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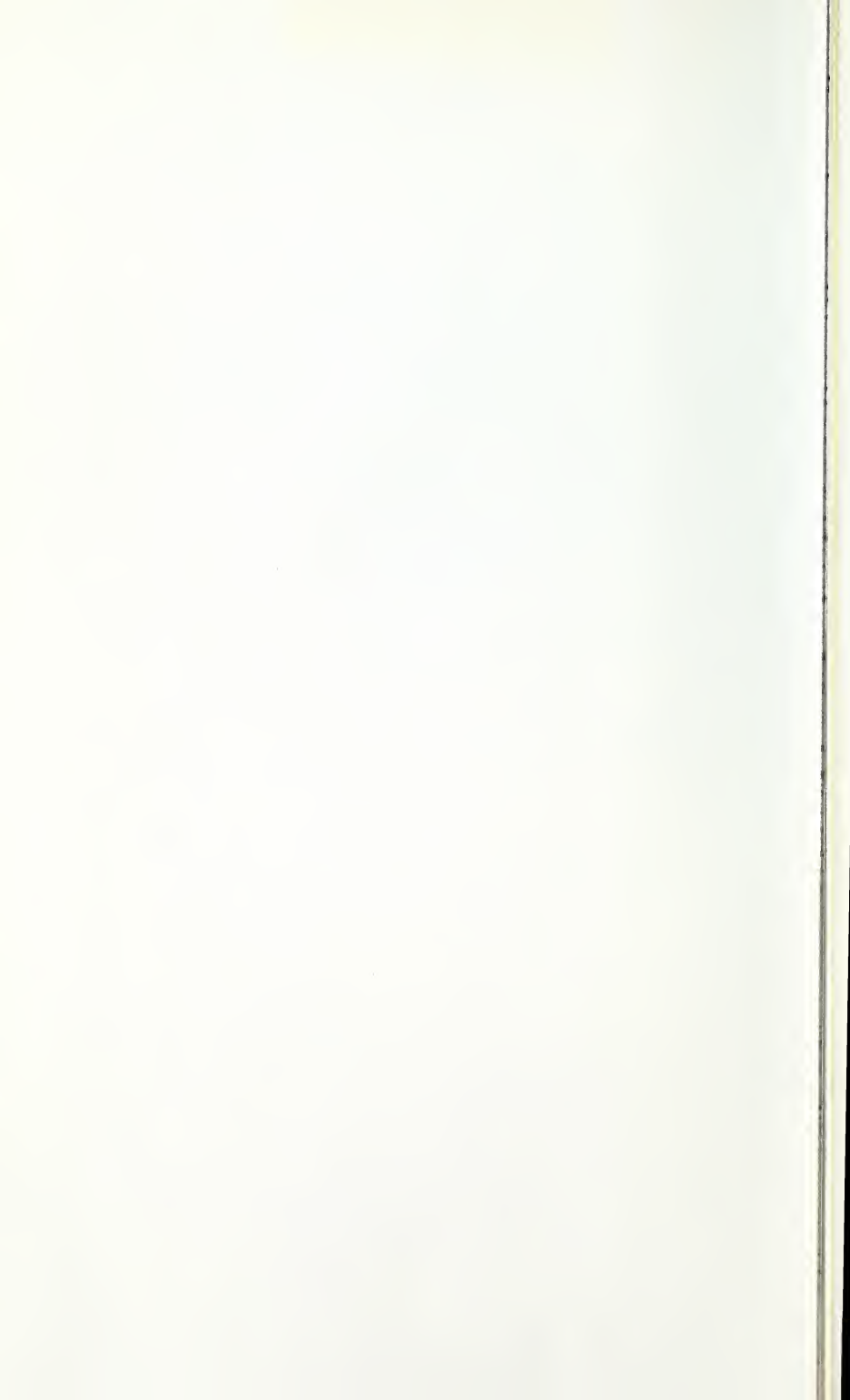
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“ANTIQUITIES, OR REMNANTS OF HISTORY, ARE, AS WAS SAID, TANQUAM TABULÆ NAUFRAGII; WHEN INDUSTRIOUS PERSONS, BY AN EXACT AND SCRUPULOUS DILIGENCE AND OBSERVATION, OUT OF MONUMENTS, NAMES, WORDS, PROVERBS, TRADITIONS, PRIVATE RECORDS AND EVIDENCES, FRAGMENTS OF STORIES, PASSAGES OF BOOKS THAT CONCERN NOT STORY, AND THE LIKE, DO SAVE AND RECOVER SOMEWHAT FROM THE DELUGE OF TIME.”—*Advancement of Learning*, ii.



## NOTICE.

The Council beg to call the attention of Members of the Society to the fact that there is not, by the rules or the constitution of the Society, any engagement that a Volume of Papers and Proceedings shall appear in each year.

A Volume has been and will be published as frequently as the finances of the Society and the literary materials at the disposal of the Council will allow. It has been considered necessary to make this statement, in order to remove an impression which it is believed has delayed the payment of Subscriptions.

The Council deem it also important to state that with the low rate of Subscription the utmost economy in the use of the Society's finances is indispensable, and that upon the exercise of such economy the frequency and to some extent the value and importance of the Society's publications must depend. They therefore very earnestly urge on Members prompt payment of their Subscriptions by the ordinary channels, thus saving to the Society the expense of a paid collector.

No Volume will be delivered where a Subscription is in arrear.



# Archæologia Cantiana;

BEING

TRANSACTIONS

OF THE

KENT ARCHÆOLOGICAL SOCIETY.



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*The Council of the Kent Archæological Society are not answerable for any opinions that may be put forward in this Work. The Contributors of the different Papers are each responsible for their own remarks.*

Arthur Clarke - \$100.00 (5.6-1964)  
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## CONTENTS.

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PAGE

RULES AND LIST OF MEMBERS . . . . .	ix
PROCEEDINGS AT FOURTH ANNUAL MEETING . . . . .	xxxii
SOME ACCOUNT OF THE REMAINS OF THE PRIORY OF ST. MARTIN'S, AND THE CHURCH OF ST. MARTIN-LE-GRAND, AT DOVER . . . . .	1
ROMAN CEMETERIES IN CANTERBURY, WITH SOME CONJECTURES CONCERNING ITS EARLIEST INHABITANTS . . . . .	27
ON THE GATES OF BOULOGNE, AT HARDRES COURT, IN THE PARISH OF UPPER HARDRES . . . . .	43
ARCHITECTURAL NOTES ON ST. AUGUSTINE'S COLLEGE, CANTERBURY . . . . .	57
SEQUEL TO THE GREAT REBELLION IN KENT OF 1381 . . . . .	67
SOME OBSERVATIONS ON THE LEADEN FONT OF BROOKLAND CHURCH, ROMNEY MARSH . . . . .	87
NOTES ON WAREHORNE CHURCH AND ITS ANCIENT STAINED GLASS, WITH INDICES TO THE PAROCHIAL REGISTERS OF WAREHORNE AND NEWENDEN . . . . .	97
SYMBOLISM OF THE BLESSED VIRGIN IN FORMER AGES AS REPRESENTED BY AN ANCIENT CARVING AT MAIDSTONE . . . . .	113
SOME ACCOUNT OF BRASSES FORMERLY IN THE CHURCH OF SEVINGTON . . . . .	117

	PAGE
ON SOME FRAGMENTS OF NORMAN BUILDING RECENTLY DIS- COVERED AT GREAT WOODLANDS, IN THE PARISH OF LYMINGE . . . . .	123
CHARTER OF PHILIP AUGUSTUS, KING OF FRANCE, 1180 . . .	127
SIR ROGER TWYSDEN'S JOURNAL . . . . .	131
NOTES FROM THE CHARTULARY OF THE ABBEY OF ST. BERTIN	203
MISCELLANEA . . . . .	220
THE VISITATION OF THE COUNTY OF KENT, TAKEN IN THE YEAR 1619 . . . . .	241
PEDES FINIUM . . . . .	273
INQUISITIONES POST MORTEM . . . . .	309
GENERAL INDEX . . . . .	323

# List of Illustrations.



## PLATES.

St. Martin's Priory, Dover, Arcade in Refectory . . .	<i>to face</i> p. 1.
"          "          North-West View of ditto . . .	<i>to face</i> p. 15.
"          "          Ground-plan . . . . .	} <i>to face</i> p. 26.
"          "          Plan of Guest Hall . . . . .	
Ground-plan of St. Martin-le-Grand, Dover . . . . .	
Antiquities from the Roman Cemetery, St. Sepulchre, Canterbury . . . . .	<i>to face</i> p. 42.
Lead Font at Brookland, in Romney Marsh . . . . .	<i>to face</i> p. 87.
Ancient Stained Glass, North Aisle, Warehorne Church . . . . .	<i>to face</i> p. 97.
"          "          South Aisle, ditto . . . . .	<i>to face</i> p. 99.
Memorial Brass of Sir John Barry in Sevington Church	} <i>to face</i> p. 119.
Memorial Brass of Isabella Barry, in ditto . . . . .	
Memorial Brass of Margaret Barry, in ditto . . . . .	
Memorial Brass of Sir Humphrey Barry, in ditto . . . . .	<i>to face</i> p. 120.
Fragments of Norman Building, Great Woodlands, Ly- minge . . . . .	<i>to face</i> p. 124.
Charter of Philip Augustus, King of France . . . . .	<i>to face</i> p. 127.
Seal of Philip Augustus . . . . .	<i>to face</i> p. 130.

## WOOD-ENGRAVINGS.

	PAGE
Ground-plan of Hardres Court . . . . .	51
The Gates of Boulogne . . . . .	52
The Font, Brookland Church . . . . .	87
Piscina and Ambry in Warehorne Church . . . . .	97
Niche under East Window in ditto . . . . .	98

	PAGE
Arms in East Window, Warehorne Church . . . . .	100
Pendant to Gable in Ancient House, Earl Street, Maidstone . . .	113
Seal of Fobert de Dover . . . . .	214
Seal and Counter-seal of Hamo de Gattune . . . . .	218
Window in Ightham Church . . . . .	224
Arms in the Visitation of the County of Kent:—James; Bryan; Corporation of Gravesend and Milton; Clerke; Tucker; Bere; Hargrave; Wombwell; Hasling; Manningham; Willoughby; Harlstone; Watton; Master; Thomson; Culpeper; Master; Hall; Best; Forster . . . . .	242–269

## CORRIGENDA.

- Page 12, line 2 from bottom, *for Bethesda read Bethersden.*  
 Page 15, line 4, *for woodcut read plate.*  
 Page 33, line 18, *for Hartledown read Harbledown.*  
 Page 38, line 17, *for Jury read Jewry.*  
 Page 39, line 11, *for Chatham read Chartham.*  
 Page 41, line 10, *for Stury read Sturry.*  
 Page 52, line 11, *for dura read duro.*  
 Page 93, line 23, *for Cambwell read Combwell.*  
 Pages 119, 120, *for Weaver read Weever.*  
 Page 120, line 2, *for Sussex read Kent.*  
 Page 121, line 9 from bottom, *read "gules a cross argent."*  
 Page 139, line 27, *for Richant read Richaut.*  
 Page 139, note, line 6, *for Ricant read Rycant.*  
 Page 189, line 3 from bottom, *the note-sign refers to the note at foot of page 190.*  
 Page 253, last line, *for p. 30 read p. 270.*  
 Page 270, line 21, *for p. 13 read p. 253.*  
 Page 275, last line, *for Kedbrook read Kidbrook.*  
 Page 293, line 22, *for Liddon read Lydden.*



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# RULES

OF THE

## Kent Archaeological Society.

---

1. The Society shall consist of Ordinary Members and Honorary Members.

2. The affairs of the Society shall be conducted by a Council, consisting of the President of the Society, the Vice-Presidents, the Honorary Secretary, and twenty-four Members elected out of the general body of the Subscribers: one-fourth of the latter shall go out annually by rotation, but shall nevertheless be re-eligible. Five Members of the Council to constitute a quorum.

3. The Council shall meet to transact the business of the Society on the second Thursday in the months of March, June, September, and December, and at any other time that the Secretary may deem it expedient to call them together. The June Meeting shall always be held in London: those of March, September, and December, at Canterbury and Maidstone alternately.

4. At every Meeting of the Society or Council, the President, or, in his absence, the Chairman, shall have a casting vote, independently of his vote as a member.

5. A General Meeting of the Society shall be held annually, in July, August, or September, at some place rendered interesting by its antiquities or historical associations, in the eastern and western divisions of the county alternately: the day and place thereof to be appointed by the Council. At the said General Meeting, antiquities shall be exhibited, and papers read on subjects of archæological interest. The accounts of the Society, having been previously allowed by the Auditors, shall be presented; the Council, through the Secretary, shall make a Report on the state of the Society; and the Auditors and the six new Members of the Council for the ensuing year shall be elected.

6. The Annual General Meeting shall have power to make such alterations in the Rules as the majority of Members present may approve; provided, that notice of any contemplated alterations be given, in writing, to the Secretary, before the 1st June in the then current year, to be laid by him before the Council at their next Meeting; provided, also, that the said contemplated alterations be specifically set out in the notices summoning the Meeting, at least one month before the day appointed for it.

7. A Special General Meeting may be summoned, on the written requisition of seven Members, or of the President, or two Vice-Presidents, which must specify the subject intended to be brought forward at such Meeting; and such subject alone can then be considered.

8. Candidates for admission must be proposed by one Member of the Society, and seconded by another, and be balloted for, if required,

at any Meeting of the Council, or at a General Meeting, one black ball in five to exclude.

9. Each Ordinary Member shall pay an Annual Subscription of Ten Shillings, due in advance on the 1st of January in each year; or £5 may at any time be paid in lieu of future subscriptions, as a composition for life. Any Ordinary Member shall pay, on election, an entrance fee of Ten Shillings, in addition to his subscription, whether Annual or Life. Every Member shall be entitled to a copy of the Society's Publications; but none will be issued to any Member whose Subscription is in arrear. The Council may remove from the List of Subscribers the name of any Member whose Subscription is two years in arrear, if it be certified to them that a written application for payment has been made by one of the Secretaries, and not attended to within a month from the time of application.

10. All Subscriptions and Donations are to be paid to the Bankers of the Society, or to one of the Secretaries.

11. All Life Compositions shall be vested in Government Securities, in the names of four Trustees, to be elected by the Council. The interest only of such funds to be used for the ordinary purposes of the Society.

12. No cheque shall be drawn, except by order of the Council, and every cheque shall be signed by two Members of the Council, and the Secretary.

13. The President and Secretary, on any vacancy, shall be elected by a General Meeting of the Subscribers.

14. Members of either House of Parliament, who are landed proprietors of the county or residents therein, shall, on becoming Members of the Society, be placed on the list of Vice-Presidents, and with them such other persons as the Society may elect to that office.

15. The Council shall have power to elect, without ballot, on the nomination of two Members, any lady who may be desirous of becoming a Member of the Society.

16. The Council shall have power to appoint as Honorary Member any person likely to promote the interests of the Society. Such Honorary Member not to pay any subscription, and not to have the right of voting at any Meetings of the Society; but to have all the other privileges of Members.

17. The Council shall have power to appoint any Member, Honorary Local Secretary, for the town or district wherein he may reside, in order to facilitate the collection of accurate information as to objects and discoveries of local interest, and for the receipt of subscriptions.

18. Meetings for the purpose of reading papers, the exhibition of antiquities, or the discussion of subjects connected therewith, shall be held at such times and places as the Council may appoint.

19. The Society shall avoid all subjects of religious or political controversy.

20. The Secretary shall keep a record of the proceedings of the Society, to be communicated to the Members at the General Meetings.

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 Wild, Thomas M., Esq., *Branbridges, East Peckham.*  
 Wildes, Henry Dudlow, Esq., *West Malling.*  
 Wilkie, E. C. H., *Ellington, Ramsgate.*  
 Wilks, G., Esq., *Hythe.*  
 Wilkinson, Charles, Esq., *Sandfield, Tunbridge Wells.*  
 Wilkinson, F. Eachus, Esq., F.R.G.S., *Sydenham, s.e.*  
 \*Willement, Thomas, Esq., F.S.A., *Davington Priory, Faversham.*  
 Williams, E. W., Esq., *Bromley, s.e.*  
 Willis, Mrs. William, *Hythe.*  
 \*Wilson, Cornelius Lea, Esq., *Beckenham, s.e.*  
 Wilson, R. P., Esq., *New Cross, s.e.*  
 Wilson, J. E., Esq., *Cranbrook.*  
 \*Wilson, Samuel, Esq., Alderman of London, *Beckenham, s.e.*  
 \*Wilson, Sir Thomas Maryon, Bart., *Charlton House, s.e.*  
 Winch, Richard, Esq., *Rochester.*  
 Winch, Mrs., *Chatham.*  
 Winchilsea and Nottingham, The Earl of, *Eastwell Park.*  
 Winham, Rev. Daniel, *The Parsonage, Eridge Green, Tunbridge Wells.*  
 Wodehouse, Rev. Walker, *Elham Vicarage, Canterbury.*  
 Wood, G., Esq., *Gravesend.*  
 \*Wood, Western, Esq., M.P., *North Cray Place, s.e.*  
 Woods, Rev. G. H., *Shopwyke House, Chichester.*  
 Woodfall, J. W., Esq., M.D., *Maidstone.*  
 Woodruff, Rev. John, M.A., *Upchurch Vicarage, Sittingbourne.*  
 Wrench, Rev. Frederick, M.A., *Stowting Rectory.*
- Young, Thomas, Esq., *Crescent Grove, Camberwell, s.e.*  
 \*Young, John, Esq., F.S.A., *Vanbrugh Fields, Blackheath.*  
 Young, John, Esq., 38, *Lincoln's Inn Fields, w.c.*

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\* \* \* Should any errors or omissions of honorary distinctions, etc., be found in this list it is requested that notice thereof may be given to the Secretary.

The  
 Kent Archæological Society.

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THE following brief abstract of the proceedings of the Society during the year 1861 is drawn up in accordance with the practice of former years. It will be found to contain the points of principal interest in the history of the Society during that period. The First Meeting of the Council for the year 1861 was held on the 3rd of April, at Canterbury.

The thanks of the Society were voted to Mr. Charles Roach Smith for his paper on the Anglo-Saxon Relics discovered at Sarre, and for his gift of a treatise on the Roman remains discovered at Lyminge; also to Mr. Cooper for allowing excavations to be made in his field near the old Dover Road; also to Mr. Lightfoot for the donation of an ancient Jet Matrix of a Seal.

It was resolved that the Archæological Institute of Great Britain be requested to place themselves in union with us for the interchange of publications.

Eleven candidates were elected.

The next Council was held in London, 14th June, 1861.

The thanks of the Council were voted to Mrs. Champion Streatfeild for her kind loan of wood-blocks from the collection of the Rev. T. Streatfeild, of Chart's Edge; also to Mr. J. Brent, jun., for a Roman Vase, excavated at Canterbury; to Mr. C. Roach Smith for his Memorial of the late Lord Londesborough, and for his account of the walls of Drax; to the Rev. E. M. Muriel for drawings from various churches; to Mr. J. H. Parker for his work on Gothic Architecture; to Mr. W. S. Ellis for his genealogical treatises; to Mr. A. Wilkinson for his work on Hurstbourn Priors, Hants; also to the Bridge Wardens



and Court of Assistants, Rochester, for placing at the disposal of the Society the materials of the Vaultings shortly to be removed at Rochester.

The announcement of the retirement of the Rev. L. B. Larking from the office of Hon. Secretary was received with great regret, and with an expression of the most cordial thanks of the Society for Mr. Larking's invaluable services.

It was resolved to request Mr. Streatfeild, of Chart's Edge, to accept the post vacated by Mr. Larking.

Six candidates were elected.

The Fourth Annual Meeting was held at Maidstone, on the 31st of July, 1861.

It was attended by—The Marquess Camden, the Earl of Brecknock, and the Ladies F. and C. Pratt; the Earl and Countess Stanhope; the Earl and Countess Amherst; the Ladies Cornwallis; Lady Harriet Marsham; Sir E. Filmer, M.P., and Lady Filmer; Lord Arthur Clinton; Sir Brook Bridges, M.P.; Sir Walter and Lady Caroline Stirling; Sir Percival and Lady Hart Dyke, the Misses Dyke, and Mr. Dyke; Mr. and the Hon. Mrs. Talbot; Mr. G. Hardy, M.P., and party; Lady Sandys; Lady Frances and Miss Fletcher; Lady C. Nevill, the Hon. Ralph and Mrs. Nevill; Mr. Beresford Hope; the Bishop of Labuan; the High Sheriff of Kent and Mrs. Randall; Lady Isabel Bligh, the Hon. Mrs. H. Bligh; Mr. C. Wykeham Martin, Miss F. Wykeham Martin; the Hon. F. Boscawen, the Hon. Lucy Boscawen; Lady Mansell and the Misses Mansell; Admiral Jones Marsham, the Misses Jones, and the Misses Marsham; Sir R. W. Sydney and party; Mr. Champion Streatfeild and Miss Streatfeild; Col. and Mrs. J. F. Cator; Col. H. C. and Mr. Fletcher; Major Stanton; Major Scoones; Mr. and Mrs. Betts, and Mr. Betts, jun.; Capt. Cheere, R.N., and Mrs. Cheere; Mr. and Mrs. Whatman; Mr. and Mrs. Warde Norman and party; Mr. Dashwood, Mr. 'Espinasse, Mr. C. R. C. Petley, Mr. and Mrs. Henry Simmonds and family, Mr. E. Hussey, Mr. A. Beattie; Mr., Mrs., and the Misses Savage; Mr. and Mrs. J. Brenchley, Mr. and Mrs. R. Tassell (Malling), Mr. J. Whitehead, Mr. C. Whitehead, Mr. R. B. and Miss Latter, Mr. F. Barrow, Mr. Pretty, Mr. Blencowe, Mr. Faussett, Mr. Blaauw, Mr. Tharp, Mr. and Mrs. Birch Reynardson, the Rev. L. B. Larking, the Rev. W. Smith Marriott, the Rev. Beale Poste, the Rev. W. A. Hill, the Rev. W. L. Wigan, the Rev. J. C. B. and Mrs. Riddell, the Rev. R. and Mrs. Cobb, the Rev. J. Hooper, the Rev. R. and Mrs. Shawe, the Rev. St. Leger Baldwin, the Rev. Henry Lindsay, the Rev. D. Winham, the Rev. James Eveleigh (Alk-

ham), the Rev. F. Buttanshaw, the Rev. M. Onslow, the Rev. W. J. Edge, the Rev. W. Horne, the Rev. E. K. Burney, the Rev. T. Sikes, the Rev. Joshua Stratton, the Rev. H. Stevens, the Rev. E. MacLachlan, the Rev. M. Kingsford, the Rev. J. J. Marsham, the Rev. G. B. Moore and party, the Rev. John Latham, the Rev. R. P. and Mrs. Coates, the Rev. R. C. Jenkins, the Rev. D. D. and Mrs. Stewart, the Rev. F. Walter, the Rev. H. Glover, the Rev. A. Welch, the Rev. J. F. Thorpe, the Rev. W. and Mrs. De Vear, the Rev. W. Green, the Rev. Dr. Egan, the Rev. J. J. Saint, Mr. and Mrs. Brown (Wateringbury), Mr. and Mrs. Thomas (Eyhorne House), Mr. Rodger (Hadlow), Mrs. Brockman, Mr. Hallowes (Tunbridge), Mr. Parker (Oxford), Mr. Douglas Allport, Mr. Steele (Rochester), Mr. George Brindley Acworth (Rochester), Mr. Winch and party (Rochester), Mr. Spencer, Mrs. Harrison, Capt. and Mrs. Cox, Mr. R. M. Evans and family, the Misses Cole, Miss Erskine, Mr. Flaherty; Mr., Mrs., and the Misses Beale; Mr. Argles and family, Mr. F. C. Lewin, Mr. C. L. Norwood, Mr. and the Misses Dudlow, Mr. Thurston, Mr. and Miss Crosby, Dr. Woodfall, Dr. Monckton, the Town Clerk (Mr. Monckton), the Mayor of Maidstone (Mr. Ellis), Mr. and Mrs. George Wickham, Mr. Brown, Mr. W. Hoar, Mr. and Mrs. J. B. Monckton, Mr. and Mrs. H. W. Joy, Mr. Knowles King, Mr. and Mrs. F. Scudamore, Mr. M. Bulmer, Mr. E. Hoar, Mr. G. Hubbard, jun., Mr. Plomley, Mr. Marsh, Mr. Hodsoll, Mr. W. H. Bensted, Mr. Lightfoot, Mr. and Mrs. Baverstock, Mr. G. Hilder, Mr. E. O. Smith, Mr. and Mrs. E. Richardson (London), Mr. W. Boyne, Mr. Golding, Mr. Smallfield, Mr. Medlicott, Mr. J. D. Jackson and party, Mr. H. Hill and party, Mr. Sidney Alleyne, Mr. Llewellyn Nash, of Nelson, New Zealand, Mr. W. H. Bensted, jun., etc. etc.

The Marquess Camden, K.G., President of the Society, took the Chair, in the Town Hall, and after briefly opening the proceedings, called on the Honorary Secretary to read the Report, which he read accordingly, as follows:—

“ Again I have the gratification of reporting our Society’s successful progress. When we met at Dover last year, it was announced that 798 members had joined the Society since its formation in 1857; we then immediately admitted 22 new members. At the September Council we elected 10, in December 21, in April 11, and in June 6. This day we shall offer the names of 33 candidates, which will bring up the numbers to 901 elected since the Society was first instituted. I think, therefore, that I am justified in characterizing our progress as successful. With regard to funds, at our bankers we have a balance of £192, and we have invested £272 in the three per cents. ;

but, to our great regret, and to the obstruction of the Society's proceedings, we have to report the amount of arrears, as nearly as we can estimate it, at £230. There may be errors in this statement, because many of our Local Secretaries have unfortunately not yet sent in their returns. Be this as it may, there is abundant reason for us to appeal earnestly to the vigilance of our Local Secretaries and to our members themselves, that they save us in future from such excessive inconvenience. The very existence of the Society is compromised by this neglect; if it be continued, the publication of the fourth volume next year will be very questionable.

"I am happy to report to you that the third volume is completed; it is only waiting the correction of the indices, and we can safely promise you that it will be found in no wise inferior to its predecessors, and that it will be issued in the course of the next fortnight.

"Since our last Report numerous learned Societies, both in England and on the Continent, have placed themselves in union with us for the interchange of publications, and our volumes are now deposited and appreciated in many public libraries abroad.

"We had hoped to have announced the acquisition of a collection of rare and beautiful Anglo-Saxon ornaments, discovered in a grave at Sarre in August last. We had thought that we had completed the purchase, but were disappointed. The account of the transaction is fully detailed in the volume now issuing from the press. In reference to this disappointment we would earnestly press upon our members the duty of securing, each in his own neighbourhood, every object of antiquarian interest that may be discovered, with a view to the formation of a Museum in this county, the oldest of the Saxon Kingdoms, and the richest in buried treasure of each successive race of colonists—that in this museum may be deposited the relics of these different races, and that antiquarians may have the means of examining them almost *in situ*, and that the history of these various tribes may be thus gradually and fully developed."

The Meeting then proceeded to the election of officers for the ensuing year.

J. Savage and J. N. Dudlow, Esqrs., were re-elected Auditors.

The six members of the Council selected for retirement, as having attended fewest Councils during the last year, were—Sir Walter James, Bart.; G. B. Acworth, Esq.; E. Hussey, Esq.; Major Luard; C. Mercer, Esq. (deceased); and S. Grimaldi, Esq. The first two were re-elected, and Rev. R. Jenkins, Rev. R. Coates, G. Wickham, Esq., and J. B. Sheppard, Esq., were elected in the room of the four others.

The President said he was sure it would be a matter of great regret to them all, as it was to himself, when he announced that Mr. Larking, who had been so instrumental in the original formation of this Society, and who had since been untiring in his efforts to promote its success, at the last Council meeting expressed so strong a wish, on account of failing health, to retire from that office the duties of which he had so ably discharged, that they were most reluctantly obliged to accept his resignation as Hon. Secretary. All lovers of archæology would lament that the Society was to lose the services of Mr. Larking, and he (the Chairman) would be wanting in his duty if he allowed that occasion to pass without a public expression of their sense of Mr. Larking's services, and their regret that he was unable longer to continue them. A better form of words could not be chosen than a resolution adopted by the Council on the proposition of Lord Stanhope, and he therefore begged to move—

“That this Meeting receives with regret the announcement of the resignation of the Rev. Lambert Larking as Secretary of this Society, and while acknowledging the force of the grounds of failing health and other calls on his time, desires to offer him its most cordial thanks for his continued and invaluable services, which have so greatly contributed to the original formation of this Society as well as to its success and good working up to the present time.”

The motion was carried by acclamation.

The Rev. Lambert Larking responded as follows:—

“The kind, hearty, and cordial expression of feelings which you have rendered to your retiring Secretary adds immeasurably to the pain he feels in rising to address his ‘novissima verba’ to old and dear friends. ‘Farewell’ is a word of painful utterance even to the coldest heart; but when it is addressed to warm ones, the pang is indeed severe; and I know not if under the feeling of the moment I shall be able to say all that I could have wished. Individually, I have much, very much, for which to be grateful. In my own name, and that of the lovers of our science, I would offer the warmest thanks for the zealous and unceasing support you have given me. When we think of the little party of eleven that met in the library of Mereworth Castle, the entire number of our Society, on the morning of the 19th of September, 1857, and look around this day, we may feel proud of our county's doings. It is ample reward for any labour of mine, however great,—it is ample encouragement for

my successor in entering upon his office. I may well feel regret at resigning my post, nor would I do so but that I am imperatively called to the sacrifice. Arrived at that period of life when the retrospect is immeasurably longer than the prospect, it were worse than folly to seek for new cords to be added to those which already bind too tightly to earth. They must be loosened and cast off one by one. At threescore and upwards every wise man slackens sail, and prepares to enter the haven before him as little burdened with earthly freight, and as calmly as may be.

“ Apparet Divum numen—sedesque quietæ  
 Quas neque concutiunt venti, nec nubila nimbis  
 Aspergunt,—neque nix acri concreta pruina,  
 Cana cadens, violat, semper sine nubibus æther  
 Integer, et large diffuso lumine ridet.’

Pardon me for the quotation. I might have used more solemn words, and in our own language; but the words of the great philosophic poet start up unbidden. They seem very appropriate, and perhaps, after all, are more suitable to this occasion than holier ones. But even were it not for this duty of retiring from the world incumbent upon every wise man as age steals on, in my own case it is doubly so. I am every day becoming less fit for the work. Faculties are fast departing, and what few are left must be given to the duties of a holier calling. You will not, therefore, I hope, deem me unreasonable in my determination to retire from the office which I have held with so much pleasure to myself, and, as your kind expressions assure me, not altogether unsatisfactorily to you all. If you will only continue to my successor the same warm support you have given to myself, you will go on and prosper.”

The Chairman then proposed that Mr. Larking should be elected a vice-president, which would enable the Council of the Society still to have the benefit of his valuable advice and assistance. The motion was unanimously adopted.

The President next moved that Mr. J. G. Talbot be appointed Secretary, his Lordship feeling satisfied, from his knowledge of that gentleman, the business habits by which he was distinguished, and the great interest he had taken in archæological pursuits, that Mr. Talbot would prove a fitting successor to Mr. Larking. If any additional recommendation were needed, it might be found in the fact that Mr. Talbot bore a name associated with all that was noble and chivalrous in the past history of this country, and if he did not vie with his ancestors

in deeds of daring, he was winning for himself a name in the ranks of philanthropy and science.

Several new candidates were admitted members of the Society.

After a vote of thanks to the President, the archæologists proceeded to All Saints' Church, the chancel of which was crowded with a numerous assemblage to hear Mr. Beresford Hope deliver an explanatory lecture upon the sacred edifice. After a few introductory remarks, in the course of which Mr. Hope observed that All Saints' Church, the College, the Palace, and the old barn on the opposite side of the road, formed as interesting a group of buildings of the fourteenth and fifteenth centuries, as could be found anywhere in England, and would be noticeable anywhere in Continental Northern Europe, he stated that he should confine himself to the broad architectural features of the church, instead of entering into those matters of detail which were fully treated of in a book published by Mr. Beale Poste, a gentleman whose name was well known in the antiquarian world. He then proceeded—

“ We all of us see that this church is one of unusual size compared with the ordinary parish churches up and down the country. At the same time there is a certain degree of sameness in the architecture which we do not find in other buildings of inferior size to this. I presume that all present are acquainted with the rudiments of architecture, but as some may be more so and some less, it may be as well to remind you that this church belongs to the third period of architecture in this country, or what is termed the Perpendicular style. The earliest style of ecclesiastical architecture in this country was that of our Saxon ancestors, of which very few specimens remain, though that, perhaps, does not give much cause for regret. Then came in a style which may be distinguished by its round arches, known upon the Continent as Romanesque, known here as Norman, a style of which Rochester Cathedral is a singularly magnificent example. About 1190 came in the earliest form of Gothic architecture, known as the First Pointed,—less correctly, as the Early English style. That continued for about eighty years, or till 1270. Up to that time the windows were lancet-shaped and single, but gradually they were divided by strips of stone called mullions, while the tracery in the upper portion took the form of circles, trefoils, and quatrefoils. This style lasted for rather more than 100 years. Towards the end of Edward III., and beginning of Richard II., the tracery took the shape of vertical lines,—a style supposed to be invented by William

of Wykeham, the celebrated Bishop of Winchester. This is the Perpendicular style, which continued in vogue till Gothic architecture broke down under the revival of the Italian which characterized English art in the sixteenth century, and rather earlier upon the Continent. This Perpendicular style, I may explain, is peculiar to England, for on the Continent the change took another form. Instead of stiffening up into straight lines and panels, the third period of Continental architecture is distinguished for its greater freedom, so much so that it is termed the Flamboyant style, in consequence of the window tracery resembling flames. After this short *précis*, I will direct attention to the fine specimen of the Perpendicular style in which we are standing. This church of All Saints' was built in the reign of Richard II., by Archbishop Courtenay,—not one of the most eminent of the Archbishops of Canterbury, but still well deserving a niche in the page of history. Maidstone was an old residence of the Archbishops, and Courtenay seems to have had a special predilection for it. Accordingly, in 1395, he got the King's licence to transform the old parish church of St. Mary into a collegiate church, under the name of All Saints. Talking of collegiate churches, I may observe, that before the Reformation various establishments of clergy were much more common. Indeed, the dissolution of the religious houses was one of the first acts which characterized the Reformation. It is a common idea that religious houses consisted only of monasteries and nunneries. If by monasteries it is meant a number of clergy living together and performing divine service, the idea is correct; but these various corporations had great internal distinctions. Thus the clergy of a collegiate church were bound by much less strict rules than the friars and monks. This, then, was a collegiate church. Even to this day Windsor and Westminster Abbey remain collegiate churches, governed by their old statutes, and in every respect similar to the old corporations, except that instead of being condemned to bachelorhood for life the clergy are now allowed to marry. Now we come back to the point from whence we started,—How is it that this church of All Saints is of such considerable size? Simply because Archbishop Courtenay, when he obtained the royal charter to convert the old church of St. Mary into a collegiate church, with a master and six fellows, rebuilt it according to, and consistent with, the greater dignity of his new foundation. If it had been an older foundation, we should probably have seen, as we do see in so many other buildings, specimens of different styles in different parts,—a Norman arch here, an Early Pointed window there, a Perpendicular roof above, and so on. But this church was built at once by a rich and powerful man; and although, no doubt, Archbishop Courtenay died before its completion, yet it was sufficiently advanced at

the time of his death to ensure the carrying out of his plans. Thus the size and regularity of the building are accounted for. Courtenay had for his friend one John Wotton, a canon of Chichester, and the first master of this college, a clever and active, and probably, at the same time, a money-making man. I hold in my hand a copy of Wotton's will, which has been transcribed by our friend Mr. Larking, who, for all that has been said to-day, will do more work than ten younger men than himself. This will of John Wotton's is altogether a very curious document. As a kind of protest against the great sumptuousness of funerals in those days, he directs that five lights only shall be burnt upon his coffin—one upon his breast, and one upon each of the four corners of the hearse. He also directs that only a certain number of torches shall be burnt, and wisely provides when they are to be put out, and what use shall be made of them afterwards. I should state that Archbishop Courtenay ordered his body to be buried in the churchyard of Maidstone. There is, however, a "leiger-book" at Canterbury, which minutely describes the Archbishop's burial in the cathedral, and it has long been a disputed point amongst antiquaries whether Courtenay was buried here or at Canterbury. Near the centre of the chancel here is a large slab, with the matrix for a brass representing the figure of an archbishop; and some years since a skeleton was found beneath that stone, though there is nothing to lead us to suppose it to be that of Courtenay,—on the contrary, it was apparently the skeleton of a younger man. There is one solution of the difficulty which I have not yet seen, and which I throw out with great diffidence for the consideration of men who can judge of its value better than myself. Why should not Courtenay have been buried in both places? Some of you may be surprised, but the suggestion is not so ridiculous as at first sight appears. We know that in the Middle Ages it was one of the barbarous customs of the times—a custom which is even now occasionally followed in the case of royal funerals—to divide the dead body, and bury the heart in one place and the rest of the remains elsewhere. In this case Courtenay wished to be buried at Maidstone—the clergy of Canterbury naturally wished to bury their ecclesiastical chief in the cathedral, for in those unenlightened days a feeling of jealousy probably existed between the two towns, instead of that magnanimous spirit which I suppose now prevails. Why should not the difference have been split? Why should not the leiger-book of Canterbury speak the truth, in telling us that Courtenay's body was buried there?—why should not his heart or some other portion of his remains have been buried in this his collegiate church, and been covered over by that stone in the chancel? This reconciles both the conflicting claims, and, it may be, is the real



truth. Wotton died in 1417. Some ten or twelve masters followed in succession, none of them men of any great mark till we come to Richard Grocyn, a really eminent man, who lived at the beginning of the sixteenth century, the period of the revival of classical literature, and who was the friend and correspondent of the well-known Erasmus. Coming back to architectural matters, you are probably all aware that in all churches in every country, more or less, there are certain broad divisions to be noted. There is a provision for the congregation, called the nave and aisles; there is a provision for the clergy who officiate, which may be only one small reading-desk, but which, in buildings of greater pretensions, and in churches served by corporate bodies, develops itself into such a series of stalls as those which run round this chancel, and under the seats of some of which may be found the arms of Archbishop Courtenay. Beyond this is a place for the Lord's table, and near the chief western entrance is placed the font. These main divisions run through churches and chapels—great and small. But what mean those broad aisles and wide-spanned arches in the body of the church, and these narrow aisles in the chancel? In the olden time, when the simplicity of the early Christians had been departed from, and the custom of saying numerous masses had grown up, room was desired and demanded for altars. In this church there were four of these altars,—two in each of the chancel aisles,—one to the Corpus Christi Chapel, another in Becket's, a third in St. Catherine's, and a fourth in the Lady Chapel. In this we see the reason of the arrangement to which I referred, for two of these altars stood against the end walls of the aisles. Those richly-worked canopies within the modern altar-rails are sedilia, or the seats occupied by the clergy when they attended the Communion service. In some modern churches, built within the last twenty years, these sedilia have been revived. They are altogether unobjectionable, and much more suited to the dignity of the House of God than the ordinary movable chairs. At the back of these sedilia, in the south chancel aisle, immediately facing the south-east door, is the tomb of Thomas Wotton, which is not only curious as an example of monumental art at the beginning of the fifteenth century, but also as a specimen of painting at a period when, even in Italy, the art of painting was comparatively young, and of course still younger in this country. It represents an archangel, supposed to be Gabriel, with the figures of St. Catherine and St. Mark. There is another picture representing two figures, supposed to be Becket, the patron saint of Canterbury, and Richard De la Wyche, the canonized Bishop of Chichester. After a passing allusion to the clerestory, or range of windows above the nave arches, and to the triforium, or arcaded gallery, which is frequently found running down the aisles of large churches,

but is absent here, Mr. Hope adverted to the low-pitched roof. In the two earlier styles of architecture, the roofs, whether of groined stone or of woodwork, were of high pitch; but in the third period, or Perpendicular style, when more elaborate wooden roofs were introduced, these were not unfrequently constructed of a very low pitch, though the old pitch<sup>1</sup> prevailed in some districts. From all accounts, the old roof of All Saints' Church was a handsome one, supported by stone corbels running down the side of the church. But in 1790 the people of Maidstone were very clever, and no doubt thought they would improve the appearance of the church by putting up a lath and plaster ceiling. I do not know whether the archaeologist who visits this church in 1890 will find the lath and plaster gone, but I hope that with the improved state of feeling on these matters, this grievous eyesore will as speedily as possible be removed. I do not wish for it to fall down upon a Sunday while people are at church, but if it were to tumble down some quiet week-day it would be a good thing, and I have no doubt that the people of Maidstone would have public spirit sufficient to restore the roof to its original state. In 1730 the church suffered a serious deprivation by the loss of the spire, eighty feet high, which surmounted the fine old tower, and which was struck by lightning and burnt down. When I first knew this church, it was seated with great heavy square pews, with galleries running round the aisles. In 1700 the people of Maidstone determined to repew their old church, and they replaced the old oak seats by the ugly pews which till recent times disfigured the church. But the course of this repewing, like the course of true love, did not run altogether smooth. At the time of which I speak, a Mr. Gilbert Innes was the minister. How a gentleman with so Scotch a name came so far south before the Union is a mystery, but it is a fact nevertheless. The Mote then, as now, belonged to the Marsham family, Sir Robert Marsham being in 1700 the occupier. The old Archbishop's Palace was then held by Sir Jacob Astley, a Norfolk squire, to whom it had passed from Lord Astley. To the Palace was attached, by a grant from the Archbishop of Canterbury, a certain number of pews in the parish church; and a good deal of correspondence seems to have passed between Mr. Gilbert Innes and Sir Jacob Astley when the subject of repewing the church was under discussion. Mr. Scudamore has kindly placed in my hands the letters of Mr. Innes, a few extracts from which may not be uninteresting. They run between July and December, 1700. Mr. Gilbert Innes, like a shrewd Scotchman, is evidently desirous to propitiate the powers that be; and, accordingly in his first letter he informs Sir Jacob that "your seats

<sup>1</sup> Though Maidstone itself is an exception, Kent is noticeable for high pitched roofs of a late date.

shall be built at the public charge as the others are, if you please. The reason is because the parish is willing to leave it to the gentry to do something of themselves towards the beautifying of the church as they shall think fit." He goes on to say that Sir Jacob is believed to have "more room in the church than any gentleman or nobleman hath in such a town as this," and delicately reminds the worthy baronet that the church possessed one "noble monument" of his predecessor's respect for it, in the shape of "a large silver flagon for the Communion, which holds a gallon." In the same letter the rev. gentleman informs Sir Jacob that the new pews will be somewhat differently arranged, "because the labouring men and waggons standing in the space where you and Sir Robert entered, and my Lady Taylor's and the other gentry's seats, was offensive to them." Sir Jacob seems to have been fearful lest he should be deprived of an inch of the ample space apportioned to him, and several letters from Mr. Innes contain minute details as to the position and size of his pew, the clergyman assuring Sir Jacob of his devotion to his interests, and that he will not lose anything by the alteration. The Norfolk squire is also informed that his pew shall be in nowise inferior to that of Sir Robert Marsham, and if the latter has carved work, Mr. Innes will take care to inform him. However, Sir Jacob seems to have been hard to please, for on October 12th, Mr. Innes begins his letter—"Right Worshipful, I am no less weary than you are about the seats. This business hath given both you and me the trouble of many letters, and I have had many hard words about them." He concludes his letter by requesting Sir Jacob, if he has anything more to say about the pews, to write to a Mr. Pierce, observing, "I have bustled enough, *res est adhuc integra*, and I desire to be excused from meddling any more." However, Mr. Innes does write again, on the 21st of October, giving some particulars about the seats, and informing Sir Jacob that both his and Sir Robert Marsham's pews will "stand a foot above the rest of the seats on that side, and will look very noble." At the same time he expresses a hope that Sir Jacob will leave the materials of his old seats to the churchwardens, "to be employed with the other old seats for building a range of seats under the gallery, as it is intended, for the ordinary sort of people." But perhaps the most curious of the whole series of letters is the last, in which the incumbent writes—"Right Worshipful, your seats are furnished and the locks put on, and the keys—one I delivered to Mr. Kingsley, another to my Lady Faunce, a third I have; the rest, for the servants' seats, Mr. French hath. I ordered my wife to take possession of your seat, as your tenant and in your right. My Lady Faunce was angry at this, thinking it a disparagement to her that the parson's wife should sit with her, and told my wife that some did take

notice of it, that the parson's wife should sit above all the ladies." After stating that he directed his wife to sit there simply to assert Sir Jacob's right, the Rev. gentleman proceeds—"The truth is, my Lady Faunce is very uneasy. She pretends that you gave her leave to sit in your seat, and takes it ill that Captain Kingsley and his lady should sit in it, and brings in all her friends, every strange people that came from London to see her. On the other hand, Captain Kingsley takes it ill that my Lady should do this, he dwelling in your house; and Mrs. Kingsley takes it ill that my Lady's youngest daughter should take place of her in the seat, because she is an esquire's eldest daughter, and the Captain is an esquire by his office, and mighty animosities there are between them upon this account. I told my Lady that if my wife should sit there none could be justly offended, for Mrs. French sits as high as my wife. My Lady Marsham's woman sits in her seat when she is not at church, and my Lady Taylor's woman sometimes sits with her, and my wife nor I never were to be servants to any. I speak not this from ambition; what I have done in this matter is to serve you." The rev. gentleman then asks for instructions how to proceed, at the same time observing—"I will not presume to dictate to you, who know better than I, what is fit to be done. There is no gentleman in England who should live in your house would be more tender of your rights to preserve them than I am, or would pay your rent better. You may have it when it is due, or before if you have any occasion for it." This curious correspondence shows that things were managed much the same in 1700 as in 1861. To pass on, a better time at length arrived, when people became aware of the ugliness of the old pews, and a man of great talent, one whom I am more anxious to praise because he is no longer living, the late Mr. Carpenter, was employed to superintend the alteration of the church. He first removed the organ to the place it now occupies over the vestry—a vestry, by the way, of singular size, and consistent with the dignity of the church. The chancel was restored, the galleries swept away, and the old pews replaced by oaken benches. I see that a very large stone pulpit has recently been substituted for the pretty wooden pulpit put up by Mr. Carpenter. It is perhaps hardly gracious to speak in other than terms of praise of so munificent a gift, but still I am rather jealous of the credit of my deceased friend, and I must say that I regret the old wooden pulpit, which harmonized so well with the style of the building, especially as the site chosen for the present pulpit has necessitated the cutting away of a large part of that flight of broad steps which formed so good a basement to the chancel from the body of the church. After briefly directing attention to the painted windows, expressing

a hope that the east and west windows would be enriched in a similar manner,—to the tombs of the Earl of Rivers (who lived at the Mote, and was the father of Elizabeth Grey, wife of Edward IV.), of the Astleys, the Knatchbulls, and other families,—and to the font, which, though it was of the seventeenth century, followed the ancient octagonal model,—Mr. Hope concluded by observing that, though the church was a good specimen of the Perpendicular style, still, for the reasons he had already stated, it offered none of those little knotty points to untie which were so frequently found in more irregular and, at the same time, more picturesque buildings, and thus lacked that antiquarian interest which other of our old churches possessed.”

