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PART IV.

SIR HENRY DE RALEGH, KNIGHT, *Ob.* 1301.

BY

T. N. BRUSHFIELD, M.D., F.S.A.

(Read at Bideford, July, 1902.)

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[*Reprinted from the Transactions of the Devonshire Association for the Advancement of Science, Literature, and Art. 1902.—xxxiv. pp. 455-481.*]



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Effigy of Sir Henry de Raleigh (?) in South Choir Ambulatory, Exeter Cathedral.

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THE subject of the present paper relates to a member of the Raleigh family who died in 1301, and whose effigy is believed to be one still preserved in the Cathedral of Exeter. Owing to inaccurate description, doubts have been raised as to the date of the sculpture, thereby affecting its assigned identity. Again, for want of a proper examination of various documents, believed to refer to the person represented by the effigy, conflicting statements have been made as to the place where the body of Sir Henry de Raleigh was interred; and also whether the sculptured representation in the cathedral be a cenotaph or not. The object of this paper is to throw as much light as possible on each of these points, and this necessitates its division into two distinct portions.

### 1. THE PERIOD OF THE EFFIGY AND ITS IDENTITY.

The Cathedral of Exeter contains three full-length recumbent stone effigies of knights which, from the striking similarity of their principal features, appear to belong to the same century or era. They are, however, at the present date destitute of anything by which their identity can be assured, or whereby they can be differentiated; but as they assist in throwing some light on the subject of the inquiry, it has been thought better to notice each of them, and to allude to them respectively as Nos. I., II., and III. No. I. is situated in the wall separating the choir from the south ambulatory; No. II. immediately to the west of and

adjoining No. I.; and No. III. in the outer wall and east end of the north choir ambulatory. All are placed in shallow recesses and under low canopies; are raised a short distance above the floor level; and all have their faces directed to the east, with their feet resting on the figures of animals. They are sculptured in freestone, and although some of their accessories are greatly mutilated, there are so few marks of erosion or of wear and tear in the principal figures as at first sight to convey the impression of the sculptor having designed and completed them quite plain and destitute of ornament, it being difficult to realise that they had been originally highly coloured and decorated.

As the main interest of the following remarks centres in No. I., it is necessary to describe it at some length, any material differences between it and the other two being subsequently pointed out.

It measures six feet from head to heel, is armed cap-à-pie, and rests on a large stone slab, 1 foot 8 inches above the floor line. The head and neck are enveloped in a hood or coif, having a small central opening, only just large enough for the display of the features. Its crown of round form is elevated  $4\frac{1}{2}$  inches above the face opening, a point of considerable importance when estimating the date of the figure. Immediately over the upper boundary of the face line is a plain band or fillet—possibly of leather or of *cuir bouillé*. The sculptured features are much worn, display a moustache, and are remarkable for having been carved on a separate piece of stone, and then inserted in a hole prepared for it, the joint being wide and unmistakable. The head reclines on a conical-shaped helmet, having a cross in its front, formed by a plain, narrow, vertical ridge, intersected by another at right angles to it, and bears no trace of any other ornament. The apex points outwards and has a cointisse attached to it. The figures of a diminutive angel on either side support the head and shoulders; that on the right hand has the upper part broken off, but its fellow on the left is fairly perfect, its left wing being curved backwards, so as not to be concealed by the shield.

The body is habited in a long surcoat reaching to the ankles at the back, but cut away in front, so as not to interfere with riding; it displays the lower portion of a divided hauberk, and at the waist is confined by a narrow strap and buckle. The lower part is in folds, but the upper is plain, is overlapped by the hood, and has large armholes through which the hauberk is seen. The shield is held by



the left hand, which appears beneath it, rests on the left breast, and is suspended from the neck by a narrow belt (guige); is heater-shaped, 21 inches long, rounded, with a curved upper border. The right hand grasps the handle of a sheathed sword,  $39\frac{1}{4}$  inches from pommel to point, the former being globular, with a diameter of  $2\frac{3}{4}$  inches; the guards, somewhat broken, are bent downwards. It is connected with a narrow sword-belt (baldrick) by two straps on the right and three on the left side; square elevations mark the various joints, and were probably decorated. The whole of the right arm is seen, and the sleeve of the upper part is loose, but that on the forearm is tight, and is continuous with the covering of the hand, which has separate fingers; there is no mark of a joint, or of a narrow band at the wrist, such as appears on the effigy of William Longespee, Earl of Salisbury, in Salisbury Cathedral.<sup>1</sup> The elbow is destitute of any metal plate (coudière), a point of importance not to be overlooked. The legs are crossed at the knees, the latter being protected by metal plates (genouillières), below which the coverings are tight-fitting (chausses); the feet are pointed, and rest upon the figure of a lion with a mutilated head. Single-prick spurs are buckled on the outer side of the feet, by straps above the ankle and in front of the heel.

The plain surface of the stone is so far misleading as to make the casual observer believe it was intended to represent the finished design of the sculptor. A careful examination of the whole of the effigy, especially of all angles and portions that are undercut, or are partly concealed, proves the entire surface to have been primarily encased in a thin layer of plaster, as a groundwork for moulded or stamped decoration, customarily known as gesso work. It was commonly employed in the case of memorial effigies carved in a comparatively inexpensive material, the whole being finally painted or gilt; and as, according to Ruskin, "no colour is so noble as the colour of a good painting on canvas or gesso," the effect of such ornamentation would be considerably heightened. Faint traces of red colour exist on portions of the surcoat, probably from the stain having permeated the layer of gesso. There is ample evidence of the hauberk, arms, legs, coif, and hood having been covered with a representation of chain mail, *i.e.*, of mail formed of interlaced rings, each ring being thus connected with four

<sup>1</sup> J. HEWITT, *Ancient Armour* (1855-60), pl. 54, i. 232; C. A. STOTHARD, *Monumental Effigies* (1817), pl. 37, 39, 43, 44.

others; and this must have been stamped on the gesso, as several portions overlap each other. Whether this was painted or gilt is uncertain, as all traces of such decoration have vanished. The armour of an effigy "of exquisite design and execution," belonging to the same period, preserved in Haccombe Church, is stated to have been gilt, upon which was painted a black foliated pattern.<sup>2</sup> This effigy belongs to the same period as that of the cathedral sculpture No. 1, and is believed to represent Sir Stephen de Haccombe, who lived in the latter part of the thirteenth century. Its similarity is especially noticeable in the absence of *coudières* and the presence of *genouillères*. The main points of difference consist in the fillet of the coif terminating at the face line on either side; in the presence of a band at the wrist; and in the left hand supporting the sword sheath. A large amount of the gesso work remains intact, as well as of the original colour decoration, including that of the blazon of arms on the shield.

*Tempus edax rerum.* After a time the surface of the gesso got eroded from damp, weathering, etc., and patches of the casing became friable, turned to powder, and fell or were blown off; other portions being loosened would be removed during cleaning operations, the removal being, no doubt, sometimes assisted by mischievous hands. Whatever the cause of the denudation, the clean surface of the stone, particularly on the prominent parts, was exposed to view.<sup>3</sup>

There are no traces of any inscription, or of anything at the present date by which its identity or of the family to which it belonged is ascertainable, but we have the important testimony of Sir W. Pole<sup>4</sup> that the figure bore on its shield "the armes of Ralegh, of Ralegh: *vid.* Checque, Or & Geules, a chief verry" (109), and from his statement we learn it to have been based on a personal examination.

