal station, and maintains the authority and power of these realms amongst the nations of the earth, with increasing majesty and might, because with her sway she equally supports at home, and extends abroad, those institutions which God and Christianity have blessed us with. May we in our parish, each of us faithfully, so uphold the institutions we are blessed with, as thereby to uphold our country's excellency and renown, and at the same time exert ourselves for their extension amongst others also; that all may have, as we, the enjoyment of a free Bible, free speech, free faith, and freedom to serve God in our station, and to worship Him each one according to his own judgment, so that each may have a conscience void of offence both before God and man.