The company then proceeded to the College, where Mr. Parker, of Oxford, the historian of the domestic architecture of the fifteenth century, delivered a brief explanatory address ; and thence to Allington Castle, where Mr. Parker also delivered a most interesting lecture on the venerable ruin.

The dinner took place at the Mitre Hotel, about two hundred and fifty ladies and gentlemen partaking of it ; the Marquess Camden presiding.

In the evening, the Members adjourned to the Town Hall, where a variety of interesting portraits and antiquarian relics were displayed, in the Council-chamber and adjoining rooms. Amongst the chief contributors was James 'Espinasse, Esq., who exhibited a very choice assortment of articles, including an exceedingly fine collection of rubbings of brasses made by himself, a large quantity of Celtic money and fibulæ, and other interesting relics, as well as a number of paintings, one of which, a portrait of the celebrated Mrs. Robinson, the “*Perdita*” of George IV., by Gainsborough, was an object of much curiosity. James Whatman, Esq., also sent a large variety of curious and interesting objects, comprising portraits of his grandfather, James Whatman, Esq., of Vinter's, Sheriff of Kent in 1767, and his first wife, Miss Stanley, both painted by Dance. There were also portraits of Mr. Whatman's second wife, Miss Bosanquet, by Romney ; of the Right Hon. Wm. Pitt, of Holwood, in Kent ; of Prince Charles Edward, the young Pretender, by Cooper ; of his opponent, the Duke of Cumberland, by Gainsborough ; of Queen Elizabeth, by Holbein ; and of Lady Jane Grey, in a rich dress, ornamented with beautiful pearls. Mr. Whatman's collection also included a camp scene, by Wouver-

manns; two views of the Piazza San Marco at Venice, by Canaletti; a St. Barbara, exquisitely painted by Sassoferrato, from the Duke de Richelieu's collection; two curious old enamels, supposed to represent Joseph of Arimathea and a kindred subject; a Majolica, or Raphael-ware dish, representing Clælia escaping from the camp of Porsenna and crossing the Tiber; an ancient bronze lamp, of choice design and workmanship; two iron castings, one being Sir Walter Scott, from the Royal Foundry at Berlin, the other "A Monk," cast at Coalbrookdale, and intended to show the comparative merits of English and of Prussian skill in this branch of art; a suit of Sheik chain-mail, and a brick from Babylon, with a clear and well-preserved inscription upon it. The local antiquities were well represented by cases belonging to Mr. Barling and Mr. Bensted. These consisted chiefly of Roman remains of an interesting character, those of Mr. Bensted having been lately found in Malling Wood. Mr. W. H. Bensted, jun., exhibited a collection of Roman antiquities found a few months since near the Hermitage Chapel, in the East Malling Woods, consisting of patella of Samian ware, a cineria containing human bones, a unique glass vessel, and four querns, etc. etc. A painting by Canaletti, representing the Enthronization of the Doge at Venice, was exhibited by Mr. Kibble, of Greentrees; while a curious full-length figure of a King of Poland, a meritorious work, was sent by Mr. Oakley. Ancient literature was represented by an early sheet of the 'Maidstone Mercury;' a book of Kentish pedigrees, and four volumes of parochial MSS., sent by Mr. Faussett from the Faussett Collection; and a copy of that part of Domesday Book which relates to Kent, and the grant by Edward I. to Stephen de Penchester, for "kernellating" Allington Castle, belonging to Mr. Larking. There were also tracings of encaustic tiles and glass, by Mr. Lightfoot, from Warehorne Church, and a full-length figure of St. George and the Dragon, from Sandhurst Church. The Rev. E. W. Muriel sent sketches from Appledore and Warehorne Churches, and some rubbings of brasses by Mr. G. C. White and Mr. May. Papers were also read by Mr. Allport upon antiquities in general, and by the Rev. R. C. Jenkins upon the Gates of Boulogne, which were given by Henry VIII. to Sir Thomas Hardres, of Hardres Court, but which have now altogether disappeared, Mr. Jenkins being unable to produce even a single nail used in their construction.

1ST AUGUST, 1861.

About noon the Members re-assembled at the Town Hall, when a paper was read by R. B. Latter, Esq., upon "Kits Coty House."

The following votes of thanks were then passed, by acclamation :—

To the Mayor and Corporation of Maidstone, for the use of the Town Hall, and for the hearty welcome given by them to the Society.

To Mr. 'Espinasse, the President, and the Members of the Local Committee, for the excellent arrangements made by them in every department.

To the Directors and Managers of the South-Eastern and East Kent Railways, for the liberal accommodation rendered by them to the Society for the conveyance of Members to Maidstone and back.

To Mr. D. Allport, Rev. R. Jenkins, and Mr. R. B. Latter, for their papers.

To Mr. J. H. Parker and Mr. A. J. B. Beresford Hope, for their Lectures.

To the Exhibitors of Pictures and other objects of antiquarian interest.

The company then separated for their different excursions : one to Leeds Castle, where a numerous party was hospitably entertained by C. Wykeham Martin, Esq.; and the other to "The Friars," at Aylesford, where likewise a hospitable entertainment was provided by Henry Simmonds, Esq.

Thus terminated a Congress in every respect equal to those of former years, both for scientific information and the hearty welcome of the local Members.

The first Council after the Annual Meeting was held on the 22nd of October, 1861, at Maidstone.

It was resolved to purchase antiquities from Westwell, etc., for £1. 17s.; also ancient British Armlets, discovered at Aylesford, for £40.

The thanks of the Society were voted to Captain Cox for photographs; to Mr. Sims, for Rochester Bridge Acts; to Mr. Dashwood, for loan of Faversham Seal, etc.; to the Master of University College, Oxford, for presenting the engravings to illustrate his proposed paper on St. Martin's Priory, Dover.

A special vote of thanks was passed to Mr. 'Espinasse, for his admirable management of the last Annual Meeting.

G. E. Hannam, Esq., of Ramsgate, was elected Local Secretary for his district.

J. H. Parker, Esq., Dean Butler, and Professor Innes, were elected Honorary Members.

It was resolved that the Suffolk Institute and the Society of Antiquaries of Edinburgh be requested to place themselves in union with ourselves.

Twenty-nine candidates were elected.





## CONTRIBUTIONS

To the Fund for supplying Illustrations to the Society's Volumes.

	£	s.	d.		£	s.	d.
Abergavenny, The Earl of . . . . .	5	0	0	Hawley, Sir Joseph H., Bart. . . . .	5	0	0
Acworth, G. B., Esq. . . . .	1	0	0	Hooper, W. E. P., Esq. . . . .	1	0	0
Allan, The Rev. G. . . . .	1	0	0	Howard, Dr. . . . .	0	10	0
Amherst, The Earl . . . . .	5	0	0	Hussey, Rev. Arthur . . . . .	0	10	0
Baddeley, Henry, Esq. . . . .	0	10	6	Hussey, H. Law, Esq. . . . .	0	11	0
Beattie, Alexander, Esq. . . . .	0	5	0	Hussey, E., Esq., <i>Oxford</i> . . . . .	0	10	0
Beresford-Hope, A. J. B., Esq. . . . .	5	0	0	Do. (1860) . . . . .	0	3	0
Bland, Rev. Dr. . . . .	0	5	0	Hussey, H., Esq. . . . .	0	10	0
Blencowe, R. W., Esq., 1859, . . . . .				Hussey, H., Esq., <i>Hyde Park</i>			
1860 . . . . .	0	6	0	<i>Square</i> . . . . .	0	10	0
Blore, Edward, Esq. . . . .	0	10	0	Hussey, R., Esq. . . . .	1	0	0
Brent, J., jun., Esq. . . . .	0	10	0	Do. . . . .	0	6	6
Bridges, Sir Brook, Bart. . . . .	3	0	0	James, E. W., Esq., <i>Green-</i>			
Burney, Archdeacon . . . . .	0	10	0	<i>wich</i> . . . . .	0	10	0
Camden, The Marquess . . . . .	5	5	0	James, Sir Walter, Bart. . . . .	0	10	0
Cardwell, Rev. Dr. . . . .	5	0	0	Jay, J. Livingstone, Esq. . . . .	0	11	0
Cardwell, Rev. Dr. (2nd) . . . . .	5	0	0	Kadwell, Mr. C. . . . .	0	3	0
Cheshire, The Rev. Canon . . . . .	1	0	0	Kendrick, Miss Elizabeth . . . . .	1	0	0
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Cobbett, J. M., Esq., M.P. . . . .	0	10	0	Knatchbull, Sir Norton, Bart. . . . .	2	0	0
Cotterell, Mr., <i>Reading</i> . . . . .	0	5	0	Knatchbull, Lady . . . . .	2	0	0
Culling-Eardley, E. G., Esq. . . . .	5	5	0	Larking, J. Wingfield, Esq. . . . .	0	10	0
Dashwood, Rev. G. H. . . . .	0	10	0	Larking, The Rev. L. B. . . . .	1	1	0
De Wilde, George J., Esq. . . . .	0	10	0	Leeks, Edward F., Esq. . . . .	0	5	0
Devon, Charles, Esq. . . . .	1	0	0	Lewin, Thomas, Esq. . . . .	0	10	0
Drake, Rev. R. . . . .	1	1	0	Luard, Major . . . . .	0	10	0
Ellis, C., Esq. . . . .	0	10	0	Mackeson, H. B., Esq. . . . .	1	0	0
Ellis, Sir Henry . . . . .	1	0	0	Maidstone, The Archdeacon of . . . . .	2	0	0
'Espinasse, James, Esq. . . . .	2	2	0	Martin, C. Wykeham, Esq. . . . .	5	0	0
Falmouth, The Viscount . . . . .	5	0	0	Marriott, The Rev. Sir W.			
Farnall, Major . . . . .	0	10	0	Smith, Bart. . . . .	1	0	0
Field, John, Esq. . . . .	0	5	0	Masters, William, Esq. . . . .	0	5	0
Finch, Gen. the Hon. John . . . . .	0	5	0	Mesham, The Rev. A. . . . .	1	0	0
Foss, E., Esq. . . . .	1	0	0	Milne, Alexander, Esq. . . . .	0	5	0
Godefroy, J., Esq. . . . .	0	5	0	Norman, G. W., Esq. . . . .	5	0	0
Golding, Mr. Charles . . . . .	0	5	0	Norman, H., Esq. . . . .	2	0	0
Hawkins, The Rev. Dr. . . . .	1	0	0	Oakley, W., Esq. . . . .	0	5	0

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Rycroft, Lady . . . . .	0	10	0	Wilson, Sir Thomas Maryon,			
Smallfield, Mr. . . . . A	0	5	0	Bart. . . . .	3	0	0
Smallfield, Mr. George . . .	0	5	0	Wrench, The Rev. F. . . . .	1	0	0
Smith, Arthur, Esq. . . . .	1	0	0				

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*The Expense of Designing and Engraving the Society's Badge was defrayed by—*

The Lady Caroline Nevill.                      The Lady Augusta Mostyn.  
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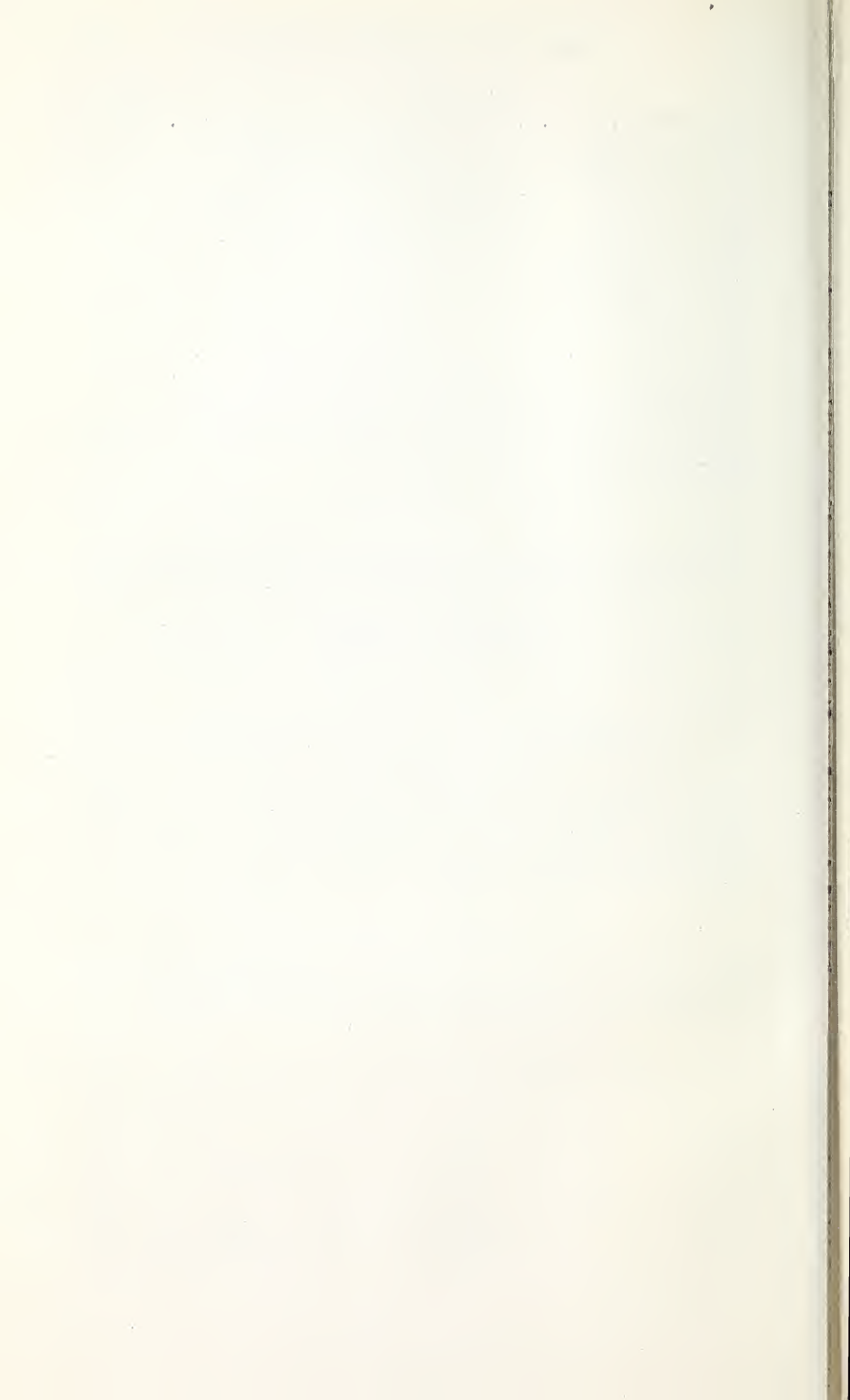
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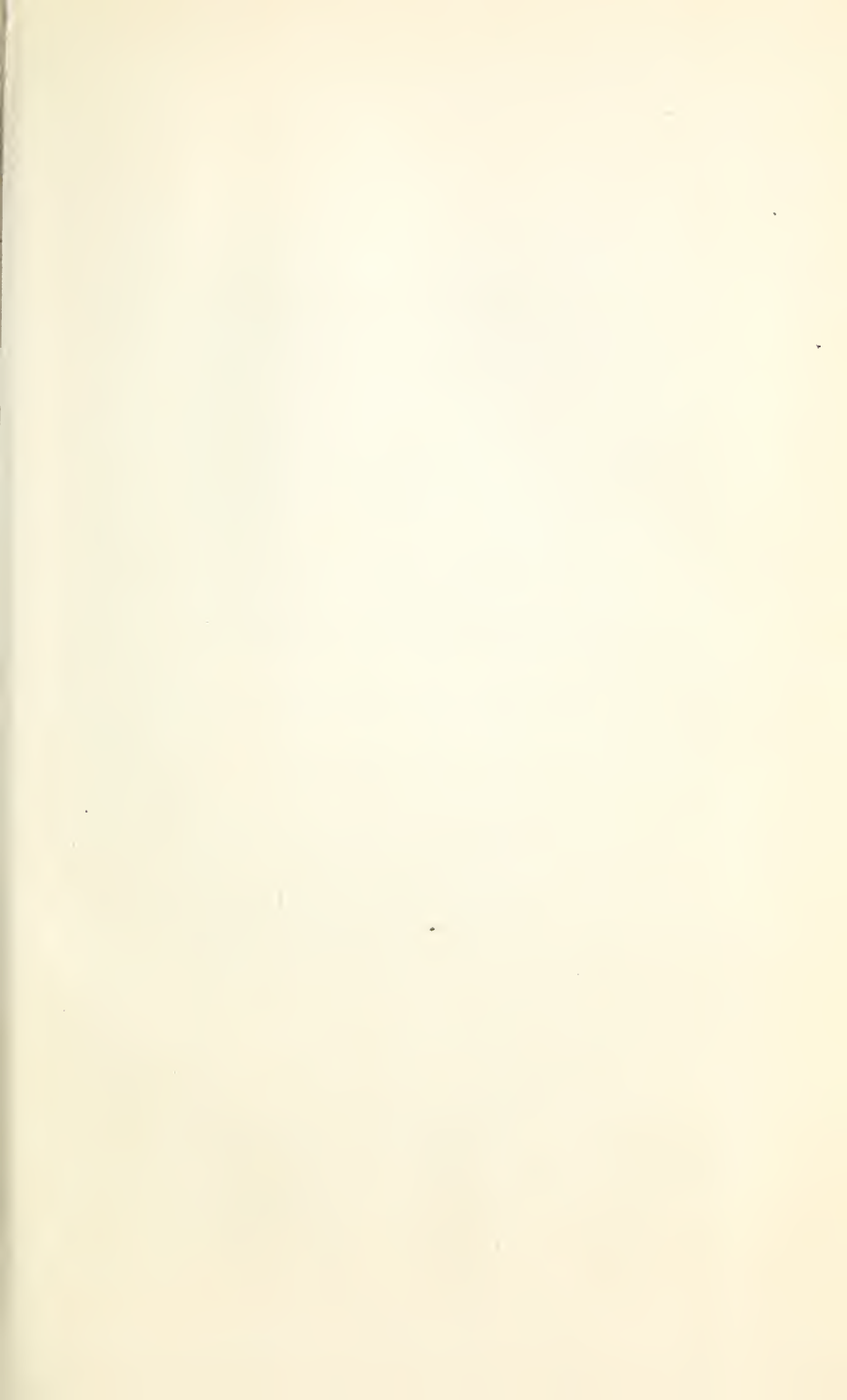
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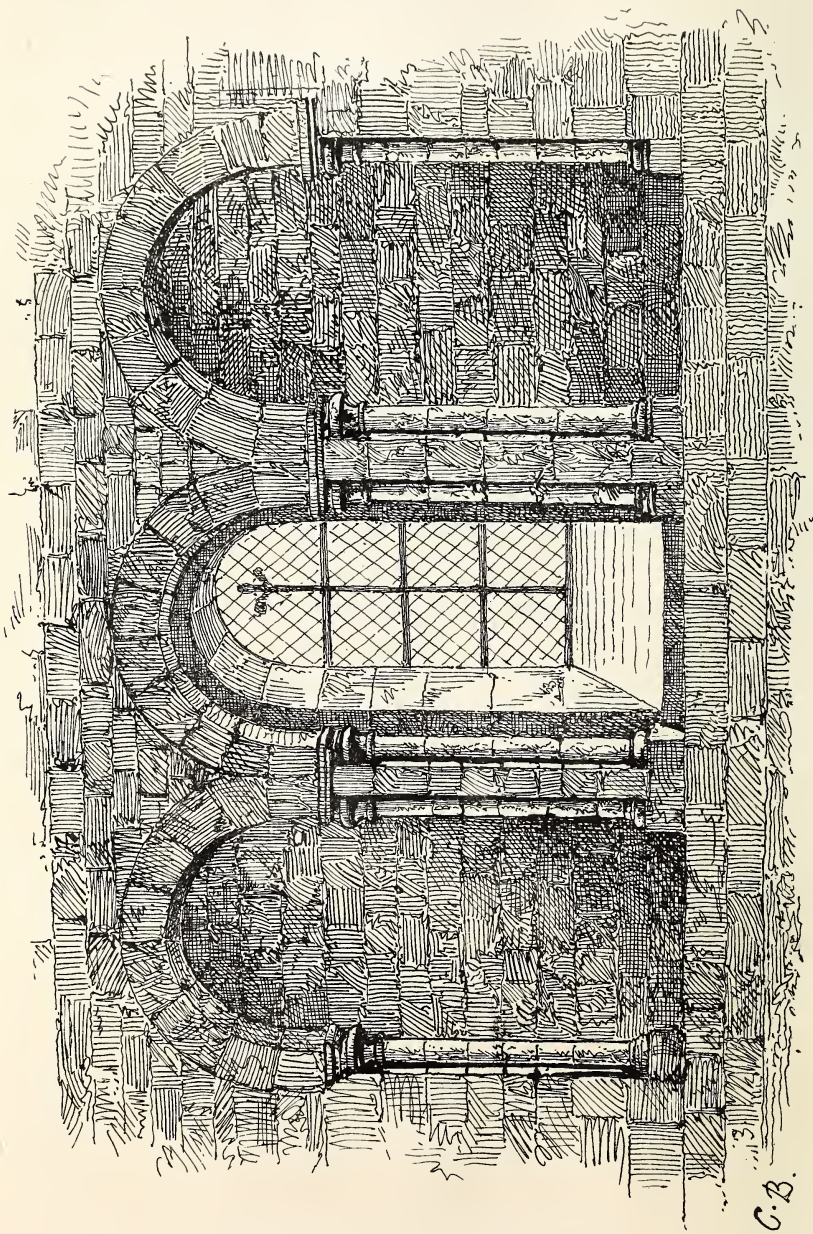
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Golding, Mr. Charles . . . . A	0	5	0	Smallfield, Mr. G. . . . .	0	5	0
Larking, Rev. L. B. (2 years)	0	10	0	Taylor, J. E., Esq. . . . . A	0	5	0
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Members willing to contribute to these Funds are requested to signify their intentions to the Honorary Secretary, or to the London Local Secretary.







ST MARTIN'S PRIORY, DOVER. ARCADE IN REFECTORY.

C.B.

# Archæologia Cantiana.

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SOME ACCOUNT OF THE REMAINS OF THE PRIORY  
OF ST. MARTIN'S, AND THE CHURCH OF ST. MAR-  
TIN-LE-GRAND, AT DOVER.

BY THE REV. F. C. PLUMPTRE, MASTER OF UNIVERSITY  
COLLEGE, OXFORD.

BEFORE I enter upon a description of the remains of this Priory, which I had undertaken to prepare for the meeting of the Kent Archæological Society, held at Dover in 1860, I feel it right to say a few words respecting the circumstances under which I have been enabled, though previously a stranger to this locality, to trace out the ground-plan of the church, and of some of the chief monastic buildings, so far as it could then be ascertained. It is desirable that I should state these particulars, even though perhaps somewhat more in detail than would usually be thought necessary, because as a great part of the site of this Priory has since been laid out in streets and covered with houses, and many of the then existing fragments of walls have been also swept away, for the erection of modern buildings, there will not be again the same opportunity for exploring these remains, or for testing the accuracy of the plan which I have laid down.

In the autumn of 1845 I happened to spend a few

days at Dover. I had on former occasions gone over the Castle, and seen those remarkable remains of buildings of great antiquity which are enclosed within its precincts, but I had never had an opportunity for examining the many other objects of archaeological interest which exist in various parts of the town.

I soon found out the extensive remains of buildings of an early date near the entrance upon the Folkestone road, which I was informed were the ruins of St. Martin's Priory. The most prominent was an edifice, in the later Norman style, about 100 feet in length, and of corresponding elevation, now used as a barn for the adjoining farm premises. This is generally considered to have been the refectory of the Priory. In front of this was an area of considerable dimensions, enclosed on the east and south by modern walls, built on old foundations, and on the west by a wall, with the remains of arches, which clearly indicated the site of some of the principal monastic buildings. This, no doubt, was the court usually enclosed within cloisters. The ground on the east of this area, which has since been laid out in streets and rows of houses, was then a field, covered in many parts with scattered blocks of masonry, while here and there the foundations of walls were exposed, or might be detected by the turf, with which they were covered, rising above the surface. But it was very difficult to form any distinct idea of the character of the buildings which formerly occupied this site; it seemed, however, most probable that part of the Priory Church stood in this direction.

A row of houses was then being built at a little distance on the south of the area before referred to, and this had caused several interesting remains, apparently belonging to the nave of the church, to be exposed to view. I was told that it was intended in the following year to extend this line of houses over a great part



of the adjoining field. I made several inquiries in the town as to the character of the buildings which it was understood, by local tradition, had formerly existed on this spot, but I could obtain no satisfactory information. It seemed then to me very desirable that an effort should be made, while the ground was being excavated for the erection of these houses, to trace out the site of the chief part of these monastic buildings, so that some record of them might be preserved before they were entirely obliterated.

I accordingly determined to make the attempt at once, so far as I might then be able; and having got much useful information from the workmen as to the exact site, and description of the blocks of stone, which they had dug up in different parts for materials for building the adjoining houses, and having obtained permission from Mr. Coleman, the occupier of the farm, to open the ground in a few places where it might be required, I succeeded in the course of a few days in tracing out the foundations of a church of very considerable dimensions, with its nave and side aisles, the piers for supporting a central tower, the transepts, with double apsidal chapels, and what may be presumed to have been the chapter-house, adjoining the north transept. I was obliged to defer the investigation of the plan of the choir and the eastern portion of the church, till some future opportunity. In the meanwhile Mr. Ayers, who was building some of the adjoining houses, kindly offered to take notes and measurements of such parts as I might desire, while the ground was being opened for carrying on his works.

In the following summer I took an early opportunity for going again to Dover. I found that a considerable change had been already made in this locality. A roadway had been formed directly over the transepts and across the nave, since called Effingham Street, thus pre-

cluding any further researches in this part. But the new line of houses which had been commenced on the south side of what is now called Saxon Street, had caused a considerable portion of the foundations of the walls of the side aisle of the choir, and part of what I presume to have been the Lady Chapel, to be laid open. And in the following year, when I went again to Dover, this was completed by the excavations for the houses on the north side. During these repeated visits I had also opportunities for carefully examining and tracing out what remained of the other portions of the monastic buildings; and I have thus been enabled to prepare the accompanying ground-plan of the church, and the principal part of the adjoining buildings of this ancient Priory, which I have every reason to believe is correct in all the leading points, so far as could then be ascertained.

In regard to the history of the Priory of St. Martin, the circumstances under which it was founded, and the period when the greater part of the buildings were erected, I cannot do better than give a short abstract of what is stated in Dugdale's 'Monasticon' and Hasted's 'History of Kent,' for I have not been able to refer to any other sources for information.

The records connected with the establishment of this Priory carry us back to a very remote period in the history of the monastic institutions in this country. A church, or chapel, is said to have been built within the walls of the Castle, adjoining the Roman Pharos, as early as in the time of the Romans, for the use of that portion of the garrison, which had been converted to the Christian faith. However this may have been, it appears certain that a church existed within the precincts of the Castle, and that a college with twenty-two secular canons had been founded by Eadbald, the son and successor of Ethelbert, King of Kent, previous to

the year 640. Here the canons continued till the latter part of the seventh century, when, according to Tanner, about the year 696, Wictred, or Withred, King of Kent, finding the residence of a religious body within a military fortress inconvenient, removed them to a new locality in the valley beneath, in the town of Dover, where he had built for them the Church of St. Martin. This was most probably on the site of the ruins of St. Martin-le-Grand, which stand on the west side of the market-place, though the remains which are now to be seen evidently belong to a later date, showing that the church must have been rebuilt about the middle or end of the eleventh century. Some account of these remains, with a ground-plan of the eastern part and the apsidal chapels, will be given at the end of this paper.

The canons seem to have had the same franchises and privileges granted to them in their new locality, which they had enjoyed in the Castle. They were not to be subject to any prelate or ordinary, but only to the King: the church being esteemed, as before, the King's chapel, and subject to his peculiar jurisdiction alone. And it remained in nearly the same state at the time of the Conquest, except that, whereas in the reign of King Edward the Confessor the prebends belonging to it for the support of the canons, were held in common, in the reign of King William they were made separate to each canon, through the influence of Odo, Bishop of Baieux, who had been appointed Governor of the Castle of Dover.

Nothing further of this monastic establishment worthy of notice occurs, so far as I am aware, till the reign of King Henry I., who, being present at the new dedication of the Cathedral Church of Canterbury, in the year 1130, on a representation made to him by Archbishop Corboil, of the state of this collegiate church at Dover, granted it to him, and the Church of Christ in Canter-

bury, with all belonging to it, for the placing therein of canons regular of the Order of St. Augustine, the abbot of which should be appointed by a free canonical election of the chapter itself, subject to the Archbishop's confirmation; and the church was to be placed under the control and protection of the Archbishop.

In consequence of this grant, the Archbishop, who had found the canons guilty of great irregularities, turned out those who were then upon this foundation; and in order to prevent future grounds of complaint of misconduct, which might be promoted by their living in the middle of the town, which had spread round the monastery, he began in 1131 to lay the foundations of another collegiate church, without the walls of the town, which was called the "New Work," and which he dedicated to St. Mary and St. Martin, intending to add every building necessary for the accommodation of a society of canons from the Abbey of Merton. But this arrangement was vehemently opposed by the canons of the convent at Canterbury, who claimed a right to send monks from their own house, and constitute a prior over them. On the death of Archbishop Corboil, his successor, Archbishop Theobald, finished the buildings of the Priory at Dover, in the year 1139. But instead of regular canons, he established in it a society of monks of the Benedictine Order, from his own priory, with Asceline, sacrist of Christ Church, to be prior over them, making them subordinate to the Priory of Canterbury; and this being done by the Archbishop, with the consent of the chapter of his metropolitan church, was confirmed by Papal bulls. Continual dissensions arose as to their respective jurisdictions and privileges, but it was eventually settled, that it should be as a cell to the Priory of Christ Church, Canterbury, the two houses being independent of each other as to their revenues and expenditure, but the Priory of Canterbury having

the regulation and superintendence of St. Martin's, and supplying it from time to time with a prior and other members from their own foundation.

In this state it remained till its suppression in the 27th of Henry VIII., 1535, when, by the management of the King's commissioner, sent for that purpose, it was voluntarily surrendered, with all its lands, revenues, and possessions, by the prior and sixteen monks, into the King's hands. After its suppression, the King granted the site of the priory, with all the lands, possessions, and estates belonging to it, to the Archbishop of Canterbury and his successors, subject to certain payments and exceptions.

The date, then, of the foundation of this Priory; and of the erection of a considerable portion at least of the buildings, is clearly ascertained, viz. between the years 1131 and 1139. It appears also, from certain documents referred to in Dugdale's 'Monasticon,' that Archbishop Corboil was greatly assisted in his work by a grant from King Henry I. of a quarry at Caen, in Normandy, from which the stone was supplied for the earlier portions of the buildings. And this quarry is said to have been known for many years after by the name of the Quarry of St. Martin. The Caen stone dressings of the walls of the refectory are still generally in very good condition, though they have been exposed to the action of the atmosphere for upwards of seven hundred years; and the same kind of stone was found to have been extensively used in the remains of the church and the adjoining monastic buildings.

In regard to the more important subsequent additions to the buildings, of which any record has been preserved, it appears, on the authorities referred to by Dugdale, that the bakehouse and brewhouse were erected in 1231: the site however of these can only now be a matter of conjecture. A grant of £100 was made by King

Richard III., in augmentation of the buildings of the Priory. The gateway may probably have been erected about 1320. It appears also that the cloisters were rebuilt about the year 1484, as Hasted refers to a will proved in that year, in which a bequest of 13s. 4d. was left toward the making of "*The New Cloyster*" there.

I will now proceed to give some account of the remains of this Priory.

On the south side stands the gateway in the Early Decorated style, the lower part of which is in good preservation, leading into an area of very considerable dimensions, now chiefly occupied by a farmhouse, with the usual out-premises. At a little distance, on the right of the gateway, are the remains of the Priory Church, with its nave, transepts, choir, and Lady Chapel; on the north of the nave was an area about 110 feet square, now used as a stack-yard, with its modern boundary wall, built in part on the foundation of the walls of the church, which it is presumed was an open court, surrounded by a cloister. On the east side of this was the chapter-house, with a line of buildings extending a considerable way beyond the refectory, being no doubt used for what we may call the domestic purposes of the Priory. This is now covered by Effingham Street. On the north of this court was the refectory, still in most parts in good preservation, except where some portions of the walls have been taken down to put in the present barn-doors. On the west are traces of other buildings extending from the wall of the church beyond the end of the refectory. These may probably have been the dormitory, library, buttery, and other buildings usually placed on such a site. Behind the refectory may be traced the foundations of other buildings, and the remains of a wall, with one or more doorways, extending across the farmyard to a remarkable building at the back of the farmhouse, the use of which it is not easy to determine, but which I

will, for the present, venture to call the Strangers' Hall. On the left of the gateway are some buildings in the Early English style, now used as granaries, and probably originally constructed for that purpose. The whole of the premises belonging to the Priory seem to have covered a very large area, extending for some distance towards the street, which has been of late years made on the east side, and to have been surrounded by a wall, the greater part of which still remains. I was informed that the ground on the north-east side, at the end of Effingham Street, is described in old leases as the "Convent Garden." And as the names of localities are often handed down in this manner from a remote period, it is reasonable to suppose that this may have been the site of the garden of the Priory.

I propose to confine the remarks which I am about to offer, chiefly to the Church, the Refectory, and the Strangers' Hall.

*The Church.*—A great part of the foundations of the walls at the west end had been removed, but sufficient remained to mark the original termination of the church in this direction. The foundation of the wall on the north side of the nave is still entire, and the modern boundary wall is built upon it. The wall has been so much broken in one part, near the second arch from the west end, that it is probable there was a doorway on this side, leading into the church. The greater part of the foundations of the wall on the south side had been taken up, and the material used in erecting the adjoining houses, but the line could clearly be traced. The foundations of two of the pillars still remained, and the sites of some others were pointed out by the workmen, who had removed them for the sake of the Caen stone, so that there were sufficient data for laying down the ground-plan with general correctness. The dimensions of the base of the piers, and the spaces between them, corresponded

very nearly with those which were found still existing in the choir. So far as could be ascertained by the fragments which remained, the piers which supported the arches of the nave appear to have been blocks of masonry with small shafts at the angles, about 5 feet square. The length from the west door to the archway leading into the transept, seems to have been about 149 feet, the width of the centre portion about 30 feet, and of the side aisles about 15 feet, exclusive of the space occupied by the piers. The south aisle and a part of the centre of the nave are now enclosed within the boundary line of the gardens belonging to the adjoining houses. There is reason to believe, from the projecting masonry of the wall, and from the apparently greater size of the foundation of the pier near the west end, that towers may have stood on each side of the entrance into the nave. There seemed also to be some remains of the newel of a staircase in the north-west corner. These however were so uncertain that I have not marked them on the ground-plan. There were no remains to show whether the walls of the nave had pilasters, buttresses, and responds, like those of the choir.

*The Transepts.*—The bases of two of the piers which supported the central tower were still remaining, and the site of another was pointed out, from which the stone had been lately removed. They appear to have been about nine feet square.

The lower part of the walls of the double apsidal chapels in the north transept were found, when the earth was removed, to be still entire, so that the measurement could easily be taken. Those in the south transept had been in part removed, but sufficient remained to show clearly that they corresponded exactly with the others. The arches had been ornamented with small shafts. These apsidal chapels in the transepts are an interesting feature in the plan of this



church, as very few instances of them have been preserved in the Norman churches in this country. They closely resemble those in the eastern transept of Canterbury Cathedral, which was built only a few years before the date of this church, and from which they were probably copied. Similar apsidal chapels may also be seen in the remains of the Norman transept in York Minster, which were discovered a few years ago. According to the plan made by Mr. Ayers, when building the house which stands on the site of these chapels in the south transept, a doorway had existed in a somewhat unusual position in the adjoining outer wall, as shown in the ground-plan.

Effingham Street now passes over this part of the church and the adjoining chapter-house.

*The Choir.*—The greater part of the facing of the lower portion of the wall on the south aisle, externally, was found in such good condition, that the walls of the new houses on this side were built upon it. In fact, the plinth is in most parts left untouched, with the pilaster buttresses on the outside, and the responds in the inside, which served to point out the site of the pillars, as well as to show that the aisle had been vaulted. In the first bay were the remains of a stone bench, with an arcade resting upon it. The exterior of the wall of the north aisle, on which the boundary wall of the court in front of the houses on that side is built, has not, I believe, been laid open, but there can be no doubt that it would correspond with that on the south side. The facing of the interior had been entirely taken away on some previous occasion, except one small portion, which showed what was the width of the choir. There were no means for ascertaining whether a corresponding bench and arcade had existed on this side also.

There was every reason to believe that the pillars of the choir had been circular, resting on square bases ;

for many fragments of Caen stone, cut into segments of circles, were dug up, which when put together seemed to fit the size of the bases. Responds, in half-circles, were also found. The side aisles were terminated by semicircular apses. The plan and dimensions of that in the north aisle could be clearly made out, and the greater part of the internal facing was entire. The inner stone-work had been taken away from that in the south aisle, but the excavations made on the outside, for the foundations of the adjoining houses, clearly showed that it had corresponded exactly with that on the north side. A similar termination of these side-aisles of the choir may be seen in Romsey church, Hants.

The extension of the choir eastward with a square termination is so unusual in Norman churches, that I was very anxious to examine its construction, and to ascertain whether it was part of the original design, or added at a subsequent period. But the ground in this direction could not then be opened. By the assistance, however, of Mr. Ayers, who kindly undertook to excavate and examine the construction of the walls as opportunities occurred in the course of his works, it was ascertained that there is every reason to believe it formed part of the original fabric; and it may probably have been the Lady Chapel, as the church was dedicated to St. Mary, as well as St. Martin.

If this has been correctly laid down, the eastern termination of this choir would correspond with that in the original design of the Trinity Chapel at the east end of Canterbury Cathedral, erected by Anselm about 1110, previous to the rebuilding of the present choir in 1175 to 1178, as shown by Professor Willis in his able description of that church.

It may be added, that several fragments of shafts of stalactite, or Bethesda marble, were found among the ruins of the church, such as may be seen in Canterbury

cathedral and in Hythe church; also a few glazed tiles, with patterns on them, which I was told had been laid in the pavement on wood ashes. Twenty-one silver coins were found in a hole in the outer facing of the wall of the south side of the choir, near the apse, some of the time of Henry I., and others of Henry II. I understood from the workman who discovered them, and who pointed out the place to me, that they were not laid in the foundation, but in a hole eight inches deep, about two feet above the base moulding, which was open, and that on putting in his hand he found them lying at the bottom. It would seem, then, that they had been concealed there at some period after this part of the church had been erected.

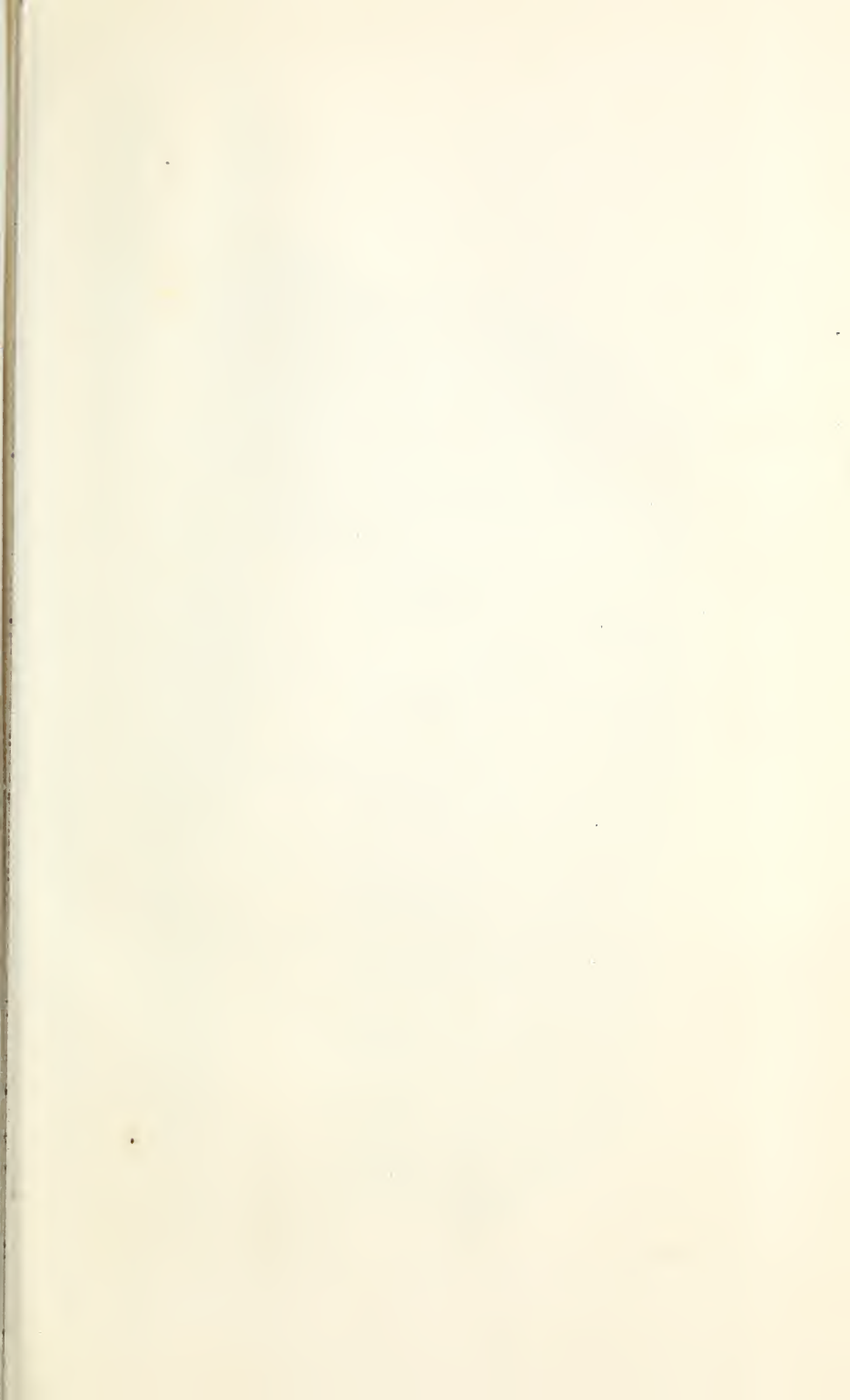
*Chapter House.*—This is in the same position as that at Canterbury, Norwich, and most other Norman conventual churches. The floor appeared to have been somewhat lower than that of the transept adjoining. The semicircular termination was clearly ascertained before it was destroyed to make room for the house, which has been built on part of this site. The external wall had pilasters, and some of the courses of stonework seemed to have been laid in a kind of pattern. There was no opportunity for ascertaining the exact position or dimensions of the doorway, which, it is presumed, was at the west end leading into a cloister, as that part is now covered by the street.