On comparing effigy No. II. with No. I., we notice the canopy to be more ornate, and the sculpture to be more on the ground level. The coif is round, but  $1\frac{1}{4}$  inches lower, while the fillet has several projections on its front aspect,

<sup>2</sup> *Vide Trans. E.D.A.S.*, i. N.S., 65, 66, and plate 4, noted as the work of R. (C. A. ?) Stothard.

<sup>3</sup> *Vide* the description of a cross-legged effigy of the same period in the church of Ash-by-Sandwich, Kent, in *Journ. Archaeol. Inst.*, viii. (1851), 302, 303, in which "the stucco has disappeared from all the exposed parts."

<sup>4</sup> *Description of Devonshire* (1791).

marking the sites of original decorations (a good example is shown in plate 44 of Stothard's work). The helmet on which the head reclines bears a large fleur-de-lis in its front, partly covering a vertical ridge; while the apex with its cointisse is directed towards the figure. Both the shield and the sword are about 3 inches longer, and the former has a straight upper border. All the supporting straps are remarkably wide, varying from  $3\frac{1}{4}$  to  $3\frac{3}{4}$  inches, and retain traces of their original decorations with ornamental borders, and square ornaments at regular intervals; each has a large and prominent buckle. The sword-guards are depressed, each measuring  $5\frac{1}{4}$  inches, while the pommel is circular and flat. A small strap, not shown in the other sculptures, descends from the waist to the left hip, and is there lost; its purpose is not very obvious, but it may have supported some object when the knight was mounted on horseback. There are steel plates on both elbows and knees, and those of the latter possess a circular ornament on either side. Gloves with undivided fingers cover the hands, and the feet rest on an animal like a dog, with its head mutilated. The surcoat bears traces of red colour, and the remains of chain-mail in gesso work are more numerous, especially about the arms and legs. The face portion has been inserted, and there are no figures of diminutive angels.

The effigy is a cenotaph, erected to the memory of "Humfrey de Bohun, Earl of Hereford and Essex, and Constable of England," who was slain at the battle of Borough Bridge, in March, 1321-2, and was buried in the Dominican Convent at York.<sup>5</sup> His epitaph, stated to have been written by Hoker, the City Chamberlain, was painted on the wall immediately above the sculptured figure, and traces of it yet remain. A transcript of the full text is thus given by Polwhele:—

"Epitaphium D. Bohunni illustrissimi  
Quondam Comitis Herefordensis,  
Oh Bohunne Comes ! claro de sanguine nate !  
En ! rapit vitæ stamina parca tuæ.  
Dejecit illa viros illustri stemmate natos :  
Insuper obscuros dejecit illa viros.  
Aspicite humanam Bohunni in imagine sortem ?  
Cunctos mors pandâ falce cruentâ secat."

There is ample reason to believe the cenotaph was erected by his daughter Margaret, who, three years after her father's

<sup>5</sup> POLWHELE, *Hist. of Devonshire*, ii. 15; DR. OLIVER, *Bps. Ex.*, 203, 204.

death, married Hugh Courtenay, the second Earl of Devon. The effigies of herself and of her husband adorn an altar tomb in the south transept of the cathedral.

The figure No. III. rests in a somewhat deeper recess than the other two, and below a higher and more ornate canopy of later date. Its character closely resembles No. I. in having a rounded coif of similar elevation ( $4\frac{1}{2}$  inches), and No. II. in the existence of steel plates on both the elbows and knees. The end of the guige rests on the chest. The main points of difference consist in the lower part of the quilted undercoat (gambeson) projecting below the hauberk; in the feet being square-ended, and displaying depressions between the toes; and in the head reclining on three cushions. Unlike the others, it has additional standing figures (mutilated) at the head and feet respectively; a single one at the former, and one with a horse at the foot. They are about half the length of the principal sculpture.

Leland affirms it to be a memorial of Sir Richard Stapeldon, brother of the Bishop of Exeter of the same name, whom he thus notices: "Richardus de Stapleton Miles e regione sepulehri Episcopi Exon. fratris ejus."<sup>6</sup> Pole confirms this, and adds, "w<sup>th</sup> his armes on his shield, Argent, two bends undee, or wayvet Sable" (110). An illustration of the effigy and its surroundings appears in Britton's work.<sup>7</sup> The date of his death is usually noted as 1326, his brother the bishop having been murdered on October 15th of that year; but Dr. Oliver shows he was certainly living in 1330.<sup>8</sup>

Before proceeding further, it is desirable to notice the fragment of a sculptured figure preserved in the cathedral cloisters (a cast of it is in the Royal Albert Museum, Exeter), as, apart from its local interest, it will assist in elucidating several points connected with the effigies already described, and for the sake of convenience it may be termed No. IV.

The Dominican Convent, Exeter, founded in the thirteenth century, occupied part of the site of the present Bedford Circus, more especially of its southern portion, with Chapel Street and the adjoining mews ("St. Catherine's-gate . . . led into what is now known as Egypt-lane, and immediately opposite this gate was the door in the wall surrounding

<sup>6</sup> *Itinerary*, iii. 32.

<sup>7</sup> *Hist. of Exeter Cathedral* (1826), plate xxii. A.

<sup>8</sup> *Bps. Ex.*, 63.





the premises of the Dominican Monastery.”—W. Cotton, *Gleanings from the Municipal, etc., Records* (1877), 8). The dissolution of the convent in 1538 led to the erection of Bedford House; this in turn fell into the builders’ hands, and in 1773 one side of Bedford Circus was built, the opposite or western part not being commenced until 1826. During the excavations for the first portion of the buildings “very many skulls and bones, and various fragments of sculpture, were discovered”; and in the later operations, more especially on the site of the former conventual church, “very large quantities of carved stone which had evidently belonged to a church, were dug up, many of the pieces being enriched with painting and gilding,” among which was the fragment of the sculptured figure above noticed.<sup>9</sup> It consists of a life-sized head resting on a pillow, and of the right shoulder, displaying the upper portion of a plain surcoat, and of a narrow guige. The head is enclosed in a coif or hood of mail, with a central opening showing the whole of the features. The coif has a flattened or slightly curved crown, following the shape of the head, and its junction with the other portion is marked by a fairly well defined edge. It is destitute of any band or fillet, and is composed of closely set ring mail (cut in the stone), the rings being reversed in each row. Secured to the left side by means of a strap and buckle is a triangular flap. When not so fastened the hood could without difficulty be slipped over the head, and then be kept in place by this arrangement. Immediately behind it is a vertical slit, on a level with the ear, and terminating above and below in a round hole, probably intended to facilitate hearing.<sup>1</sup> It is suggested to have been intended for James Lord Audley, of Red Hill, Shropshire, who died in 1386—an evident error, as the character of the armour is at least a century earlier. This mode of fastening is seen in two of the monumental effigies in the Temple Church.<sup>2</sup> Sometimes it was effected by a cord or thin strap, as in an example at Dorchester, Oxfordshire.<sup>3</sup> The effect of this fastening piece was to cause that side of the face to be rather fuller than the other; and this amply explains the fulness on the left aspect of the face,

<sup>9</sup> Dr. OLIVER, *Monast. Dio. Ex.*, 336.

<sup>1</sup> There is a woodcut of the effigy in the *Journ. Archæol. Inst.*, ix. (1852), 188.

<sup>2</sup> *Vide* the work on this subject by E. RICHARDSON (1843), plates 7, 8.

<sup>3</sup> *Journ. Brit. Arch. Assoc.*, ii. (1847), 187; and in iv. (1849), 319, 320, is an illustration of an effigy at Pershore, showing the loose portion unlaced and thrown back.

with a fold extending to the left shoulder, in effigies Nos. I. and II.

The ringed mail of No. IV. could not have been later than the middle of the thirteenth century; while the double chain mail of the other three was not, according to J. R. Planché, employed until the accession of Edward I.<sup>4</sup> As far as Nos. II. and III. are concerned, this is confirmed by the memorials being those of known persons, who died respectively about the years 1322 and 1330 or 1331; while the date of No. I., of the most interest in the present inquiry, remains to be determined. That it belongs to about the same era as the other two is evident, the sole variation in it being the absence of the protecting plate armour at the elbows, which the others possess, showing the latter to belong to a later period. And we have the confirmatory testimony of Mr. Hewitt, that "to the elbows of the hauberk were sometimes affixed, but rarely in this [the thirteenth] century, plates of metal called *coudières*."<sup>5</sup>

A word or two of caution may be here interposed, respecting any endeavour to estimate the date or period of a monumental effigy. The armour depicted on it must not always be regarded as representing that worn by the person at the period of his decease, as it may have been his desire for it to be similar to that used on some memorable occasion, or in which he was habited early in life. We have to remember that fashions, even in armour, were not the same in all localities, and a change in any portion of it in one place, may not have been adopted in another part of the country until several years had elapsed. Moreover, "armour and weapons were frequently transmitted by will from one generation to another—a fact of some importance to the archaeologist, as it may occasionally help to reconcile a discrepancy in fashions not otherwise easy of solution."<sup>6</sup>

Again, no clue to the date is afforded by the effigies being cross-legged. Although usually thought to be restricted to those who had visited the Holy Land, or had vowed to do so, doubts have been raised in recent times as to its accuracy. Certain is it that the practice of representing sculptured monument-figures in this position continued for a long time after the cessation of the Crusades in

<sup>4</sup> *Cyc. of Costume*, I. (1876), 352.

<sup>5</sup> i. 234. At pp: 237, 247, of the same volume, are illustrated examples of memorial figures of the latter part of the thirteenth century, in which the *coudières* are absent, but the knee pieces (*genouillères*) are present.

<sup>6</sup> J. HEWITT, ii. 226.



the thirteenth century. For example, there is in Westminster Abbey a cross-legged figure of John of Eltham, Earl of Cornwall, who died in 1344 at the age of nineteen.<sup>7</sup>

Even female figures are sometimes sculptured in this position; *e.g.* in Howden Church, Yorkshire, is the cross-legged effigy of a man clad in armour, with the arms of Meltham of Meltham on his shield, and by his side the effigy of his wife, "with her legs also a cross; by which it may seem that she accompanied him on one of these expeditions [to the Holy Land]."<sup>8</sup>

A wide difference of opinion has been entertained with respect to the family, and a smaller one as to the particular member of the family effigy No. I. was intended to represent.

As the arms blazoned on its shield were known to have been those of the Chichester family, or at least of one branch of it, for several centuries, the conclusion arrived at by many authors was that it belonged to a member of that family. The earliest writer to allude to it is Leland, who described it as "Chichester miles";<sup>9</sup> and is so recorded by Polwhele.<sup>1</sup> The Rev. J. W. Hewitt states, it is "said to commemorate" one of the family.<sup>2</sup> In a ground plan of the cathedral, dated 1757 ("J. Jones del. Coffin Exon. sc."), it is assigned to "S<sup>r</sup> Arthur Chichester"; and in making a similar assertion, Britton (130) adds, he was brother of Bishop Chichester, an evident anachronism, as the bishop died in 1155, and the effigy is a century and a half later.

But authorities are at the present time generally agreed, relying mainly on the testimony of Pole, that the arms borne on the shield were those of the Raleghs, and were assumed by Sir John Chichester on his marriage about the year 1385<sup>3</sup> with Thomasia (or Thomasine), daughter and heiress of Sir John de Ralegh. Both Dr. Oliver (*Bps. Ex.*, 204) and Izacke (*Antiq. of Exeter*, ii. 44) express a similar opinion (although both rather inconsistently attribute the Ralegh arms to Bishop Chichester in the twelfth century).<sup>4</sup> In this Colonel Harding also coincided, but erroneously added, "Many of this knightly family have been buried

<sup>7</sup> C. A. STOTHARD, pl. 55.

<sup>8</sup> Sir W. DUGDALE, *The Antient Usage in Bearing Arms* (1812), 22.

<sup>9</sup> *Itin.*, iii. 32. <sup>1</sup> ii. 15.

<sup>2</sup> *Trans. E.D.A.S.*, iii. (1849), 108; and so it appears in LYSONS' *Devonshire* (cccxxxii.).

<sup>3</sup> Sir W. R. DRAKE, *Devonshire Notes*, 234.

<sup>4</sup> Dr. OLIVER, *Bps. Ex.*, 18; IZACKE, i. 28.

in Exeter Cathedral," as no other member is recorded to have been interred there.<sup>5</sup>

It is evident that Pole described what he saw, as to the arms blazoned on the shields of the three sculptures. His statements have met with general acceptance, as to those borne on the effigies II. and III.; and this fact alone would serve to corroborate his testimony as to the arms of No. I.

Sir W. R. Drake (310) traverses the statements of Pole and other writers, as to the Chichesters having derived their arms from the Raleghs, owing to their alliance with that family; and further affirms, he "can find no authority in any of the early Rolls of Arms for the statement that the Raleghs at any time bore" those seen by Pole and by Izacke on the cathedral effigy. He owns these arms are assigned to "John Raley" in Papworth's *British Armorial*,<sup>6</sup> but he doubts its correctness, as that author records a different coat as borne by one of the same name, overlooking the fact of there being at that time many branches of the Raleghs, each with a separate coat-of-arms, yet bearing the same Christian name. He bases his opinion partly on the absence in various early rolls examined by him, containing the Ralegh arms mentioned by Pole, and partly on several authorities recording the Chichester arms, as distinct from those of Ralegh, thus—

"Chichester, Chequy, or and gules, a chief vair.

Ralegh, Gules, a bend vair between six cross crosslets or" (311).

It is sufficient here to remark that the arms in the second line were those of Ralegh of Strete Ralegh, a large and different branch to that borne by the effigy; and whether due to another and later alliance with the Raleghs is a question beyond the scope of the present paper. With regard to his first point, it is sufficient to observe that negative evidence is always unsatisfactory.