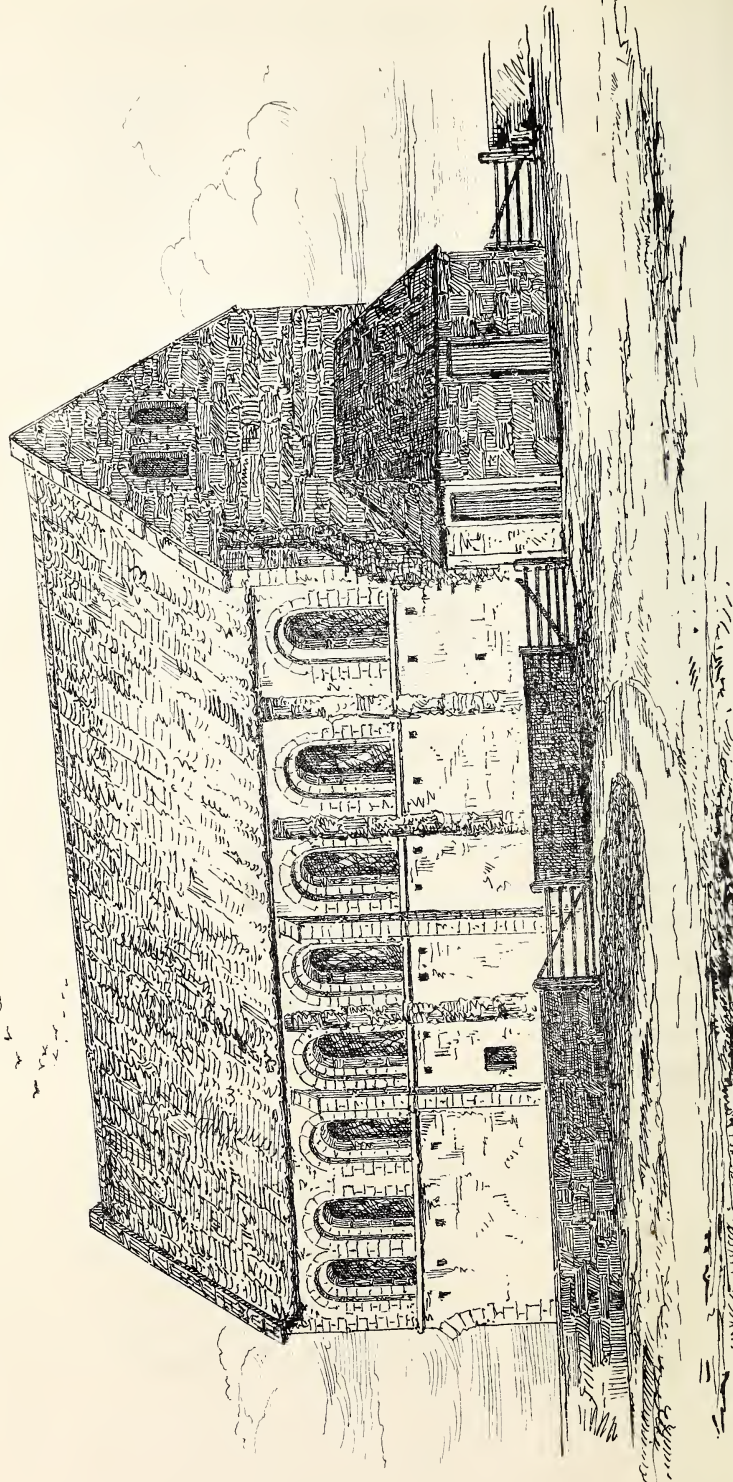
It is evident, then, from these remains which have been discovered, that the Priory Church, which formerly stood on this site, must have been an edifice of very imposing appearance, being about 280 feet in length internally, and 70 in width, with its side aisles, transepts, and central tower, and arches ornamented with shafts like those in the refectory. Whether towers may have been added at the west end cannot now perhaps be ascertained. In Hasted's 'History of Kent' there is a

print of the ruins of this church, as they appeared in 1799. But it is very difficult to connect them with the remains of the walls, which have been laid open. They are only a few fragments of walls of the eastern end of the church, with part of two tower arches, and they seem rather to belong to the ruins of the Church of St. Martin-le-Grand, near the market-place.

In regard to the buildings which stood on the east side of the court, between the chapter-house and refectory, it can now be only a matter of conjecture what may have been their designation. According to the usual arrangements in similar monastic institutions, the dormitory and library would be either on this side or the west, most probably on the latter. But this line of buildings, whatever may have been their original use, was of considerable length, as the foundations of two outer walls, about 29 feet apart, could be traced for about 140 feet from the chapter-house. There has obviously been a vaulted passage at the end of the refectory, and an apartment above of considerable size, the remains of which are still visible in the wall. At the north end of this line is another wall at right angles, extending about sixty feet, with projecting pilasters. This may possibly have been the prior's apartments, to which we know a small chapel was attached, and which are usually placed in some separate court, detached from the other monastic buildings; or it may have been the infirmary for sick brethren, which was a necessary part of all monastic establishments. That at Canterbury is in nearly the same position.

*The Refectory.*—This building no doubt owes its preservation to its having been converted into a barn. Notwithstanding the injury it has sustained, by making the modern doorways, and stripping some of the pilasters of their quoins, chiefly on the north side, for building purposes, it is still generally in very good condition, and the





ST. MARTIN'S PRIORY DOVER.-- N.W. VIEW OF REFECTORY.

interior is very little altered. So far as I am aware, it is the oldest refectory remaining in England, still covered by a roof, which, though of later date, is apparently of nearly its original pitch. The annexed woodcut represents the north side, which is the most perfect.

The masonry is of flint, laid in alternate courses with ashlar. The pilaster buttresses, quoins, and heads and jambs to the windows, are of Caen stone. It has eight windows and six pilasters on the north, and the same number of windows, with seven pilasters, on the south side. The windows are plainly recessed, without head mouldings, and rest on a plain string course, with the upper angle chamfered off. The pilasters slightly project, and have no set-offs, except the string course.

The interior measures 100 feet by 27, and the walls, to the springing of the roof, are 26 feet high, and are plastered. It has evidently never been divided by a floor, but open to the roof, as at present. The lower part of the walls, to the height of about twelve feet, is entirely blank; but above this is a bold and lofty arcade, reaching up to nearly the spring of the roof, and carried along each of the four sides of the hall. The arches are quite plain and simply recessed, supported by shafts with plainly moulded capitals and bases. The two arches in this arcade on each side next the east end are pierced for windows, as if to give greater light for the high table; the others are pierced alternately for windows, which are deeply splayed. There are four arches at each end, but they are not pierced, as there were other buildings adjoining them. There are two small windows in the gable at the west end. At the east end, on the south side, is an aperture in the wall, divided by a stone slab, which no doubt was a locker or cupboard, where part of the plate belonging to the Priory was kept.

The original doorway was in the first bay on the

south-west side, but it has been blocked up on the outside, so that it is not easy at first sight to perceive the form of the arch, but in the inside it is quite perfect. There are traces also of an Early English doorway in the adjoining bay, which has also been walled up. Whether any other entrance may have existed on this side, where the present barn-doors have been inserted, cannot now be ascertained. A doorway seems also to have been made at the west end, now blocked up, which no doubt communicated with the kitchen and other offices usually adjoining the refectory at this part.

At the east end, where we may presume was the dais for the high table, there are traces of painting of a very early date on the wall under the arcade. It is apparently intended to represent our Lord and the Apostles at the Last Supper; but the colouring is so much decayed, that it is very difficult to make out the design satisfactorily. The position of thirteen figures, sitting, may be traced by a kind of nimbus round the head, which has been cut into the plaster. The centre figure is somewhat higher than the others, and the nimbus rather larger. This may be presumed to represent our Lord. The head of the figure sitting on the left leans towards it, very much in the same attitude as that in which St. John is represented in old paintings. The line of the table in front may clearly be traced, and some indistinct folds of drapery; while underneath may be seen the outline of the feet of some of the sitting figures, turned up. There are also some slight traces of ornament painted on one of the side walls. As this part of the building is usually filled with stacks of wheat, it rarely happens that this painting can be seen. But it well deserves a careful examination, as it is probably one of the oldest examples of this kind of decoration, used in the monastic refectories, existing in this country. I may observe that a fine specimen of paint-



ing, but of a later date, has recently been discovered in the Guesten Hall attached to the ancient monastic buildings belonging to the Cathedral of Worcester, and which formed a part of the old deanery. It should be noticed that the stone facing of one portion of the wall on the north side of the refectory is of a reddish tinge, such as may be seen in other buildings as the effect of fire.\* It is obvious that a line of buildings has also been erected on the west side, extending from the nave of the church to a short distance below the refectory. A small projection in the wall of the church, and a corresponding one in the wall of the refectory, seemed to indicate the line of the front of this building; and on opening the ground at the upper end, the foundations of a wall were found. And it is most probable that the dormitory and library stood on this side. In regard to the library, wherever it may have been situated, I may mention, that a catalogue of the manuscripts which it contained, made by one of the monks in 1389, is in the Bodleian Library at Oxford. It is written on vellum leaves, and is in most parts in very good preservation. It contains the entry of a much larger number of volumes than is usually found in monastic libraries of that early date. The list embraces copies of Holy Writ, liturgical and devotional works, the fathers, schoolmen, classics, and many other works. This catalogue has been recently transcribed for Mr. Botfield, and will probably be printed with the other records of a similar nature which he has collected.

*The Buttery*, which is mentioned in the inventory of the goods found in the Priory at the time of its dissolution, referred to by Dugdale, as being "next to the

\* Hasted states, from authorities to which he refers, that in the twenty-third year of King Edward I., 1295, the French landed at Dover, and burnt the greater part of the town and religious houses, among which was this Priory. It is probable that this may have caused the discolouring of the walls which we now see.

vawte where the monks do use to dine," was no doubt on this side, near the refectory; and the remains of walls which are left at the west end of the building, and on the north side, may have been connected with the kitchens or other offices. But this can now be only a matter of conjecture, founded on what is known of the usual arrangements in other monasteries.

*The Cloisters.*—I have ventured to assume, in the ground-plan, that cloisters had existed on at least three sides of this area, for we know that a "new cloister" was being built about the year 1484, from a legacy of 13s. 4d. being left in that year towards this work, as quoted in Dugdale's account; and such is the usual site in other priories. This seems to be confirmed, as regards the north side, by a line of holes under the string course below the windows of the refectory, which look as if they had been made for the purpose of fixing the framework of a roof. Similar holes may also be seen in the wall on the north side of the refectory, and may have been used for the same purpose of constructing a covered way to the adjoining buildings. There was no opportunity for opening the ground in this part, to see if there were any foundations of the walls of these cloisters remaining, for the whole of this area was occupied as a farmyard.

*The Strangers' Hall.*—We will now proceed to a remarkable building at the back of the farm-house, on the north side of the precincts of the Priory, which well deserves our notice. It is divided externally by buttresses into six bays, with a turret, as if for a bell, at the south-west angle, and there are doorways in third and sixth bay. The walls are chiefly of Kentish rag, with Caenstone dressings. The windows are pointed in the Early English style, with plain chamfers; but internally they have a semicircular arch. The middle portion of the outer wall at the west end projects considerably, with an

arch below, as if it had been intended for a recess for a fireplace. But it is difficult to assign a use for this, as the fireplace, which is a very wide one, is in the inside of this wall, and there is no appearance of any building having been added on the outside for which a fireplace would be wanted. Besides, there is only one flue in the chimney, which belongs to the fireplace within the building. Internally, the two eastern bays have been cut off some years ago to make offices for the adjoining farmhouse. The rest are now divided into pens for cattle, and other farming purposes. But it is clear that it must have been formerly one room about 85 feet long and 34 feet wide, including the side aisles, and open to the top of the roof. On the north side is a row of five arches, opening into what in some respects resembles the side aisle of a church; the space which is opposite to the present entrance had been originally filled up with a solid wall, with half pillars on each side, though now an opening has been made through it into an inner compartment. At the back of this wall, facing this inner chamber, there are the remains of a large fireplace, and a part of the chimney may be seen on the outside.

The shafts of the pillars are circular and of very good proportion, resting on square bases, with the angles cut off; and the capitals are a very elegant example of the Norman cushion-pattern. The abacus has the hollow chamfer and bead moulding which mark the later Norman style. The arches are slightly pointed, and have one sub-arch with a slight chamfer. These capitals and arches would form a beautiful model for a small church in the early transition style, and are well worthy of a careful study. I believe the same kind of capital may be seen in the Church of St. Margaret, at Cliffe, near Dover. But the question now arises, for what purpose was this edifice erected? And this it is not easy to answer. One point is however evident, that it was not de-

signed for ecclesiastical use as a chapel. The best suggestion that I can offer is, that it was the ancient *Aula Hospitum*, or hall for receiving strangers. There is reason to believe that the Benedictine monks who occupied this Priory, were required by the rules of their Order to provide food and lodging for a single night, not only for ordinary poor travellers, but also for a large number of pilgrims who used to pass through Dover on their way to and from France. And it may have been found desirable to place the building assigned for this purpose at some little distance from the rest of the Priory, in order to prevent strangers having access to the interior of the premises. This was the plan adopted for the Strangers' Hall at Canterbury, near the north gate. The Guesten Hall at Worcester also stands outside. In such case the compartment on the side of the main building with the fireplace, may have been required for the necessary arrangements. We know that these halls, as well as the refectories in the monasteries, were used not only for giving food to the poor, but also for supplying a sleeping place for travellers, as a kind of dormitory; and the side aisle may possibly have been intended for this purpose. If this suggestion of the Strangers' Hall is not admitted, the only other that I can submit is, that it may have been the infirmary, for the use of the monks; or the bakehouse and brewhouse, the pistrinum and bracinum, united under one roof. We know that buildings for these latter purposes connected with the ancient monasteries, were often constructed on a large scale; but the style of this building seems almost too early for the date, 1231, when we find, from a record quoted in Dugdale's 'Monasticon,' that a bakehouse and brewhouse for this Priory were built of stone and covered with lead.

The other remains of this Priory which are still left,—the gatehouse, in the Early Decorated style; the barns by the side of it, in the Early English style; and the

walls of a building near the guest-hall, of a much later date,—do not present any feature of special interest, and I therefore pass them over.

The whole of the buildings belonging to this Priory were evidently framed by Archbishop Corboil, on a somewhat grand scale, as if for a large monastic establishment, with ample endowments; but it appears never to have prospered, so far at least as regards its finances. In 1336, we find a petition was addressed to Edward III. for exemption from payment of tenths to the Crown, on the plea that their revenues were so much reduced, that they were not sufficient to maintain the priors and the monks. And in the Deed of Surrender of the Priory into the hands of Henry VIII. in 1535, previous to the dissolution, which is given at length in Hasted's History, they say that "considering the state of our house, and the small revenues belonging to it, and the great and heavy debt which oppresses and almost overwhelms us, and which can have no earthly remedy, we have by the King's permission, of whose foundation the said Priory now exists, consented that this Priory be totally annihilated, in spirituals as well as in temporals," etc. The revenues were valued at that time at £170. 14s. 11½*d.* clear, or £232. 1s. 5½*d.* gross annual income. There were then only sixteen monks in the Priory.

After the dissolution, a power was granted to use the materials of the buildings for the repair of the town gates and walls, as well as for erecting private houses.

I cannot close this part of my subject without expressing an earnest hope that in any extension of streets or buildings which may be contemplated on this site, some means may be taken for the preservation at least, if not for the restoration of the refectory. As I have before stated, I believe it to be the most perfect example of that kind of building in the Norman style remaining in England. The walls of flint and ashlar, with Caen-stone

dressings, are still generally in very good condition, though upwards of seven hundred years have passed since they were erected, and the injury which has been done in adapting it to its present use as a barn may easily be repaired. It would make a noble room for any public purpose for which such a hall might be required.

The history of St. Martin's Priory is so closely connected with that of St. Martin-le-Grand, which was founded, as I have before stated, about the year 696, in the town of Dover, that I may add a few observations on the remains of the church, which are still to be seen on that site.

There seems no reason to question the correctness of the tradition, which has uniformly pointed out the ruins of a church enclosed within a block of houses on the west side of the market-place, and so much hemmed in by buildings as scarcely to be noticed, as connected with this ancient monastery. But it seems very doubtful whether any portion of the present remains, though certainly of a very early date, belong to so remote a period as the end of the seventh century, as is usually supposed, and seems to be tacitly admitted by Hasted and other writers on the antiquities of Dover. These ruins are the remains of the Conventual Church, and are chiefly interesting as presenting a very early example of the introduction of projecting chapels round the eastern termination of the choir.

No record has been preserved, so far as I am aware, of any changes having been made, affecting the buildings of this monastery, during the period between its foundation and dissolution, about the year 1139; yet the construction of that portion which is left seems to show that the choir, at least, must have been rebuilt, probably very soon after the time of the Conquest. The style of architecture corresponds with what is familiar to

us as marking the early Norman period: the small chapels round the east end of the choir do not, I believe, occur in any remains of Anglo-Saxon churches, but correspond with what we find in all the early Norman churches in this country, as well as in France; and the walls are mostly faced with Caen stone, which I am not aware was ever brought over to England in any large quantities previous to the time of the Conquest. Now we know from the survey recorded in 'Domesday,' as quoted by Hasted, that soon after William the Conqueror had established himself in 1066, the greater part of the town of Dover was destroyed by fire; and as Odo, Bishop of Bayeux, had been appointed the Governor of the Castle, and appears to have endeavoured to promote the welfare of this monastery, by a re-arrangement in the distribution of its revenues, it seems not unreasonable to suppose that this conventual church may have been rebuilt about that period; and through his influence architects may have been employed for this work who brought over their designs from Normandy, as is said to have been the case with some of our other early Norman churches.

The remains of the church of St. Martin-le-Grand, as it was afterwards called, in contradistinction to the "New Worke" or St. Martin's Priory, are so scanty, and so mixed up with the adjoining houses, which have been built into them, that is not easy, at first sight, to make out to what parts of the fabric they belong. The accompanying ground-plan, however, which has been prepared after very careful examination and measurement of the several parts, so far as was practicable, will assist in tracing out satisfactorily what was the original design and arrangement of the choir and both the transepts. The nave has been for a long period used as a burial-ground for one of the adjoining parishes, and no part of the foundations of the walls has been of late years opened out, so far as I am aware, except a small por-

tion of the outer facing of the north wall, which now forms the side of a saw-pit. The parts in the plan marked with a darker shade, show the existing remains; those in outline supply such corresponding portions, as appear to be necessary for the construction, and symmetrical arrangement of the design.

The curved wall, of considerable height, blocked up by the buildings of a house by the side of the opening leading from the old market-place into the interior of these ruins, which is usually called a tower, is part of the central apsidal chapel, consisting of two stories, as may be seen by the remains of the vaulting which springs from the walls. A projecting building, of a similar shape covered with a modern roof, may be seen above the top of one of the houses on the south side, and a small fragment of a wall appears above the roof of a house on the north side. These indicate the remains of the two side chapels. A small portion of the outer wall of the north transept may be seen in Market Street.

In the interior, three of the arches on the north side of the choir are still standing in good preservation, with the triforium and some small remains of the clerestory over it. A considerable portion of the piers of the arch, which it is presumed supported the central tower, is also still left. The piers are solid blocks of flint rubble, with Caen-stone dressings, about eight feet wide and six feet deep. The arches are semicircular, springing from a plain massive abacus, and are relieved by only one order, which is carried down the sides of the piers. The triforium is chiefly faced with Caen stone, and has the same kind of arches as below. The vaulting of a part of the north side aisle is left, made of solid pieces of tufa. It is evident that the projecting chapels were carried up into the triforium, from the remains of the vaulting in the central one, thus forming a double tier of chapels. In some instances windows have been inserted belonging



to a later period. Some portions of the outside walls of these side aisles may be seen from the courts of the adjoining houses, as is shown on the ground-plan. So far as could be ascertained, there were not any traces of projecting chapels in the transepts.

The remains of this church are interesting to the archæologist, as being one of the very few examples to be found in England of the three projecting chapels at the east end of the choir being left unaltered. In most cases, the central chapel was at some subsequent period removed, in order to add the Lady Chapel, or extend the choir. We have illustrations of this in Canterbury and Norwich Cathedrals, Westminster Abbey, and in some other smaller churches; but perhaps the best example is in Gloucester Cathedral, where the walls of the original central chapel may be seen in the crypt, below the entrance into the Lady Chapel, which was added about 1457; and the date of this part of the cathedral is, according to Britton's account, about the year 1090, which would probably be soon after the time when this church at Dover was built.

In the English churches we very rarely find that more than three of these chantry chapels have been placed at the east end; but in France there are often five, and sometimes as many as seven, as at Bayeux, St. Ouen at Rouën, and Amiens, but these usually belong to a later period, and most of them are still entire.

Another peculiar feature in this church is, that these chapels appear to have been constructed in the gallery of the triforium, as well as below. In this respect also it closely resembles the plan of Gloucester Cathedral, for there the triforium of the choir has its lateral chapels with their altars.

In regard to the history of this church after the suppression of the monastery, I may state, that it lost all its ancient privileges, and became a parish church, and con-

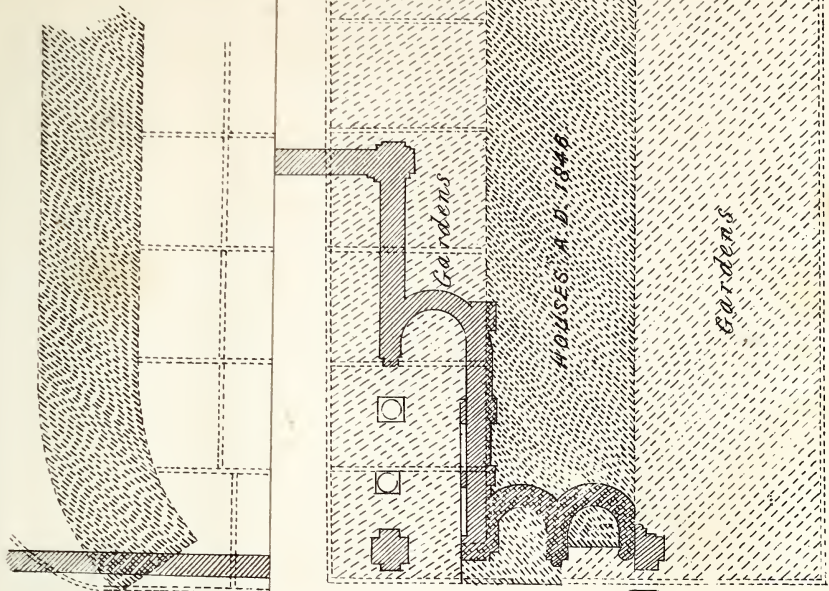
tinued so till the year 1528. It was most probably soon after desecrated, and the parish united to one of the adjoining parishes, for the fabric was taken down in 1536. I believe part of the wall of the south transept has been removed since this plan was prepared.

I have not attempted to enter fully into the history of these monastic establishments, or to give extracts from the various important documents which are referred to in Dugdale's 'Monasticon,' as this would much exceed my limits. I have confined my observations chiefly to what relates to the remains of the buildings; and these, I am well aware, are in some measure incomplete, as further investigation on several points is required, which I have not yet been able to effect. Sufficient however, I hope, has been accomplished to preserve a record of the general character both of St. Martin's Priory and of the Church which formerly occupied this site, before all vestiges of them shall be obliterated.

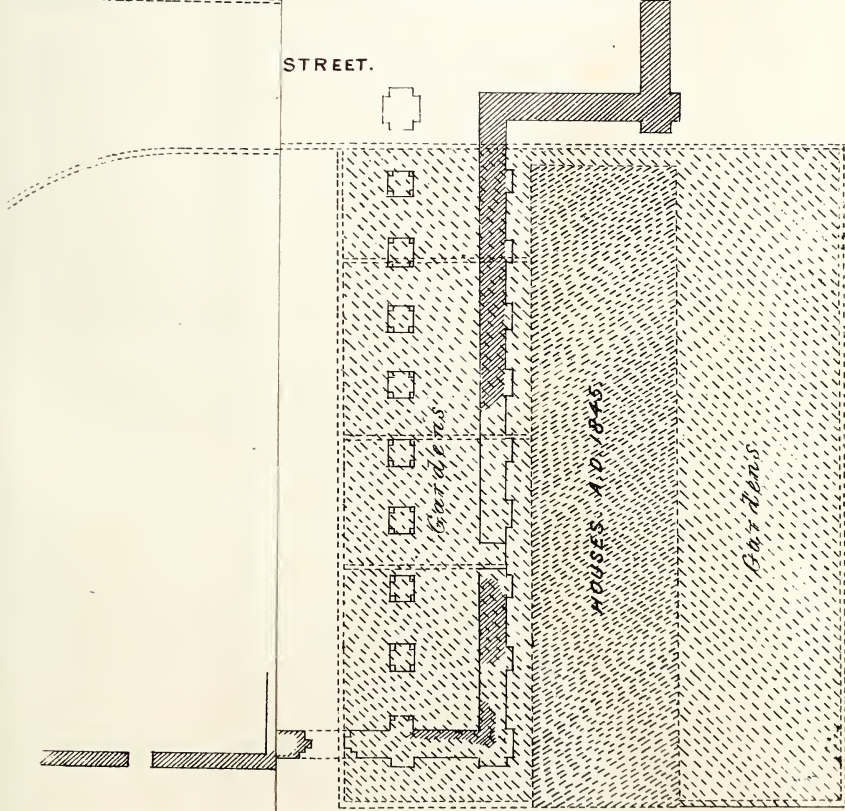
It only remains to express my regret, that circumstances have not allowed me to prepare this paper and the accompanying illustrations, in time to be inserted in the volume containing the account of the Meeting of the Kent Archæological Society, held at Dover last year, for which it was intended.

F. C. PLUMPTRE.

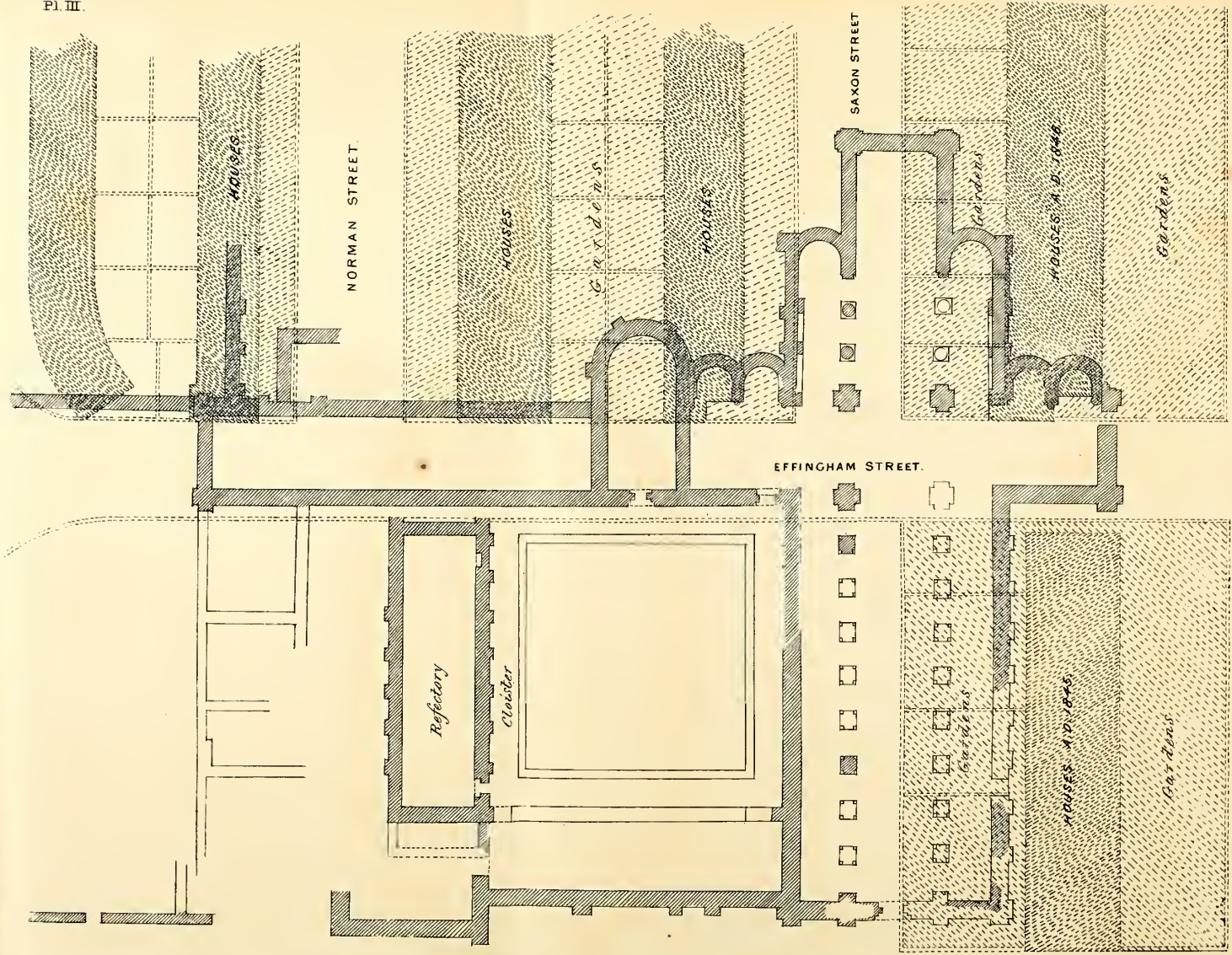
*University College, Oxford.*



STREET.

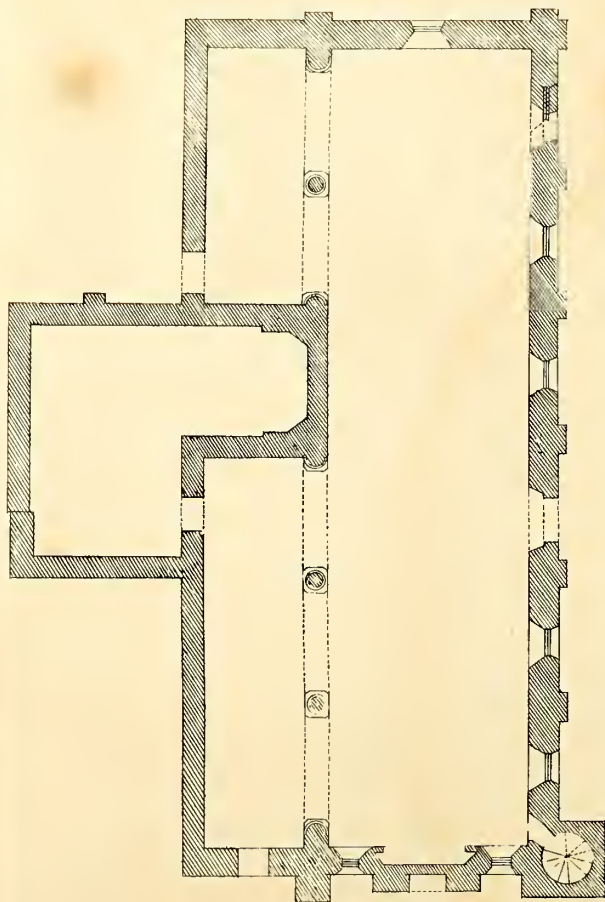






GROUND PLAN OF ST MARTIN'S PRIORY DOVER.

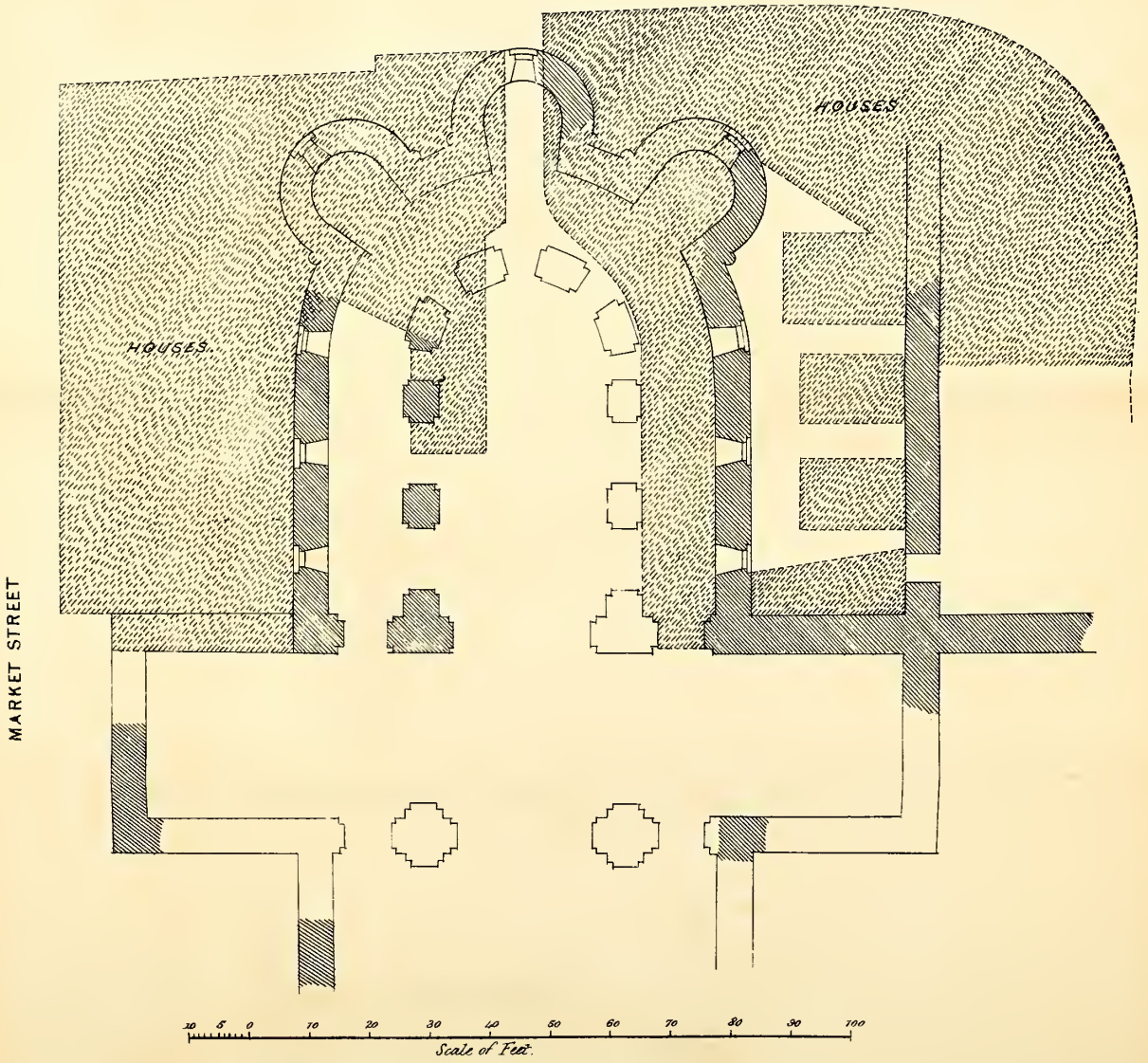
10 5 0 10 20 30 40 50 60 70 80 90 100  
 Scale of Feet.



10 5 0 10 20 30 Feet.

GUEST HALL, SAINT MARTIN'S PRIORY.

MARKET PLACE.



ST MARTIN-LE-GRAND. DOVER.





ROMAN CEMETERIES IN CANTERBURY, WITH SOME  
CONJECTURES CONCERNING ITS EARLIEST IN-  
HABITANTS.

BY JOHN BRENT, JUNR., F.S.A.

RAILWAY-CUTTINGS, drainage-works, and some partial excavations, have within the last few years laid open the sites of three Roman places of interment at Canterbury.

In two of these, the practice of cremation had prevailed; in the third, the funeral rites had been those of inhumation.

Of the localities in question, the first was at St. Dunstan's. It bordered the London Road, and extended southwards more or less towards the railway-cutting that passes through Orchard Place. The second appears to have been situated beneath the site of an ancient Christian burial-ground connected with, or closely adjoining, the house of the Nuns of the Holy Sepulchre. It abutted the Old Dover Road, the Saxon Watling Street, and no doubt also an ancient Roman way. The third cemetery was in a gravel-bed, near the newly-erected station of the "London, Chatham, and Dover Railway," and it extended towards the road leading from the Old Castle through Wincheap to Ashford.

The two first localities were situated respectively without the city walls, doubtless on ancient Roman roads; whilst the third probably connected the Roman camps towards Ashford and at Durolenum, with the station at Canterbury.

Besides these places of interment, Roman mortuary remains have been found, and are still frequently dug up in isolated spots; not only in the suburbs, but in the heart of the city itself.

In Wincheap Street, in the cellars of a house in St. Dunstan's, in St. Margaret Street near the church, Roman antiquities have been found. In the last locality with the ashes were discovered several pins of bone or ivory, and a large-eyed needle or bodkin, of the same material.

In the Castle, as recently as July last, about a foot below the present surface, which seems at some time to have been lowered, there was found about fourteen feet within the southern wall, a Roman urn, containing besides bones, several pieces of a white concrete mass.

Near this spot were the bones of animals, such as sheep and swine, and some fish bones, lying around the urn. Beneath the site of the present gasometer in Castle Street, a few years since, were dug out, at a considerable depth, several mortuary urns.

The cemetery at St. Sepulchre, discovered during the present year (1861) in making excavations for the cellars of some houses about to be erected, has proved rich in antiquities.

In this place had evidently been two distinct graveyards; one, about four feet below the present surface, was probably a general burial-ground attached to the nunnery, for the bodies were far too numerous for us to suppose the interments had been restricted to the former inmates of the Order; the other cemetery was a Roman one, found at a distance of five or six feet beneath the surface. Herein, the practice of urn burial had prevailed.

The dead in the upper layer were so closely packed, that there was something ghastly in the process which laid open their remains. Rows of skulls with skeletons

lying almost shoulder to shoulder, presented themselves to view. In these upper graves, there was vestige neither of coffin nor of shroud.

Had the wood decayed, or had the dead been interred uncoffined? a practice much more common, I believe, a few centuries since, than is generally supposed, and which it appears prevailed in a great degree in the present case; as among the Roman remains below, vestiges of wood were found, and portions of chests or boxes which had contained some of the most delicate of the urns and fictile vessels. Sometimes the interments had intermingled; broken pieces of pottery occurring among the Christian graves, marking where the earlier deposits had been disturbed by the sexton's spade. The most interesting relic perhaps of the whole collection, was a little vessel of bright polished red ware; in form rare, if not unique, deposited perhaps to accompany some child, to whom when living it was the means of administering nutriment; its height was four and a half inches. This relic was discovered about eighteen inches below the surface, as if thrown up in digging the later grave; it had, fortunately for the antiquaries of the present age, escaped detection; it is figured in the Plate, No. 15. The handle is at quarter distance from the spout, the bore of which is so small, that the orifice would not admit more than an ordinary-sized knitting-needle.

At the early part of 1861, many Roman vessels had been found in another part of this ground, in a portion purchased by Miss Wilks for the erection of a house. Some of these were presented by that lady to the Museum at Canterbury. Two of them are given in the Plate, Nos. 10 and 11.

In the April of the same year, a general excavation was prosecuted under the auspices of our Society. A trench being dug about seven or seven and a half feet

deep, parallel to the high-road, the workmen came upon a portion of ground undisturbed by later graves; and one of the first discoveries was an interment, the detailed description of which, as it affords an example in some degree of others, may not prove uninteresting.

Drawing an imaginary line parallel to the road, there was found, placed on the further side of it, the small black vase (fig. 7). As it was too small to have contained the bone ashes, it was probably intended for food, or articles of that sort. In another grave, was a still smaller vessel (fig. 12), partly filled with a red pigment, nearly answering by chemical analysis to rouge; doubtless a *lady's* grave. Close to the black vase, described as above, were two patera; one of the red Samian ware, with the potter's mark "RHOGENI," being about seven inches in diameter, and another placed within it, of black ware, about one inch less in width; each were one and three-quarters of an inch deep. Beyond these, distant a few inches only, stood the mortuary urn (fig. 8), containing human bones, exhibiting the action of fire with burnt bones lying around it. This vessel was ten inches high, and twenty-four inches in circumference.

On the other side of the imaginary line was the narrow-necked vessel (fig. 13). It was of a very common form, composed of a light yellow clay, and intended doubtless to hold liquor.

Between this and the relics previously enumerated, were several pieces of iron, much corroded. They appeared to be the clams of a box or chest, for portions of decayed wood adhered to them, and they exhibited on their surfaces the heads of bronze studs, some of which were from an inch to an inch and a half in diameter.

In this chest probably, the whole or greater portion of the deposits had been placed. Several other urns were found protected in a similar manner. One vessel

of black clay, of extremely fragile texture, scarcely thicker than stiff cardboard, and of a curious barrel-shape (see fig. 14), was discovered by the earth slipping away from it, leaving it exposed in a kind of bank. A number of nails were found in immediate contact with this vase, as if they had fallen around it when detached from the woodwork in which it had been enclosed. Nails were also found in the urns amongst the bones; and here we might hazard a conjecture that as the remains of an *ustrinum* were undoubtedly discovered at the north-west corner of the cemetery close to the road, the body had been placed upon a wooden bier or litter, or some sort of framework nailed together, and the whole being consumed, some of the nails had been raked up with the bone-ashes, and deposited with them in the urns. These nails were not more than an inch and a half long; others were found in the ground, evidently coffin nails, of much larger dimensions. The *ustrinum* to which I have alluded consisted of a right-angled wall of clay, (at least this was all that remained,) about twelve inches thick, which had been thoroughly charred or burnt through. Within it, was a sort of floor composed of burnt ashes.

The dimensions of the urns containing the burnt bones found in the cemetery, were generally from twenty-four to twenty-eight inches in circumference, and from nine to twelve inches high. Some indeed, discovered before the excavations for the Society commenced, were of much larger dimensions, and in substance an inch thick. A few large amphoræ were found, which had probably been used for mortuary purposes.

The two vases numbered 10 and 11, the first exhibiting a somewhat uncommon shape, and the second being marked with transverse white lines laid on in a thick pigment which was as bright and as clear apparently as when first executed, were amongst the

specimens found in Miss Wilks's portion of the ground, and by her presented to the Canterbury Museum. Of glass deposited in the cemetery, the only specimens brought to light were the neck of a small lacrymatory, and the large square glass bottle (fig. 1) given with its ornamental neck handle. Its height is eleven inches, width three inches; it was found in juxtaposition with a mortuary urn, a small vase, and a patera of red clay. A bronze *stylus inscriptorius*, four and three-quarters inches long, and bronze tweezers, in length two inches, (Nos. 2 and 6,) were taken from the soil, belonging evidently to deposits which had been previously disturbed.

In some of the urns at St. Sepulchre, the burnt bones were clean and dry, and the material of the urn fine, with an appearance of art in its design; in others, however, the bones were mixed and sodden with wet clay, as if the remains had been gathered up with little care or respect. The vessels exhibiting the coarsest materials, may have afforded examples of "parish coffins" in the Roman times, funerals perhaps of the very poor, or at which no friends were nigh, and only indifferent officials at hand, to pay the last duties to the deceased.

In others, however, the affection of a friend or relative might have added to the grave, some relic of the departed one; the style with which he had written; the ring he had worn or used as a signet; a buckle, brooch, or the little pair of scales, with which he had weighed his money; nay, a solitary coin itself, cast into his grave, to propitiate the gods of the unknown land to which he had departed.

Thus, we occasionally find among the deposits in Roman cemeteries, though rarely any relic of intrinsic value is discovered, a considerable variety of articles. Lacrymatories in some places abound; little black vases are also common, designed perhaps to hold unguents or

incense: see fig. 3. Pateræ, red and black, glass vessels, and beads, bronze armillæ, pins, tweezers, bone instruments, rings, fibulæ, but rarely weapons.