According to Pole (475), the arms borne by the Chichesters prior to the Ralegh marriage in 1385 were, "Argent, on a canton sable, a standing cup argent"; and, as depicted in Stow's *Survey of London* (1633), 555, these arms were borne by John Chichester, goldsmith, who was mayor in 1369. Edmondson records them as "Ar. on a canton sa. a standing cup covered of the field."<sup>7</sup> In the *History of the Chichester*

<sup>5</sup> *Trans. E.D.A.S.*, vi. 50.

<sup>6</sup> Quoted from T. JENYNS' MS. of 1607.

<sup>7</sup> *Body of Heraldry* (1780); and this is repeated in W. BERRY's *Ency. Herald.*

*Family* (1871), they are stated to have been formerly, "Ermine a canton sable," the ermine being suggested to be traceable to "a descent from the Dukes of Brittany, who bore a plain shield ermine." Sir W. R. Drake doubts the correctness of these various authorities; at the same time he makes no claim for the effigy to be considered a Chichester one, nor does he dispute the arms borne on its shield to have belonged to the Raleghs. So that his object in questioning the adoption by the former member of the family of the arms belonging to the latter, especially as he became the possessor of the Ralegh property at the same time, is not very apparent.

There is neither evidence nor tradition of the Chichesters—with one exception—having had a footing in Devonshire until the marriage in or about the year 1385, when Sir J. Chichester added de Ralegh to his name. The exception is Bishop Chichester, who occupied the Exeter See from 1138 to 1155, who, however, is declared by Sir A. P. B. Chichester not to have belonged to that family at all, but to the Cirencesters of Poole, the similarity of the name (Cicester) having, in his opinion, led to the mistake.<sup>8</sup>

These critical remarks of Drake, all of a negative character, fail to shake the testimony of Pole, as to the effigy, and the arms it originally bore, having been erected to the memory of a member of the widely distributed Ralegh family. In confirmation of the latter writer, respecting the coat of arms, etc., the following may be adduced: In a list of "The Armes of such Nobles and Gentlemen which have anciently dwelled and had lands in Devonshire," Pole includes, "S<sup>r</sup> Will<sup>m</sup> Ralegh, of Ralegh; Checque Or and Gules, a chief verry" (451); and in his list of descents of this section of the family, he records, "Will<sup>m</sup>, Thomas, and John Ralegh, w<sup>ch</sup> had issue Thomasine, wief unto John Chichester" (403). Thomas, the father of John, is apparently the one entered in *The Note-book of T. Risdon* (1608–28) as "Thomas Ralegh, of Ralegh; Chequy or and gules, a chief vair," one of the "Knightes possessed of Landes in Devonshire during the raigne of King Edward III."<sup>9</sup> John, the father of Thomasine, was probably the one who, in 1347, raided the manor of Tawton.<sup>1</sup>

<sup>8</sup> *Hist. Chich. Fam.*, 1–7.

<sup>9</sup> Ed. DALLAS and PORTER, 1896–8.

<sup>1</sup> W. COTTON, 6. In *Bishop Stapeldon's Register* (ed. HINGESTON-RANDOLPH), 243, is recorded Thomas, a minor, "*filiū et heredis Willelmi de Raleghe, nuper Domini de Raleghe.*"

A remarkable and misleading account by Dr. Oliver, bearing on the date of the sculptured memorial, cannot be passed over, as it has been quoted as an authority by several writers.<sup>2</sup>

“Adjoining [the effigy No. II.] is another monument of a gallant knight of the Raleigh family (whose arms have been adopted by the Chichesters, viz. Cheky or and gules, a Chief varyy). Both knights are represented as Crusaders, who either had served or vowed to serve in the Holy Land. Sir Samuel Meyrick, on 18th October, 1847, observed, ‘The recumbent, cross-legged effigies are both of the close of the reign of Edward I., or beginning of Edward II., in regard to costume; the flattened coiffe of that which is said to have borne on the shield the arms of Raleigh, would rather bespeak the early part of Edward I., as such was designed for a cylindrical helmet; but both knights recline their heads on conical ones, for which the rounded coiffe of that of Humphry de Bohun was particularly appropriate. The sword-guard or cross to the first figure being bent downwards on each side gives another criterion of date as marking that of Edward I.’”<sup>3</sup>

The above paragraph does not appear, nor is the subject directly or indirectly alluded to by Sir S. Meyrick in his well-known works on *Ancient Armour*. So that probably the information was sent in reply to an inquiry made by Dr. Oliver. As the former certainly could not have examined the sculptures, but had to rely on the description sent him being trustworthy, the foregoing extract shows he must have been greatly puzzled in expressing his opinion upon it.

So far from the Raleigh figure (No. I.) having a “flattened coiffe,” it is even more rounded than that of its neighbour (No. II.), as the description given in the early part of this paper will prove. If the illustration of No. I. be compared with that of No. IV. a considerable difference is at once perceptible.<sup>4</sup> The latter was “designed for a cylindrical helmet,” and the former for a conical one; in fact, of the kind on which the head of the effigy reclines. The two kinds were in use respectively at widely different dates, No. IV. being referable to the early part of the reign of Edward I. and No. I. to the latter part of Edward I., or early in that of Edward II. As remarked by Mr. Hewitt, “The continuous coif was in the early part of the [thirteenth] century nearly flat at the top; in the second half the round-topped coif was more usual” (i. 235).

<sup>2</sup> *Vide Hist. Chich. Fam.*, 17; W. CORTON, 5.

<sup>3</sup> *Bps. Ex.*, 204.

<sup>4</sup> *Vide* the accompanying illustrations.

From the tenor of the foregoing remarks it is evident that the sculpture was placed in the cathedral as a memorial of one of the Raleghs, and dates from the latter part of the thirteenth or very early in the fourteenth century; and the next point of our inquiry relates to the individual for whom it was intended. The author of the *History of the Chichester Family* attempts to cut the Gordian knot in the following manner:—

“This effigy is now known to represent Sir Walter de Raleigh, a famous warrior, married to a daughter of the powerful Gilbert de Umfraville, by his wife Matilda, Countess of Angus. The arms on his shield were assumed by the Chichesters about one hundred years after the time of his death, by virtue of the marriage with his great-great-granddaughter, Thomasine Raleigh”; adding on another page, “The monument . . . is referable to this reign” (Hen. III., 1216–72).<sup>5</sup>

Unfortunately no reference to any authority is stated, nor as far as can be ascertained has the assertion been corroborated, or even been mentioned by any other writer.

Undoubtedly Mr. W. Cotton in his *Gleanings from the Municipal, etc., Records*, published in 1877, was the first writer to point out that the effigy represented Sir Henry de Ralegh, who died in 1301, concerning whose burial there was such unseemly contention between the Dominicans and the Dean and Chapter. His words are, “I identify him as Sir Henry Ralegh of Ralegh, and his monument appears in the cathedral as the result of a peculiar and exceptional circumstance.”<sup>6</sup>

## 2. THE BURIAL OF THE BODY OF SIR H. DE RALEGH.

Coming to the second part of this paper, we have to relate the remarkable and protracted proceedings attending the funeral and interment of the body of Sir Henry de Ralegh, Knight, in the year 1301, which occasioned a very bitter quarrel between the Dean and Chapter of Exeter Cathedral on the one part and the Dominican Friars, whose convent occupied a portion of the site of the present Bedford Circus, on the other part; a quarrel that, with increasing

<sup>5</sup> 17. The same author identifies a monumental figure in Arlington Church, as intended for this lady, of which he gives an illustration (21, 22); but Mr. Rogers regards the costume as belonging to a different period (*Trans. E.D.A.S.*, iii., n.s. (1878), 489).

<sup>6</sup> 7. Mr. Cotton makes one curious error in the account of the arms blazoned on the shield of the effigy as described by Pole, in recording instead the arms borne by the Strete Ralegh branch of the family (5).

animosity, was continued for the next five years. Although the story of the whole of the circumstances is a somewhat involved one and of considerable length, it is replete with local and general interest, and it is thought will explain what is wanting in the history of the effigy described in the first part of this paper.

Much contention took place from time to time between the civic and the ecclesiastical communities, on occasions when any of the rights and privileges claimed on either side were asserted to be encroached upon; but it is rare to obtain full details of a strife between the two leading ecclesiastical fraternities, that was attended with so much misrepresentation and scandal. As far as can now be ascertained, the circumstances are related at length in various documents preserved in the Chapter library and amongst the municipal records, all of which have, through the kindness of the authorities having the care of them, been carefully examined, and with some collateral evidence it is hoped that, as a result, the following questions may be answered proximately or actually:—

1. Does the effigy No. I. represent the Sir Henry de Ralegh referred to in these documents?
2. Can this Sir Henry be identified individually, as well as to which branch of the family he belonged?
3. Is the effigy a cenotaph, or is it a memorial over the place of burial?

Down to the publication of Mr. Cotton's work in 1877, the only printed references to these proceedings appeared in Izacke's *Memorials of Exeter* (1677); in Dr. Oliver's *Monast. Dio. Ex.* (1846); and in a letter of Archbishop Winchelsey in Wilkins' *Concilia* (1737); all of which will be noticed presently.

The earliest MS. document relating to this subject is thus described in the catalogue of the Chapter library:—

“No. 2127. A.D. 1301. 16 Kal. Marcii.

“Notarial Instrument setting forth the settlement of the dispute between the Friars Preachers of Exeter, and the Dean and Chapter, concerning the funeral of Sir Henry de Ralegh, knight, and the custom of bringing all bodies into the Cathedral to the Mass, before they were buried elsewhere.”

This document is missing from the library, a circumstance greatly to be regretted, as most probably it contained full details of the origin of the dispute. Viewed by the light of later events, it was scarcely correct to be termed a

“settlement,” as the affair remained unsettled for the next few years. Mr. Cotton gives (7-9) what at first sight appears to be a short abstract of its contents; but on comparing it with the record of the inquisition before the mayor, in September of the same year—described in a subsequent page—it is evidently a résumé of the charges brought on that occasion against the Dean and Chapter by the friars.

The matter was not suffered to remain quiescent for any extended period, as shown by the contents of the next deed in succession, preserved among the municipal records, and thus catalogued:—

“No. 67. Press D.D. 4. 29-30 Edward I.

“A roll containing articles of controversy between the Dean and Chapter of Exeter and the Friars Preachers of Exeter respecting the right of burial in the Church of the Friars, and the contention with respect to the bodies of Sir Henry de Ralegh and Henry de la Pomeray.”

This consists of two distinct portions, of which the first contains certain charges made by the Dean and Chapter against the friars; and the second the replies of the latter to them.

The Dean and Chapter commence by stating that, notwithstanding the numerous good offices of the prelates and Presidents of the Church generally to the friars, from the time of the latter being founded by them, who promised in no manner to prejudice the liberties of the former, yet, not without the vice of notable ingratitude (“non absque vicio notabilis ingritudinis”) against the Exeter Church, and also against parish churches and their rectors in the diocese, they (the friars) have committed the following acts (now given in abstract).

They accuse the friars of having violently, injuriously, with their own hands, and not without the crime of sacrilege, carried away (“violenter et injuriose non absque crimine sacrilegii, manibus propriis asportarunt”) the body of Sir Henry de la Pomeray, with the leathern and silken clothing, and offerings, from the choir of the cathedral, against the desire and manifest prohibition of the Dean and Chapter, and entombed it in their own church (*i.e.* of the convent).<sup>7</sup>

<sup>7</sup> It is noteworthy that while the friars are accused of stealing a body from the cathedral, they complain of a similar act on the part of the authorities of the latter.

They complain of being defamed by certain of the friars, who had falsely and maliciously (*"falso et maliciose"*) imputed to them the crime of sacrilege, theft, pillage, and breaking into their church, of laying violent hands on some of the brothers, and of having with violence carried away the body of Sir Henry de Raleigh. They affirm that from time immemorial, and also by especial agreement with the friars, they possessed the right to have all bodies (excepting of those belonging to the convent) requiring burial in the church of the latter, to be conveyed, with the wax and other things, to the cathedral, where the first Mass was to be said. Also that the friars had the body removed to their church for interment, against, it is said, the desire of the executors and friends (*"ut dicebatur, sepulture tradendum, contra voluntatem executorum et amicorum ejusdem"*); and subsequently impeded the removal of Sir Henry's body to the cathedral, and detained the wax and other ornaments prepared for it, thus despoiling the cathedral church of its rights.

That the friars unlawfully induced Sir Henry, then being alive, to be buried at his death in their church, although such choice of burial is of no force nevertheless, yet they would not desire to change the place of interment selected by him. But even supposing the said Sir Henry chose to be buried by the friars, which is not believed (*"quod non creditur"*), they had no right to detain the fourth part of the goods of the deceased, which ought to be delivered to the parish in which he had lived.

That some of the friars (especially Adam Haym and Johannes de Toritone) had, even in taverns (*"eciam in tabernis"*), been publicly and daily defaming two of the canons, asserting they were under sentence of the greater excommunication, for their part in the proceedings attending the funeral and burial of Sir Henry de Raleigh, and, further, threatening them with loss of their goods, and also with death or torture.

They conclude by bringing a special charge against Hame-linus, one of the friars, for having performed divine service in a chapel at Tawstock, knowing it was under an interdict, and that many of the parishioners were under sentence of the greater excommunication, to all of which the friar could not plead ignorance; and that he induced others to follow his example.

In their reply to these charges, the friars, through the prior provincial, state they are unaware of having made



any agreement such as is referred to and claimed by the Chapter. They express great surprise at the remarks concerning the burial of the body of Sir H. de la Pomeray, which took place twenty years ago, from which time they had been on friendly terms with the canons, and no such charge had previously been made against them respecting it. Moreover, they deny the body to have been removed violently or injuriously.

They absolutely deny the claim set up by the Chapter—for the first Mass to be said on bodies destined to be interred in the convent chapel—as a recognised custom, as, if such ever existed, it had been revoked by papal order. That from the time of their arrival in Exeter they have always withstood such custom as an interference with their privileges, and as examples cite those of William Cofyn and others, whose bodies were brought to the city by the friars themselves, and were buried by them. Moreover, the circumstance of Sir Henry having resided in their house as a servant and co-brother (“familiaris et confrater”) and died there, would abrogate the right to any such custom, to which they make the singular admission that no other case of the kind had occurred since their residence in Exeter. They declare that he remained with them of his own free will, that no unlawful inducement was held out to him to do so, and that it was his own expressed wish to be buried among them.