Sometimes the burnt remains are deposited in quadrilateral glass vessels, as seen by the specimens in the Society's Museum at Maidstone; at other times a little urn within a wine amphora, as found not long since at Ash, near Sandwich, contained all that remained of the deceased.

The shaft at Bekesbourne, composed of heavy timber, a sort of coffin on a colossal scale, was another instance; whilst sarcophagi of wood, brick, tiles, or stone, afford examples. As the Roman soldiers in this country were conscripts from various continental tribes and nations, some traces of the usages of their own country might linger in their interments, at least among the higher grades of the legions. Amongst relics apparently Roman, found at Bigberry Hill, near Hartledown, in 1861, in the possession of the writer, were a share, coulter, and cattle goad; likewise, the iron tire of plough or chariot wheels, and an horse bit, and what appeared to be iron links or traces. In another Roman grave, as I have been informed, iron fire-dogs were deposited.

At the St. Dunstan's Cemetery, Canterbury, a few years since, a little figure of white clay bearing two children in its arms was discovered, in a mortuary urn. It is placed in the Canterbury Museum. The remains of a manufactory of similar statuettes, emblematical of fecundity or maternity, have lately been found in the South of France.

I have recorded two separate layers of interments at St. Sepulchre's, one above the other: there were even traces of a still older one; at all events there were some solitary graves, with remains of unburnt human bones found beneath the Roman deposit. These might have been of British or even Roman origin, for in another

direction, about a quarter of a mile distant, a Roman grave-yard was found, where the practice of interment by inhumation prevailed. This is the third cemetery; it was discovered about the commencement of 1861, when, in digging for gravel in a field called the Wall Field, south-west of the new railway station near the Dane John, several skeletons were exhumed.

With them were found a quantity of large nails about seven inches long, the greater portion of which were hollow from the head to the point, without however any outward orifices. Probably this condition was occasioned by the chemical action of the soil, which was a red gravel; concentric rings of iron from one to two inches distant from the nails themselves, were found in the concrete mass adhering to them.

The skeletons were placed mostly with the feet to the east. With two of them only were found relics; these consisted of bronze armillæ of decidedly Roman character, coloured glass beads, green and purple, cut into facets; circular pieces of bone, as of broken segments or ribs of a purse or bag; a pin of ivory, with head of green opal, the colour doubtless derived from juxtaposition to the bronze ornaments; also an iron hook. The head of the ivory pin exhibited marks of the turners' tool. One of the skeletons lay, however, with the feet to the west.

On the spot where a new railway inn has been erected, in making the necessary excavations in August last, about six feet below the surface, in a deposit of black earth, deposited in a deep trench which had been cut into the clay with perfectly vertical sides, there were found several mortuary urns, a black patera, and the urn in the Plate (fig. 5), evidently of the pattern of those manufactured by the Romans at Castor, in Northamptonshire; a coin of Constantine was also taken from this spot. From the Martyrs' Field during the railway ex-



cavations, were brought me a bronze celt and an oval brooch, with gold or gilded ornamented work around the centre, which was composed of a single stone,—a large rough black amethyst.

This specimen is considered rare; only two others similar to it having been discovered: it is attributed to the late Roman or early Anglo-Saxon period, and is engraved in a recent number of the *Journal of the Archaeological Association*.

Some extensive drainage works at Canterbury, commenced in October, 1860, which extended from the King's Bridge through the centre of the city in an easterly direction, onwards towards the railway cutting in the New Dover Road, laid open many remains of Roman Canterbury.

The work commenced at a depth of <sup>1302271</sup> about eight feet, and lowered to twenty feet, to accommodate the level to the gradual rise in the ground. The workmen cut through the old roadways and thoroughfares, early English, Anglo-Saxon, and Roman; the average depth of the cutting through the city was ten feet.

The Roman ways lay about eight or nine feet below the surface of the present streets. The excavations at one spot in St. George's, showed that a morass or an ancient watercourse, long since filled in, had intersected the city, even in Roman times. It commenced near the site of Messrs. Drury's premises, and extended in width up the street about one hundred and forty feet.

Roman pavements of concrete, and the evidences of Roman buildings, flue tiles, drainage tiles, tessellæ, and a vast quantity of pottery in a broken state, were found on either side of this morass, but none within it.

Roman cornices, and the columns of some building, perhaps a forum, were discovered opposite the "Medical Hall," exhibiting an ornamentation of a cable pattern.

A curious sarcophagus composed of uncemented bricks

and tiles, containing human bones, had been constructed at no great distance eastward from the same spot; it was destroyed by the workmen, who had mined through it. A broken patera, potter's mark, "CLEMENS," drainage tiles, and a regular pavement of cement followed in succession, a fine Samian bowl in a mutilated state was also exhumed. Approaching St. George's parish-bounds west, at a depth of from nine to ten feet, the workmen encountered a Roman wall, or rather a series of walls, which had crossed the main street at right angles, portions of some ancient building destroyed perhaps even in Roman times. There were several of these brick and stone partitions, and they extended over a width of one hundred and eighty feet directly across the street.

At the Roman level, opposite the "Canterbury Bank," a large quantity of charred wheat was discovered, in a layer of from six to eight inches. The grain appeared to have been of excellent quality; how far the deposit extended beneath the pavement could not be ascertained, and it would be useless to conjecture under what circumstances it had been burnt.

Although the breadth of the drainage cuttings did not exceed four feet, a considerable quantity of broken pottery was taken from the soil; in fact, every foot of ground from the King's Bridge to the site of the ancient gateway of St. George, with the exception previously stated, was replete with Roman remains.

Flue tiles, about eighteen inches long, some of them scored over with patterns, and with side holes complete, and some *in situ*, were frequently exhumed.

At St. George's Gate, the discovery of Roman antiquities suddenly ceased, indicating perhaps that this boundary of the Saxon and Mediæval city, was its boundary also in Roman times. A few yards westward of this spot, within the city, at a depth of eight feet, where the soil appeared alluvial, a Roman mortuary urn filled with

burnt bones was dug up, and at no great distance from it, but at a higher level, was found a highly ornamented cross or fibula.

The soil below, subjected probably to the drainage of the Roman town, contained some animal remains. Amongst these might be noted the skulls of the *Bos longifrons*, known to have been domesticated by the Romans, and the skulls and tusks of a very small species of boar.

Canterbury must certainly have been of importance as a station in Roman times; and if we are to take into consideration two of the cemeteries described, the one at St. Dunstan's, and the other at St. Sepulchre's, as indicating the limits of the town, it was also of considerable extent.

Even whilst revising this paper, the finding of mortuary urns with other fictile vessels is announced, just within the wall of the cavalry barracks, parallel to the high-road to Ramsgate, proving perhaps, for the Romans loved such localities for their interments, that this way was another main road or "*iter*" from the city to some other station, Reculver, or perhaps Richborough.

The presence of Roman bricks and tiles in considerable quantities, especially in the old ecclesiastical buildings, such as in the church of St. Martin; in the ruins of the houses of St. Gregory, St. John, St. James, in the ancient St. Augustine's, in the city walls and the foundations of the Castle and other remains, attest the existence of numerous buildings upon the sites of which some of those just enumerated were probably erected. Beyond this indirect evidence we have other of more certain character.

Somner has particularized many Roman antiquities found previous to his time, mentioning amongst other instances, a Roman pavement discovered in digging a cellar in St. Margaret's parish; he notices also some

curious pits, once situated in the ancient market-place, which he supposes were the remains of Roman cisterns; a Roman pavement of mosaic work, discovered in St. Martin's parish, and in the parish of St. Alphage, an old foundation of Roman bricks strongly cemented, about four feet four inches wide, and four feet deep.

Hasted alludes to the "Druids' beads," celts, and Roman remains, consisting of tessellated pavements, found in various parts of the city. He relates that a fine Roman vase of red earth and elegant shape, and engraved with a pattern, and the words, "Taraget de Teve," was discovered near the city; the inscription doubtless is incorrectly given. He notices also, "a strong and well couched piece of Roman brickwork," once existing below the floor of a house in Castle Street. This neighbourhood has produced many Roman remains.

In Jury Lane, in digging a cellar, not more than three or four feet below the level of the street, "a fair mosaic pavement was found of a carpet fashion, the tessellæ being of burnt earth, red, yellow, black and white," varying in shape and size; some being nearly an inch over, others very small; the whole deposited in a bed of mortar of such hardness, that it might easily have been preserved entire.

None of these relics however seem to have been saved, and only within the last twenty-five years has any care been bestowed upon the collection and preservation of similar remains.

It is a prevalent opinion amongst antiquaries, that owing to the few Roman remains, architectural and monumental, discovered at Canterbury, it must have occupied a very inferior position amongst other Roman settlements, and that the fame the city acquired arose under the domination of other rulers, in Anglo-Saxon and Norman times. This notion cannot altogether be confuted; nevertheless a few remarks may be ventured upon the subject.

Located in a marshy district, amongst the branches of the river Stour, the earliest dwellings were probably lacustrine. Through series of years, the soil consolidated; artificial means narrowed and even closed up some of the streams of the river, for even in the Norman period there were fourteen water-mills existing between Fordwich and Chilham. Natural effects, such as the bringing down by winter torrents, of vast quantities of soil into the marshes contiguous to Canterbury, gradually raised the land through which the river flows.

The whole district from Chatham to Sandwich, has now become firm pasture land; although even within the last twenty years, the marshes a few miles below Canterbury, were subjected to floods, which covered them for many weeks in the autumnal and winter seasons.

The remains, if any, of a station thus circumstanced, when its embankments were neglected, by the withdrawal of a comparatively civilized population, were not likely to be of much durability, especially as Kent and its capital, at a very early period after the departure of the Romans, were subjected to the devastations of rival races.

It seems then not improbable, that the earliest habitations at Canterbury were built upon, or between the islands on the river.

The subsoil of Canterbury is partly an alluvial deposit and partly bog, such as frequently composes the estuaries of rivers. In digging a new foundation for the Arundel Tower of the Cathedral, some few years since, the bones of a man in an upright position and of two oxen, were exhumed, many feet below the surface; some ancient drover perchance, who had perished with his cattle in the bog.

The subject of lake dwellings, even if inapplicable to the ancient inhabitants of Canterbury, is one of considerable interest, as it seems extraordinary that primi-

tive races when they had the world before them in their wanderings, should have erected in beaver fashion, with considerable labour, their dwellings in the water.

Two reasons however may be assigned for this proceeding: greater security from sudden surprise by enemies, and greater facilities for obtaining food by fishing.

One of the earliest accounts of this practice is given by Herodotus, who tells us (book v. 16), that "the Pæonians, a Thracian tribe, constructed their dwellings in a small mountain lake of Pæonia, upon planks fitted upon lofty piles placed in the middle of the lake, with a narrow entrance to the main land by a single bridge."

The islets in the Irish Lakes, called *crannoges*, as described by Mr. Wylie, 'Archæologia,' No. 38, exhibit another example of these amphibious dwellings. These islands are sometimes wholly artificial, formed by placing oak posts at the bottom of the water, into which horizontal beams are morticed, and the timbered compartments filled with earth. In other crannoges, a stone wall raised on oaken piles, surrounded the islands. Some of these buildings yielded antiquities belonging to the iron age, others however proved the very early date of their existence by the discovery in and near them of stone implements, and other remains of the earliest recorded periods. Some of the antiquities in the Swiss Lakes, where similar habitations have been found, are described as Celtic. In the neighbourhood of Canterbury have been found similar remains, bronze weapons, weapons of stone, and very recently, two very fine armlets (twisted) of pure gold.

We have historical evidence that the river Stour, instead of flowing through Canterbury as at this day in two streams, had several minor branches or channels in Anglo-Saxon, and even Norman times.

We have on record the existence of several islands no longer to be distinguished, such as the island on which

part of the possessions of the Black Friars stood, approaching the Abbot's Mill; the island of "With," purchased for the Grey Friars by one of the bailiffs of the city, John Diggs, A.D. 1273.

Somner is strongly of opinion, that Canterbury was founded upon an estuary of the sea; he offers various reasons for this supposition more or less cogent. One is, that the river Stour was more anciently written "Æstur," as if from the Latin *asturium*. In Domesday and other records, the village of Stury near Canterbury, is called Esturia and Estursete, derivations from the same source.

The discovery of the bones of extinct animals in the valley at Chartham, supposed by Somner to be those of the hippopotamus, but more likely to be remains of the *Elephas primigenius*, or the mammoth, is amongst his less conclusive proofs, inasmuch as these bones belonged to a far more remote period than the one with which we are dealing.

There is a passage however, in his 'Chartham News,' so applicable to this subject, that we extract it. "The most part of the city," says Somner, "not excepting the very heart and centre of it is made and raised ground, the tokens of foundations upon foundations to a very considerable depth daily appearing, and the ground as at Amsterdam, Venice, and elsewhere, for supporting superstructures in several places, often stuck and stuffed with piles of wood, or long poles, and stakes forced into the ground, as wells and cellar diggers have informed me."

He gives some instances which Battely confirms by other examples, of stonework and timber being found from five to fifteen feet below the surface of the soil in various parts of the city. These facts prove that the surface of the soil since Canterbury was first inhabited, has very considerably risen. The finding of an anchor, (if authentic,) dug up at Broomsdown, as related by the same authority, in the level above Canterbury in the dry

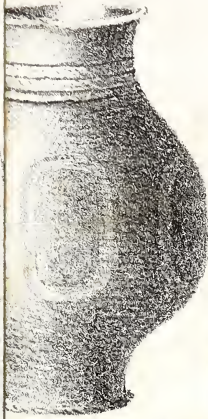
soil, confirms the notion of an estuary, or wide extent of water navigable for vessels existing in former times, in and about the city, and extending to the sea.

In confirmation of his views however, that a branch of the river, of whose existence we have no historical account, once flowed through the centre of the city, by the Old Market at the Bull's Stake, now the Butter Market, he relates that, previous to his time, "various pits and tanners' utensils had been found in digging for cellars there."

As a summary of the whole; when we take into consideration the existence of ancient pilings and timber work, the many channels of the river which intersected the city and its suburbs, the islands formed by these streams, and their periodical flooding with other parts of the locality itself by the winter inundations, together with our knowledge that the Stour was navigable to Canterbury four hundred years since for vessels of ten to fourteen tons burden, we are led to conclude that the ancient settlement (and it has existed from time immemorial), must have been uninhabitable at certain seasons if its occupants had not made use of similar resources to those employed by the dwellers in the lacustrine districts above alluded to.

However, to draw any decided conclusion on this subject without further data, would be to pass those limits of proof and record, a reliance on which is the especial pride of the antiquary, and to enter within the hazardous and uncertain regions of speculation.





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*Antiquities of Canterbury*

CANTERBURY.





ANTIQUITIES FROM THE ROMAN CEMETERY ST SEPULCHRE, CANTERBURY.



ON THE GATES OF BOULOGNE, AT HARDRES  
COURT, IN THE PARISH OF UPPER HARDRES.

BY ROBERT C. JENKINS, M.A., RECTOR AND  
VICAR OF LYMINGE.

FEW families have held so distinguished a position in the annals of our county, and still fewer have maintained it through so many generations, as the family of Hardres, of Hardres Court, in the parish of Upper Hardres, a district which crowns the high land lying between Canterbury and the southern coast. And it may well be added, that in no locality could the traces of its ancient possessors have been more utterly obliterated than they have been in this. Cornfields and hop-gardens, unrelieved by a single tree, occupy the place of ancient woods of oak and other timber, once the most remarkable in their growth, and celebrated for their beauty in East Kent. The ancient manor-house with its quaint gardens and plantations, have given place to a farm-house with its homely accompaniments. Nothing remains but the ancient brasses and monuments of the church (itself falling rapidly into ruins), and the often-repeated name in the earlier registers of the parish, written in such striking contrast with the ordinary entries, as to mark at once that this was the family of the place,—the dignity of the parting possessor, and of the new-born heir being hinted at by painful efforts in caligraphy, their

names standing out from those of the surrounding tenantry in half-majuscule letters. Placed as I am at no great distance from this scene,—at once so desolate at the present moment, and so suggestive of a distinguished past, the very cradle of this ancient family being within the borders of my own parish,—I have for some years been anxious to gather up the few traditions which early historical records, and personal recollections (still more valuable in such a case) supply. In the latter I have been so fortunate as to secure the personal notes and reminiscences of one who remembered these scenes in her infancy, and whose mind is as singularly qualified to retain them in all their freshness as her hand is to convey a representation of them to others. To many here present I need hardly add that I allude to the venerable Mrs. Taylor, of Bifrons, probably the last remaining of those who remembered Hardres before “the glory had departed from it,”—before its great talisman was ignobly destroyed,—and while the Gates of Boulogne, the gift of King Henry VIII. to Sir Thomas Hardres, on the taking of that town in 1544, were still standing between the gardens of the ancient mansion.

Nor am I less indebted for the means of laying the few facts which I shall offer this evening before the Society, to a member of our own committee, Thomas Godfrey Faussett, Esq., himself connected with this remarkable family, not only through its early alliances, but also in the history of the gates, which the antiquarian zeal of the late Dr. Faussett would (but for a most fatal but unavoidable delay) have rescued from destruction, and preserved as one of the most singular treasures and trophies of our county, and I might add of our country itself. The first known mention of the family is in a description of the manors of the Archbishops coeval with the Domesday Survey, in which a much minuter account is given of the tenants than in the great national

record. This document appears to have been drawn up at the time of Lanfranc's division of the Chapter estates, which till then formed a common fund, and under the head of Lyminge we find that Robertus de Hardres held of the Archbishop half a suling as a tenant under that manor. I do not hold this mere identity of name to be sufficient to connect this ancient tenant of the Archbishop with the first mentioned in the pedigree given in the earliest visitation, were it not corroborated by the fact that the family had from the earliest period of its continuous history held property in this manor, under the Archbishops, and acquired rights within the manor and park of Lyminge, which were the subject of frequent conflict with the Archbishops, and were in a certain manner recognized by the life-tenure of the office of ranger or keeper of the park, which was granted or confirmed to Sir Thomas Hardres by King Henry VIII., on the surrender of the whole estate to the crown. On the origin of the name I cannot concur with the learned author of the extinct baronetage, in his derivation of it from the town of Ardres in Picardy. The place in which it originated gave name to the family, though there can be little doubt of the common Celtic origin of the French town and English village. *Ardd*, '*aratrum*,' 'a ploughland,' was doubtless a sufficient description of the site of both, before the one sprang up into a town, and the other became covered by the romantic woods which have now yielded in their turn to the primitive staple of the country. Nor do I venture to enter upon any speculations regarding the ethnological origin of the race, whether Norman or Saxon, but I may offer the suggestion, that if the descendants of the Saxon possessors of the soil are to be traced anywhere, we might expect to find them among the tenants of the greater manors whose names are recorded in Domesday and coeval documents. The displacement occasioned by the Norman invasion

would be least likely to occur among those on whose successful cultivation and security of tenure the income of the new possessors entirely depended. Under the disguise of the half-Norman, half-Danish names<sup>1</sup> we recognize in such records, we might expect to find in a great measure the same class who had tenanted the soil under the dispossessed nobles. The simplicity of the ancient bearing of the Hardres family (Gu. a lion ramp. erm.) which was debruised afterwards with the chevron of the Clares, Earls of Gloucester, under whom they held the manor and estate of Hardres, points, as far as heraldic devices can point, to a Saxon or Celtic origin.

Be this as it may, we find them assuming an early and important place in the history of their native county. The very full and interesting pedigree furnished me by Mr. Faussett (and appended to these remarks), shows them not only to have filled important offices of state, but also to have been great benefactors to the monasteries of Christ Church and St. Augustine, from the reign of King John to that of Edward III., allying themselves with the Heringods, Estangraves, Septvans, and Fitzbernards. As early as 1282, I find from the register of Archbishop Peckham, that the family presented to the Church of Hardres, John de Hardres being appointed to the living in that year by Robertus de Hardres his kinsman. ("Johan. de Hardres ad titulum Dni. R. de Hardres et ejus piculo"). As this is the earliest record of such presentations among the registers of the Archbishops, it may be gathered that the living was appendant to the manor, and had been held with it from a much earlier period. From Henry Hardres, the

<sup>1</sup> The very sentence which contains the first mention of the name of Hardres as a patronymic, presents us with one of these hybrid designations, "*Rodbertus filius Watsonis*," where the Wat's-son is reduplicated by the ignorant Norman scribe into "*filius Watsonis*."



first mentioned in the visitation of 1619, a succession of five generations leads us on to Thomas Hardres, in whom the celebrity of the family culminated; while its fortunes reached their highest point in the next generation through the marriage of Sir Thomas Hardres to the heiress of Thoresby, of Thoresby. It is in the former of these that we are at present most interested, as accompanying King Henry VIII. to the siege of Boulogne, and the receiver from him of the gates of that town, as the meet acknowledgment of his distinguished bravery,—a gift unexampled, it is presumed, in the history of a private family.

The political combinations which led to that sudden invasion of France, which was begun and ended in this single achievement, are familiar to all. The coalition between Henry VIII. and the Emperor of Germany against France, had no real basis but the ambition and avarice of the former, and the political necessities of the latter monarch. The Pope and the other Catholic Powers looked with the greatest anxiety and even terror upon a union so unnatural, and so ruinous to their interests if it had been consolidated by a joint success. So skilfully was their influence brought to bear upon the French monarch, that the seige of Boulogne had hardly opened the campaign before a peace between the Emperor and the French King had been concluded, and Henry's occupation seemed gone. Boulogne had however fallen, or, what is more probable, had offered but a slight resistance. The near neighbourhood of the English rule at Calais had no doubt contributed not a little to this result; and if the gates of the town, which we shall have occasion to describe more minutely hereafter, were a fair specimen of its defences, we need have little wonder that the forces of the English, acting from a fortified base like Calais, encountered but little resistance. Our great antiquary, Leland, whose prosaic

nature was elevated into the poetic at the thought of his master's military prowess, represents Boulogne as apostrophizing the conqueror in words which are better adapted for those who are sharing in a triumph, than for those who are confessing a defeat :—

“O quoties cladem et sum magnas passa ruinas !  
 Me Francus domuit, Danus et Anglus atrox.  
 Romani valeant, Franci Danique valete,  
 Anglus erit vitæ spesque salusque meæ.  
 Concussit (fateor) duro mea mœnia bello,  
 Pectoris et medio viscera rupta mihi.

Quid tum ? restituit mihi culmina Martius heros  
 Henricus, regum gloria, palma, decus ;  
 Nunc ego vicino discam servire Britanno,  
 Et Rutupina frequens littora nota petam.”<sup>1</sup>

Whatever the glories were which crystallized the thoughts of the antiquarian into panegyric verse, it cannot be doubted that Thomas Hardres,—for I read not that he was knighted at the time,—had a very considerable share in them. For the King, on his return to England, visited him at Hardres Court, and probably there inaugurated the erection of the gates between the gardens of the mansion.

But what could have been the occasion, and what the date of this visit ?—of which, though its memories were so deeply rooted in the traditions of the family and of the place, we possess no contemporary record. The occasion might well have been the visitation of the park and lordship of Lyminge, which since 1531 had been held by the King, through the cession of Archbishop Cranmer, and which joined the demesne of Hardres. Sir Thomas Hardres enjoyed for life the custody of this park, by grant from the King himself,<sup>2</sup> and in all pro-

<sup>1</sup> Lelandi Collect., tom. v. p. 164.

<sup>2</sup> See the grant of Lyminge to Sir Anthony Aucher, in the Augmentation Office.

bability hunted with him in it as ranger. The transition from such a hunting-field to the adjacent mansion of Hardres was easy and natural, and we may reasonably conjecture that the King, on his return from the fatigues of the chase, partook of the hospitality of that ancient house. The dagger which was preserved by the family, and which now is in the possession of Mrs. Taylor, as the eldest coheirress of the widow of the last baronet, was given by the King on this occasion to his comrade in arms, with the expression, that "he knew no more fitting present for so brave a man." This interesting relic, which the King is said to have taken from his own belt, is of Damascus steel, the handle being of *niello*, incrustated with jasper, bearing on one side the motto, "*Fortuna audaces juvat*," and on the other, a similar and equally appropriate legend.

The date of this visit is not less difficult to determine than the occasion. The taking of Boulogne was accomplished on the 14th of September, 1544. On the 30th, Henry left for England, and landed at Dover on the 1st of October. (Rymer, *Fœdera*.) In the State Papers published by the Record Commission (vol. x.), we read, "The Council with the King to Wootton . . . from Leedes in Kent, 3rd Oct. 1544;" and we learn from the same source, that a privy council was held at Otford on the 4th, and again on the 10th. On the 7th, Cranmer writes to the King from Bekesbourne, with translations of certain offices into English,—Henry apparently wishing to celebrate his victory by some form like that of the old processional books,—and mentions the Secretary of the King having been sent to him.<sup>1</sup> On the 13th of October there is a privy council at Greenwich, and on the 14th the King dictates a letter from Westminster. Probably therefore the visit may be most safely

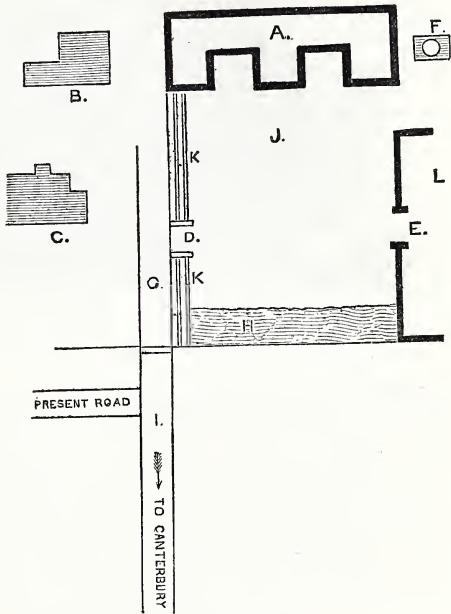
<sup>1</sup> Letters in Hawkins's 'Life of Cranmer,' vol. i. I am indebted to Mr. Faussett for the facts which form the groundwork of this conjecture.


interposed between the 4th and 10th of October, while the King was at Otford, or at one of the other archiepiscopal estates which had so recently fallen into his hands.

We will now proceed to the description of the gates themselves, and shall endeavour to combine the descriptions of Mrs. Taylor and Mr. Faussett, so as to give the reader as clear an idea of them as the recollections and traditions of so distant a period can be expected to supply. The site of the gates is thus described by Mr. Faussett:—"They stood in a wall which formed the east side of the front garden of the old house, and corresponded to the kitchen-garden wall, still standing, which formed the west side. All accounts place them just at the west end of the church. I should think, however, that they were not exactly *opposite* the church, as the large gateway remaining in the kitchen-garden, doubtless made to correspond, is a few yards further to the north. . . . The house," continues my informant, "was in the form of an E, and (therefore) was not the very building in which Henry VIII. was a guest, but rebuilt, or at least much altered, a few years later. The foundations are still traceable in the grass, especially in dry seasons. It had a curious wooden gallery running outside it. A mound still remains which formed the end of the terrace garden, and was probably planted. The present drive was, as far as I can learn, the old one, and certainly points straight at the outer road which was then in an avenue leading from the entrance gate, which now, as then, bounds the property, and stood about three hundred yards distant on the road to Canterbury. . . . The ground at the back of the house is very rough, and in heaps, showing that the offices, yards, stables, etc. must have been very extensive. The kitchen-garden remains entire, and covers an acre and a half."

The following diagram, which Mr. Faussett has appended to his description, will convey to the mind as accurate an idea of the arrangement of this venerable mansion as the Vandalism of the last century enables us now to conceive.

- A. The site of the House.
- B. The Modern Farm-house.
- C. The Church.
- D. *The Gates*.
- E. The Kitchen-Garden Gate.
- F. The Well.
- G. The Present Drive.
- H. Mound indicating site of Terrace.
- I. Avenue leading to Entrance Gate.
- J. The Garden.
- K. K. Wall in which the Gates stood.
- L. Kitchen Garden.

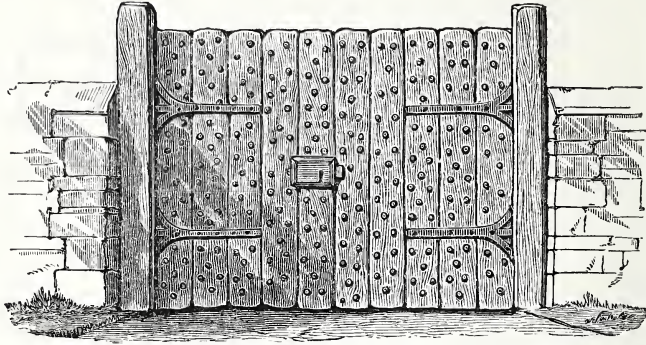



 DIRECTION OF ENTRANCE-GATE ABOUT 300 YARDS OFF.

Let us now fix our eye on the gates themselves, of which Mrs. Taylor writes:—"It is sixty-three years ago (when I was ten years old) that I remember the gates of Boulogne placed in a garden wall in Hardres Court. . . . They were formed of massive oak boards" placed upright, and "capped over one another, and fastened with rough and massive nails, about half an inch in thickness, their heads having five or six sides, and cut on the face like a rose-diamond." The woodwork was studded



and strengthened throughout with these rude defences, and “was coloured (but whether originally or not it is not easy to determine) with red ochre.” It was this



THE GATES OF BOULOGNE, FROM MRS. TAYLOR'S SKETCH.

weight of iron which tempted the hand of the destroyer, and like the leadwork of our cathedrals and abbeys, in the days of the Reformation, decided the fate of this trophy of the Royal Reformer himself. So that the garden wall of Hardres was able to take up the lamentation of the walls of Boulogne, in old Leland's phrase,—

“*Concussit, fateor, dura mea moenia bello.*”

“The story of the destruction of the gates,”—I take up again the narrative of Mr. Faussett,—“I have always heard to be as follows:—Mr. Beckingham, Mrs. Taylor's father, and the last owner of the house previously to its sale to Mr. Tillard, had given them to my grandfather, who from delicacy refrained from beginning the work of spoliation, and left them standing. Mr. Tillard was no antiquary, and thinking them part of his purchase, sold them for the iron they contained, and my grandfather, knowing nothing of the sale, on passing his own forge near Heppington, had the satisfaction of seeing them just arrived at a state of hopeless destruction.”

“One nail” Mrs. Taylor remembers to have been preserved by Mr. Faussett, as a relic of the doomed gates. “A very small consolation,” observes his grandson, “for so great a loss.” Another nail was long in the possession of the Rev. Mr. Sandys Lumsdaine, the present Rector of Upper Hardres. This I had hoped to have recovered, in order to exhibit it in illustration of this sketch; but after a fruitless search on the part both of Mr. Lumsdaine and Mr. Faussett, I am driven to the melancholy conclusion that the cruel destiny which has deprived us of this memorable trophy, has pursued it to its very last relics. Even now it is but a visionary memory; in the next generation some pupil of Niebuhr may consign it to the region of the “myths.”

But the utter destruction of the gates is too suggestive a symbol of the absolute extinction of the family of their ancient possessors, to enable us to close without reverting to this still more interesting subject. The pedigree of the family, enlarged and corrected from the visitation of 1619, by the valuable notes and additions of the learned father and grandfather of Mr. Faussett, is full of interest and significance to every student of history or of genealogy. Already in the dawn of the seventeenth century, the family had fallen into those financial errors through which, far more than through the supposed influences of the law of gavelkind, the great estates of the county have passed and are still passing into the hands of strangers. In 1604, we find the description of an Act of Parliament (Harl. MSS. No. 6847) for the sale of the lands of Sir Anthony Aucher, Sir Thomas Hardres, and others, to raise money to pay their creditors. It recites, that Thomas Hardres was “seised in fee or fee-tail of the manors of Great Hardres, Stelling, and Bekehurst, and of divers messuages, etc. in Great Hardres, and of the manors of Barden and Thoresby in Com. Ebor., and of messuages, etc. in Barden, being all of the clear value of

£800 per annum." It further recites, that Sir Thomas Hardres and Sir Anthony Aucher had gone beyond seas to avoid their creditors, having first fraudulently conveyed their lands to others for their own use. This is a sad and humiliating revelation, but one which has too often been disclosed in the same station, and doubtless from the same causes of temptation, in our own day, to occasion any feeling of surprise. The family would seem however to have recovered this shock, though it is probable that a considerable diminution of its outlying property must be ascribed to this fatal delinquency. After paying a heavy *fine*, it seems to have had a temporary *recovery*, for we find that at the opening of the eighteenth century it still occupied that place in the county which the prescription of so many centuries had secured it. There was a strange vitality in this ancient stock, through seven centuries, and then its history closed suddenly and for ever. So utterly had it failed before the dawn of another age, that in the latter years of the past century Sir William Hardres, childless, and in that childhood of mind which seems the death-watch of a race falling into decadence and decay, sought in vain for the most distant relative to perpetuate his name and family. His days were spent lonely and wearily in wandering through those ancient woods in which his ancestor had the gay court of the merry monarch for his companions, and the manly sports of the day to speed its hours.

Silent and dreary walks were those, in which (we are told) he studiously avoided the society, and even the sight of his fellow-men, and acquired that shyness of character and vacancy of look which may be traced in his portrait, which still hangs at Barton Court, the residence of the late lamented Mr. Chesshyre, who represented the youngest of the coheireses of the last Lady Hardres.

To her he bequeathed the inheritance which for seven

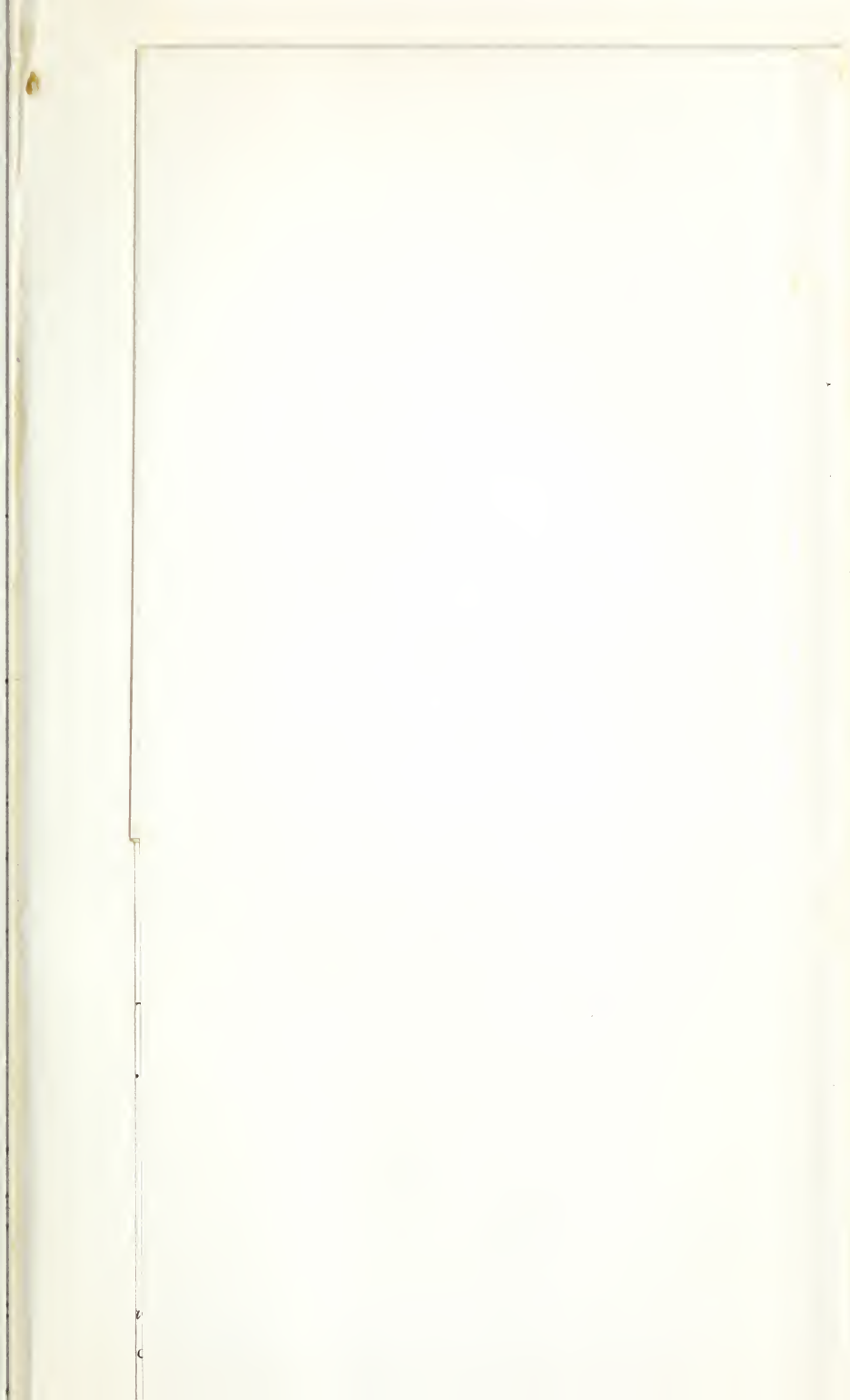


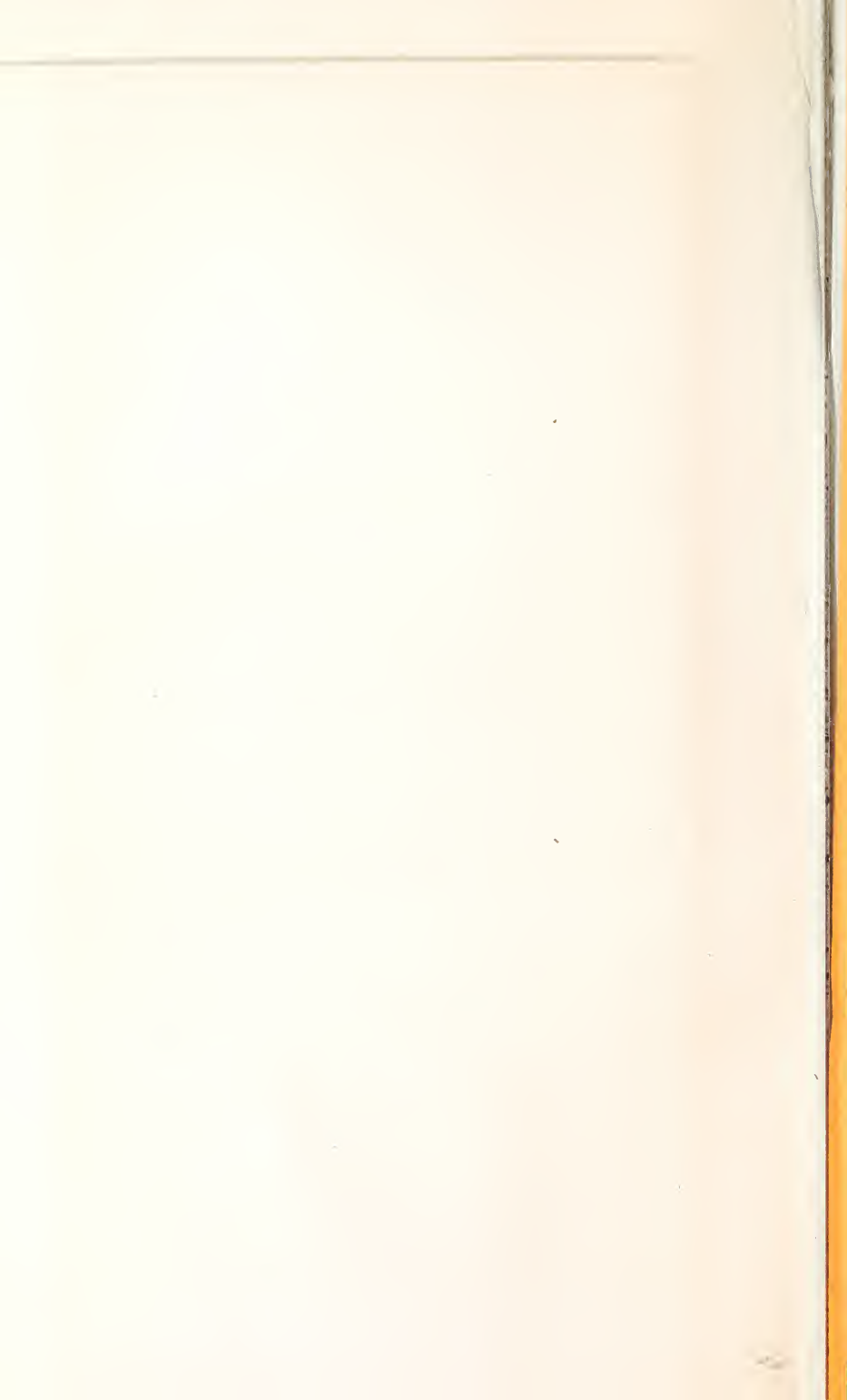
centuries had followed his name, some idea of the extent and value of which may be formed from the fact, that one of the fortunate sharers in the spoil of this exhausted race realized £3000 a year for four or five years in succession, by felling the oaks on the estate. This was none other than the Baron de Montesquieu, the grandson of the great President who explored the causes of the decadence of an empire,— a significant coincidence,— for the failure of a family as of an empire may have the same causes, though in different degrees, and the varied fortunes of a family run parallel with those of a vast community.

The records of this ancient race can now be read only on the brasses and monuments which fill the church of Hardres, one or two of which are of considerable beauty and elaborate workmanship. Of the brasses, Mr. Faussett fears that several at least which were remembered by his grandfather have been since removed. We may express the hope that the influence of the Society and the spirit of restoration which is so active around us, may not only preserve what remains to us of these mournful records of a departed race, but probably discover some new traces of their history, some additional relics of so long and so glorious a past.

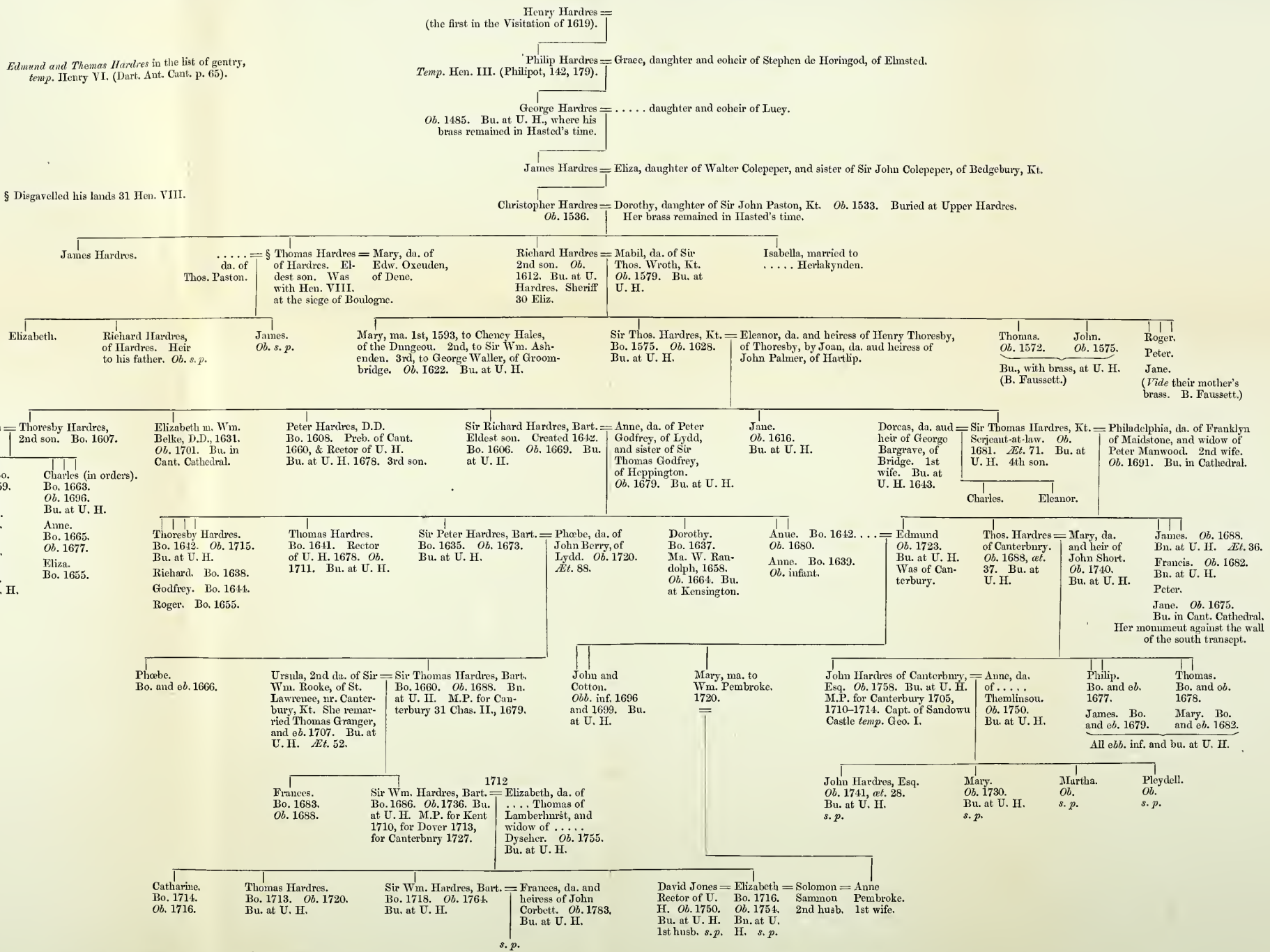
Many here present will have remembered or heard of the great impulse given, if not to antiquarian, at least to genealogical research, by the failure of this long line. The inheritors of the name, hungering for something more substantial, gathered round the prey, mustering themselves from every place or station in which fortune or misfortune had cast their lot. What an earnest exploring was there of the ancient registers, what anxiety to detect the latent “cadets of the house,”—the second and third sons of distant generations. Vain hope!—a scion whose derivation from the parent stem was admitted, yet hardly proved, had struck out in Ireland,

and the name, somewhat varied by the difference of soil, appears in the Sir Hardress Waller of the days of the Commonwealth. The military genius of the family cropped up again, but at a great interval of time as well as distance of place; while in our own Kent the name has sunk to the level of much humbler life; the line has not passed away altogether,—“The blast hath passed over it, and it is gone, and the place thereof knoweth it no more.”