They deny detaining anything (an evident allusion to the wax, etc.) but what was their own, and complain of being despoiled by the canons in causing the body to be removed.

These are the main points included in the document, and the only one of interest that requires to be noticed here, is that which relates to the case of Sir Henry de la Pomeray. According to a deed of July 22, 1275, printed at length in *Bishop Bronescombe's Register*,<sup>8</sup> he had incurred the sentence of the greater excommunication for having, with his servants and others, trespassed in the bishop's park at Paignton (Peyntone), and killed certain wild animals (“feras bestias”). He made his submission to the bishop, and on his promising to restock the park with a competent number of animals, the excommunication was removed, with the proviso of its rein infliction and a penalty of a hundred marks be enforced for any repetition of the offence. The deed shows that the act complained of was not the first which had been com-

<sup>8</sup> HINGESTON-RANDOLPH, 229, 230. In the text the year 1265 is noted, but in a footnote the editor shows this to be “an obvious clerical error” for 1275.

mitted by the same offender, and probably the grant of certain Devon churches made by him to the same bishop in 1267<sup>9</sup> was to make amends for a like occurrence. From 1275 to the year of his death, 1280, he appears to have lived on good terms with the ecclesiastical authorities, and his remains, after the squabble alluded to, were interred in the convent chapel.

The foregoing deed of crimination and recrimination apparently constituted a portion of the pleadings or statements of their respective cases, which formed the subject of inquiry at the Mayor's Court in September, 1301, when the capitular body was indicted by the friars for robbery and violence. Of this a record is preserved in the municipal archives,<sup>1</sup> and is headed (translation) "Inquisition taken before William de Gatepathe, then Mayor of Exeter, on Saturday, being the morrow of Saint Michael, in the twenty-ninth year of the reign of King Edward." In it the friars' preachers state that certain malefactors and disturbers of the peace ("quidam malefactores, ignoti et pacis perturbatores") broke open a certain door (of the convent) and forcibly carried away the body of Sir Henry de Ralegh, Knight, together with other of their goods to the value of forty pounds, and violated a certain privilege of theirs ("quoddam privilegium ipsorum fratrum fregerunt"). All of which they ask to be fully inquired into by the oath of Roger Benyns and other (jurors), who (after inquiry) say that no one has inflicted such injury as the friars state; that it has always been the custom, confirmed by mutual agreement of the two parties, for any layman who has died and by his last wish ("in ultimate voluntate") has desired to be buried by the friars, for the body to be conveyed to the cathedral, where "ipso corpore presente," Mass might be solemnly said for the soul of the deceased. And whereas the body of Sir H. de Ralegh, Knight, a layman, and having a wife ("secularis, et habentis uxorem"), was in the church of the friars, in the custody of the executors of the deceased, two of the cathedral canons, at the desire of the executors and friends of the deceased, not violently, but amicably ("non vi et armis set amicabiliter"), requested the friars to permit the body, before burial, to be taken to the cathedral according to custom and agreement, forbidding the friars to inter it until this had been done. On the friars' refusal, the canons withdrew, and the executors and friends removed

<sup>9</sup> *Vide* OLIVER, *Monast. Dio. Ex.*, 21 A.S.; and *Bps. Ex.*, 421.

<sup>1</sup> *Mayor's Court Roll*, 29-30 Edward I., Roll j.

the body, with a pall commonly called a "baudekyn," and a bier belonging to the friars, to the cathedral, not forcibly nor against the king's peace, but for the honour of the body and for the observance of the said custom and agreement ("non vi et armis nec contra pacem regiam, set pro honore corporis, et pro dictis consuetudine et convencione observandis"). After Mass was celebrated, the body, with the pall and bier, were peaceably carried back to the convent doors, but the friars, having closed them and keeping them closed, refused to admit the body, whereupon the executors, etc., carried it back to the cathedral, and after keeping it for a day and a night, and the friars still refusing to receive it, they caused it to be buried in the cathedral, as it could not be left longer unburied owing to the stench ("fetore"). On the refusal of the friars to take back the pall and bier, they deposited the former in the custody of the civic authorities for delivery to the friars, and the bier they placed in front of the convent doors.

The Mayor's Roll containing the particulars of this transaction was evidently examined with great care by Mr. Cotton, as he gives an extended account of them.<sup>2</sup> A précis of this Roll forms a paragraph in the *Memorabilia* of Izacke,<sup>3</sup> who, as town clerk, had uninterrupted access to the municipal MSS., of which he availed himself largely in the compilation of his work. A similar account is given by Dr. Oliver,<sup>4</sup> and although he commences, "It is stated by Hoker," there can be little doubt he drew his information from the pages of Izacke. Moreover, in 1846, when his *magnum opus* was published, the Raleigh episode (so fully entered into in the Chapter and municipal MSS.) could not have been brought under his notice, otherwise he would assuredly have utilised such information. Hoker's MSS. volumes have been examined without finding any reference to this matter.

The body of Sir Henry remained undisturbed in the cathedral, and two years elapsed before the subject was again reopened. This took place in a letter from Robert Winchelsey, Archbishop of Canterbury, dated March 28th, 1303,<sup>5</sup> showing that the friars, undeterred by the adverse verdict of the Mayor's Court, had tried another mode of attacking their adversaries. The tenor of this letter is displayed in its heading:—

<sup>2</sup> 9, 10; and quoted by ROGERS, *Sepulchral Effigies*, 333.

<sup>3</sup> ii. 31.

<sup>4</sup> *Monast. Dio. Ex.*, 335.

<sup>5</sup> Printed at length in WILKINS' *Concilia*, ii. 277.

“Mandate of the Archbishop of Canterbury to the Prior of the preaching brothers, to warn the Prior of Exeter not to proceed in the matter of annulling the election of Master H. de Somerset to the deanery of Exeter.”

After alluding to the strife between the two ecclesiastical communities respecting the interment of a certain person (“super cujusdam funeris sepultura”—name omitted), he goes on to say, the deanery being vacant, the prior and convent appealed to the Pope, that the Chapter should not proceed to the election of a dean, under pain of sentence of the greater excommunication against the Chapter who elected him. On that pretence they endeavoured to annul the election afterwards made of the discreet man (“de discreto viro”) Master H. de Somerset to that office, “that so he (the prior) may obtain revenge for the opposition to the aforesaid burial of malice aforethought, or, at all events, attain his wish regardless of right or wrong in the said discord” (“ut sic ultionem pro resistentia sepulture prædictæ ex præconcepto rancore animi prosequatur”). After commenting on these proceedings as “matters of evil precedent,” he directs the prior to “cause the matter and root of such scandal to be extirpated with all speed.”

The archbishop was usually considered to be somewhat weak and vacillating, but in this instance he was firm enough, in unhesitatingly condemning the scandalous action of the Dominicans, which would have been bad enough had the actors been ordinary laymen, but belonging as they did to a religious fraternity, who endeavoured to attain their object by hurling anathemas at another religious community who opposed them, was terribly disgraceful.