In the Archbishop's Manor of Liminge, as recorded in a Surrey contemporary with Domesday, "*Redbertus de Hardres* (habet) dimid. snll. (in feodo)." Batteley's Somuer. App. I. p. 45.  
*Philip de Hardres*, Recognitor Mag. Assise, temp. John. (Hasted.) Philipot makes him father of the Philip who married Graec Heringod. (p. 179.)  
*Philip de Hardres*, grandson of the above, benefactor to Christ Church, Canterbury, temp. Hen. III. Arms in cloisters. (Hasted.) [In the north ambulatory, T. G. F.]  
*Sir Robert de Hardres*, of Hardres, temp. Ed. II. His heirs paid aid 20 Ed. III. (Hasted.) *William de Hardres* sold lauds in Wickling to St. Augustine's. Regist. St. Aug. east. 441. (Hasted, II. 809.)  
Thomas de Shaldefelde, son of *Luca de Hardres*, gave lands in Lenham to the Monastery of St. Augustine. Regist. St. Aug. (Hasted, II. 439 m.)  
*William Hardres*, of Hardres, (whose ancestors matched with Estangrave, Septvans, and Heringod (the latter descended from Fitzbernard), M.P. for Canterbury, 1, 3, and 7 Rich. II. (Hasted.)  
*Thomas de Hardres* held lauds at St. Helen's, in East Barming, under the *Claves, Earls of Gloucester*, temp. Ed. III. (Hasted, II. 151 l.)

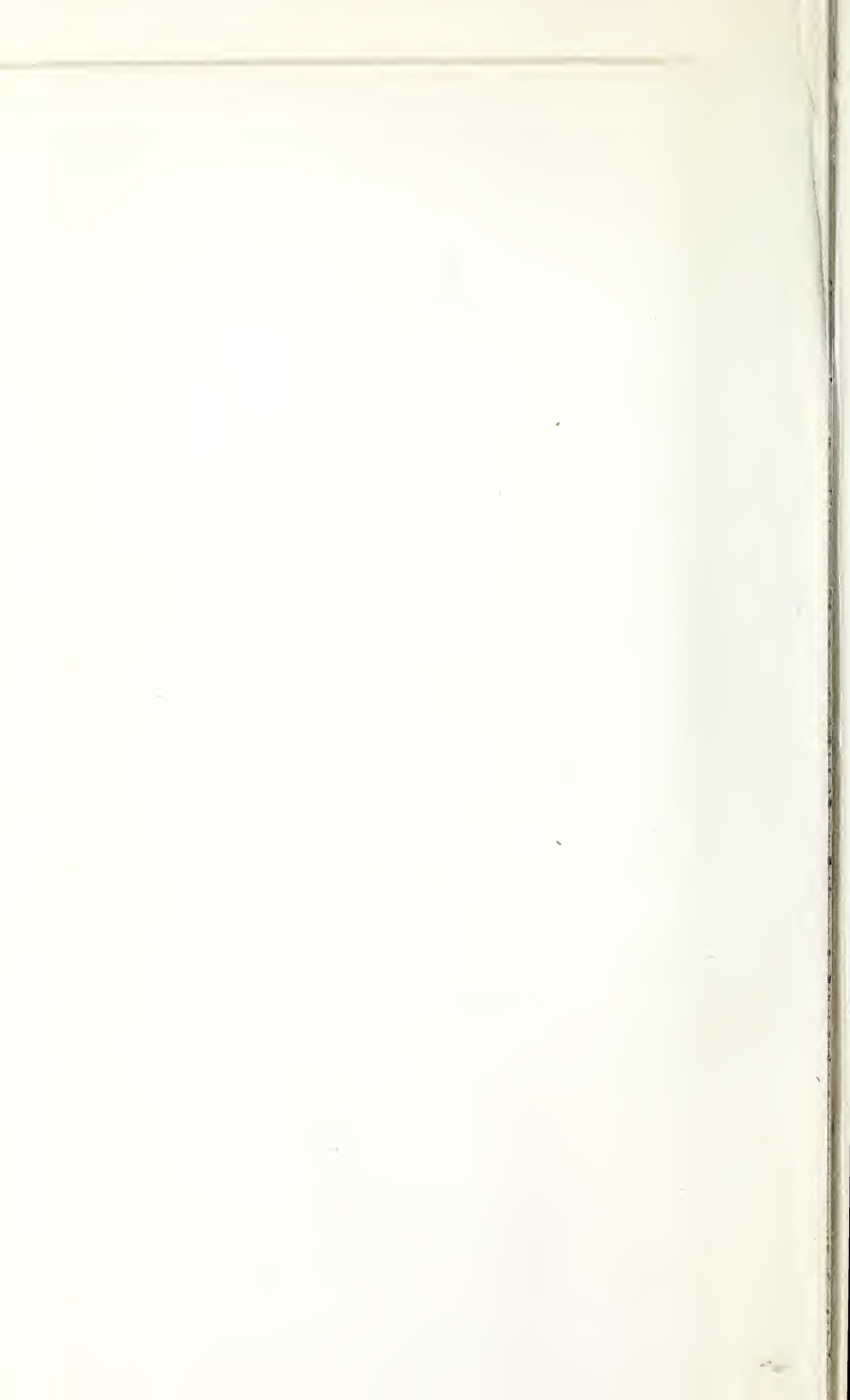


1620, 14th Oct. Richard Cheston, married to Elizabeth Hardres.  
1571, 21st Oct. Thomas Hardres, christened.  
1572, 6th Oct. Richard Hardres, buried.  
1579, 23rd March. Mr. Roger Hardres.  
1637, 6th June. Thomas Hardres, gent. (a child).  
1756, 13th Feb. Mrs. Philadelphia Hardres (from Canterbury).

A few names which I cannot place, from the Upper Hardres Register. (All the rest are embodied in the pedigree.)

Arms:—Gu. a lion ramp. erm. debruised by a chev. or.  
(But the Canterbury branch, descendants of Sir Thomas, the Serjeant-at-law, seem to have borne them without the chev. See Jane Hardres's monument in Canterbury Cathedral, and their monuments at Upper Hardres. The brass of Dorothy Hardres, 1533, has also no chevron on the shield.—T. G. F.)

Alicia, daughter of Thomas Hills, and widow of John Aueher, of Otterden, married James Hardres (Visu. of Kent, 1619.) [The Hillses wore of Eggarton, near Godmersham, and John Aueher died 1508. She was probably wife of James, third son of Christopher Hardres above.—T. G. F.]  
James Hardres, in 1676, bought Southouse, in Selling, his descendant, John Hardres sold it in 1702. (Hasted, III. 24.) [Qu. Thomas, not James, son of the Serjeant.]



ARCHITECTURAL NOTES ON ST. AUGUSTINE'S  
COLLEGE, CANTERBURY.

BY A. J. B. BERESFORD HOPE.

THE range of buildings now known as "The Missionary College of St. Augustine, Canterbury," consists partly of mediæval constructions, which have remained comparatively speaking intact, partly of restorations from sufficient data, and partly of new work carefully designed in conformity with the old portions, but not intended to replace or reproduce any particular ancient features. It stands to reason, therefore, that the building may in future generations prove a pitfall to architectural antiquarians, unless some one who was privy to its transmutation should take the trouble of analysing and recording its component elements.

The basis of operations was a portion of the precinct of the old mitred Abbey of St. Peter, St. Paul, and St. Augustine (commonly called St. Augustine's Abbey), Canterbury, founded by St. Augustine as the burial-place of the Kings of Kent and of the Archbishops, and the first of rank of the English Abbeys until Pope Nicholas Breakspeare gave precedence to his own house of St. Alban's. This precinct, like that of other similar foundations, covered a large space of ground (sixteen acres), and included various courts and many buildings. The principal court included, among other buildings, the

principal gate, the great refectory, and the north-west angle of the Abbey church. Upon the dissolution of the Abbey its site and ruins came into possession of the Crown, passing into private hands in the middle of the seventeenth century. A spacious mansion termed the Palace had meanwhile been made up out of the old structure, and here it was that Charles I. first met Henrietta Maria, to whom he had already been married by proxy.

From the family of Wotton the palace passed into that of Hales, and then fell into the hands of small proprietors; and the ruins, as might be supposed, became more and more squalid and neglected. The aspect which they presented in 1845, was as follows:—

The great gateway, a work of the latter half of the fourteenth century, stood perfect though dilapidated, looking upon a neglected space, called “Lady Wotton’s Green.” The main reason why this gateway continued *in statu quo* was, that it had been discovered that the large room within it, neatly cemented, formed an admirable vat for a brewery which was carried on there by a tradesman bearing the appropriate name of Beer. To the right lay a ragged and disreputable public-house of apparently eighteenth century date, joined on to a ruined gable, showing traces of an Early Pointed triplet. Inside, a tangled tea-garden and skittle-ground extended as far as certain grotto-like recesses, of ancient date, dubbed cloisters; while at the upper corner, to the right hand, a high piece of wall, painted black for target-practice, stood adjacent to the ruined foundation of Ethelbert’s Romanesque tower (the north-west tower of the great church), of which a large fragment that still existed had been wantonly and purposely pulled down within the present century, the whole tower having been intact until a date deep in the Georgian era.

This property happened at that date to come to the hammer, and it was shortly afterwards surrendered by



its purchaser for the use of that Missionary College for the behoof of the Colonial Church, in behalf of which the energetic Mr. Edward Coleridge was stirring up the hearts of English Churchmen. The property had become so much dispersed since it passed out of the hands of the Hales family, that it required three separate private Acts of Parliament to acquire the fee-simple of those few acres. The very long lease which had been purchased was not sufficient for the charter of incorporation or for the consecration of the chapel. Mr. Butterfield was called in to restore, remodel, and build, and so to convert this portion of the old ante-reformational Abbey of St. Augustine into a College of St. Augustine, for the use of the Reformed Church. The institution was then incorporated by Royal Charter on the 28th of June, 1848, and it was then solemnly inaugurated by the consecration of the Chapel on the following day, being the Feast of St. Peter. The late Archbishop of Canterbury officiated, his predecessor, Archbishop Howley, who had taken the greatest interest in the work, having deceased a few months previously.

The present aspect of the building, described in the same order as that in which I have endeavoured to reconstruct the series of brewery, tower, and tea-garden, is as follows:—

The great gate stands as before, though no longer a brewer's vat. To the right, *i.e.* southward, extends a college hall with kitchen underneath. The hall stands upon the first floor, at the top of a steep and narrow stone staircase, to the right hand, while to the left another door leads into a chapel projecting into the court at right angles to the hall, with its west gable to the road outside and its eastern to the court. Adjacent to this chapel are situated the warden's lodge and the fellows' rooms; and still further on stands another set of rooms, recently erected and intended primarily for native stu-

dents, extending beyond the garden wall which forms the southern limit of the court. To the left of the great gate, at right angles to and touching it, is a long low two-storied building outwardly remarkable for the expanse of its tiled roof. This exhibits, on the ground-floor, an open ambulatory, with traceried openings forming the vestibule to a single range of students' rooms, which look northward into the open country. Access to the upper story is obtained by two winding staircases, contained in turrets, themselves externally ornamental features. This, the upper, floor is laid out in a panelled passage of between two and three hundred feet in length, opening into students' rooms on either side. Facing the entrance where the so-called "cloisters" used to be, is the high-roofed college library, raised upon an undercroft which is vaulted with stone ribs and brick fillings, and entered by a detached staircase of stone to the south. The students' buildings and the library stand on a terrace extending southward, partly bounded by low walls and partly by grass slopes. In the middle of the court a stone conduit is placed. On the terrace level the fragments of the great church, *i.e.* the ruins of a chapel which used to adjoin the north side of the nave, and those of Ethelbert's tower, remain *in statu quo*. The material of the great gateway and of the west gable of the chapel is Caen stone, of the library Kentish rag, of the remaining buildings flint, the natural product of the chalk soil around Canterbury. Except the west front of the chapel, which displays a triplet of the First Pointed period, and the mutilated Romanesque tower, the style of the entire building, old and new, is of the Middle Pointed age.

From these comparative descriptions it might be inferred that very little of the college was, properly speaking, a restoration. Such, however, is not the case. The gateway is so completely a relic of the fourteenth

century, that the original traceried wooden gates exist (though considerably repaired) with the sliding shutter for the porter to peep through. The mass of building to the right of this gateway, once the pothouse and the brewer's premises, now the hall and chapel, are however that part of the college which is most emphatically neither preserved nor built anew, but conservatively restored from sure archæological data. When the public-house was stripped, previous to being dismantled, it was found to have been originally a large hall on the first floor, with a kitchen beneath. It was also discovered that the chapel, of which, as I have said, the mutilated west end was traceable, stood on the same level as this hall, both of them being at once approached and divided by a common stair of stone, running straight up from the inner court of the abbey. This chapel was raised upon a vaulted undercroft, divided crossways by a solid stone wall, of which the outer portion formed an open porch. Fragments of the original windows of the hall were revealed, and the old open wooden roof was found to be perfect, though much of the timber was hopelessly unsound. Architectural features were also found on the building communicating with the gateway, including a curious trefoiled parapet; and the foundation also of the large kitchen chimney existed under the hall. The destination of these buildings seemed self-evident. The hall was not the large refectory of the abbey, for that was known to exist elsewhere; but it was a hall in close proximity to the abbey entrance, and a chapel adjoined it to the right, while in or close to the gateway were ample means of lodging, according to the habits of those days. All these facts established the reasonable presumption that this was the portion of the abbey devoted to guests, and that the large apartment was the "Guesten Hall." The proof that such a feature was a usual appendage to large monastic houses, was (as elsewhere) to

be found at Worcester, until the barbarous destruction, within this very season, of the Guesten Hall belonging to that Cathedral. It followed that the chapel was the Guesten Chapel. Such as they were, the hall was admirably suited to be restored as the college hall (with kitchen beneath), while except for its shortness, the chapel was well adapted to become the college chapel. That adaptation was accordingly made, with the addition of about half as much again to its length westward, and with a similar prolongation of the vaulted undercroft, the additions being carried out in the Middle Pointed style, while the original First Pointed west end was restored and capped with a new bell-gable. Irrespective of the prolongation of the chapel, which was an alteration imperatively needed, this portion of the building has approximately resumed its old physiognomy; and its peculiar plan of a hall and a chapel, branching off right and left from a common stair, renders it worthy of archaeological notice.

The buildings which continue the range to the south, viz. the warden's lodge, the fellows' rooms, and the new students' building, are entirely modern, and planned to meet the convenience of the college.

Returning to the gateway, we find the long range of the students' building running east and west. This is also quite modern, but there is no doubt that there were formerly buildings in that direction, though standing a little more to the north, and therefore outside the actual college property. We now come to the great library, with its undercroft. Those odd recesses which used to be shown in the tea-garden, were in fact the window recesses upon the east (*i.e.* the far) side of this undercroft, and a judicious excavation revealed the bases of its pillars and its whole general plan, so that its restoration became a matter of plain architectural induction. The only deviation from what must have been the ori-

ginal aspect of this undercroft is one of material. While the ribs are of stone, the filling is of warm red brick. As soon as its plan had been ascertained, the area of the apartment above became a matter of simple induction. This was known by historical evidence to have been the great refectory of the abbey. To have rebuilt it for a similar purpose would have been out of the question, when a sufficient college hall had already been provided. So it was determined to raise a college library of the dimensions and general aspect which the refectory might once have exhibited. For the sake of greater dignity rag-stone and not flint was chosen as the material; and as the details of the original pile were wholly lost, Mr. Butterfield sought an appropriate type of two-light semi-domestic windows of the fourteenth century, from the neighbouring county of Sussex, in the ruins of the noble hall of the Archiepiscopal Palace of Mayfield. The two-light windows of a rather earlier type of the Middle style, on the staircase, were copied from the porch of Howden collegiate church.

Fragments of an interesting encaustic tile pavement, including a pattern of birds pecking at berries, were found in the undercroft, and reproduced by Mr. Minton in the ambulatory of the students' building. The partial terracing of the college court is due to various circumstances. It was convenient to reduce the soil to its original level at the western range of buildings, and to keep it at the new elevation for the students' range; while at the library the two levels were accommodated by fixing the ground-level at the base of the windows of the undercroft. The retention of some flourishing trees was reason for not interfering with the level of the south-east angle of the court. The central conduit is purely a modern addition, and the idea of it was first conceived as the result of a munificent present from Mr. J. C. Sharpe, to be devoted to some special object.

I do not pretend to describe the other remains of the abbey. I may, however, mention that a portion of the north aisle wall of the great church, of Romanesque date, exists, of which the internal pilasters, which supported the vaulting, were rather ingeniously converted into external buttresses, in the "palace" days, by the superposition of brick "sets-off." These remains have been cleared out since they came into the hands of the college, and the original pavement is opened out. Unfortunately the greater portion of the nave is within the grounds of the county hospital, but at the time of the building of the college Mr. Butterfield obtained leave to excavate, and was able to make a plan indicating the positions of the piers. We were not allowed to excavate on the site of the choir. But the expert archæologist may easily figure to himself the proportions of the archway by consulting the plan of that portion of the church given in the manuscript history of St. Augustine's Abbey (returnable to its "monks" on their restoration) now in Trinity Hall Library, Cambridge, and published (but not very accurately) in Somner and Hasted, which has been omitted in the lamented Archdeacon Hardwick's edition of the work, which he fathers on Thomas of Elmham, at the commencement of the fifteenth century. St. Pancras Chapel, traditionally supposed to stand on the site of Queen Bertha's British Church, is a ruin too well known to require description. It now stands in a field to the east of the College. Another of the abbey gateways, the cemetery gateway, smaller and less ornate than the great one, is still in existence to the south of the college buildings, though in a sadly modernized condition, having been converted into a dwelling-house, and restored in cockney gothic. It is now the property of the college, but it is still occupied by a tenant, and is therefore only available as an investment.

I have not attempted in these few remarks to give the

accurate description of any portion of the buildings either ancient or modern. I leave this work for Professor Willis, or for some one who can work in his spirit, simply indicating the extreme interest and importance of such a publication. My sole object has been to lighten the task of the future archæologist, by indicating what is absolutely old, what is absolutely new, and what is restored; knowing, as I do, that Mr. Butterfield has been sufficiently successful to make such indications needful. At the same time, it was the desire of all who interested themselves in the work not to allow archæology to interfere with practical utility. As it happened, the parts of the building which are more or less restorations are the public apartments for praying, reading, and dining in common, all of them characteristic of communities of a religious nature, and therefore, *mutatis mutandis*, common to the thirteenth and fourteenth centuries. The constructions which are wholly new are those intended as the habitations of the various members of the body, who, of course, with the growth of civilization, require very different accommodation from that which would have been sufficient for their predecessors of five centuries ago. But I must be allowed to offer one or two remarks upon a feature in the college which has not unfrequently been the subject of comment, the size and position of the chapel. Those who are accustomed to the collegiate architecture of the fifteenth and sixteenth centuries, at Oxford and Cambridge, are generally accustomed to see the chapel lining one side of the court, not projecting into it. But in this case the chapel at St. Augustine's was an old one, of the thirteenth century, merely lengthened, and so its position was a *datum*. The objection which may be raised to its size in comparison with that of the library falls through when it is recollected that those who built that library on the site of the refectory, and who lengthened

the guest-chapel for the use of the college, contemplated the possibility of some future day when the institution might both require and have the opportunity of constructing a larger and more ornate fane. When that day arrives convenience may dictate and interest recommend the reconstruction on the old foundations, of at least the choir of the old abbey church. Its entire rebuilding, in its old cathedral-like dignity, with nave and towers, would not comport with the present uses of St. Augustine's College, nor with the actual English ritual. But the choir merely, with or without the transepts, would not transcend the dimensions of a first-class college chapel. So soon, accordingly, as the college attains such a size as to make the actual chapel inconveniently small, the institution may legitimately propose to itself to raise again the walls of the ancient minster. In the meanwhile, it would have been very impolitic to have provided a chapel in disproportion to the numbers of the body who have to fill it. It may be that its area is already very scant. So much the better. The great and important task was accomplished when the college was planted on the site of the abbey. The difficulties attendant on future enlargement ought only to be questions of pecuniary possibility.



SEQUEL TO THE GREAT REBELLION IN KENT  
OF 1381.<sup>1</sup>

BY W. E. FLAHERTY.

THE documents now to be produced, being extracts from the Coram Rege Rolls of 5 Ric. II. (1381), relate to an abortive attempt to compel Richard to confirm the liberties that he had granted to the Commons in the summer of 1381, but had revoked almost immediately after. The commotions in Kent were no doubt most violent in the week that witnessed the murder of Simon of Sudbury, and the death of Wat Tyler, and to that part the attention of historians has been hitherto almost exclusively directed. There will be seen, however, much of interest in these documents, which belong to a later period, extending indeed from September, 1381, to April, 1383; a very brief summary will put the reader in possession of their main statements. For convenience of reference, they have been divided into numbered sections, though it hardly need be said that no such divisions are to be found in the original. The variations in spelling the names, which would be fatal in a modern indictment, seem to have been disregarded in mediæval times; or they may be here merely the error of the enrolling clerk.

I. A presentment, dated October 8, 1381, at Deptford,

<sup>1</sup> See Arch. Cant. Vol. III. p. 65 *et seq.*

states that Thomas Hardyng and others rose in arms at Linton on the 30th of September in that year, conspiring the death of the King (probably a mere form this, but the remainder not so), of Sir Thomas Cobham, Sir William Septvans (the Sheriff), and others, and to burn Maidstone, and forced men to join them ; one, John Startout, being so compelled while he was ploughing his own land, and another, Thomas Rook, taken out of his bed at night. They were betrayed by a confederate, as appears from another document (VI.), apprehended, and brought in custody to Deptford on the 8th of October. They pleaded not guilty, when their trial was fixed for the 15th, at Westminster, and they were in the meantime sent to the Tower.

II. On the appointed day, the Constable, Alan de Buxhill, produced Thomas Hardyng and eleven other prisoners, but only ten of them were called on to plead, and these were all found guilty, except one Robert Monselowe. He was detained in custody until the 19th of October, when he was released (III.). The rest were sentenced to death as traitors, and the head of Thomas Hardyng, as the ringleader, was directed to be placed on the Palace-gate at Westminster. They are all recorded as possessed of neither goods nor land.

At the same time the two prisoners upon whom the jury had not been charged were remanded to the Tower ; and the trial of two others was deferred until the 18th of November, it being intimated that one of them (John Cote) had made a confession, which was ordered to be brought into Court on the 4th of that month.

III. This confession, which was made October 7, 1381, states that Hardyng and others met by night on the 30th of September, at Boughton Hegh, with the intent to force the King to repeat and confirm all the liberties and charters formerly conceded at Mile End, or else to

kill him and all his great men. But the most remarkable part of the confession is, the testimony that it bears to the suspicions entertained that the Duke of Lancaster was mixed up in these matters, in spite of the official disclaimers formerly issued.<sup>1</sup> Cote acknowledged [*cognovit*], and had therefore evidently been questioned on the subject, that certain strangers<sup>2</sup> from the north country had come to Canterbury, who related that the Duke of Lancaster had set all his "natives"<sup>3</sup> free in the different counties of England; on which Hardyng and the rest wished to send messengers to the Duke to ascertain if this were true, and if it were so, to make him King of England. Their apprehension, through the treachery of another confederate, Thomas Bordefeld, (VI.) seems to have prevented their taking any steps to further this design, but the pardon granted to the accuser (IX.), when his life was forfeited by the law, looks suspiciously like a desire to bury the matter in oblivion.

IV. In the interval before the day fixed for his own trial, Cote laid an accusation of treason against John Stertout, who had been committed to the Tower on the day that Hardyng and the others were condemned, and the trial was fixed for Hilary Term, 1382. He next accused William de Delton, who, denying his guilt, claimed the wager of battle. This was granted; the combat took place in Tothill Fields, on the 25th of October, when Delton was vanquished, and, as a matter of course, executed. Cote's own trial seems to have been

<sup>1</sup> See Arch. Cant. Vol. III. p. 70.

<sup>2</sup> "Peregrini,"—probably ostensible pilgrims to the shrine of St. Thomas of Canterbury.

<sup>3</sup> The born servants or native bondsmen of the lord of the manor. Their persons, children, and goods were at the disposal of their lord. They were slaves by birth, and thus distinguished from those who had sold themselves into bondage, or were reduced to that condition by debt or crime. Much might be written on the different classes of villeins, which would be out of place here, though, as before remarked, the struggle for release from serfdom lay at bottom of this rebellion.

postponed, and in Hilary Term he appeared as the approver at the arraignment of others.

V. On the 20th of January, 1382, five persons accused by Cote pleaded not guilty, when their trials were fixed for Easter Term, at which time John Stertout also was ordered to be put to the bar.

VI. The next documents are pardons to Roger Lundenessh, under the general charter of pardons;<sup>1</sup> and to Thomas Bordefeld, as having "revealed the counsel" of Hardyng and the rest to John de Frenyngham, and thus caused their apprehension, the said John becoming one of his sureties. These pardons are dated respectively, January 18, and July 13, 1382.

VII. Cote had still accusations to make, or at least they were still brought forward, and on November 18, 1382, William atte Welle pleaded not guilty to a charge preferred by him.

VIII. It was not until January 20, 1383, that the various trials came on, and then the whole of the prisoners were acquitted. This was a particularly awkward affair for the approver, Cote, as, according to the law then in force, he was liable to death for his "false appeal." But the Government did not desert him in his extremity; his execution was respited on the 25th of January, and on the 14th of April he pleaded a pardon (IX.), which forms the last document that we have to produce.

As we have already remarked, the most important of these records is the confession of Cote. It is matter of

<sup>1</sup> This charter was granted by Richard, at Westminster, Dec. 13, 1381, as he expressly says, "at the request of his future consort, the Lady Anne." As may be seen, it was clogged with a number of conditions, and the following passage gives some idea of the wide spread of the disturbances:—"Certis personis in Curia nostra nominatis, ac etiam hominibus civitatis nostre Cantuariensis, ac villarum Cantebrigie, de Briggewater, de Sancto Edmundo, de Beverlaco, et Scardeburgh, certis de causis duntaxat exceptis." Those who would avail themselves of it were to plead it in court as Lundenessh did, before the ensuing Pentecost.

history, that John of Gaunt was ill content to be merely a titular King of Castille and Leon, but it was not surmised, before these documents were consulted, that he was willing to try the desperate measure here ascribed to him. The charge, however, may not be true, and but for the conduct of the Government to the accuser, it would hardly be credible. It will be remarkable if further research should show that "time-honoured Lancaster" was capable of such enlarged views as the "strangers from the north country" imputed to him. He was certainly not a favourite with the populace at the time of the outbreak, when his palace of the Savoy was sacked, and his heir hardly escaped with his life; and if he eventually tried to conciliate them, the explanation probably is that given by Byron, in speaking of another noble liberator, Lara:—

"What cared he for the freedom of the crowd?  
He raised the humble but to bend the proud."

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CORAM REGE ROLL, MICHAELMAS TERM,  
5 RIC. II. [1381].

I. PRESENTMENT.

KENT.

The Jurors of divers hundreds of the foresaid county, to wit,—John Skynnere, Geoffrey Coventre, William Bocher, John Graveshende, Thomas Macherou, John Baker, of Estlane [*Estling*], John Peires, Giles Westwode, Peter Gerald, William Mayster, carpenter, John Bordoun, and Adam Smyth, of Lose, in that the same term, before our Lord the King, at Deptford, present,—that Thomas Hardyng, of Lyntoun, masoun; John Munde, of Hunton; Thomas Bryght, of Lose; John Iryssh, of Farlegh; Robert Elmestede, of Fritthenden; Richard Bendour, of Bedyndenn; Robert Crotehole, of Cranebrok; John Crotehole, of Cranebrok; Richard Headenne, of Stapelherst; Robert Mousse-

lowe, of Merdenne; John Cote, of Lose, masoun; William Delton, of Lynton; Roger Lundenyssh; Thomas Gyles, of Lose; Colkin Fullere, of Lose; and John Waite, bakere, on Monday next after the feast of St. Michael, in the fifth year of the reign of Richard the Second after the Conquest (30th September, 1381) at Lynton, made insurrection against our Lord the King and his people, and the death of our Lord the King, and the death of JOHN DE FRENYNHAM, WILLIAM TOPCLYVE, THOMAS HARTHEREGGE, STEPHEN DE BETENHAM, THOMAS DE COBEHAM, Kt., and WILLIAM SEPTVANS, Kt., Sheriff of Kent, and many other faithful lieges of our Lord the King, did treasonably and hostilely imagine and conspire; and the Town of MAYDESTANE to burn, did feloniously and treasonably purpose and conspire; and all the people of the same town to be of their conventicles [*conventiculis*] did purpose to swear; and JOHN STARTOUT, as he was ploughing his own land [*terram suam propriam*], against his will did take, and him did compel to swear to be of their connivance and conventicles [*coniva et conventiculis*]; and also RALPH ROOK of Farlegh, in his bed, at night, against his will, did take, and him in the foresaid form did make to swear.

BY THE RECORDS OF THE FIFTH YEAR.

And now, to wit, on Tuesday next after the octaves of St. Michael, in that the same term (8th October, 1381), before our Lord the King at Depford, came the foresaid Thomas Hardyng, John Munde, Thomas Bryght, John Iryssh, Robert Elmestede, Richard Bendour, Robert Crothole, John Crothole, Richard Headenne, Robert Munselowe, John Startout, and Ralph Cook (*sic*), taken and brought by the Sheriff, and they are committed to the Marshal; and immediately afterwards they came, brought by the Marshal, and were interrogated [*allocuti*] severally, how from the felonies and treasons aforesaid they wished to acquit themselves. They say severally, that in nothing are they thereof guilty, and thereupon for good or ill, place themselves on their country [*de bono et malo ponunt se super patriam*]. Therefore, let a jury thereon come before our Lord the King, from the day of St. Michael then next following, in fifteen days (15th October, 1381), wherever, etc.<sup>1</sup> And meanwhile, the

<sup>1</sup> These are the abbreviations of technical forms as they appear on the

foresaid Thomas Hardyng and the others are committed to prison, in custody of the foresaid Sheriff, etc.

II. TRIAL.

At which quindain of St. Michael, before our Lord the King, at Westminster, came the foresaid Thomas Hardyng, John Munde, Thomas Bryght, John Iryssh, Robert Elmestede, Richard Bendour, Robert Crothole, John Crothole, Richard Headenne, of Stapelherst, Robert Monselowe, John Startout, and Ralph Cook (*sic*), brought by the Constable of the Tower of London, (who, at other time, to his custody, out of the custody of the same Sheriff, by mandate of our Lord the King, had been committed), are committed to the Marshal. And likewise the jurors came, who, to this chosen, tried, and sworn, say, on their oath, that the foresaid Thomas Hardyng, John Munde, Thomas Bryght, John Iryssh, Robert Elmestede, Richard Bendour, Robert Crothole, John Crothole, and Richard Headenne, are guilty of the felonies and treasons aforesaid, and that the foresaid Thomas Hardyng was the first raiser and the first imaginer of the foresaid treasons. Therefore it is considered [*consideratum est*]<sup>1</sup> that the foresaid Thomas Hardyng, John Munde, Thomas Bryght, John Iryssh, Robert Elmestede, Richard Bendour, Robert Crothole, John Crothole, and Richard Headenne, be drawn to execution [*distrahantur*],<sup>2</sup> and, on account of the horrible and odious treason aforesaid, in imagining and conspiring the death of our Lord the King, their bowels shall be

Record. Our readers will readily supply them in full, without our encumbering our pages with the lengthy sentences.

<sup>1</sup> "*Consideratum est.*"—The judgment, though pronounced or awarded by the judges, is not their determination or sentence, but the determination or sentence of *the law*; . . . it is not to depend on the arbitrary caprice of the judges, but on the settled and invariable principles of justice. The judgment, in short, is the remedy prescribed by law, . . . what that remedy may be, is indeed the result of deliberation and study to point out; and therefore the style of the judgment is, not that *it is decreed* or resolved by the court, for then the judgment might appear to be their own; but "it is considered"—"*consideratum est per curiam.*"—*Blackstone*, iii., c. 24, p. 396.

<sup>2</sup> "Drawn to execution."—This translation is purely conjectural. "*Distrahantur*" literally rendered would be "that they be torn asunder," but this will hardly agree with the subsequent context; and the question remains, was the punishment of being "torn asunder" practised in England?

torn from their bodies, and before their eyes be burned with fire, and that they be afterwards hanged. And that the body of the foresaid Thomas Hardyng, for that he was the principal raiser and first imaginer of the treasons aforesaid, after he has been hung, be taken down, and that he be beheaded, and that his body meanwhile be suspended by his arms, and that his head be fixed on the outer gate of the palace of our Lord the King at Westminster. They have no goods, nor chattels of land, nor tenements.

And as to the foresaid Robert Monselowe, the same Jurors say, that the foresaid Robert Monselowe is in nothing guilty of the felonies and treasons abovesaid, nor did he withdraw himself from these proceedings.

And, because the Court, for certain reasons, is not yet advised to give judgment thereon, upon the foresaid Robert Moneslowe, therefore, the said Robert Monselowe, and the foresaid John Startout, and Ralph Rook, upon whom the foresaid Jury thereon are not yet charged, are committed to prison, in custody of the said Constable, to wit, ALAN DE BUXHILL, to keep in safe custody, etc.<sup>1</sup>

And, on the same quindain of St. Michael, before our Lord the King at Westminster, came the foresaid John Cote and Roger Lundenyssh, brought by the said Constable, (who, at other time, to his custody by mandate of our Lord the King were committed,) who are committed to the Marshal; and immediately brought by the Marshal they came, and were interrogated [*allocuti*] severally how they wished to acquit themselves of the felonies and treasons aforesaid; they say severally, that in nothing are they thereof guilty, and thereon, for good or ill, place themselves on their country. Therefore let a Jury thereon come before our Lord the King in the octaves of St. Martin (18th November, 1381), wherever, etc., and who, etc., to recognize, etc. And meanwhile, the foresaid John Cote and Roger Lundenyssh are committed to the prison of the Tower aforesaid, in custody of the foresaid Constable, etc. And, upon this, it was witnessed here in Court, that the foresaid John Cote, before the Sheriffs and Coroners of the City of London, became an approver, and divers appeals, concerning the felonies and treasons aforesaid, also other things against divers persons, affirmed; upon which appeals the Court here wishes to be certified [*certiorari*].

<sup>1</sup> See note 1, p. 72, as to abbreviations of technical forms.



Therefore it is commanded the same Sheriffs and Coroners, that the foresaid appeals, with all things touching the same, under their seals, they openly prosecute [*incitant*] before our Lord the King, without delay, etc.<sup>1</sup> And further, etc.<sup>1</sup>

Afterwards, to wit, on Monday next after the morrow of All Souls, in that the said term (4th November, 1381), the Sheriffs of London, to wit, JOHN HENDE and JOHN ROTE, and JOHN CHARNEY, the Coroner of the said city, sent before our Lord the King the foresaid appeals, in these words :—

### III. COTE'S CONFESSION.

On Monday the seventh day of October, in the year of King Richard the Second after the Conquest the fifth [1381], John Cote, mason, of Lose, in the parish of Maydeston, in the county of Kent, came before JOHN HENDE and JOHN ROTE, Sheriffs of London, and JOHN CHARNEY, Coroner of the said city, and acknowledged [*cognovit*]<sup>2</sup> that he, together with Thomas Hardyng, masoun; William de Delton; Philip de Apoldre; William Smyth, of Lose; William atte Welle, of the same; Thomas Bryght, of the same; John Brown; . . . Iryssh, of the same; Richard Barbour, of Maydestone; John Hosyere, of the same; William Shepere, of the same; a certain glover, of the same, of whose name and surname he is ignorant; John Stertout, junior, of Lynton; John Selyng, junior, of the same; John Selyng, senior, of the same; John Tendelok, carpenter, of the same; John Munde, of the parish of Hunton; Thomas Berdefeld, of the same; Michael Deggessell, of Merden; John Crothole and Robert Crothole, of the same; Richard Stemyngden, of the same; William Reve, of the same; Robert Helmstede; John Watte, of Lynton; one John, who married the daughter of John Bellard, of the same; and many other malefactors, in like manner congregated from the foresaid county of Kent, of whose number and names the foresaid John Cote is utterly ignorant, by night, on Monday, the last day of the month of September, in the fifth year above-said (30th September, 1381), at Boughton Hegh, near Melk-hous, in the county of Kent, of the connivance [*coniva*] made between them, by the instigation [*per excitationem*] and pro-

<sup>1</sup> See note 1, p. 72, as to abbreviations of technical forms.

<sup>2</sup> "*Cognovit actionem*" is where a defendant acknowledges or confesses the plaintiff's cause against him to be just and true, and, after issue, suffers judgment to be entered against him without trial.—(Jacob.)

curement of the foresaid Thomas Hardyng, did willingly of their own malice together make insurrection against our foresaid Lord King Richard and his people, to the intent to make our said Lord the King, by duress [*per duriciam*], to grant and confirm to the said malefactors all their liberties and pardons which they lately, at the time of the foresaid insurrection, with fury demanded of our foresaid Lord the King, against his peace, at LE MYLENDE, near London, in the county of Middlesex. And, in case that our said Lord the King, their said liberties and pardons to them, at their will, were unwilling gratuitously to grant and confirm, the forenamed malefactors and others, (whom they, one and all, had then wished to congregate and associate with them,) our said Lord the King and all the magnates of his kingdom, and other faithful lieges of the said King, imagining their death, intended feloniously and traitorously to have slain, and the laws and statutes of the said King and his foresaid kingdom, willed in all things to have destroyed and annulled.

And also the said John Cote acknowledged [*cognovit*] that strangers [*peregrini*]<sup>1</sup> who had come out of the north country [*extra patriam del north*] to the town of CANTERBURY, related in the said county of Kent, that JOHN, DUKE OF LANCASTER, had made all his natives<sup>2</sup> free, in the different counties of England; whereupon, the foresaid malefactors wished to have sent messengers to the foresaid Duke, if it were so or not: and if it were so, then the said malefactors consented one and all, to have sent to the said Duke, and him, by their own real power [*per realem potestatem suam*] to have made their Lord and King of England, and to have held with the said Duke in all things to live and die, against our said Lord King Richard and his people aforesaid. And so the said John Cote became approver, and appeals the foresaid malefactors of the foresaid felony and treason, and had two days further assigned him according to law, viz. Tuesday and Wednesday next following, on which days the same approver said as above, and no more. He has no chattels within the liberty of the foresaid city.

BY RECORDS OF THE FIFTH YEAR.

Afterwards, to wit, on Saturday next after the feast of St.

<sup>1</sup> See note 2, p. 69.

<sup>2</sup> See note 3, p. 69.

Edward the King,<sup>1</sup> (19th October, 1381,) in that same term, before our Lord the King, at Westminster, came the foresaid Robert Munselowe, brought by the Constable of the Tower of London, by writ of our Lord the King, and is committed to the Marshal, and immediately came, brought by the Marshal; and because the foresaid Robert Munselowe, of the felony and treasons aforesaid, whereof he was, as above, tried? [*judicatus*], was by a jury of his country on which, for good or ill, he had placed himself, acquitted, it was considered that the foresaid Robert Munselowe shall go thereof acquitted [*eat inde quietus*].

#### IV. APPEALS OF TREASON.

And, on the same Saturday next after the feast of St. Edward there came before our Lord the King there, as well the foresaid John Cote, the approver, as the foresaid John Stertout, brought by the foresaid Constable, by the said writ, who in like manner, are committed to the Marshal, and immediately came, brought by the Marshal, and it was asked of the foresaid approver, if he his foresaid appeal against the foresaid John Stertout were willing to maintain or not? who says that it is so; and, upon this, it was asked of the foresaid John Stertout how he wished to acquit himself of the felony and treasons aforesaid? he says that he is no wise guilty thereof, and thereupon, for good or ill, places himself on his country, and the foresaid approver in like manner. Therefore, let a jury thereupon come before our Lord the King, in the octaves of St. Hillary, wherever, etc.

Afterwards, to wit, on the Wednesday next following (23rd October, 1381), before our Lord the King at Westminster, came the foresaid approver, in custody of the Marshal, and the foresaid William de Delton, in like manner came brought by the Steward and Marshal of the Household [*hospitii*] of our Lord the King, by virtue of a certain writ of the said King to them directed, and he is committed to the Marshal; and it was asked of the foresaid approver, if he his foresaid appeal against the foresaid William de Delton were willing to maintain or not? who says that it is so; and, thereupon, it was asked of the foresaid William de Dalton how he wished to acquit himself of the

<sup>1</sup> This must be the Translation of St. Edward the King, on 13th October; the other festivals of that King were not in this term.

felony and treasons aforesaid? he says that he is no wise guilty of the felony and treason aforesaid by the foresaid approver laid to his charge, and this he is prepared to defend by his body against the aforesaid approver, as a faithful man against a felon and traitor of our Lord the King, and wages him battle thereon [*radiat ei inde duellum*]. And the foresaid approver says, that the foresaid William de Delton is guilty of the felony and treason aforesaid by him charged against him, and this he is prepared to prove against him by his body, as a felon and traitor of our Lord the King, as against a felon and traitor of our Lord the King, and admits from him the wager, etc. Therefore let the battle thereon be between them, by reason of which a day is given, as well to the foresaid approver, as to the foresaid William de Delton, at Tothill, on the Friday then next ensuing, to perform the said battle. And the Marshal is commanded to cause them to array, as the custom is, against the said day; and as well the foresaid approver as the foresaid William de Delton are meanwhile committed to the Marshal.

On which Friday (25th October, 1381), at Tothill, came both the foresaid approver and William de Delton, in custody of the Marshal, as the custom is, arrayed, and the battle being fought between them, the foresaid approver vanquished the foresaid William de Delton. Therefore it is considered, that the foresaid William de Delton be drawn<sup>1</sup> to the gallows, and that his bowels be there torn from his body, and burnt in the fire, and afterward that he be hanged; and the foresaid approver is meanwhile committed to the Marshal.

#### V. FURTHER ACCUSATIONS.

At which octaves of St. Hilary<sup>2</sup> [20 January, 1381-2], before our Lord the King, at Westminster, came, as well the foresaid approver in custody of the Marshal, as also the foresaid John Hosityere, of Maydestone; William Sheper, of the same; William Reve, of Marden; John Tendelek, carpenter, of Lynton; and Thomas Bordefeld, of Hunton; taken and brought by the Sheriff of Kent, by writ of our Lord the King, who are in like manner committed to the Marshal, and immediately came brought by the Marshal; and it was demanded of the foresaid approver,

<sup>1</sup> As before, "*distrahantur*," see note 2, p. 73.

<sup>2</sup> By order of Court, *vide* No. IV.

if he his foresaid appeal against the foresaid John Hosyere and others was willing to maintain or not? who says that it is so; and thereupon it was severally demanded of the foresaid John Hosyere and the others, how they wished to acquit themselves of the felony and treason aforesaid? they severally say, that in no wise are they guilty thereof, and thereon for good or for ill, place themselves on their country; and the foresaid approver in like manner. Therefore, let a jury thereon come before our Lord the King, from the day of Easter, in fifteen days, wherever, etc. And as well the foresaid approver as the foresaid John Hosyere and the others, are meanwhile committed to the Marshal.

And against John Startout our writ, in the quindain of Easter.

VI. PARDONS.

(1.) Afterwards, to wit, from the day of Easter in fifteen days, in the year of the King that now is, the fifth, before our Lord the King, at Westminster, comes the foresaid Roger Lundenessh, in custody of the Marshal, and says that our Lord the King has pardoned him the suit of his peace [*sectam pacis sue*]<sup>1</sup> which pertains to him, for all manner of felonies and treasons by him, in the foresaid insurrections, from the first day of May in the year of the King that now is, the fourth, to the feast of All Saints then next ensuing, howsoever done or perpetrated, etc.; and also outlawry, if any, etc.; so, however, that he did not slay the Venerable Father SIMON, of good memory, ARCHBISHOP OF CANTERBURY, late our Chancellor, or Brother ROBERT HALES, Prior of the Hospital of St. John of Jerusalem in England, then our Treasurer, or JOHN CAVENDISSH, then our Chief Justice; and that he be not an approver or appellee concerning the said treasons and felonies, nor has escaped from prison, or gone therefrom and not rendered himself to the same prison, etc. The date whereof is at Westminster, the 18th day of January, in the fifth year of our reign [1381-2]. By virtue whereof, the said Roger asks, that he may be delivered from the prison of our Lord the King, etc. And the foresaid letters of our Lord the King being inspected and more fully examined, because it is testified here in Court by many of the said county who are worthy of credit, that the foresaid Roger Lundenyssh in the said Inqui-

<sup>1</sup> *i.e.* The suing him for breach of the King's peace.

sition named, and the foresaid Roger Lundenyssh of Heteron (*sic*),<sup>1</sup> in the county of Kent, in the said charter named, are one and the same person ; and also, because the date of the said charter is within the time in the statute of our Lord the King limited, for finding sufficient bail for good behaviour [*bono gestu*],<sup>2</sup> etc., it is ordered the said Roger Lundenyssh that he find sufficient bail, etc. ; and thereupon came John Kelysham, of Edgrowse ; John Ree, of Merden ; John Pacehurst, of Stapilhurst ; and William Leuysshethe, all of the county of Kent, and became sureties for the foresaid Roger Lundenyssh, that he would be of good behaviour towards our Lord the King and his people, and that he would not make insurrection, nor procure any one to make insurrection against our Lord the King or his people, against his allegiance or against the peace of our Lord the King ; to wit, each of the foresaid sureties under the penalty of one hundred pounds, and the foresaid Roger under the penalty of two hundred pounds ; and as well the foresaid Roger as the foresaid sureties acknowledged that they owe our Lord the King, to wit, the foresaid Roger the foresaid two hundred pounds, and each of the foresaid sureties the foresaid hundred pounds, if it happen that the foresaid Roger in the premisses, or in any of the premisses be delinquent, and be thereof legally convicted, etc. Therefore it is considered that the foresaid Roger may go thence “ *sine die*,”<sup>3</sup> etc.

(2.) Afterwards, on Wednesday next after the octaves of

<sup>1</sup> *i.e.* Headcorn.

<sup>2</sup> The recognizance, with sureties, for “ good abearance,” or “ good behaviour ” (*de bono gestu*), included the ordinary security for the peace, and somewhat more. He that is bound to this security is more strictly bound than to the peace, because, the peace may not be strictly broken, and yet the surety *de bono gestu* may be forfeited ; even persons “ not of good fame ” may be bound over to good behaviour. In Saxon times, every hundred was divided into tithings, so called, because ten freeholders with their families composed one. These all dwelt together, and were sureties, or free pledges, to the King for the good behaviour of each other ; and if any offence was committed in their district, they were bound to have the offender forthcoming. But this great and general security had fallen into disuse, and suspected persons were now made to find special securities for their future conduct. The whole subject of securities is lucidly treated by Blackstone, vol. iv. p. 252–257. For some account of the Saxon system of Decennaries and Frank-pledges, see note to “ Inquisitiones post mortem,” *infra*.

<sup>3</sup> *i.e.* Free, without a day appointed for his appearance.

Michaelmas, in the year of the King of England that now is, the sixth [8th October, 1382], before our Lord the King at Westminster, came the foresaid Thomas Bordefeld, in custody of the Marshal, and says, that our Lord the King that now is, of his special grace, pardoned him the suit of his peace which pertains to him, for the foresaid insurrection, by his letters patent, which he brings forth here in Court, in these words:—

“Richard, by the grace of God, King of England and France, and Lord of Ireland, to all Bailiffs and his faithful, to whom the present letters shall come, greeting. Know ye, that whereas Thomas Bordefeld, of the parish of Hunton, is appealed [*appellatus*] for that he was one of a false and traitorous company which at last levied war against us and our peace, in the county of Kent, as is said by John Cote, of Lose, in the parish of Maidstone, in the county of Kent, our approver.<sup>1</sup> And we, of our special grace, and for that the same Thomas, when he was induced by the said company and had knowledge of the said company and their false imaginings, fled therefrom, and revealed their counsel to our beloved JOHN DE FRENNYNGHAM, by virtue of which revelation a great part of the said company was taken by the foresaid JOHN DE FRENNYNGHAM and other gentlemen of those parts, and the false proposal of the said company, as we have been sufficiently and fully informed, was totally destroyed,—have pardoned the said Thomas the suit of our peace which pertains to us for the foresaid insurrection, whereof he being thus appealed [*appellatus*], has been indicted and tried [*rectatus*];<sup>2</sup> and also the outlawry, if there be any proclaimed against him on that occasion; and we grant him there-

<sup>1</sup> “When a person indicted of treason or felony, and arraigned for the same, confesses the fact before plea pleaded, and *appeals* or accuses others, his accomplices, of the same crime, in order to obtain his pardon, he is called an *approver* [probator], and the party appealed or accused is called the *appellee*. Such approvement can only be in capital cases. If the appellee be found guilty, he must suffer the judgment of the law, and the approver shall have his pardon *ex debito justitiæ*; but, if the appellee be acquitted by the jury, the approver shall receive judgment to be hanged, upon his own confession of the indictment; for the condition of his pardon has failed, viz. the convicting of some other person, and therefore his conviction remains absolute.”—*Blackstone*.

It is hardly necessary to add that this system of approvement is now discontinued. The modern practice in cases of King’s evidence is too well understood to need explanation here.

<sup>2</sup> “*Rectatus*,” i. q. “*in jus vocatum*,” stood his trial.

on our firm peace; so, however, that he stand right in our Court [*rectus in Curia*],<sup>1</sup> if any other besides the said approver shall choose to plead against him, for the foresaid levying.

“In testimony whereof, we have caused these our letters to be made patent. Witness myself at Westminster, the 13th day of July, in the year of our reign the sixth.”

By virtue of which, the said Thomas Bordefeld asks that he may be delivered from the prison of our Lord the King, etc. And thereupon came John de Frennyngham, William Brenchesle, John Brouston, and Simon Wennok, and became sureties for the foresaid Thomas Bordefeld, that he, from henceforth, would be of good behaviour towards our Lord the King and his people, according to the form of the statute thereon published, etc. And the foresaid letters being inspected, it is considered that the foresaid Thomas Bordefeld, as to the foresaid appeal, shall go thence “*sine die*.”<sup>2</sup>

#### VII. FRESH ACCUSATIONS.

Afterwards, to wit, in the octaves of St. Martin, in the sixth year of the King that now is [18th November, 1382] before our Lord the King, at Westminster, comes, as well the foresaid approver, in the custody of the Marshal, as also the foresaid William atte Welle, brought by Writ of Exigent [*per breve de exigendo*],<sup>3</sup> by the Sheriff, and is committed to the Marshal, and straightway brought by the Marshal comes; and it is demanded of the foresaid approver, if his appeal against the foresaid William he is willing to maintain? who says that so it is. And he is instantly asked how he wishes to acquit himself of the treasons and felonies aforesaid charged upon him? and he says, that he in no wise is guilty thereof; and thereon places himself on his country. And the foresaid approver in like manner. Therefore, let a jury thereupon come before our Lord the King, in the octaves of St. Hilary, wheresoever, etc. And meanwhile, as well the foresaid approver as the foresaid William, are committed to the Marshal, etc.

<sup>1</sup> *i. e.* That no charge be proved against him.

<sup>2</sup> *i. e.* be discharged, without any day named on which to surrender.

<sup>3</sup> The Writ “*de exigendo*” is issued to the Sheriff when the offender absconds. The Sheriff in such case is to proclaim him at the county court, and if, after the requisite number of proclamations, he does not surrender, he is adjudged to be outlawed.



VIII. ACQUITTALS.

Afterwards, the process thereof being continued before our Lord the King, between the foresaid approver and the foresaid John Startout, John Hosityere, William Shepere, William Reve, and John Tendelok, by juries respited [*positas in respectu*] till the octaves of St. Hilary, in the sixth year of the King of England that now is [20th January, 1382-3], at which day, before our Lord the King, at Westminster, came, as well the foresaid approver as the foresaid John Startout, John Hosityere, William Shepere, William Reve, and John Tendelok, and William atte Welle, brought by the Marshal, and the Jurors as well between the foresaid approver and the foresaid John Stertout, John Hosityere, William Shepere, William Reve, and John Tendelok, as between the said approver and the foresaid William atte Welle, came; who, with the assent, as well of the foresaid approver, as of the foresaid John Stertout, John Hosityere, William Shepere, William Reve, and John Tendelok, and William atte Welle, for this chosen, tried, and sworn, say upon their oath, that the foresaid John Stertout, John Hosityere, William Shepere, William Reve, and John Tendelok, are in no wise guilty of the felony and treasons aforesaid, nor on these occasions withdrew themselves [*se retraxerunt*].<sup>1</sup> And, in like manner, that the foresaid William atte Welle is in no wise guilty of the felony and treasons aforesaid; but, because the foresaid William atte Welle came by Writ of Exigent, it is asked of the foresaid Jury concerning the goods and chattels of the foresaid William atte Welle, who say that the foresaid William atte Welle had no goods or chattels, etc. Therefore, it is considered that the foresaid John Startout, John Hosityere, William Shepere, . . . Reve, John Tendelok, and William atte Welle, go thereof acquitted, etc.

IX. PARDON TO THE APPROVER.

And, thereupon, our Lord the King sent to his Justiciaries here, certain his letters, sealed with the King's own seal, in these words:—<sup>2</sup>

“Very dear and faithful,—At the instance and request of the

<sup>1</sup> *i.e.* Withdrew from their plea of not guilty.

<sup>2</sup> To explain the necessity of this pardon, which is in Norman French, see note on “Approver,” p. 81.

Reverend Father in God, and our very dear Cousin, the Bishop of Norwich, we command you, that, between this and Easter next ensuing, you surcease from the arraignment of John Cote, of Lose, mason, of the parish of Maidstone, in the county of Kent, the which has appealed certain persons of treason, in the last insurrection against us and our royal dignity, knowing meanwhile, that we will not that he be arraigned or adjudged to death by you, if you have no other mandate thereon from us. Given under our signet at our manor of Shene, the 25th day of January."<sup>1</sup>

By virtue of which letters the execution of judgment upon the foresaid John Cote, for the foresaid causes to be done, is respited before our Lord the King until, from the day of Easter, in fifteen days, wherever, etc.

Afterwards, to wit, from the day of Easter in one month, in the year of the King of England that now is, the sixth [4th May, 1382], before our Lord the King, at Westminster, comes the said John Cote, in custody of the Marshal, and says, that our Lord the King that now is, of his special grace, has pardoned him the execution of the within written judgment, and the suit of his peace which pertains to him, for the felony and treasons aforesaid, whereof, by his own acknowledgment, he is convicted; also the outlawry, if any, etc.; by his letters patent, which he produces here in Court in these words:—

“RICHARD, by the grace of God, King of England and France, and Lord of Ireland, to all Bailiffs, and his faithful, to whom the present letters shall come, greeting. Know ye, that whereas John Cote, mason, of Lose, in the parish of Maidstone, in the county of Kent, late acknowledged before JOHN HENDE and JOHN ROTE, then our Sheriffs of London, and JOHN CHARNEYE, our Coroner of the same city, that the said John Cote and others, on Monday, the last day of September, in the year of our reign the fifth, at Boughtonhegh, near Milkhouse, in the

<sup>1</sup> “Trescher et feal,—A l’instance et requeste du Reverent pere en Dieu, et nostre trescher Cousin, levesque de Norwicz, vous mandons que del arrenement de Johan Cote, de Lose, mason, de la paroche de Maydeston, en la countee de Kent, liquel ad apelez certaines persones en treson, de la dirreine insurrection contre nous et nostre dignite roiale, vous surseiez entre cy et la Pasque proschein venant, sachant quentretant ne volons pas qil soit par vous arrenez ne jugez a mort, si vous nen aiez autre mandement de nous. Donne souz nostre signet a nostre manor de Shene, le xxv jour de Janver.”

foresaid county, together of the connivance had between them, by the incitement and procurance of Thomas Hardyng, did voluntarily and of their own proper malice, against us and our people, raise insurrection, to the intent of making us by duress [*duritia*] to grant and confirm to the foresaid malefactors all the liberties and pardons which they, of late, in the time of the insurrection before perpetrated at LA MILENDE, near LONDON, in the county of Middlesex exacted [*exegerunt*] from us, and in case that we would not grant and confirm to them those liberties and pardons, they, imagining our death, and that of all the great lords of our foresaid kingdom, and other our faithful lieges, intended us and the lords, and other our faithful lieges aforesaid feloniously and traitorously to have slain, and wished the laws and statutes of us and our realm aforesaid to have destroyed and entirely annulled. And also the same John Cote acknowledged that strangers who had come from the northern parts towards the city of CANTERBURY, declared in the said county of Kent, that our very dear uncle JOHN, KING OF CASTILE and LEON, DUKE OF LANCASTER, had made free his natives in divers counties and parts of England, and that, over and above this, the foresaid malefactors wished to have sent messengers to our foresaid Uncle, to know if this were so or not, and if it had been so, then the said malefactors had agreed to have gone together to the foresaid Duke, and by their own real power<sup>1</sup> to have made him their Lord, and King of England, and with the said Duke, for life or death, to have been bound to hold against us and our said people in all things; and thus the said John Cote, the approver, came and appealed the foresaid malefactors of the felony and treason aforesaid, and William atte Welle, of Lose, and the others by the foresaid John Cote of the felony and treason aforesaid appealed, by inquisition thereof at the suit of the said John Cote before us, were acquitted; by which the said John Cote ought to have incurred the judgment of death, as a traitor, for his false appeal. We, on the supplication of the Venerable Father in Christ, the BISHOP OF NORWICH, of our special grace, and on condition that the foresaid John Cote well and peaceably behaves himself towards us and our people, have pardoned the said John Cote the execution of the foresaid judgment, and the suit of our peace which pertains to us for the felony and treason aforesaid,

<sup>1</sup> In original, "*per regalem potestatem*," probably a clerical error.

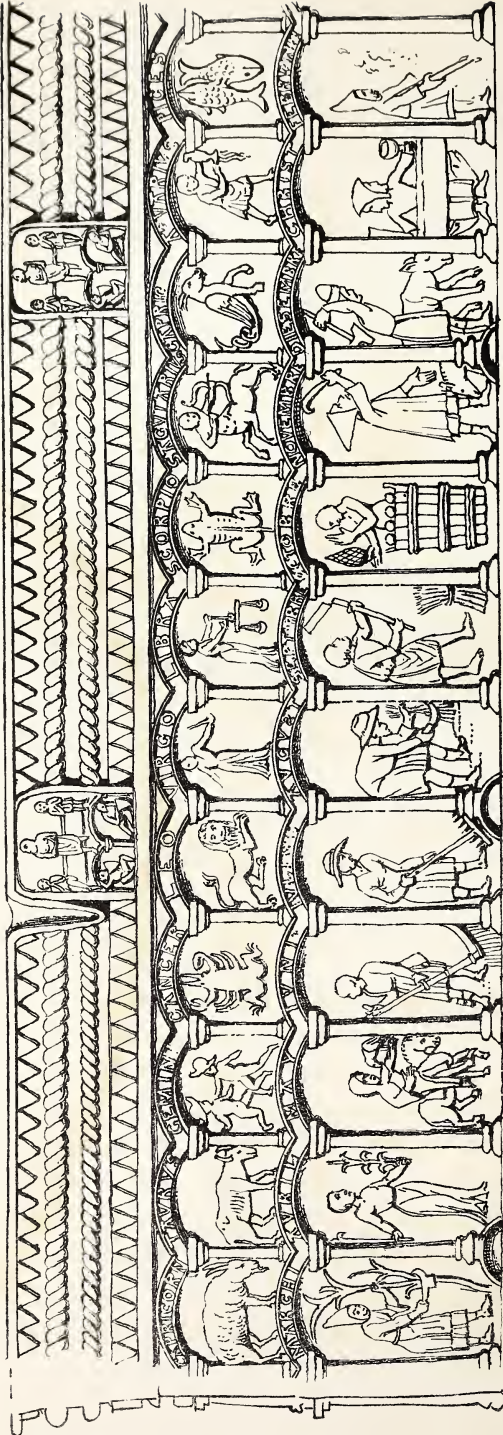
of which, by his own acknowledgment, he stands convicted; and also the outlawries, if any have been proclaimed against him on these occasions, and thereof we grant him our firm peace.

“In witness whereof, we have caused these our letters to be made patent. Witness myself at Westminster, the 14th day of April, in the year of our reign the sixth.”

And thereon came William Braybrok, of London, fishmonger; William Grandon, of Westminster; Robert Beche, of London, mason; and Thomas Boteler, of London, draper; and became sureties for the foresaid John Cote, that he, from henceforth, would behave himself well and peacefully towards our Lord the King and his people, and that he would not raise insurrection against our Lord the King or his people, nor make or in any way cause to be made, any gatherings or illegal conventicles which might produce insurrection against our Lord the King, or the terror of his peace; and in case that he hear any rumour of insurrection, gatherings, or conventicles of this kind, to be made by any of the said malefactors, he will, without delay, forewarn the King and his Council thereof.

To wit, each of the said sureties under the penalty of two hundred pounds.





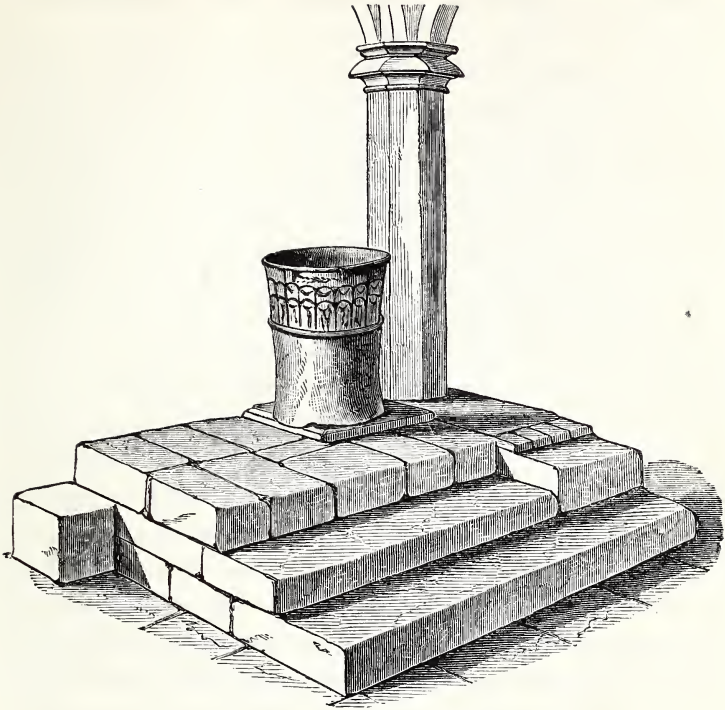
Engraved by S. Smith, the del.

LEAD FONT AT BROOKLAND IN ROMNEY MARSH.

\* The Months from March to October inclusive are repeated.

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\*



SOME OBSERVATIONS ON THE LEADEN FONT OF  
BROOKLAND CHURCH, ROMNEY MARSH.

BY HERBERT L. SMITH, ESQ.

NEARLY a quarter of a century has glided away since the original drawing, from which the accompanying outline of the Brookland Font has been prepared, was made by the writer of this article for, and under the superintendence of, the late Rev. Thomas Streatfield. Since then, in the year 1849, plaster casts were made from twelve of the compartments, forming a complete series of the months and their corresponding Zodiacal signs. From these casts woodcuts were prepared, which, accompanied by a description from the pen of Mr. Nesbitt, were pre-

sented to the public in the pages of the 'Archæological Journal' for 1849.

But as some of the minuter and finer detail of the figures and costumes, etc., appear to have escaped observation, we hope that the interest attached to this font as a work of early mediæval art is not exhausted, and that we shall be justified in attempting a further elucidation of the subject from observations made during a careful investigation of the font itself, in the year 1837. The parish of Brookland lies in the centre of Romney Marsh. The church is dedicated to St. Augustine, to whose monastery it was attached until the Reformation, since which it has existed as an advowson of the Dean and Chapter of Canterbury. Like many other churches in the Marsh, it appears to have been built to accommodate a larger population than at present exists in the parish. It has three aisles and three chancels. The belfry is rather a curiosity in its way: a tall spire of wood stands, like a huge extinguisher, upon the ground close to the church door: tradition reports that it was erected with timber—which is very ponderous—excavated from the diluvial bed of the Marsh; it is divided into five stories or floors, and at the present time contains five bells, although the remaining fittings for other bells show that it once contained a larger number.

On entering the church, we discover the Font upon a rude platform of stone raised three steps above the level of the pavement, beside one of the short Gothic columns of the nave, as represented in the woodcut placed at the head of this article.<sup>1</sup> The font is elevated upon a base, of stones roughly plastered, of the same shape and size as the font. An occasional coat of lead-coloured paint appears to be gradually choking up the lettering and other minutæ.

<sup>1</sup> For which I am indebted to the good offices of H. Mackeson, Esq., of Hythe, and the artistic skill of his friend, Captain Wray, R.E.



The dimensions of this font, external measurement, are 2 feet 1 inch in diameter, and 1 foot 4 inches in depth, affording ample capacity for infant immersion.

The circumference, of about 6 feet, is divided into twenty compartments, each  $3\frac{1}{2}$  by 6 inches; these spaces are occupied by figures symbolical of the months of the year and their occupations. Above the months are the signs of the Zodiac; eight of the twenty spaces are occupied by a repetition of the symbols from March to October inclusive. The spaces are divided by small Anglo-Norman columns and arches, upon which latter are inscribed, in Lombardic lettering, the titles of the subject beneath. Every fifth pillar rests upon a little arch, by which arrangement the year is divided into three equal parts, two of which agree pretty well with Easter and Advent, but that between July and August does not appear to conform to any known ecclesiastical or civil period. The ornamentation of the upper part of the font consists of two rows of sharks' teeth, and two of cable scroll,—familiar Anglo-Norman embellishments. Upon this bordering rests three or four little tablets of the Resurrection, and there is also a spout or lip for the overflow of the water.

Our outline commences with the month of March, inscribed *Marchi*, which is symbolized by a comfortably clad rustic, chopping or pruning a tree. Over the ordinary garment he wears his winter cloak, closely belted round his waist; the pointed capuchin is drawn over his head; on his feet are high, close-fitting boots, like those worn by the countrymen of the present day. The bill-hook with which he works, we recognize as that with which the farm labourer still prepares his hurdles or shapes his hedge.

Instead of Aries as the constellation of the month, we are presented with a creature which, by the straightness of its horns and bearded chin, indicates the goat, which is confirmed by the superscription of *Capricorn*.

April.—*Avril*.—Is a sort of Gothic Virtumus, clothed in a long Saxon robe and girdle, bearing in each hand a sprouting plant.

Above this figure is the resemblance of a very small, lean animal, which stands as the resemblance of Taurus.

May—so spelt.—A knight or gentleman, mounted on a palfrey, bears on his left hand a hawk; his head is covered by a round hood, and his body by a long cloak. The attitude seems to be that of a Norman rather than a Saxon horseman: this is the only figure not of the character of a rustic. The earlier Saxons associated the month with the abundance of milk yielded by the cattle, calling it *Tri-milki*, but Alcuin, in the middle of the eighth century, re-named it “Pleasure Month,” with which title the occupation of this figure very well accords.

The Twins, Gemini, are indicated by two naked children in violent action, wearing the *Roman* petasus or hat.

June.—*Juni*.—The inclement weather having passed, the rustic lays aside his cloak and hood, clad in a short tunic he appears as a mower with the long-bladed scythe; in a loop of leather at his side rests the whetstone, and on his right leg is a guard.

In the compartment above, we recognize the Crab, and the title of Cancer.

July.—The title appears to be “*Julius*.” A draped figure, wearing the broad-brimmed hat, or petasus, as a screen from the rays of the sun’s increased power; the usual high boots cover the feet: the instrument in the hands of the figure appears to be the ordinary hay-rake. The old Saxons called the month “*Heymonat*,” and Alcuin also calls it the Hay-month.

Above is the constellation Leo, a well-defined lion.

August. This, the *Barn-monat*, or *Harvest-month*, is well expressed by the stooping reaper, whose dress is precisely that of the previous month. With his left

hand he gathers up the ears, which he cuts down with the sickle in his right.

Virgo, the Virgin, is attired like the figure representing April, and has a similar action, holding in one hand the spike of corn, and in the other the vindematrix.

September.—*Septembre*.—From the Latin *Septem ab imbre*. With bare head and feet, and short tunic, the thrasher wields aloft his flail over a sheaf of barley or wheat.

Libra, in female attire and bandaged eyes, holds in her left hand the scales of justice, while with the right she points to the even beam, the emblem of equal night and day.

October.—*Octobre*.—Designated by the Saxons as Wyn or Wine-Monat. A figure, apparently standing in a hooped vat, or wine-press; in one hand is a conical object, probably intended for a bunch of grapes, while on the edge of the vat are certain round objects, possibly indicating apples, thus representing the double occupation of the season, cider-making and the vintage.

Scorpio.—The Zodiacal accompaniment, which should exhibit the form of a scorpion, only escapes association with a frog or toad by the addition of a diminutive tail; but as this creature has at all times been of somewhat apocryphal habits and nature, a little uncertainty of form must be forgiven.

November.—*Novembre*.—The inclement season having commenced, the rustic resumes his cloak and capuchin. Thus clad, the swineherd leads forth his drove into the brown woods; with a crooked staff he beats down the acorns and beech-mast for the feast of the hungry crowd, represented by one diligent hog at his feet.

Sagittarius,—“Sagutarius,”—is classically expressed, discharging his arrow behind him while in full speed.

December.—*Decembre*.—For this month's symbol we recognize the butcher fulfilling his important early winter

offices of killing the animals for salting down as winter stock. With upraised arms he sways the ponderous pole-axe that it may descend upon the head of the devoted steer. He wears a cap turned up at the edge, much like the orthodox attire of a slaughterman of the present day. The axe is so close to the pillar, that the point or tube with which the blow would be inflicted cannot be seen, but from the reversed position of the blade it is evident the blow would be given with the back of the instrument.

The title of Capricornus reappears in this its appropriate season. But what shall we say for the nondescript creature which does duty for a goat? Even the head scarce resembles the animal, and the two legs and feet are more like those of a horse; wings adorn the sides, and the body terminates in a long, convoluted tail. The artist or director of this work has manifestly fallen into some confusion of ideas respecting Aries and Capricornus, so much so that the former has slipped out of the Zodiac altogether; having appropriated the goat and his title for March, he evidently had nothing left but to repeat the name in its proper place, and vary the aspect of the animal to the best of his imagination.

January—*Christ*—meaning, probably, *Christ-monat*. The title of the month is superseded by the important festival which introduces it. In the two-faced figure seated at the table, with a Saxon horn in one hand and a goblet in the other, we recognize the hospitable Janus giving to the departing year its farewell, and to the coming one its welcome; two dogs, looking in opposite directions, are at his feet.

Aquarius, attired in a short tunic, is vigorously overturning the contents of his water-jar.

February—*Februari*—is, from injury, the least definite of the occupations; hence some persons have imagined that it presents the idea of a man warming himself be-

fore a fire, but the constrained manner in which the man grasps the object before him, together with the outdoor costume, well agrees with the occupation of ploughing, which could scarcely be omitted at this its proper season from such an agricultural series.

The title Pisces and a well-defined brace of fishes complete the Zodiac.

The tablets of the Resurrection are repetitions of a single design. Beneath two little arches lie the sleeping soldiers; the centre figure above represents the rising Saviour; behind is the sepulchre; on either side an angel.

In reviewing this casting, as a specimen of early mediæval art, we may remove it at once from comparison with fonts of stone, which would be the work of the mason. In this the metal-worker and founder would be the agents, and we think it highly probable that it emanated from the atelier of one of those ingenious, but, as individuals, little-known artists, of whom there must have been a constant succession engaged in the preparation of seals and coins. As an instance, the seal of the Priory of Cambwell, which is given in our second volume, suggests a strong resemblance to the Font in its treatment. The age of the Seal, 1130, is near to that of the font.

Not more than about twenty leaden fonts are known in this country, amongst which we believe this to be unique for design, which is that of a mixed Gothic and Classic character, and was probably made in a Norman or Flemish workshop. The attitudes, costume, and implements much resemble other works of art of the twelfth and thirteenth centuries, of which time some windows in the Cathedral of Mons present the exact type of the rustic representation of March. The design for the Resurrection is almost repeated upon an embossed silver book-cover of the thirteenth century. And

a psalter of the twelfth century is illustrated with designs resembling those of the font.<sup>1</sup>

As the titles of the months offer some peculiarities which indicate the age of this work, it may be interesting to quote some of the ancient calendars and place them side by side, from the heathen Saxons down to the engraving of classic lore on that stem in the fourteenth century.

Heathen Saxon.	Christian Saxon.	8th Century. Alcuin.	Brookland Font.	14th Century. Norman Kalendar.			
Monat. {	Monat. {	Month. {	Giuli	Wolf	Winter	Christ.	Jeniveer.
			Sol	Sprout-kele	Horning	Februari.	Februaire.
			Rehd	Lenet	Spring	Marchi.	March.
			Eostre	Oster	Easter	Avril.	Averil.
			Tri milchi	Iri milki	Pleasure	May	May.
			Lida	Weyd	Fallow	Juni.	Junii.
			Lida	Hey	Hay	Julius.	Julii.
			Weird	Barn	Harvest	August.	Augustus.
			Halig	Berst	Meadow	Septembre.	Septembre.
			Wyntyrr	Wyn	Wind	Octobre.	Octobre.
Bloth	Wint	Autumn	Novembre.	Novembre.			
Geola	Winter	Holy	Diesembre.	Decembre.			

We here perceive how the orthodox piety of the Anglo-Saxon school of theology gradually banished from the nomenclature of their almanac the purely idolatrous element, until, in the eighth century, Alcuin, the friend and instructor of Charlemagne, established his simple pastoral calendar, which in its turn was superseded by the classic heathenism of Papal Rome. Between these periods this font seems to form the link. The illustrations are those of Saxon agriculture, while the titles and Zodiac are the Romish or Byzantine graft.

There is another curious matter worthy of a passing remark, it is the title for the first month,—“*Christ*,” meaning Christ-monat, or month. We are all acquainted with the long and bitter contention in the Christian world with respect to the observance of Easter. A somewhat similar difference existed with regard to the time of the Nativity. Alcuin contended for the winter’s

<sup>1</sup> See SÈRE et LACROIX, ‘Art of the Middle Ages.’

solstice, which brought the birth of Christ within the month of December, and he named it "Holy Month," and January he called "Winter Month." But the Oriental Church had fixed the period for the 6th of January, now the Epiphany. Hence, in the Saxon Poetical Calendar (Fox's translation) we read:—

Christ, the glory of kings,  
 the illustrious Lord,  
 the eternal Almighty,  
 was born  
 at mid-winter ;  
 and on the eighth day  
 was named Jesus,  
 Guardian of heaven's kingdom.  
 Then at the same time  
 numerous crowds,  
 many people,  
 have the first keeping of the year,  
 because the honoured  
 Calends came,  
 on that same day,  
 to us.  
 This is the first month  
 which the great people (*the Romans*)  
 in their calendar  
 call January.  
 And it is from thence after five nights  
 that the baptismal time (*the Epiphany*)  
 of the Eternal Lord  
 comes to us : etc. etc.

The subject is satisfactorily accounted for by this quotation, without further reference to the influence which Oriental opinion must have exercised under the tutelage of the Greek Archbishop of Canterbury, Theodore of Tarsus, and his friend Adrian, of Africa, who was the chief classical tutor of the Saxon students.

With respect to the style of execution displayed in this font, we may remark, that whilst there is much of the grotesque, there is also much that is appropriate, characteristic, and even graceful, both in attitude and

expression ; each figure tells the story of its occupation without confusion of ideas.

The relation which these subjects bear to the baptismal office is most apparent in the little tablets of the Resurrection, which recalls the Apostolic declaration, that "If we are planted together in the likeness of His death, we shall be also in the likeness of His resurrection."

Perhaps a further suggestion might have occurred to the mind of the arranger of the design, somewhat akin to the old Saxon feeling which dedicated the circle of the months to religious reminiscences, and thus through all the year called to mind the Giver of every good and perfect gift, so elegantly expressed by the poet Thomson, in his Hymn to the Seasons :—

"These as they change, Almighty Father, these  
Are but Thy varied works. The rolling year  
Is full of Thee. Forth in the pleasing spring  
Thy beauty walks, Thy tenderness and love.

. . . . .  
Then comes Thy glory in the summer months  
With light and heat refulgent. . . .

. . . . .  
Thy beauty shines in autumn unconfined,  
And spreads a common feast for all that lives.  
In winter awful Thou ! . . . .

. . . . .  
Riding sublime, Thou bidd'st the world adore,  
And humblest nature with Thy northern blast."





Nº 1



FROM

Z.

F. G. Nethercote, lith.

N° 1



N° 2.



FROM A WINDOW IN THE NORTH AISLE, WAREHORNE CHURCH, KENT.

Nº 1



FROM

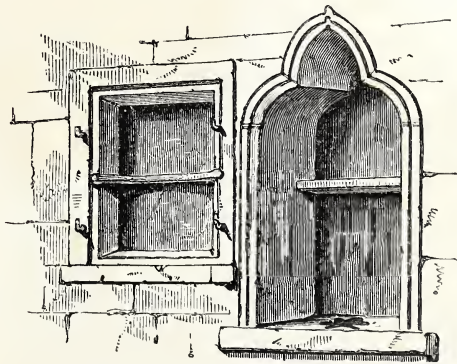
Z.

NOTES ON WAREHORNE CHURCH AND ITS AN-  
CIENT STAINED GLASS, WITH INDICES TO THE  
PAROCHIAL REGISTERS OF WAREHORNE AND  
NEWENDEN.

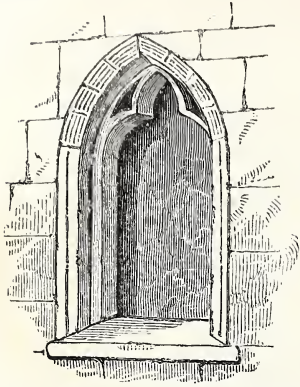
BY WILLIAM J. LIGHTFOOT.

THIS church, which contains several interesting features, consists of a nave, north and south aisles, chancel, and western tower. The nave is separated from the aisles by three arches with circular pillars of Sussex marble, the span of each eastern arch being greater than the others. This part of the church, with the exception of the blocked-up western arch of the tower, which is Perpendicular, is of late Early English date, and retains most of its ancient features. The windows are remarkably lofty and graceful, especially those at the ends of the aisles, and seem all to have been filled with ancient stained glass, which we will notice below.

The east end of the south aisle originally formed a chantry, in the south wall of which is a trefoil-headed piscina, with its stone shelf, and by its side is a square ambry, which



still retains an oaken shelf, though much decayed, and four hook-hinges which formerly held the folding doors.



Immediately under the centre of the east window of the north aisle is a shallow trefoil-headed niche, which probably may have been a tabernacle and contained the image of a saint, as there are indications of a projecting bracket at the base, now broken away; but no trace of a piscina drain. We are

enabled to add engravings of these interesting relics from drawings kindly made and presented to the Society by our member, the Rev. E. M. Muriel.

In the north wall adjacent are two doors, now stopped up. One is near the ground, and the other several feet above it, and just under the spring of the roof. They undoubtedly formed a communication with the rood-loft, which was probably accomplished by the ascent of a spiral staircase, long since removed with its turret, and a loft crossing the aisle and connecting the upper door with a corresponding one, which still remains open, in the north colonnade of the nave. There is another opening, agreeing with the last in position and shape, on the opposite side of the nave, which formed a communication with the chantry in the south aisle.

The greater span of the two eastern arches of the nave mentioned above has somewhat the effect of a transept, which is heightened by the windows in the aisles opposite these being of larger dimensions and of three lights, whilst those to the west are smaller and of two lights. In the heads of the former is preserved the ancient glass illustrating this paper. I must leave it to others more learned in such matters than myself to decide what these curious figures are really intended



N° 4.



N° 3.



FROM A WINDOW IN THE SOUTH AISLE WAREHORNE CHURCH.

W. J. Lightfoot, del.

F. G. Nechschaff, lith.  
4111. Street, Concord, N. H.



to represent. But I am inclined to think that the artist, in designing the two combatant figures in the north window, had in view the conflict of the Christian soldier with his spiritual enemy, so beautifully delineated by St. Paul in the sixth chapter of Ephesians. It will be observed that the face of fig. 1, which I take to be the Christian soldier, bears a calm, dignified, and beautiful expression, whilst he is standing with sword and shield elevated, ready to ward off the blow, and to defend himself manfully against the assaults of his adversary. The face of the latter, fig. 2, from its singular ugliness, is the personification of sin, and he is represented as aiming a deadly but unsuccessful blow. It will be observed that these figures afford good examples of the pointed boot and of the circular *buckler*, and of the mode of holding it. The colours of ruby and blue in the medallions are very rich and lustrous, but the foliaceous grounds upon which they rest have been, in places, broken, and not very successfully repaired with fragments of glass from other windows of the church.

The subject of the two medallions (figs. 3 and 4) from the south window is of a kindred nature. The Evil one is shown, under the similitude given by St. Peter, as a "roaring lion," and is viewing with hatred and disdain the Cross upon which the redemption of the Christian was wrought. These figures are smaller than those from the north window, and rest on grounds of similar character, which have been omitted, as but a few fragments remain.

The font, which stands at the west end of the nave, is square, and of the plainest possible character. The pedestal is modern.

The chancel is perhaps of later date than the rest of the church. It is spacious and lofty, and contains three square-headed windows of two lights on the north and south sides, identical in design. The sill of the one within the rails on the south side is extended down-

wards, and forms a sedile, having a carved and moulded cornice with oak-leaves, which is much mutilated; but, where better preserved, the carving is exquisite. In the eastern angle of the sedile is a small piscina with pedimental canopy, the finial and crockets of which are destroyed; and there is a plain ambry with pointed arch in the east wall to the south of the altar. The east window is fine, with four lights, and of Perpendicular date. It contains numerous fragments of stained glass with headless figures of saints, and the remains of two escutcheons with arms; one, (the field gone, and its place supplied with modern white glass,) a chief quarterly or and gules, for Peckham; the other, (the field supplied as in the previous coat,) on a chevron, three talbots passant sable, for Morant.<sup>1</sup> There is no chancel arch, a feature I have noticed in other churches in the vicinity, as Snave and Snargate; but the roof of the chancel does not range



<sup>1</sup> Sir Thomas Morant, of Morant's Court, in Chevening, owned the manor of Warehorne, *temp.* Edw. III. He left an only daughter and heir Lora, who carried the estate in marriage, first, to Sir Thomas Cawne, of Ightham, and secondly, to James Peckham, of Yaldham, in Wrotham; which will account for the presence of these escutcheons in the east window. It is hardly necessary to engrave the well-known coat of Peckham. It appears twice in our third Volume, p. 143, Plate III., Nos. 6 and 7, and in the same Plate, No. 3, is given the coat of Morant, from a Seal attached to a Charter in the Surrenden Collection. But on this Seal, the charges are very indistinct, and have the appearance of being dogs or wolves passant regardant. The escutcheon in Warehorne Church decides them to be talbots passant. There has always been much uncertainty as to the charges borne by Morant; the question is here determined, and the importance of the decisive information thus obtained justifies the introduction of a cut representing the arms as they appear in the east window of this church. I have not, however, deemed it necessary to add the unheraldic eagles and other external ornamentations which are appended to the escutcheon in the window. [The writer is indebted for the foregoing notes, and the engraving of the shield of Morant, to the kindness of our late honorary Secretary.]

with that of the nave as in the latter church. The floor of the chancel was originally on a level with that of the nave, but raised some years ago to its present height, when some monumental slabs were then covered by the new pavement. One is still visible near the north wall, with the indents of the brasses of a civilian and lady in the *butterfly head-dress*, an inscription and shield, all removed. I am informed that those beneath the pavement have been similarly treated. This is to be regretted, as the only memorials now remaining of ancient inhabitants of the parish are those of the two Rectors given below.

The roofs are ancient and retain their original high pitch, but have been ceiled with plaster leaving the principals seen. The spandrils in the nave are pierced with trefoils and rest on plain stone corbels, and those of the chancel are ornamented with pointed trefoils; and on the tie-beams are carved roses in low relief. Immediately over the altar the ceiling is panelled, and at the intersection of the moulding are bosses of fleurs-de-lis and roses, but covered with whitewash.

The tower was much damaged in a thunderstorm in the year 1777, when it was partly rebuilt and cased externally with brick; and a wretched square door and window were then inserted, which have a very bad effect, and render this the worst part of the fabric. There are buttresses to the tower, and at the south-west angle of the south aisles, but none to any other part of the church. There is a modern porch to the door in the north aisle, but none to that in the south aisle, and there is no priest's door.

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*List of the Rectors of Warehorne, compiled from Hasted, the Register, and Monumental Inscriptions in the Church.*

Thomas Jekyn, Rector, A.D. 1438, buried at the east end of the nave,

under a sandstone slab, with brass plate bearing the following inscription :—

“ Qui Rector fuit hic Thomas Iekyn jacet istic,  
Anno M C quater X ter et octavo requiebit,  
Quem celi cetus dignetur sumere letus.”

Henry Curtis, April 6, 1626.

John Asherst, A.M., July 25, 1661.

John Coventry, Rector, A.M., June 11, 1675. Buried in the chancel, with marble tablet bearing the following inscription :—

“ M. S.

“ NEAR THIS PLACE LYES INTERRED THE REV. MR. JOHN COVENTRY, WHO DYED RECTOR OF THIS CHURCH, MARCH 3RD, ANNO 1681, AGED 57. MR. VINCENT COVENTRY, HIS SON, WHO DIED AN. 1685, AGED 33. AND JUDITH COVENTRY, HIS DAUGHTER, WHO DYED DEC. 14, ANNO 1719, AGED 48.”

*Arms* : A fess ermine between three crescents. Tinctures not indicated.

James Perkins, A.M., May 15, 1680.

Stephen Thornton.

John Buletson, A.M., December 15, 1681; ob. October 1, 1719. Likewise Rector of Midley, and lies buried in Wateringbury Church.

Richard Bate, A.M., February 19, 1719; ob. March 4, 1736. Likewise Vicar of Chilham, and lies buried in that church.

John Bate, 1737; ob. 1761. Son of the former.

Sir John Pershall, Bart., December 21, 1761. He resigned the Rectory in 1771, on being presented to a benefice in Hertfordshire.

John Fleming Stanley, A.M., September 13, 1771; ob. 1783. He went to the East Indies, and died at Madras.

Donald Maclaine, January, 1784; ob. 1796.

Charles Williams, 1796.

R. W. Holland, 1832–1837.

John Dufton, inducted 1839, resigned 1858.

Charles James Norman, inducted 1858, exchanged 1861.

James Burrow, the present Rector, inducted 1861.

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*List of the Curates of Warehorne mentioned in the Registers.*

Hugh Shaw, Curate, 1727–1755.

William Wing Fowle, Curate, 1756–1761.

William Hassell, Curate, 1761–1762.

Thomas Watson, Curate, 1763.

William Colby, Curate, 1768.

J. B. Davies, Curate, 1813.

M. Griffith, Curate, 1814–1816.

W. Borradail, Curate, 1816–1817.

R. H. Barham, Curate, 1817–1821.

Samuel Hill, Curate, 1821–1825.

E. G. Monk, Curate, 1825–1828.

R. Bree, Curate, 1828–1829.

Edward Morley Muriel, M.A., Curate, 1858–1861.

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## WAREHORNE REGISTER NOTES.