Andrew de Kilkenny, Dean of Exeter, died on November 4th, 1302, and Henry de Somerset was elected to the vacancy on the Thursday after the Epiphany (January), 1302-3, nearly three months prior to the date of the mandate of the archbishop, which may have been issued owing to instructions from Rome. This mandate is grievously perverted by Dr. Oliver, for while owning that “the bad spirit evinced by the prior and convent called for” the interference of the archbishop, he affirms the friars’ appeal to the Pope related to the irregularities attending the funeral of Sir Henry, and that it was “during such appeal the dean died.”<sup>6</sup> But the terms of

<sup>6</sup> *Monast. Dio. Ex.*, 335. According to Wilkins’ work, the letter was dated from “Stebenheath” (Stepney), whereas the Doctor has erroneously recorded it as “Lambeth.”

the archbishop's communication, both in the heading and the text, show plainly that the election had already taken place before the friars made their appeal, and that their motive for attempting to annul it was a *scandalum magnum*, with which the question of Sir Henry's funeral held a minor place. Mr. Cotton states, "from this verdict" of 1301 "the friars appealed to the Pope" (10), but a full year had elapsed between the verdict and the appeal; and, as pointed out in the foregoing remarks, the latter had little to do with the original dispute, except as a basis for the friars' animosity.

Most probably on account of the archbishop's intervention, although not until after six months had intervened, further proceedings took place, as related in a MS. dated September 28th, 1303, No. 2,131, in the Chapter library, and bearing the following endorsement:—

"Concerning the controversy between the Dean and Chapter of Exeter and the Prior and Brothers of the Order of the Preaching Friars of Exeter."

It records that the "contention and controversy," between the cathedral authorities and the preaching friars, over the burial of Sir Henry Raleigh's body in the cathedral, with other "matters of contention," formed the subject of inquiry before Thomas Bytton, Bishop of Exeter, aided by Sir Hervisius (Harvey) de Stauntone, Justiciary of the King, and William de Puntingtone, Archdeacon of Totnes; there being also present the prior and three others of the friars, and Walter de Stapeldone, canon (afterwards Bishop of Exeter), when it was decided thus: the Dean and Chapter assented ("placet") to restore the body to the friars, when it may please both parties to exhume it (the place of reinterment is not mentioned), on the condition that if neither side be willing to carry this into effect, the Dean and Chapter are to restore to the friars certain "houses with their appurtenances," gained by the former "per defaultam," in a suit in the Mayor's Court of Exeter. And as these houses were charged with a rent of eight shillings annually, to be paid to the Dean and Chapter, on the anniversary of a certain cathedral canon, the bishop, with the desire to bring matters to a conclusion, offered to guarantee this amount being paid out of his own property, and Sir H. de Stauntone promised to procure from the king a charter of transfer of the property. All other

points of difference were to terminate, "especially of the renunciation of the appeal by the said Friars against the election and confirmation of Master Henry de Somersete Dean of the said place, and from them referred to the Apostolic See"; such renunciation to be published abroad by each party. Finally all other trespasses and injuries on either side to be wholly forgiven.

A careful examination of this particular document would have prevented some curious errors and misconceptions from being recorded by writers.

In the Chapter Library Catalogue, it is termed an "agreement between" the two parties, that the friars may "remove the body." But it was in reality a *conditional* agreement, which neither side was willing to, or did, carry out. And if the body had been exhumed there was no allusion to or provision for its reinterment anywhere.

Eight years after the publication of his *Monast. Dio. Ex.*, Dr. Oliver issued a supplement to it (1854), from which this extract is taken:—

"On Sept. 28, 1303, an amicable agreement was concluded by the Dean and Chapter's consent, for the removal of Sir Henry Ralegh's remains to the conventual church, on the friars conveying certain premises to them in virtue of the king's writ, without further vexation" (A. S. 31).

Mr. Cotton goes a step further, and affirms that in 1301—

"the body lay buried in the Cathedral, until about two years afterwards a compromise was effected and it was restored to the Conventual Church, and there found a final resting place . . . it is not unlikely that a similar effigy to that in the Cathedral was therein erected to the memory of Sir Henry Ralegh."<sup>7</sup>

So far from the friars being required to convey certain premises to the Dean and Chapter, it was exactly the reverse. With respect to the conventual church, it is unmentioned in the document, and it is certain that the body was never moved there;<sup>8</sup> nor is there a tittle of evidence that it was ever exhumed from the place where

<sup>7</sup> 10; and ROGERS' *Sep. Eff.*, 333.

<sup>8</sup> Dr. Oliver (in a letter signed "Curiosus," published in an Exeter paper of March 15, 1852) asserted that many persons of distinction were buried in the conventual chapel, among whom were members of the Ralegh family. This he repeated in his *History of Exeter*, in 1821 (175), but in none of his other works (*vide* COTTON'S *Gleanings*, 10). There is no present reason to believe this to be correct.

it was originally buried in the cathedral, and this is proved by the next and last document to be quoted, and which is preserved in the Chapter library.

It helps to correct several recorded errors of various writers on the subject, and shows that, so far from a compromise or a settlement having been effected in the year 1303, the quarrel dragged on until the beginning of 1306 (n.s.), when a more determined and apparently successful attempt was made to bring it to a conclusion. It is thus entered in the catalogue:—

“No. 2915, A.D. 1305. Proceedings in a dispute between the Dean and Chapter of Exeter and the Friars Preachers of Exeter respecting the rights of sepulture and the burial of the body of Sir Henry Ralegh.”

The Roll is a long one, and the first portion, which probably relates solely to the “rights of sepulture,” is not easily deciphered; but the second, complete in itself, and the most important for our present inquiry, has this (modern) endorsement:—

“The cause between the Dean and Chapter and the Friars Preachers of the City of Exeter as to the burial of Henry Ralegh, Knight. (A.D. 1305.)”

It is termed a “public instrument,” and is headed, “In nomini Christi Amen”; it recites that in the year 1305, in “the fourth Indiction, the eighth Kalends of April, and the first year of the Pontificate” of Clement V.,<sup>9</sup> it was publicly read in the Chapter House, in presence of the Dean and Chapter, of the Notary Public, Walter Roberts, and, “specially called and asked” as witnesses, of Sir Robert, Rector of the Church of Cleyhangre, and Geoffrey de Gatepathe. The document (“patentes litere”) is certified to have the seals of the prior and of the convent attached to it, and to contain “word for word as follows”:—

“In the name of God Amen. It is made known to all by these presents, that whereas, there has been of late dispute between the discreet men, the Lord Dean and the Chapter of

<sup>9</sup> The date 1305 is certainly wrong. The agreement was signed on the Ides of February, 1305, that is on February 13, 1305-6, o.s.; and it was publicly read on the fourth Indiction, and eighth Kalends of April, which could not have been in 1305 as stated in the document, and is an evident error. This is further proved by the circumstance that the latter records it as being signed in the first year of the pontificate of Clement V., who was elected on June 5, 1305.

Exeter; Master Walter de Stapeldone, the Precentor; John de Upavene the Sub-Dean, of the church of Exeter, and the rest of the aforesaid Chapter, on the one part; and the Religious men, the Prior and Convent of the Friars Preachers of Exeter, on the other part. The dispute on the occasion of the burial of Sir Henry de Raleghe, Knight, deceased, and also of certain spoliations, sacrileges, violences, and divers other injuries and discords which arose therefrom, are now settled in this manner, namely, that the aforesaid Prior and Convent of the Friars Preachers of Exeter, on the one part, and the aforesaid Dean and Chapter on the other part, and every one of either party, that all spoliations, sacrileges, violences, and also all other injuries, whatsoever, by them jointly or separately that have been sustained before the day of the making of these presents, and whereof any persons, places of College or Order, of either the aforesaid party, whosoever and what manner soever and of what kind soever, caused or inflicted, if there are such, and also all damages and expenses between them, if there were any, by whom and whosoever, by the aforesaid occurrences or any of them, are for the sake of peace, purely, freely, and absolutely and altogether given up and remitted forever by these presents. And nevertheless, the aforesaid parties have promised in good faith, that upon all and singular the aforesaid things, and for all time, and as much as it is in them, they are to be held harmless in these matters; renouncing upon these matters, each and all the said parties, that henceforth all and singular actions, petitions, supplications and impeachments, as well in the Roman Court as elsewhere, upon whatever facts and doings, appeals, interpositions, and impendings, lawsuits, and processes, by reason of the aforesaid premises or any of them, heretofore had or hereafter to be had . . . restitution in the entire matter, also in all other things of right and remedies of fact, which against the premises or of any of them can possibly arise in any manner. Moreover, it has the assent ("placet") of the said Dean and Chapter of Exeter that the body of the said Knight, which had received burial in the Church of Exeter, at the solicitation of Sir Roger de Nonaunt, Knight,<sup>1</sup> and Dame Johanna, late wife of the said Sir Henry, and of the other Friends of the said deceased, that for the aforesaid sake of peace, if the said Roger and Johanna, together with the noble Lord Hugh de Courtenay, or any of them, out of any special devotion or affection shall wish to have the bones of the said body, which is now decayed, it is thought, transferred to another place and shall request this; at their petition, in the name of God, the aforesaid bones shall be freely and graciously granted to them, to be transferred to another

<sup>1</sup> The name of Sir Roger de Novant is recorded in several entries, 1284-1316, in *Feudal Aids*; vide also BROOKING-ROWE'S *Perambulation of Dartmoor* (1896), 471.



place, where they shall believe it to be more for the welfare of the soul of the said deceased ; so that nevertheless the aforesaid bones shall be carried to the church of St. Pancras, no Friar Preacher accompanying them, until they shall arrive outside of the close of the burial ground of the church of the Blessed Peter ; in which aforesaid church, namely of the Blessed Pancras, a Mass shall be celebrated for the deceased, and the said Executors, without any hindrance of the said Dean and Chapter of Exeter, shall freely carry away the aforesaid bones to the place where they are to be committed to permanent burial. In testimony of which the said Dean and Chapter on the one part, and the said Prior and Convent of the said Friars Preachers on the other part, to this writing cut in the manner of Chirograph, have alternately placed their seals. Given at Exeter aforesaid on the Ides of February, in the year of our Lord one thousand three hundred and five."

This arrangement was "exhibited, inspected, and publicly read or recited, and the circumstances being fully understood," Walter Roberts, "of Lyvtrenchard, in the diocese of Exeter, by the authority of the Holy Roman Empire, Notary Public," was authorised to make a correct transcript; and this was collated and examined by Richard Bloyon, "of Lyvtrenchard . . . by the authority of the Holy Roman Empire, Notary Public," and by John Sturmy, chaplain, and John de More, clerks, and so certified by each notary as being correct.

Had the suggested transference of the body from the cathedral to another place been carried into effect, owing to the notoriety of the proceedings, some notice or tradition would have been preserved in the annals of the cathedral, among the municipal records, or in the history of St. Pancras Church ; but all these authorities are silent on the subject, and we may conclude that, after the mutual agreement of 1306, the Dominicans ceased from troubling, and the knight's remains were left undisturbed in the place where they had been first deposited.

The following is a brief summary of these events. The knight may have died within the convent precincts, and expressed a wish to be buried there, of which there is no evidence, and the capitular body did not believe. Mr. Cotton affirms that Sir Henry "in his last will" directed his remains to be interred in the convent chapel (8). And the Rev. H. Reynolds<sup>2</sup> states such to have been his direction, in "his last will and testament." Had he done so,

<sup>2</sup> *Hist. of the Anc. Dioc. of Exeter* (1895), p. 163.

the friars would assuredly have mentioned it; nor do they allude to the wife, which they would have done had she been a consenting party. The custom of having the body of anyone who died in the convent removed to the Cathedral for the first Mass, although denied by the friars, was asserted by the Chapter and confirmed by the jurors in 1301. The latter also disproved the charge of any force or violence having been exercised during the removal, which was not done by the capitular body, but by the wife and executors, at whose desire the remains were interred in the cathedral, and continued there undisturbed, despite the repeated malicious attempts of the friars to dislodge them.

All the various sections of the Raleigh family had distinct coats-of-arms. Those borne by the effigy No. I., as seen and recorded by Pole, were in all probability those of the main trunk of the Raleighs, and which more than eighty years later were transferred to the Chichesters, by marriage in 1385. The identity of this effigy with the Sir Henry de Raleigh, whose burial has formed such a prominent object in this paper, was first asserted by Mr. Cotton, and with every probability of its correctness. Excepting the doubtful instance noted by Sir A. B. Chichester, there is no record, or even tradition, of any other Raleigh having been interred in the cathedral; and the period of his death fully accords with that of the armour and costume of the effigy. In this view, the latter therefore is not a cenotaph, but covers the actual site of the burial, and should chance or design ever require the ground to be opened in its vicinity, it is not unlikely for a discovery to take place similar to that which occurred in 1813, as thus recorded by Britton:—

“In digging the grave of Miss Lygon, daughter of Lord Beauchamp, of Powick, who died at Sidmouth in October, 1813, and was buried close to the above monument (Sir R. Stapeldon, effigy No. III.), the side of Sir Richard’s grave fell in, and his entire skeleton was discovered; every part was perfect; from the remains found it appeared that the corpse had been enfolded in a bull’s hide.”<sup>3</sup>

Excepting in the case of prominent actors in the stirring events of the thirteenth and fourteenth centuries, but little is known of the histories of individual knights, and save that which has already been related, the personal history of Sir H. de Raleigh is unknown. As he seems to have resided

<sup>3</sup> *Hist. of Exeter Cathedral* (1826), 135.

in Exeter, he is probably the one referred to in "the Will of Rosemunda Kymming, Wife of John Smurch," dated November 25th, 1295, wherein, among other properties bequeathed to Bartholomew de Deneford, in the city of Exeter, was a certain house, described as "tenementum situm est inter tenementum Domini Henrici de Raleghe et Domine Johanne de Bonevyle et tenementum Johannis de Tresympel."<sup>4</sup> No Visitation of Devonshire mentions a Ralegh whose wife was named Johanna.

In conclusion, the writer hopes that his attempt to relate a chapter in the early ecclesiastical history of Exeter, and of its connection with the Ralegh family, which hitherto had only been imperfectly narrated, together with the attempted identity of the cathedral effigy, may prove of sufficient interest to the members of the Devonshire Association.

<sup>4</sup> *Bp. Bytton's Reg.*, ed. HINGESTON-RANDOLPH, 433, 434.