*Index to the Register of Baptisms, 1727<sup>1</sup> to 1820.*

- Addison, 1806.  
 Adkins, 1732.  
 Alcock, 1736.  
 Andrews, 1778.  
 Anset, 1749.  
 Ashley, 1745, 1749, 1750, 1769.  
 Austin, 1728, 1732, 1735, 1758,  
 1761, 1763, 1768, 1789, 1791,  
 1818, 1819, 1820.  
 Avan, 1771, [Avann, 1796, 1798,  
 1799, 1802, 1814].  
 Avard, 1739, 1741, 1743, 1746,  
 1747.  
 Bagnell, 1756.  
 Barman, 1761, 1763, 1766.  
 Barnes, 1747, 1748, 1750, 1751,  
 1753, 1754, 1756, 1758, 1760,  
 1763.  
 Barham, 1818, 1819.  
 Baker, 1767, 1805, 1806, 1811.  
 Barling, 1731, 1734, 1748, 1750,  
 1752, 1753, 1756, 1759(2),  
 1760, 1762, 1763, 1765, 1766,  
 1769(2), 1771, 1772, 1782,  
 1783(2), 1784(2), 1785, 1786(2),  
 1787, 1788, 1790(2), 1791, 1796,  
 1798, 1801, 1804, 1806, 1808,  
 1811, 1816, 1818.  
 Barten, 1806, 1807, 1808.  
 Beal, [Beale, 1748, 1753, 1755,  
 1759], 1772, 1775, 1785, 1787,  
 1790, 1797.  
 Beanham, 1810.  
 Bearsden, 1758, 1782, 1783, 1787,  
 1789, 1802.  
 Beddale, 1779.
- Beeching, [Beechin, 1761], 1800,  
 1802, 1803.  
 Beery, 1755, 1760.  
 Bene, 1746, 1747, 1748.  
 Bensted, 1773, 1777(2), 1780,  
 1782, 1783, 1786, 1791, 1802,  
 1805, 1815, 1816, 1817.  
 Betts, 1782, 1783, 1785, 1787,  
 1789, 1791, 1796, 1799, 1807,  
 1813, 1818, 1820.  
 Bishop, 1785, 1786, 1789.  
 Blackman, 1734.  
 Blanch, 1800.  
 Boreman, 1772, 1774, 1776.  
 Bourne, 1740, 1742, 1744, 1746(2),  
 1748, 1749, 1754, 1770, 1773,  
 1775, 1778, 1786, 1819(2).  
 Bran, [Branne, 1784], 1808.  
 Bray, 1806.  
 Bridger, 1732, 1789.  
 Brissenden, 1764, 1800, 1801,  
 1803.  
 Brown, 1729, 1805, 1806(2), 1807  
 1810, 1811, 1814.  
 Burges, 1755, 1760.  
 Burt, 1791, 1795, 1798, 1799,  
 1802, 1803, 1806, 1808(2).  
 Butler, 1799, 1802, 1804.  
 Button, 1743, 1744, 1745, 1747,  
 1748, 1750, 1770, 1774,  
 1808.  
 Carman, 1800.  
 Carter, 1747.  
 Catt, 1812, 1815.  
 Chaplain, 1763, 1764, 1765, 1768,  
 1769, 1771.

<sup>1</sup> There are no Registers at Warehorne of an earlier date than 1727.

- Chapman, 1778, 1780, 1781, 1782, 1807, 1813, 1815.  
 Chittenden, 1750, 1753, 1771, 1774, 1780, 1781, 1788, 1790, 1791, 1792, 1796, 1801, 1803, 1805, 1807, 1808, 1812.  
 Clapson, 1819.  
 Clement, 1729.  
 Cobb, [Cob, 1731, 1734], 1767, 1817, 1818.  
 Colby, 1768, 1778.  
 Collins, 1781, 1790, 1791, 1795, 1796, 1798, 1801, 1807, 1808.  
 Cooper, 1774.  
 Cow, 1754.  
 Cranp, 1812.  
 Crampton, 1796, 1798, 1816, 1818.  
 Crassing, 1801.  
 Crue, 1756,  
 Culingham, 1775.  
 Curtis, 1758, 1760, 1761, 1766, 1769, 1770, 1772.  
 Crayford, 1776.  
 Dapson, 1818.  
 Dennard, [Denard, 1798], 1800, 1802.  
 Ditton, 1743, 1749, 1788, 1789, 1791, 1795, 1798, 1811, 1813, 1814.  
 Dorman, 1810, 1812, 1814.  
 Dotson, 1766, 1767, 1769, 1772.  
 Dowle, 1810, 1811, 1815.  
 Downe, [Down, 1736, 1738], 1744, 1747, 1748, 1750, 1752 (2), 1755, 1813, 1814.  
 Drury, 1813.  
 Edwards, 1810 (2).  
 Ellis, 1806.  
 Fagg, 1807.  
 Fenland, 1779.  
 Fetters, 1816.  
 Field, 1777, 1781, 1784, 1787, 1790, 1802, 1804, 1806, 1819.  
 Fifield, 1795.  
 Flasket, 1800, 1802, 1808, 1812.  
 Fleming, 1772.  
 Float, 1799, 1800, 1803, 1804, 1811, 1820.  
 Ford, 1732, 1734, 1736, 1739, 1740, 1743, 1744, 1770, 1771, 1773, 1777, 1779, 1810.  
 Foster, 1733, 1735, 1736, 1738, 1739, 1741, 1742, 1745.  
 Fowle, 1760, 1766, 1768, 1769, 1771, 1773, 1775, 1795, 1797, 1800, 1802, 1805, 1807, 1810, 1812.  
 Francis, 1776, 1815.  
 French, 1768.  
 Fuller, 1816, 1818.  
 Gain, 1778.  
 Garden, 1820.  
 Gardener, 1799.  
 Gibson, 1746.  
 Gifford, 1781.  
 Gimber, 1736, 1743, 1768.  
 Godden, 1771, 1772, 1775, 1777.  
 Gollin, 1811.  
 Gorham, 1736, 1737, 1739, 1740, 1743, 1744, [Goreham, 1808].  
 Gutsel, *or* Gutssole, 1736, 1756, 1758, 1759, 1760, 1762, 1764, 1768, 1789.  
 Hambrook, 1741, 1742, 1745, 1747, 1749, 1751.  
 Hammond, 1787, 1788, 1816.  
 Hampton, 1775.  
 Harnden, 1798, [Hernden, 1800], 1802, 1804, 1806, 1807, 1808.  
 Harris, *or* Harriss, 1771, 1797, 1798, 1800, 1802, 1806, 1808, 1815.  
 Hart, 1739, 1741, 1742, 1743.  
 Hatcher, 1774, 1778, 1802.  
 Hayman, 1804.  
 Hewtson, 1806.  
 Highfield, 1776 : *see* Ifield.

- Highland, 1728, 1730, 1733, 1735,  
1738, 1740, [Hyland, 1757].
- Hills, 1738, 1742, 1748.
- Hoad, 1802.
- Hodges,<sup>1</sup> 1733, 1736, 1739, 1768,  
1769, 1781, 1783, 1784, 1786,  
1787, 1789, 1790, 1792, 1796,  
1814, 1816, 1818 (2), 1819 (2),  
1820.
- Holdstock, 1810.
- Hopper, 1756, 1759, 1761, 1763,  
1765, 1767, 1786, 1788, 1789,  
1791, 1795, 1797, 1800, 1802,  
1804, 1807, 1818.
- Howland,<sup>2</sup> 1731, 1735, 1736, 1739,  
1748, 1750, 1753, 1755, 1756,  
1759 (2), 1761 (2), 1763, 1765,  
1767, 1768, 1771, 1773, 1775 (2),  
1777 (2), 1778, 1780, 1781,  
1782, 1783, 1784 (2), 1786,  
1789, 1790, 1791 (2), 1793,  
1794 (2), 1795, 1796 (2), 1797,  
1798 (2), 1799 (2), 1800 (2),  
1801, 1802, 1804, 1807, 1808,  
1810, 1812, 1815, 1816, 1819,  
1820.
- Howood, 1780.
- Howsden, 1818.
- Huggett, 1814.
- Ifield, 1728, 1770, [Highfield,  
1776], 1778, 1781, 1783, 1785,  
1788, 1798, 1818.
- Jarvis, 1817.
- Jenner, 1808, 1813.
- Jones, 1766, 1806, 1808 (2).
- Kingsnorth, 1762.
- Kennet, 1798, 1800, 1803.
- Langford, 1742, 1745, 1746, 1748,  
1750, 1753, 1773, 1774, [Long-  
ford, 1774], 1776, 1777, 1778 (2),  
1781, 1782, 1786, 1787, 1788,  
1790, [Longford, 1797].
- Lee, 1782, 1784, 1812, 1819.
- Lester, 1760, 1763, 1764, 1766,  
1772, 1773, 1775, 1777, 1781,  
1785, 1792, 1797, 1799.
- Lewis, 1745.
- Longford : see Langford.
- Longhurst, 1780.
- Longley, 1801.
- Lonkhurst, 1816, 1819 (2).
- Lorden, 1781, 1788, 1790, 1792,  
1796, 1797, 1802, 1805 (2).
- Lukehurst, 1744, 1746, 1750.
- Marshall, 1762, 1767, 1773 (2),  
1777 (2), 1779, 1782, 1783, 1785,  
1790, 1794 (2), 1805, 1806.
- Masters, 1752, 1782, 1784, 1785,  
1786, 1788 (2), 1790, 1792,  
1796, 1810, 1813, 1815,  
1820.
- Martin, 1785, 1807, 1808, 1811,  
1813, 1815, 1818.
- Maye, 1760.
- Maylam,<sup>2</sup> 1738, 1740, 1741, 1743,  
1745, 1746, 1747 (2), 1749,  
1751 (2), 1752 (2), 1755 (2),  
1758 (2), 1760 (2), 1762, 1765,  
1773, 1775, 1777, 1784, 1785,  
1791 (2), 1792, 1793 (2), 1794,  
1795 (4), 1796, 1797 (2),  
1798 (2), 1799 (2), 1800 (2),

<sup>1</sup> This old gentilital family was of the Lecon, in Warehorne. There is a monument in the chancel and several old tombs in the churchyard, bearing their arms: Or, three crescents sable, on a canton argent, as many bars wavy azure, over all an anchor in pale of the second.

<sup>2</sup> The Howlands and Maylams are two old yeomanry families of this parish. Many of their memorials remain in the churchyard, and representatives still reside in the parish.

- 1801, 1802, 1803 (2), 1812,  
1815, 1818, 1820.
- Messinger, 1731.
- Miles, 1800.
- Mills, 1768, 1797.
- Millsted, 1797.
- Morphet, 1806.
- Morris, 1760, 1763, 1765, 1766,  
[Morriss, 1797, 1805].
- Nash, 1776, 1778, 1780.
- Nation, 1798.
- Noakes, 1768 (2), 1779, 1780.
- Nye, 1727, 1728, 1730, 1733,  
1734, 1738, 1740, 1743, 1744,  
1747, 1748, 1752, 1767.
- Orman, 1795.
- Paine, 1770 (2), [Payne, 1772],  
1807, 1808, 1811, 1813, 1816,  
1818, 1820.
- Palmer, 1747.
- Pankhurst, 1794.
- Parkes, 1774.
- Parsons, 1787, 1792, 1804, 1806,  
1808 (2), 1811, 1812, 1813,  
1817, 1820 (2).
- Peckham, 1732, 1734.
- Pellit, 1743.
- Pierce, 1764.
- Piety, 1764.
- Pinfold, 1744.
- Plasket, 1815.
- Pollard, 1754.
- Pot, 1730.
- Potter, 1759 (2), 1761, 1786.
- Recon, 1766, 1769, 1771, 1776.
- Rickkon, 1788 (2), 1771, 1794,  
1796, 1798, 1800, 1803, 1807,  
1818 (2), [Ruckkon, 1813 (2)].
- Rignald, 1778.
- Robins, 1773.
- Round, 1732.
- Ruby, 1771.
- Rummary, 1788, 1790, 1794, 1796,  
1798, 1801, 1803, 1806, 1817.
- Rundolph, 1769.
- Russel, 1781.
- Sargent, 1755, 1756.
- Sayers, 1819 (3).
- Scot, 1727.
- Seller, 1737.
- Sharp, 1745, 1748, 1749.
- Shorter, 1735.
- Smith, 1727, 1728, 1729, 1730,  
1731, 1733 (3), 1734, 1735 (2),  
1738, 1739, 1747, 1758, 1759,  
1761 (2), 1763, 1764, 1766 (2),  
1769, 1772, 1780, 1781, 1783,  
1785 (2), 1788, 1790, 1791,  
1792, 1797, 1800, 1808, 1810,  
1810, 1814, 1817, 1819, 1820.
- Sparwood, 1790.
- Spears, 1813, 1816, [Speers,  
1819 (2)].
- Spratford, 1791, 1794, 1797, 1798,  
1802, 1807, 1814, 1815, 1816.
- Springet, 1786, 1788.
- Spry, 1734, 1736, 1737, 1739,  
1742.
- Stanley, 1775.
- Stapley, 1818.
- Steal, 1774.
- Stickels, 1803, 1805, [Stickells,  
1807, 1808], 1811, 1813, 1818,  
1813, 1818.
- Streeter, 1755, 1773, 1793, 1798,  
1800, 1802, 1804, 1806, 1808,  
1810 (2), 1812.
- Stretton, 1782, 1783, 1785, 1813.
- Swaffer, 1774, 1777, 1779, 1801,  
1808.
- Swift, 1797.
- Taylor, 1748.
- Thurston, 1727, 1732, 1803.
- Tickner, 1805.
- Tilden, 1764, 1766, 1767.
- Titteman, 1777.
- Tivott, 1781.
- Tucker, 1731, 1736, 1810, 1818.



Turner, 1784, 1788, 1790.	1765 (2), 1767 (2), 1769, 1770,
Veness, 1797, 1811.	1771, 1791, 1792, 1794, 1795,
Venns, 1788.	1798, 1813, 1820 (2).
Vickers, 1806.	Wide, 1727, 1740, 1741, 1742,
Waddell, <i>or</i> Waddle, 1780, 1782,	1743, 1745, 1746, 1748, 1755.
1795, 1798, 1800, 1813, 1815,	Wilkenson, 1802.
1817, 1819 (2), 1820 (2).	Wilson, 1749, 1754.
Walker, 1776, 1778, 1779, 1782.	Wimble, 1750, 1754, 1755, 1756,
Walter, 1806, 1807.	1759.
Ward, 1771.	Wood, 1761, 1772, 1774, 1776,
Warrant, 1758.	1779, 1782, 1785, 1787, 1790,
Watson, 1766.	1796, 1800, 1802, 1805 (2),
Watts, 1752, 1754, 1758, 1761,	1807, 1808, 1810, 1811,
1762.	1813 (2), 1815, 1817, 1819.
Weever, 1819.	Woodgate, 1802, 1803.
Weller, 1738, 1741, 1743.	Woolley, 1781, 1783 (2), 1785,
Wenham, 1798, 1801, 1808.	1787, 1788, 1789, 1790, 1799.
White, 1800, 1801.	1804, 1806, 1808, 1811, 1814,
Whitehead, 1729, 1731, 1733,	1818.
1735, 1737, 1747, 1750,	Wraight, 1729, 1794, 1796.
1752 (2), 1755, 1758, 1760,	Wrencher, 1734, 1735, 1736.
1761, 1762, 1763, 1764,	Wright, 1754, 1757.

## NEWENDEN REGISTER NOTES.

*Index to the Register of Baptisms from 1552 to 1820.*

Allen, 1761.	1700, 1717, 1726, 1758, 1789,
Apse, 1713. Apps, 1820 (4). <sup>1</sup>	1791, 1793, 1795, 1798.
A-Rye: <i>see</i> Rye.	Baldock, [Baldok, 1602, 1606],
Arnold, 1753, 1769.	1610, [Balducke, 1612, 1615].
Attoway, 1644.	Ballard, 1792, 1793, 1811.
Austen, 1691.	Barber, 1681.
Avery, 1769.	Barden, 1811.
Avis, 1612, 1625.	Barney, 1741.
Ayerst, 1798, 1800, 1802, 1804,	Barrow, 1661.
1806.	Bate, [Batte, 1588], 1712, 1713,
Bailey, 1759, 1764, 1767, 1790,	1725.
1814, 1815.	Bates, 1761, 1765, 1768, 1801,
Baker, 1591, 1593, 1635, 1637,	1803, 1804.
1640, 1691, 1692, 1696, 1698,	Batten, 1817.

<sup>1</sup> (4) denotes that there are four baptisms of the name recorded in that year.

- Bechinge, 1587, 1589, 1593, 1595,  
 1598, 1602, [Becchinge, 1605],  
 1606, [Beeching, 1609].  
 Berrie, 1615.  
 Betts, 1780.  
 Bexhill, 1761.  
 Bine, 1762, 1764, 1768, 1770.  
 Bishop,<sup>1</sup> 1673, 1699, 1701, 1713,  
 1716, 1719, 1723, 1724, 1727,  
 1729, 1732, 1735, 1748, 1750,  
 1751, 1752, 1753 (2), 1754,  
 1755, 1756, 1757, 1759, 1761,  
 1765, 1808, 1811, 1815.  
 Blackman, 1765, 1767, 1768, 1771,  
 1775.  
 Boore, 1561.  
 Boorner, 1698.  
 Booth, 1758, 1761, 1767, 1771.  
 Boots, 1785, 1787, 1790, 1791,  
 1795, 1797, 1799.  
 Brasse, 1603.  
 Bridgland, 1801, 1803, 1805,  
 1807.  
 Bright, 1566.  
 Brown, 1787.  
 Bryse, 1596, 1598, 1600, [Briss,  
 1638].  
 Bull, 1811.  
 Burgess, 1809.  
 Butler, 1806.  
 Care, 1792, 1810.  
 Carman, 1682.  
 Caryer, 1571, 1573, 1575, 1578,  
 1580, 1583, 1586, 1589, 1598,  
 1603.  
 Caunce, 1614, 1617, 1620 (2),  
 1623, 1627.  
 Champion, 1679, 1685.  
 Chanterell, 1781.  
 Chcesman, 1735, 1738.  
 Chrisford, 1779, 1782, 1785, 1788.  
 Christmas, 1767.  
 Clout, 1818.  
 Cob, 1637, 1638, 1640, 1654, 1656.  
 Colbrook, 1564, [Colbroke, 1567],  
 [Colbrooke, 1568], 1598.  
 Coleman, 1780, 1783.  
 Collins, 1617, 1619, 1621, 1623.  
 Cooper, 1610. Coper, 1632.  
 Cork, 1691.  
 Cottenden, 1621, 1624, 1628,  
 1630, 1641, 1643.  
 Couch, 1792.  
 Cover, 1759, 1761, 1763, 1766,  
 1768, 1771, 1773.  
 Crouch, 1812.  
 Curtis, 1624.  
 Cutbush, 1618, 1620, 1622, 1624,  
 1633, 1640, 1641, 1643, 1648,  
 1653, 1655, 1657, 1660, 1682,  
 1683, 1686, 1688, 1690, 1692,  
 1696, 1706, 1709, 1710.  
 Dalton, 1634, 1635, 1636, 1638.  
 Danne, 1575.  
 Davis, 1812.  
 Dengate, 1801, 1803, 1811, 1813,  
 1815, 1818.  
 Denmet, 1656, 1657, 1658, 1661,  
 1683.  
 Deputye, 1560, 1562, 1563.

<sup>1</sup> The Bishops were of Lossenham, in Newenden. A family of the same name was resident at Hawkhurst, during the seventeenth century; and during the recent restoration of Hawkhurst Church a small tombstone was discovered below the floor, with an inscription to the memory of Elizabeth, daughter of Thankful Bishop, of Hawkhurst, gent., who died January 2, 1680. The slab also bears a shield with the following arms:—Quarterly first and fourth . . . on a bend cottised . . . three bezants, second and third ermine, three lozenges . . . each charged with a fleur-de-lis. . . .

- Dray, 1624, 1627.  
 Drure, 1610.  
 Eliabb, 1609.  
 Elphee, 1806, 1808, 1812.  
 Elyote, 1593, 1595, 1598, 1599,  
 1600, 1602, 1605.  
 Evernden, 1700, 1702, 1790.  
 Fielder, 1800, 1805, 1807.  
 Filmer, 1807, 1810, 1812, [Filmar,  
 1814], [Felmer, 1818].  
 Ffyltnes, 1586, 1588, [Filtnes, 1620],  
 [Filtnesse, 1621, 1623], [Filt-  
 nes, 1625], [Filtnesse, 1627,  
 1630, 1633].  
 Ffisher, 1623.  
 Fowle, [Ffowle, 1569, 1584].  
 Foster, [Ffoster, 1669].  
 Fruen, 1609.  
 Ffrelbyme, 1603, [Frelbeme, 1604],  
 [ffrelbeam, 1607].  
 French, 1758, 1760, 1762, 1764,  
 1766, 1773, 1775, 1778.  
 Fuggles, 1786, 1789.  
 Fuller, [Ffugler, 1562], 1625, 1627,  
 1628, 1632, 1634, 1637, 1641,  
 1643, 1645, 1748, 1750, 1752,  
 1812.  
 Fulmer, 1749.  
 Ganden, 1693.  
 Geryyes, 1583.  
 Giles, [Geyles, 1615], 1617.  
 Goaler, 1654, 1656, 1662.  
 Godden, 1655, 1657, 1660, 1662,  
 [Goden, 1669], 1670, 1672,  
 1686, 1688, 1690.  
 Goldland, 1732, 1735.  
 Goldsmith, 1610, 1683.  
 Gontier, 1727, 1729, 1731, 1732,  
 1735, 1737.  
 Grombridge, 1584.  
 Groome, 1575, 1577.  
 Gryffen, 1563.  
 Gurr, 1678, 1681, 1783.  
 Hanson, 1758, 1760, 1762, 1764,  
 1766, 1768, 1770, 1772, 1774,  
 1776, 1781, 1784, 1787, 1788,  
 1790.  
 Haman, 1611, [Hamanne, 1614].  
 Hams, 1643, [Hamuns, 1655],  
 Hames, 1671, 1673.  
 Harber, 1624.  
 Harris, 1749, 1750, 1753, 1755,  
 1767, 1797.  
 Hartuape, 1574, 1576, 1578.  
 Hatherden, 1806.  
 Henden, 1572, 1579.  
 Hepwood, 1616, 1617, 1619, 1621,  
 1622, 1625.  
 Hesman, 1594, 1599.  
 Hether, 1642, 1643, 1653.  
 Higham, [Hygham, 1562], 1578,  
 [Hiam, 1670].  
 Hipworth, 1628, [Hypworth,  
 1630 (2), 1633].  
 Hobs, 1642.  
 Holdstock, 1671, 1673, 1676.  
 Holman, 1581, 1608.  
 Honey, [Honeye, 1602, 1603],  
 Honye, 1606, [Hunnie, 1617,  
 1639, 1640, 1643].  
 Hoy, 1653, 1656, 1658.  
 Hudleston, 1740, 1742.  
 Hyland, [Hilland, 1674], 1675,  
 [Hiland, 1677], 1696, 1698,  
 1700, 1702, 1705, 1717, 1718,  
 1721, 1725.  
 Hylles, 1561, 1599, 1601, 1607.  
 Iddenden, 1619, 1621, 1626,  
 1628.  
 Igglesden, [Egolsden, 1682], [Ig-  
 elsden, 1739, 1740, 1742, 1746,  
 1750, 1754, 1756], 1773, 1778,  
 1780, 1787, 1792, 1794, 1807,  
 [Egglesden, 1809, 1811], 1817,  
 1819 (2).  
 Judge, 1798.  
 Kadwel, 1724, 1726.  
 Kencham, *or* Kincham, 1603, 1604,

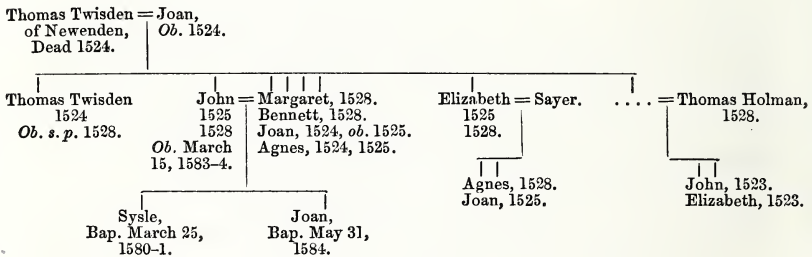
- 1607, 1613, 1626, 1629, 1631,  
1633, 1635, 1637, 1639.
- King, [Kynge, 1602, 1604], [Kinge,  
1605, 1608, 1607], 1612, 1619,  
1621.
- Knight, 1730, 1732, 1734, 1739,  
1740, 1743, 1744, 1745, 1747.
- Ladley, 1698.
- Lavender, 1816.
- Lasee, 1622, 1626, 1635, 1637.
- Leasson, 1798.
- Lee, 1801.
- Lemon, 1792.
- Lonard, 1772, 1773, 1777, 1779,  
1781, 1783, 1785, 1807, 1813.
- Levett, 1764, 1766, 1767, 1769,  
1771, 1778, 1782, 1813, 1817,  
1819.
- Loadman, 166-, 1670.
- Lomas, 1661.
- Lucas, 1570, 1586.
- Luck, [Lucke, 1590, 1594, 1597],  
1602, 1605, 1619, 1620, [Lucke,  
1623, 1625, 1628], 1631, 1633.
- Longley, 1775, 1778, 1783, 1815,  
1818, 1819.
- Lowes, 1560, 1562, 1563, 1565,  
1568, 1572, 1575, 1579, 1593.
- Mallion, [Malon, 1614, 1616, 1618,  
1636, 1638, 1640, 1641, 1643],  
1805, 1814, 1815.
- Maplesden, 1654, 1656, 1658.
- Marchant, 1791, 1795, 1798,  
1806.
- Markes, 1588.
- Marlow, 1759, 1760, 1762.
- Marshall, 1634, 1635, 1637, 1638,  
1640, 1644.
- Marten, 1582, [Martin, 1728,  
1730].
- Mattorn, 1682.
- Maybourn, 1817, 1820.
- Maynard, 1711, 1715, 1717, 1719,  
1722.
- Mills, [Mylles, 1559, 1561, 1563,  
1565, 1568, 1571, 1573, 1577,  
1580, 1603], [Mils, 1635, 1638],  
1699, 1703.
- Morecocke, 1672.
- Morris, [Morres, 1564], 1566,  
[Morrice, 1806].
- Nash, 1624, 1627, 1629, 1633,  
1636, 1637, 1638, 1661, 1662,  
1670.
- Newington, 1795.
- Newman, 1569, 1572, 1612, 1736,  
1744.
- Noaks, 1719.
- Nosytur, 1596.
- Ollyffe, 1562.
- Owen, 1676, 1678.
- Page, 1565.
- Parker, 1620.
- Pattenden, 1590.
- Pavis, 1610, 1616.
- Paynter, 1610, 1616.
- Peckham, 1785, 1788, 1791, 1796.
- Peirce, 1810, 1811, 1814, 1815,  
1817, 1819.
- Pellatt, 1663, 1667.
- Pennall, 1624.
- Perigo, 1643, 1668, [Peragoe, 1674],  
1686, 1688, 1692, 1698, 1703,  
1707.
- Peters, [Peeters, 1605, 1607, 1610,  
1613 (2)], 1617, 1619, 1623,  
1627, 1631, 1640, 1642.
- Petter, 1564, 1625.
- Phipps, [Phips, 1617, 1620, 1623,  
1629, 1632], [Fips, 1747], 1749,  
1751, 1753.
- Pickenden, 1656.
- Pirks, [Pyrkes, 1606], 1608.
- Phylpotte, 1587.
- Plumb, 1797.
- Popler, 1596, [Poplar, 1624].
- Rabbet, 1596.
- Rayknes, 1592.

- Ralynson, 1564, [Ralynsomme, 1566].  
 Raynsforth, 1573, 1577.  
 Reeve, 1658.  
 Reynolds, 1602.  
 Rigby, 1808.  
 Ripley, 1813.  
 Roberts, 1779, 1783, 1786, 1787, 1793, 1794.  
 Roffe, 1567, 1568, 1570 (2), 1572, 1592, 1595, 1596, 1598, 1600, 1602, 1603, 1605.  
 Rogers, 1562, 1595, 1597.  
 Roots, 1780, 1783, 1787, 1810, 1813.  
 Rye, [Reye, 1570], [A-Rye, 1572, 1574, 1576, 1579], 1654 (2), 1661.  
 Sanders, 1563, 1592.  
 Sands, 1816, 1818.  
 Saunder, 1805 (2).  
 Savye, 1564.  
 Sawyer, [Sawer, 1562, 1563, 1570], 1743, 1754, 1773.  
 Saxby, 1776, 1778, 1780, 1783, 1802, 1812, 1813, 1815, 1819.  
 Sayer, 1747, 1749, 1752, 1757, 1759.  
 Shadwell, 1573, 1575, 1578 (2), 1579, 1581, 1582.  
 Simms, 1796.  
 Sisley, [Seesly, 1635], [Seasly, 1636, 1641], [Sisly, 1661], 1668, 1669, [Sicly, 1670], 1672, [Sisly, 1675], [Sislee, 1678], 1682, 1683, 1685 (2).  
 Sivier, 1654.  
 Skyfe, 1574, 1579, 1580, 1583, 1588, 1589.  
 Smith, [Smyght, 1570, 1603], 1636, 1638, 1803, 1811 (2).  
 Soole, 1585.  
 Springet, 1587.  
 Spylsted, 1595, 1598, 1599, 1603.  
 Steal, 1683, 1685.  
 Stenings, 1672, 1674.  
 Still, 1682, 1687, 1689.  
 Stone, 1819.  
 Stretton, 1701.  
 Street, 1750, 1753.  
 Sumer, 1740.  
 Tayler, 1619.  
 Thatcher, 1762.  
 Thrift, 1769, 1773.  
 Tippins, 1784.  
 Tolhurst, 1727, 1729.  
 Tomlen, 1562.  
 Tompsett, 1792, 1793 (2), 1795, 1796.  
 Tree, 1806.  
 Tunbridge [Tunbrydge, 1574, 1577, 1579, 1580, 1582], 1585, 1587, [Tunbrydge, 1596, 1602, 1606].  
 Twysden,<sup>1</sup> 1580, 1584.  
 Underdown, 1686, 1705.  
 Unfold, 1592, 1594.  
 Vaughan, 1689.  
 Vimserst, 1628, 1630, [Wimsherst, 1632].  
 Vinton, [Vintin, 1655], [Vinten, 1658], 1662.  
 Wardle, 1794.  
 Waters, 1654, 1670.  
 Watts, 1586, 1656.  
 Webb, 1790.  
 Weilding, 1747, 1748.  
 Weston, 1787, 1789, 1790, 1792, 1795.  
 Winder, 1814.  
 Windsor, 1654, 1657.  
 Willard, 1620, 1622.  
 Wood, 1623, 1628, 1728, 1803, 1805, 1807, 1809.  
 Woodland, 1566.

<sup>1</sup> See next page.

In the Registry at Canterbury there is the Will of JOAN TWISDEN, of Newenden, widow, dated 10th March, 1523; probate 10th May, 1524; to which will Sir John Parkar, Parson of Newenden, is one of the witnesses. That of Joan Twysden, one of the daughters of Thomas and Joan Twysden, late of Newenden, dated 10th August, 1525; probate 9th October, 1525; to which Sir Walter Barknall, Parson of Newenden, is a witness. And that of Thomas Twysden, of Newenden; probate 26th May, 1528.

From these wills (which our limited space will not allow us to print entire, in the present volume), and from the entries in the parish register, we may conjecture the following pedigree:—



*Rectors of Newenden mentioned in the Registers and the Twysden Wills.*

Sir John Parkar, Parson of Newenden, 1523.

Sir Walter Barknall, Parson of Newenden, 1525.

Peter Hall, Parson, buried May 13, 1566.

John Tonbridge, Rector, 1597-1609.

David Maccorne, Rector, buried January, 21, 1686.

James Streaton, Rector, 1688.

Thomas Fishenden, Rector, 1694-1736.

William Huddleston, Rector, 1738, buried June 13, 1743.

“IN MEMORY OF THE REVEREND WILLIAM HUDDLESTON, CLERK, RECTOR OF THIS PARISH, WHO DYED ON JUNE Y<sup>R</sup> EIGHTH, A.D. 1743, AGED 58 YEARS. LEAVING FRANCES HIS RELICT WITH FIVE CHILDREN.

“PLAIN IN HIS FORM, BUT RICH HE WAS IN MIND,  
RELIGIOUS, QUIET, HONEST, MEEK, AND KIND.”

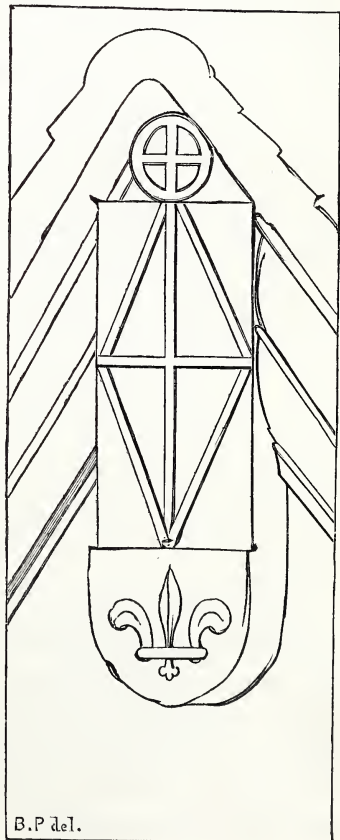
Richard Morton, Rector, 1757.

Thomas Morphet, Rector, 1773.

SYMBOLISM OF THE BLESSED VIRGIN IN FORMER AGES AS REPRESENTED BY AN ANCIENT CARVING AT MAIDSTONE.

BY BEALE POSTE.

THE designation here assumed may be thought to be sufficiently borne out by the accompanying delineation, which represents a carving on a pendant to a gable of an ancient house, in Earl Street, Maidstone, and is about three feet and a half long. It is not easily seen from the street, by reason of some other buildings intervening; and at the time it was first noticed, in the beginning of the year 1858, perceiving that there were some delineations of an unusual character, and that it was not a common coat-of-arms that was intended, I wrote to a friend, then resident at Northampton, now at Maidstone, who, I well knew, be-



sides a knowledge of antiquities, was very intimately versed in heraldry and its collateral studies, and received a very satisfactory answer. His letter was dated February 2nd, and I here transcribe part of it, having permission so to do.

“ My dear Sir,—It is doubtful if the very curious ornament on the pendant, of which you sent me the description, be the arms of any family. But as symbolism was as prevalent in those days as in the present with ecclesiologists, it may have had a religious origin. . . . On the accession of Queen Mary on the death of Edward VI., when Cranmer was examined before Broke, Martin accused him among other things of putting down the arms of Christ, and setting up the lion and the dog. The first of these particulars alluded to the Rood, and the second to substituting the royal arms, as indicative of the superseding of the papal authority by the royal supremacy. . . . Heraldically speaking, your pendant device would probably mean, emblematically, the arms of our Lady, with the fleur-de-lys, or lily, as the badge. . . . It is the fleur-de-lys that induces me to think it a symbolical affair; with the lozenge(-shaped) shield, and cross surmounting it, as well as the cross in the shield, etc.—Yours, etc., E. PRETTY.”

This explanation of Mr. Pretty's fully meets my own ideas, and I feel that I cannot add anything to it with advantage to make it clearer. Nevertheless, two or three remarks may be suggested to confirm the appropriation.

In the first place it is sufficiently evident that the delineations on the pendant were not meant to be separate and unconnected objects, but to be combined together in one representation, whatever it might be. Secondly, there is no appearance of the usual escutcheon of a coat-of-arms, as hinted at before; which accordingly may be put out of the question.



It remains to say something respecting the house, which till about the last thirty years has always been a private dwelling, and is not a house of a large class, but of moderate size; such a one as would be suited to families of the middle station of life, whose pretensions were not high. It is mentioned in the Maidstone Manor Survey, in 1650, made for the then Earl of Winchilsea, when it was entered as belonging to Thomas Fletcher. However, a prior survey of the manor for the years 1510 and 1511, marked No. 1025 in the Lambeth Library, shows it to have been at that time, late the property of William Lille (Lilly), then deceased. It has been the property, in modern times, of Mr. Hodges, and since 1833, has been converted into a public-house, with the sign of "The Jolly Waterman," and is now belonging to Mr. Fremlin, having been purchased of the late Mr. Heathorne's executors. It is probably this William Lilly, or one of his family, whom we may regard as the setter up of the pendant and its emblems.

The relative situation of this building in the town of Maidstone is not without some import. It stood about eighty-one yards north-east of the ancient Brotherhood Hall of Corpus Christi, then in high repute and authority, and closely connected with the government of the town; there having been at that time no Act of Parliament obtained for its incorporation. This its position may perhaps have somewhat influenced the ornamentation of the house.

The motives of William Lilly, admitting him to have been the originator of this architectural ornament, were no doubt pious and reverential. But further, according to the fancies of that age, he was perhaps not displeased that the fleur-de-lys on the pendant formed a rebus to his name. His family, it is believed, had no armorial bearings.

The state of preservation of the carving, notwith-

standing the long time which must have elapsed since it was put up, is remarkably fresh and good.

There are mouldings on the verge-boards of the pediment to which the pendant belongs; also others on a projecting wall-plate at the base of the pediment. These all sufficiently bespeak the Tudor period, and therefore agree well with the date at which William Lilly lived.

The scope and design of the Brotherhood were, of course, to uphold the doctrine of the Real Presence, but the species of symbolism delineated on our pendant would be considered congenial. The reader may perhaps have observed in the accompanying woodcut, the ledge towards the lower part of the pendant, between the emblem of the fleur-de-lys and the lozenge-shaped shield; this is about one inch and three-quarters wide, a space broad enough to place sockets, or small stands, for tapers, such as were found during the alterations made in Maidstone Church in 1845, or otherwise small lamps may have served the purpose. These may be understood to have been placed here and lighted, at the usual annual festival of the Fraternity, which was held the Thursday after Trinity Sunday; the pendant and its symbolism being in as direct and full view from the Brotherhood hall as could possibly be.

SOME ACCOUNT OF BRASSES FORMERLY IN THE  
CHURCH OF SEVINGTON.

BY HERBERT L. SMITH, ESQ.

SEVEN large gravestones, denuded of their brasses, still form a portion of the once enriched pavement of the little church of Sevington, near Ashford. These stones tantalize the antiquary by exhibiting the matrices and outlines of the metal plates they once retained, but which have been, long since, removed and lost. Of effigy or inscription not a fragment remains, nor does local register or tradition tell to whose memory they were consecrated. Yet, thanks to the indefatigable diligence of the learned antiquary, Sir Edward Dering, we are enabled to give some elucidation of what they once were; and we have the gratification of enriching our volume with four plates of these brasses, as they presented themselves to the eyes of the inquiring baronet on the 9th of May, 1628, when, with note-book in hand, he entered the little village church, and copied all that was then extant of brasses, arms, and inscriptions.

The plates we give are carefully lithographed in facsimile, from his book of Church Notes, the same source from which we have in our previous volumes furnished other illustrations and information of Church remains long since passed away, and irrevocably lost but for this valuable record.

Sevington appears to have been the inheritance of an ancient Saxon family, until it merged, by marriage with the heiress of Sir John de Sevington, into the possession of Sir John Barry, a son or grandson of Audrian Barry, of Barre, in Normandy, who, coming to England in the suite of Richard I., settled in the North of England. The above Sir John was probably one of the gallant gentlemen who, under the generalship of Prince Edward, overthrew the London contingent of Leicester and his party at the battle of Lewes: on which occasion he was knighted. From about this time the moated house of Sevington and its manor were occupied by this Sir John Barry and his descendants.

Dering writes:—"There lyeth under the arch, in the chancel, this figure, thus inscribed:—"—

"Hic jacet Johānes Barry miles.

Pater de cœlis Deus miserere nobis,  
 Fili Redemptor mundi miserere nobis,  
 Spiritus S̄c̄e Deus miserere nobis,  
 Trinitatus unus Deus miserere nobis.

Orate p̄ āia Joh̄nis Barry millitis."

Unfortunately, both date and shields of arms are wanting, and the costume will scarcely justify the conclusion that this is the effigy of the hero of Lewes. But it may represent Sir John Barry, the son or grandson, who, about the year 1347, paid, with his wife and others, knights' fees towards the expenses of conferring the honour of knighthood upon the young Black Prince. He was appointed one of the Conservators of the Peace 1361, Knight of the Shire 1364, and Sheriff in 1374; which offices, of course, indicate a person of the highest consideration.

Next in order and time, lie in the chancel four other stones, side by side,—three females and a man; of the

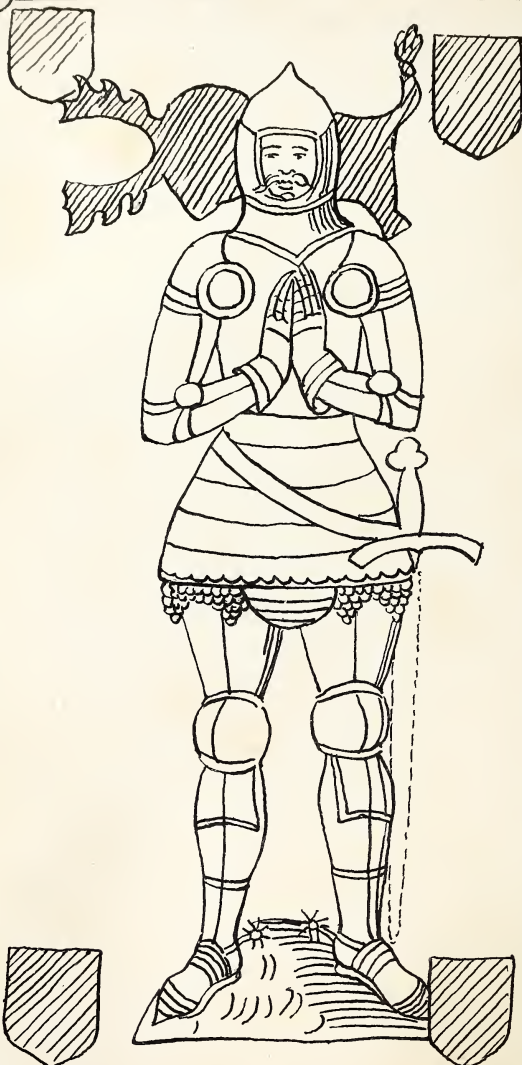


orate p̄ aīa Iohannis Barry militis

Pater de Celis Deus Miserere

Spiritus S̄c̄e Deus miserere nobis Trinitas unus deus miserere nobis

Nobis Fili Redemptor Mundi Misereri Nobis: Amen



Hic Jacet Iohannes Barry miles

This lyeth under y<sup>e</sup> Arch thurst

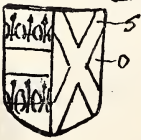


Orate pro a<sup>n</sup>i Isabella q<sup>d</sup> ux i<sup>m</sup> Barry <sup>militi</sup>

Spertius sic Deus miserere nobis Trinitas unus deus miserere nobis



Pater de Calis deus miserere nobis fili Redemptor mundi Miserere nobis



Orate p<sup>ro</sup> a<sup>n</sup>i Isabella q<sup>d</sup> ux i<sup>m</sup> Barry militi

Derung



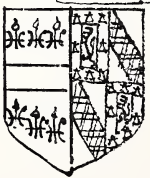
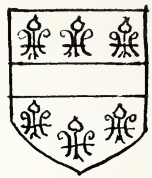
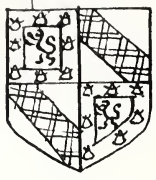


enbridge

Hic jacet Margaretha Barry

Quondam uxoris Edwardi Barry in regni, que quidem Margareta obiit

... .. die mensis ... .. anno Domini 1400 ... .. cuius anime propitius Deus Amen



... .. die mensis ... ..

man, only the lower portion remained in Dering's time. Weaver coincides with him in opinion that it once formed part of the effigy of Sir William Barry, son of the above Sir John. He was Sheriff in 1393, and again in Henry IV.'s reign. Beside this was the brass of a female, thus inscribed:—

“Orate pro añi Isabella q̄d ũx W<sup>m</sup> Barry millitis.

Pater de cœlis Deus miserere nobis,  
Fili Redemptor mundi miserere nobis,  
Spiritus S̄c̄e Deus miserere nobis,  
Trinitatus unus Deus miserere nobis.”

The first shield is that of Barry, the third Barry impaling Dering.

Another brass, in similar costume, is thus inscribed:—

“Hic jacet Johanne quondam ũx: W<sup>m</sup> Barry millitis.

Orate p̄ ãia Johanne quondã ũx: W<sup>m</sup> Barry millitis;”

then follows the same litany as on the other brasses. The symbols of the four evangelists occupied the corners, and two shields of Barry—the fess or bar is wanting: perhaps this is only an omission of Dering's.

These two females represent the two wives of the above Sir William Barry.

The fourth brass, that of another female, was in Dering's time nearly complete. The costume is that usually attributed to the end of the fifteenth century, but the date of this lady's decease is distinctly 1400, confirmed by Weaver. The brass was probably the work of some years after the lady's death. The inscription runs thus:—

“Hic jacet Margareta Barry quondam uxoris  
Edwardi Barry armigeri, que quidem  
Margareta obitt — die mensis — a<sup>o</sup>  
Doñ 1400 — — — — — cujus ãia p̄ pitietur Deus  
Amen.”

This lady appears to have been an heiress of the Oxenbridge family, of Eastry Court, Sussex; the first and fourth shields contain her arms, quarterly, with a coat, called that of "*Ore*" by Philipot; the second shield is that of Barry; the third, Barry impaling Oxenbridge. Edward Barry was probably son of Sir William.

One other brass to this family remains to be noticed. Dering says, "This last lyeth att y<sup>e</sup> lower end of y<sup>e</sup> church, neere y<sup>e</sup> bellfree." It is that of a gentleman in armour, thus inscribed:—

"Hic jacet Umfridus Barre Armiger: quondum  
Dūs istius Ville et patronus istius Eccie: qui  
Obijt in die S̄c̄e Marie Magdalene anno Dñi  
1431, Cujus ãia propitietur Deus. Amen."

This Umfridus Barry was son of the above Edward Barry.

In the College of Heralds there exists an evidently very imperfect pedigree of a portion of the Barry family, by Philipot, in which occur most of the above names, but not affording any further information respecting this "ancient and honourable family," as the old chronicler, Weaver, designates them. One branch of which, he informs us, having joined the expedition of Gaveston or Edward II. for the "winning" of Ireland, being wounded and hurt, settled on an island near Cork, called Barry Court. "This Robert Barry," says Weaver, "was the first in that land who manned the Hawke, and brought it to hand." When afterwards the wealth of the family was greatly increased, they were called Barre More, or the Great, created Baron Barry, and Viscount Butiphont.

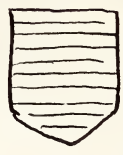
At the beginning of the seventeenth century, the house and estates of Barry merged, by marriage, into the possession of Thomas Boys, of the adjoining parish of Wil-

Hic Jacet Vmfredus Barre Armiger

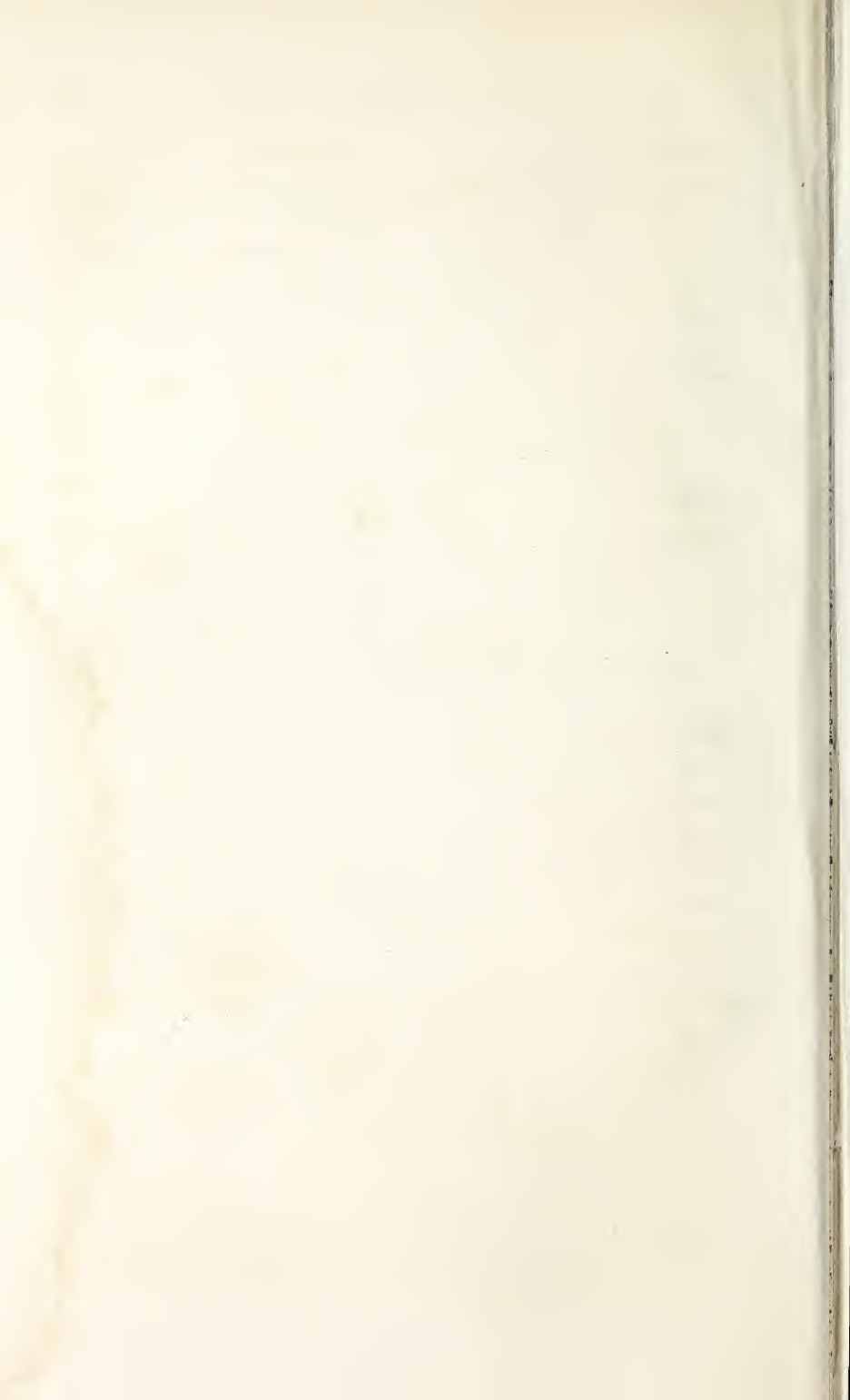
Quandam P<sup>ri</sup>or<sup>is</sup> castri Ville de Patro nus istius Eccle: uni obiit in die Sa<sup>ec</sup>

Cuius a<sup>n</sup>i Proprietur Deus Amen

Marie Magdalene Anno D<sup>omi</sup>n<sup>i</sup> 1431



This last byeth all of lower end of church  
neere of Wellfree!



lisborough, who pulled down Sevington in 1659, and conveyed the materials away for the enlarging of his manor-house at Willisborough, in the windows of the church of which place were several other memorials of the Barres, probably as benefactors:—Thomas Barre and his two wives, Juliane and Alice; Robert and William, their children; Richard Barre, and Juliane his wife, and a small gravestone to the memory of William Barre, son of Edward Barre, “the which William deceased the 18th day of June, 1533,” etc.

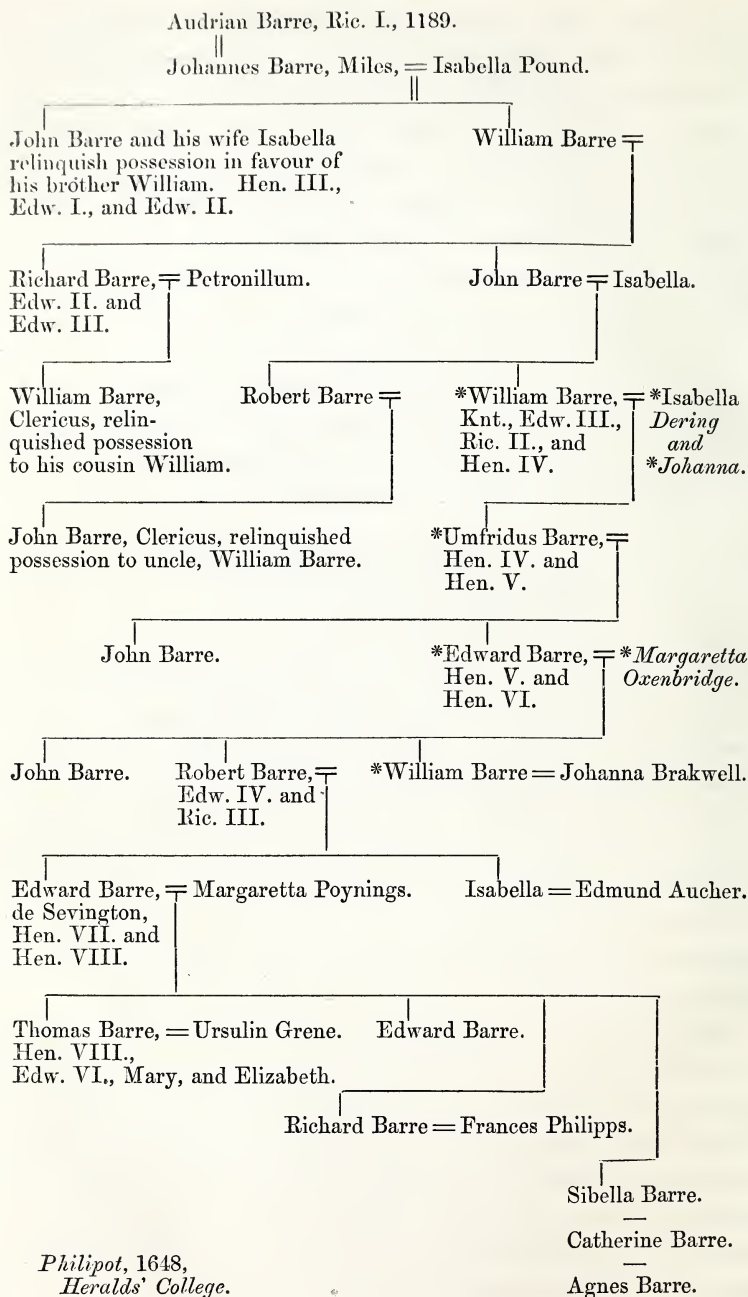
In the body of Sevington church lay another stone, with the figure of a gentleman in all respects resembling that in memory of Umfridus Barry, including the lion at his feet, with this inscription:—

“Johannes Fynche Armiger  
 Qui obiit 19 die mensis Maij ano  
 Dñi: 1442 cujus . . . . .

What branch of the Finches, or Herberts, this might be I am not prepared to say, but probably one of those settled at Eastwell. They were generally descended from Herbert, Chamberlain to Henry I.; the name of Finch being assumed about the end of Henry III.’s reign. The Herberts of Pembroke and of Ireland, and the Finches of Eastwell, being kinsmen.

In the east window of the chancel was a coat inscribed by Dering as “Penshurst vel Cobham,” gules, on a cross argent.

In conclusion, we present a copy from the pedigree before noticed, in p. 120; in this we have marked with an asterisk the members of the family whose memorials we have copied from Dering, and added, in italics, the names of the two wives of Sir William Barre, and the wife of Edward Barre. The last William Barre marked is probably he whose name was recorded upon the small flat stone at Willisborough, as noticed above.





ON SOME FRAGMENTS OF NORMAN BUILDING  
RECENTLY DISCOVERED AT GREAT WOOD-  
LANDS, IN THE PARISH OF LYMINGE.

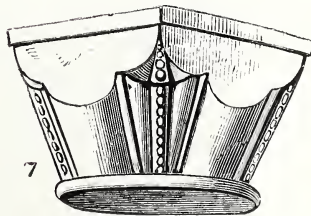
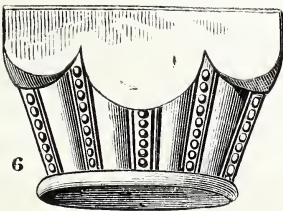
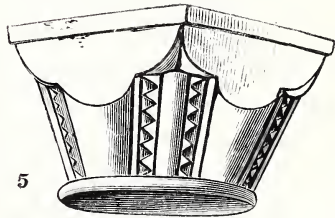
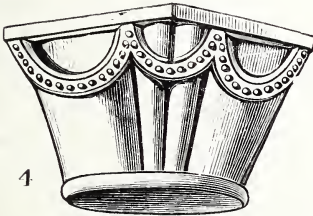
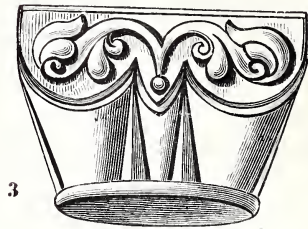
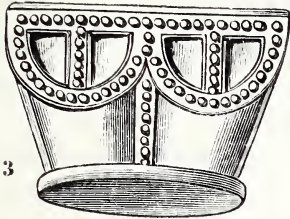
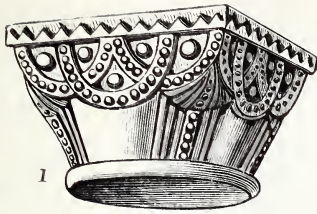
BY ROBERT C. JENKINS, M.A., RECTOR OF LYMINGE.

It is now some time since my attention was directed to a wall of considerable antiquity, which supports a portion of the road leading from Lyminge to the Stone Street, and forms the boundary of the farm-yard of Great Woodlands, the property of Miss Tournay, of Brockhul, in Saltwood. This wall, which had been recently exposed by the removal of a part of the farm-buildings, was almost entirely formed of squared blocks of Caen stone, many of them adorned with carved work of great beauty of design and excellence of workmanship. A great number of them had evidently belonged to a Norman arch of great size, and presented specimens of ordinary Norman mouldings, including the zigzag (both on the surface and in relief), the embattled, the billet, and other usual types, while others formed portions of ornamental work of another kind, and string-courses of considerable interest and beauty.

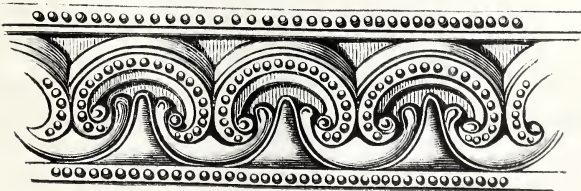
Through the kindness of Miss Tournay, who, as the worthy representative of four, at least, of the most ancient families of East Kent,—the Criols, the Brockhuls, the Sellinges, and the Tournays,—feels a natural interest in such antiquarian relics, I was permitted to take

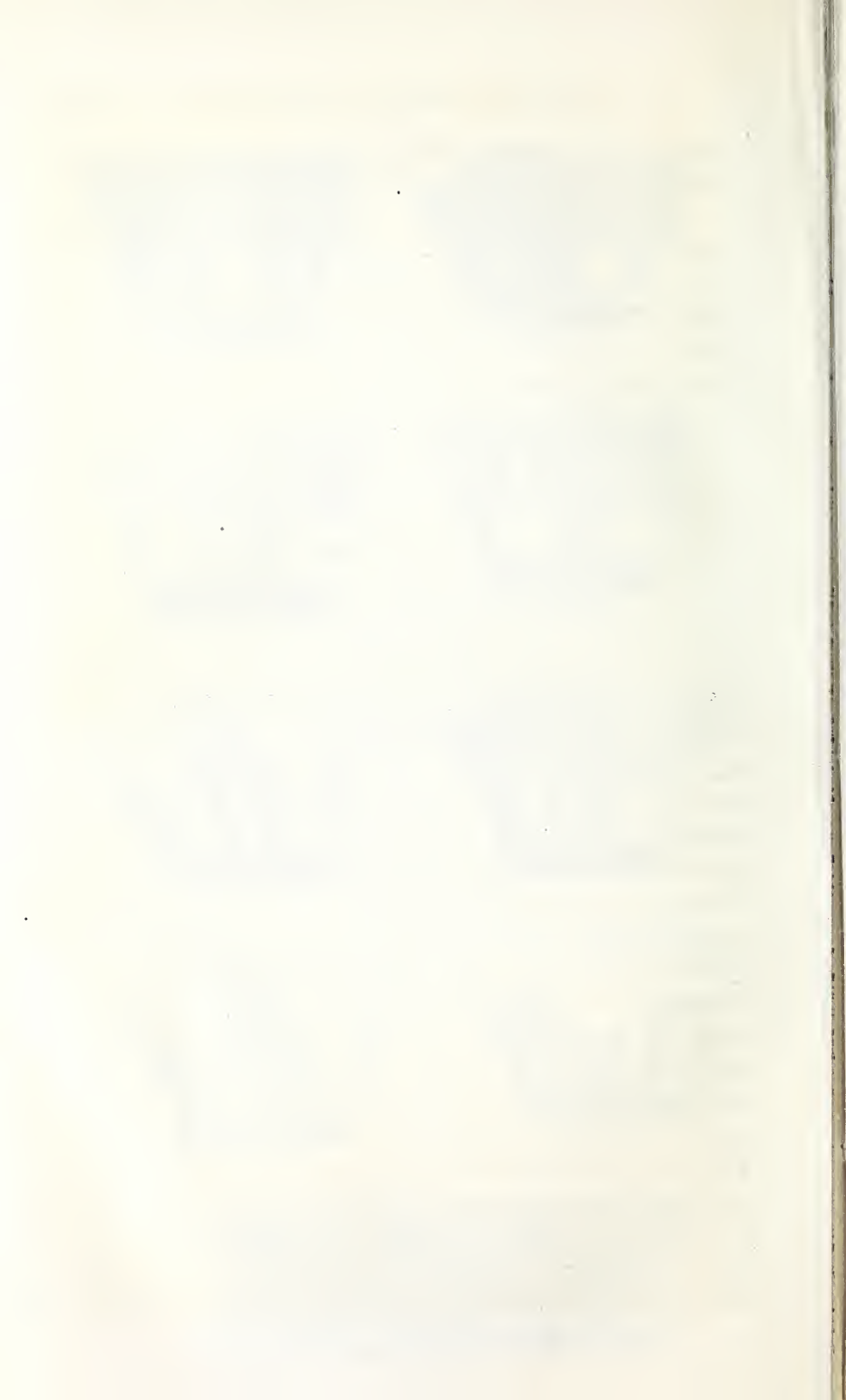
down the portions of the wall in which these stones were found, and to remove any which appeared to me to be of antiquarian value.

My examination resulted in the disinterment from it of fourteen Norman capitals, some of simple and others of more elaborate design; every one, however, being different from all the rest. Of these, one or two of the most striking are represented in the annexed sketches. In addition to these, numerous remains of the arch already mentioned, and several fragments of carved ornamental-work were found in the wall, buried in ancient mortar, and in a very perfect state of preservation. The question naturally occurred,—“To what building of this early period could these numerous and remarkable fragments have belonged?” Towards the solution of this question I venture to offer to the reader such conjectures as appear to me to be most reasonable and most consistent with known historical facts. I observed in the first instance, that similar fragments of early masonry had been worked into many other buildings in the immediate neighbourhood,—at North Lyminge, at Ottinge, at Longage, and in an ancient wall belonging to the Rectory. On a closer examination, I found that portions of the very same mouldings which appeared at Woodlands, were to be traced in the buildings here indicated. I was led therefore to the conclusion, that the structure from which these stones were taken must have been in the immediate neighbourhood of these places, most probably at some point lying between them. For in a country where stone is easily obtained, and at a period when the carriage of stone must have been comparatively expensive, it would hardly have answered to purchase building materials of this kind to be delivered at a great distance. The question therefore narrowed itself into this form,—“Was there any building existing during the Norman period in the im-



8





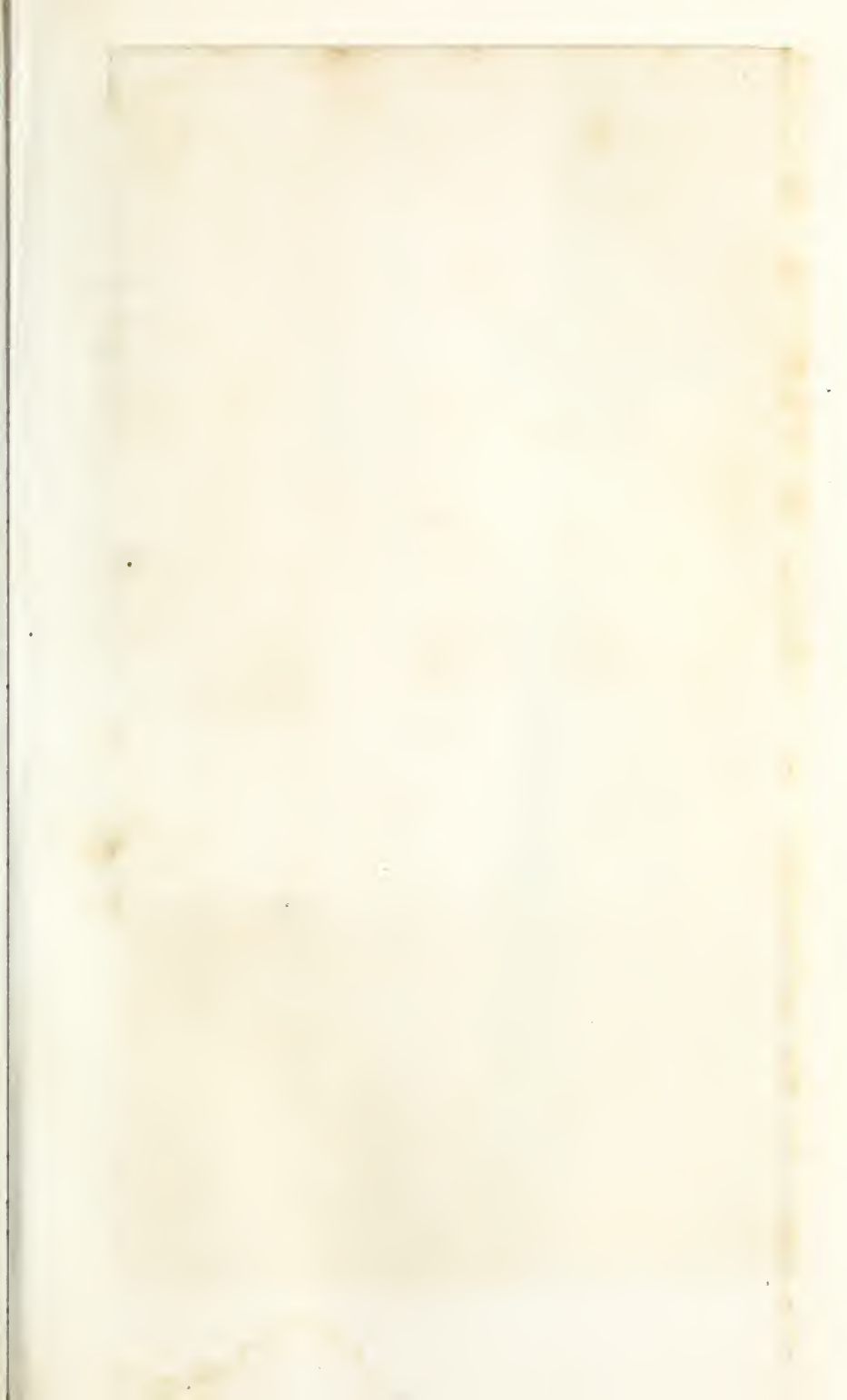
mediate neighbourhood of the places where these stones are found; and is there any reason to believe that its materials were scattered in this manner by sale or otherwise?"

Now it happens that the ancient residence of the Archbishops of Canterbury, in Lyminge, fulfils all these conditions. Its site forms almost the central point of the localities mentioned, and it must have been of Norman foundation, as it was one of the principal manorial residences of the Archbishops from the time of Lanfranc.

The "Camera de Lymings," or as it is also called, the "Aula de Lymings," is the earliest place which is mentioned in the Register of Archbishop Peckham, the first we possess, and was visited by him in 1279. It was here that he received the homage of Gilbert de Clare, Earl of Gloucester, on the 9th of June in this year, beginning the circuit of his great manors from this place. This early residence appears to have been revisited by the Archbishop and his successors from time to time, until the days of Archbishop Courtenay, whose plan of rebuilding the Castle of Saltwood as a baronial dwelling involved the demolition of the "Camera de Lymings," and the union of its park with that of Saltwood. For I find that in 1382 the Archbishop granted a commission to William Topcleve, his land-steward (*Seneschallus terrarum*), to sell the houses and stones belonging to certain of his manors; and in 1387, the custody of the park of Lyminge was united with that of the park of Saltwood, the "Camera de Lymings" having, as I apprehend, been demolished between those dates. The foundations of the building are marked at Lyminge by the vast mounds and almost terraces which fill the Court-Lodge Green, the original site of the Manor-House. Considerable portions of these have been from time to time uncovered, including the foundations of an

oblong room with an inner chamber beyond, bearing some resemblance to the ground-plan of a small chapel. The singular perfection and preservation of the carved work on the stones in question, point to the fact that they must have been taken out of the building to which they belonged at an earlier period than that of the Reformation. For by that time they must have already suffered from age and exposure, and in any case would have been too carelessly removed to have preserved even the traces of their original beauty. It is possible that other solutions of this problem might be suggested than that which is here offered; but this has appeared to me the most simple and intelligible. I may venture, therefore, to close my remarks with the trite invitation,—

“ Si quid novisti rectius istis  
Candidus imperti, si non his utere mecum.”



manu nre shichnat  
S





manu preschmatu

CHARTER OF PHILIP AUGUSTUS, KING OF  
FRANCE, 1180.

(FROM THE SURRENDEN COLLECTION.)

MUCH historical interest is attached to the Charter of which we here give a facsimile.

The French Chronicles tell us that Louis VII., father of Philip Augustus, towards the close of his reign, A.D. 1179, "Ayant près de soixante ans d'âge, et sachant bien que le temps de sa vie ne pouvait *moult* longuement durer, car il sentait son corps agrégié d'une maladie que les *physiciens* appellent paralysie, assembla grand concile à Paris de tous les archevêques, évêques, abbés et barons de son royaume, et leur annonça qu'à la fête de l'Assomption prochaine il voulait couronner Philippe, son fils, à Reims, par leur conseil et par leur volonté. Les princes et les prélats s'écrièrent tous d'un même cœur, et d'un même vouloir : *Ainsi soit fait ! ainsi soit fait !*"<sup>1</sup>

The King's intentions, however, were frustrated by an accident which befell the young Prince, who, as the feast of the Assumption approached, was residing with his father at Compiègne, preparing for the ceremonial of his coronation. One day, in the eagerness of the chase, while in pursuit of a wild boar, he was parted from his companions, and benighted in the forest; after

<sup>1</sup> 'La Chronique de Saint Denis,' cited by Martin.

wandering long in misery and darkness, he met with a charcoal burner, who conducted him safe to Compiègne. He was then barely fifteen years of age, and the fatigue of that dreadful night brought on a severe illness endangering his life. "Le Roi," continues the chronicler, "Le Roi, père de l'enfant, qui eût mieux aimé mourir que de voir son fils souffrir de la sorte, passait le jour et la nuit à pleurer, repoussant toute consolation."

"One night, when the King had fallen asleep from exhaustion, he saw in a dream Thomas the Martyr, of Canterbury, who ordered him to make a pilgrimage to his tomb to obtain the cure of the young Philip. Louis imparted this vision to his councillors, who at once deterred him from thus placing himself in the hands of a foreign King; but the Saint appeared a second and a third time, reiterating his injunctions, and that with menaces. Louis made his decision and departed for England, with the Count Philip of Flanders, and many other great lords. Henry II. did not abuse this mark of confidence. He arrived at Dover before Louis, rendered him great honours, and conducted him in person to the tomb of the blessed Thomas. The King of France there deposited a cup of gold as an offering, and, by a charter, sealed with his seal, granted (*octroya*) to the monks of Canterbury one hundred measures (*muids*)<sup>1</sup> of wine,—to be taken from the revenues of the Royal residence of Poissy-sur-Seine. After passing two days in prayer, Louis returned to France . . . and, on his arrival, found his son in convalescence,—'grâce aux prières et aux mérites du bienheureux martyr Thomas,'—and on the 1st November

<sup>1</sup> "Muids,"—"Modius." It is impossible to state with precision what was the precise measure of the "muids," or "modius" of wine, as set out in this Charter; it could hardly have been the modern hogshead. The ordinary estimation of the "muids" seems to have been sixteen quarts, or four gallons, which would give 200 dozen bottles as the annual produce of this grant.

following (*i.e.* 1st November, 1179) the young Prince was solemnly crowned at Rheims."<sup>1</sup>

Louis did not long survive this event; he died 18th September, 1180, and was succeeded by Philip Augustus, then only fifteen years of age, one of the first acts of whose reign was the confirmation of his father's grant to the monks of Canterbury by the Charter before us. It is dated at Mantes, in the year of our Lord 1180, and the first of the King's reign. *In extenso* it is as follows:—

IN NOMINE SANCTE ET INDIVIDUE TRINITATIS, AMEN.

PHILIPPUS, Dei gratia Francorum Rex.

Ea que ab antecessoribus nostris, et precipue que a patre nostro LUDOUICO rege Francorum, pietatis intuitu sanctis ecclesiis et aliis locis uenerabilibus sunt indulta, non est nostri propositi aliquo modo extenuare; sed opera misericordie immobili firmitate conservare.

Nouerint igitur uniuersi presentes pariter et futuri; quod intuitu beatissimi Thome Martiris quondam Cantuariensis Archiepiscopi, ad cuius tumulum pro salute anime et sanitate corporis impetranda, pater noster in multa deuotione fuerat profectus, Conuentui Monachorum Sancte Trinitatis ibidem Deo seruientium centum modios uini, ad mensuram Parisiensem, singulis annis tempore uindemiaram, in castellaria Pissiaci accipiendos, in elemosinam concessit.

Conuentui etiam predicto indulxit, quatenus de predictis centum modiis uini, et de omnibus que ad esum et potum suum pertinere sacramento unius seruientis de mandato alicuius monachi de eodem Conuentu probari poterit, in omnibus passagiis suis, et nostris, quantum ad ipsum attinebat, sint omnino liberi et immunes.

Quod factum patris nostri, ne aliqua possit obliuione deleri, et aliqua malignantium inuidia uiolari, manu nostre confirmationis apposita, precipimus immutabiliter custodiri.

Unde et sigilli nostri auctoritate, ac regii nominis karactere inferius annotato, presentem cartam uoluimus communiri.

<sup>1</sup> See Henri Martin, 'Histoire de France,' (Paris, 1859, 8vo), vol. iv. pp. 59-61.

Actum MADUNTE, anno incarnationis domini m<sup>o</sup> c<sup>o</sup> lxxx<sup>o</sup>, regni nostri anno primo. Astantibus in palatio nostro quorum nomina supposita sunt et signa.

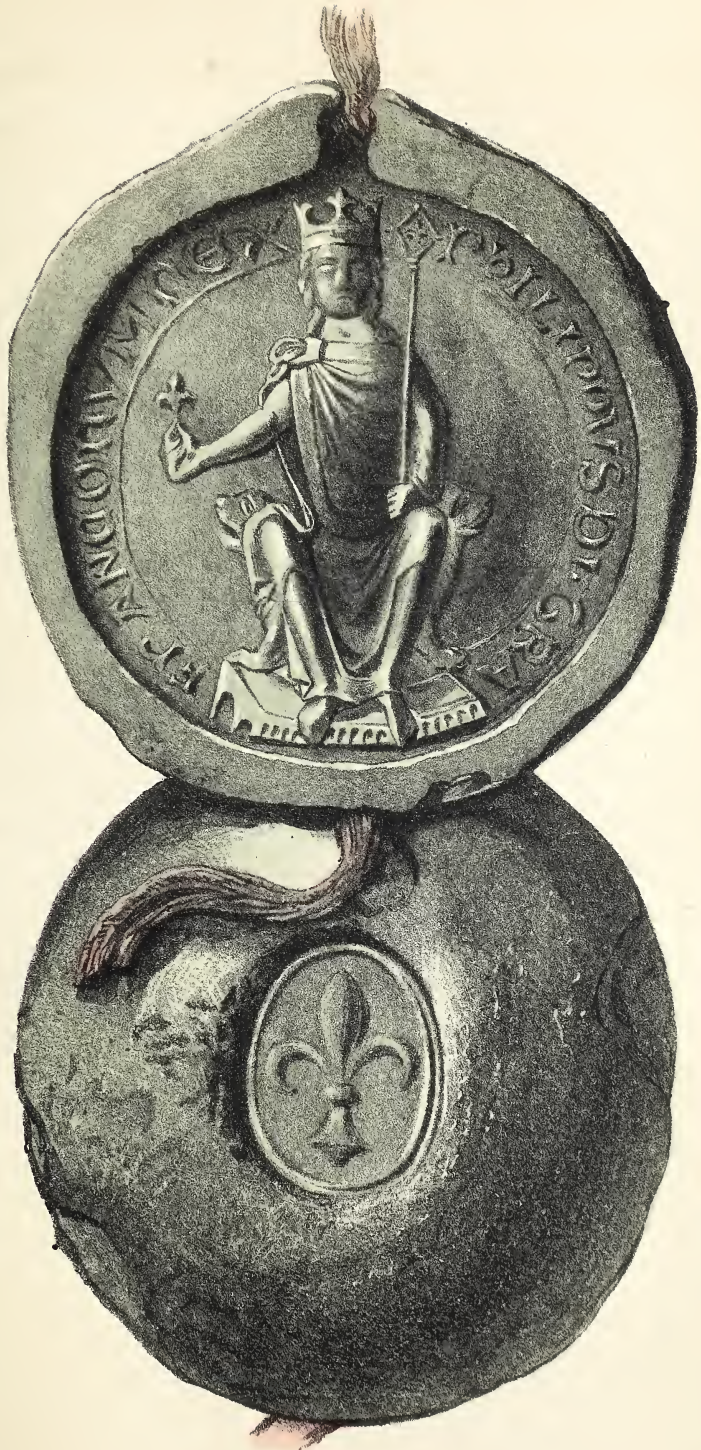
Signum Comitis THEOBAUDI, Dapiferi<sup>1</sup> nostri; Signum GUIDONIS, Buticularii;<sup>1</sup> Signum REGINAUDI, Camerarii;<sup>1</sup> Signum RADULPHI, Constabularii.<sup>1</sup>

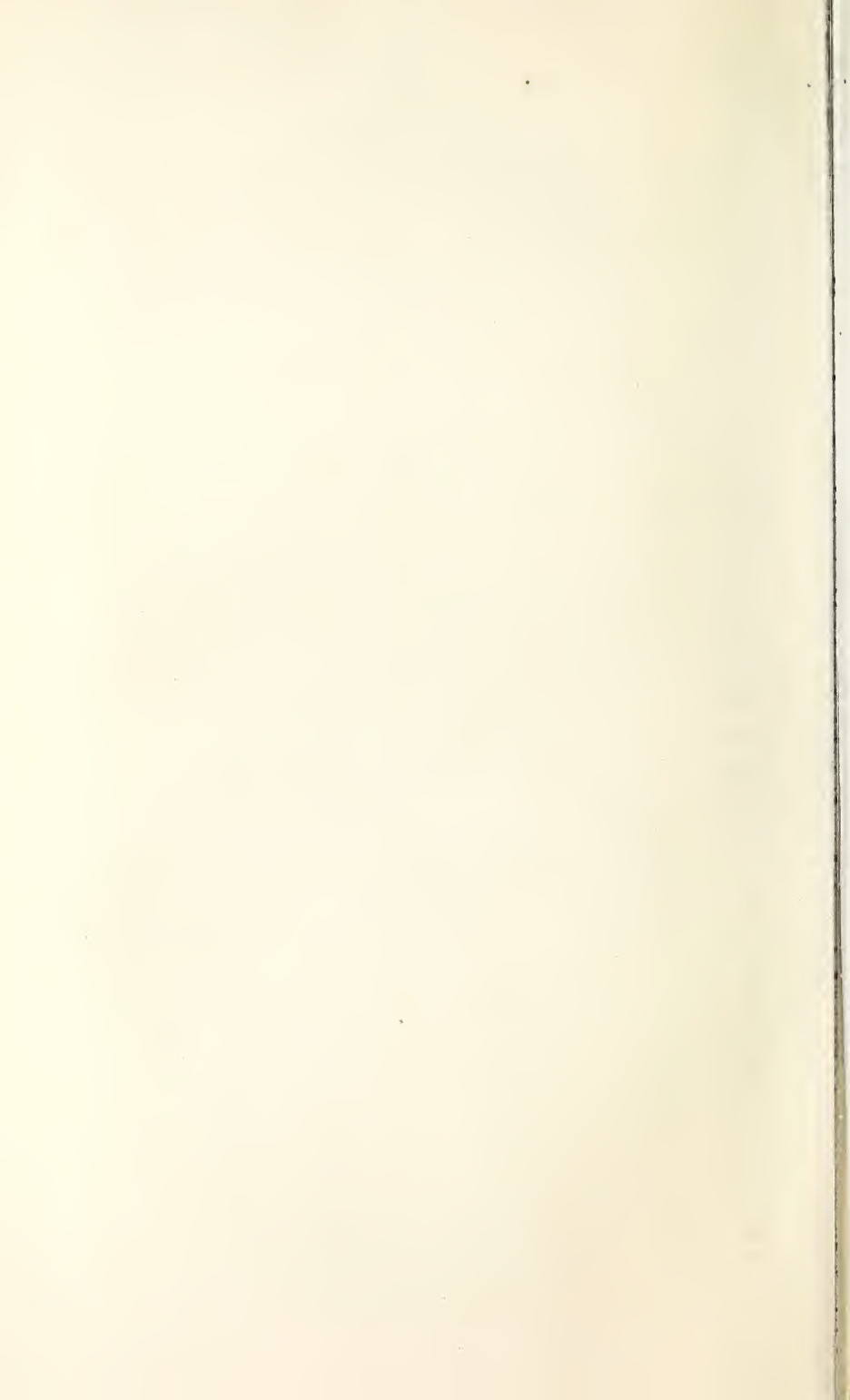
Data per manum Secundi [The Monogram of Philip the Second, "regii nominis karactere annotato"] HUGONIS, Cancellarii.

We regret that we are unable to give a transcript of the original Charter of Louis. It is not in the Surrenden Collection; but the recital of it in this his son's Charter proves that it was for an annual grant of one hundred "muids" of wine, to be received from the cellars of Poissy; with passage free of toll for the monks of St. Trinity, (afterwards styled the Priory of Christ Church,) Canterbury, on these occasions, and on all others when employed in the purchase of provisions.

L. B. L.

<sup>1</sup> These were the four great Officers of State, by whom the Charters and Diplomas of the Kings of France were witnessed.







## SIR ROGER TWYSDEN'S JOURNAL.

(Continued from Vol. III. p. 176.)

189. It is certayn some of them did prosecute me w<sup>th</sup> so great passion, as Mr. Browne, then in the Chayr, told S<sup>r</sup> Simondz Dieux some tyme after,<sup>1</sup> he durst doe no other then sequester me; And young S<sup>r</sup> Henry Vane, not long after, expostulating w<sup>th</sup> my Brother y<sup>t</sup> urged y<sup>e</sup> hardnesse of y<sup>e</sup> sentence, sayd playnly, the Committee of Lords and Commons would not, for one man's sake, disoblige an whole County; and M<sup>r</sup> Sergeant Wylde, seeing their resolution to continue so furiously against me, asked S<sup>r</sup> Simondz Dieux seriously to tell hym trwly what my offence was, that "they would not permit," say'd he, "us above to doe hym any right."

190. In y<sup>e</sup> arguing my case, there fell out a question w<sup>ch</sup> hyndered y<sup>e</sup> determination of it for that day. It was affirmed, this Petition of Kent was beegan to bee considered of y<sup>e</sup> 16 March 164 $\frac{1}{2}$ , (the boord took this for trwe) that it was hard to sequester me, the howse having not (as was thought,) declared it self then, in y<sup>e</sup> poynt of men's beeing bound by Ordinances. Tyme was taken to make enquiry tyll y<sup>e</sup> 23 August; at w<sup>ch</sup> tyme it was found it had beene resolved, y<sup>e</sup> 15 of March, 164 $\frac{1}{2}$ , that, in case of excream danger, and Hys Ma<sup>ties</sup> refusall,<sup>2</sup> the Ordinance agreed on by both howses for y<sup>e</sup> Militia, did oblige the people, and ought to bee obeyed by the fundamentall lawes of this Kingdome. So, w<sup>th</sup> out ever

<sup>1</sup> See No. 268.—T.<sup>2</sup> Collect. of Orders, tom. i. p. 102.—T.

any farther examynation of y<sup>e</sup> truth of any particular, as y<sup>t</sup> it could not bee so soone prynted and come to my hands as y<sup>e</sup> 16<sup>th</sup> day, Maydstone beeing nigh forty myles of, they entred w<sup>th</sup> out any dispute this Order against me.

189.<sup>1</sup>

“23 August, 1644,

“At y<sup>e</sup> Committee of Lords and Commons for Sequestrations.

“Upon severall Certificats of y<sup>e</sup> Committee of Kent of the cause of the sequestration of y<sup>e</sup> Estate of S<sup>r</sup> Roger Twysden, and upon full hearing of y<sup>e</sup> Evidences and witnesses *Ore tenus*, and councell on both sides, and after long and serious debate of y<sup>e</sup> whole matter, It is ordered, that the estate of the sayd S<sup>r</sup> Roger Twysden doe continue under Sequestration, And that the Committee of Sequestration in Kent doe proceede in y<sup>e</sup> execution of y<sup>e</sup> sayd Sequestration, any former Order of this Committee to y<sup>e</sup> contrary notwithstanding.

“JOHN WYLD.

“Vera copia ex per me,

“RIC. VAUGHAN.”

“I have noted in the margin, in Characters, for my own memoriall, the ground of the sequestring, viz. for associating in y<sup>e</sup> Kentish petition.

“R. VAUGHAN.”

190. Heere you see me now stript of all whatsoever but a prison; yet y<sup>e</sup> crime not so notorious but it did admit of a long and serious debate; No cause alleadged; No affirmation the particular I was charged with was w<sup>th</sup> in y<sup>e</sup> Ordinance of Sequestration, or what that was; onely y<sup>e</sup> Clark, in y<sup>e</sup> margin, for hys memory, had enterd as if an intent to petition was interpreted an actuall associating against the Parl<sup>nt</sup>; w<sup>ch</sup> makes me see how ille it is to have any thing penall left to y<sup>e</sup> will of a Judge, especially a Committee; and this our auncestors have in former tymes had experyence of, when the howse of Commons endeavored to save men's estates; not, as now, to ruine them.

<sup>1</sup> *Sic*: 189 and 190 are twice numbered in the MS.—ED.

191. After the description of Conspirators,<sup>1</sup> the 33 Ed. I., it seemes the Judges by their interpretations made it grievous to the subject; upon w<sup>ch</sup>, the Commons, the 29 Ed. III.<sup>2</sup> n. 29, petition:—“*Item prie la Comē, qe come les Justices assignez d'enquire de diverses felonies, confederacies, et conspiracies, et maitenours de querelles, les queux pointz les dits Justices jugeont molt reddement en grevance de la commune, qe plesea nostre dit seig<sup>r</sup> le Roy et son conseil, qe les poyntz de confederacies conspiracies et maintenances soient declarez ;—*”

To w<sup>ch</sup> the answer is,

“*Nostre seig<sup>r</sup> le Roy voet, qe nul soit juge ne puni pour confederacie, forsqe en cas ou l'estatut en fact parle expressement sur les poyntz contenuz en mesme l'estatute.*”

192. I dare boldly say, no intent to petition was ever held by any Court of Justice whatsoever, beefore this, an unlawfull conspiracy or association. And heere I can not but call to mynd, that, beeing young, and discoursing w<sup>th</sup> a person of worth and knowledge of y<sup>e</sup> often dissolving Parlyaments by King James, never heard of in former tymes, I used these words: “If I must receive injury, let it bee done me by a Parlyament;” adding farther these, or words to this effect, “That I would trust the two howses w<sup>th</sup> that they should doe unto me, as not expecting y<sup>e</sup> least hard measure could issue from so hon<sup>ble</sup> an assembly;” but it seemes I was deceived.

193. When my case was in hearing, a Colonel of the Army, unknowne to my Wife, stayd all the while (I should name him were I assured who it was) and heard S<sup>r</sup> Simondz Dieux, Mr. Selden, and divers others speak for me; but when all was done, having observed how things had beene carryed, hee came to my wife, though a stranger, and of y<sup>e</sup> howse of Commons, saying, “Ma-

<sup>1</sup> Vet. Magna Charta, fol. 90, a.—T.

<sup>2</sup> Rot. Parl. 29 Ed. III. n. 21.—T.

dam, God give you patience! for on my word you have neede of it."

194. The heads in the petition most excepted against by them were, 12<sup>th</sup> Head, "That the subject might not bee bound by any Order of one or both howses of Parlyament not grownded on y<sup>e</sup> lawes of the Land." The 13<sup>th</sup>, "that hys Ma<sup>ties</sup> message of y<sup>e</sup> 20<sup>th</sup> January, for y<sup>e</sup> future establishment of y<sup>e</sup> Privilege of Parlyament, our estates, Religeon, etc., might bee taken into consideration."

195. And heere, beefore I leave them, I think it not amisse to repeat one circumstance, shewing, in my opinion, a strange partialyty. Whilst my Councill and theirs argued the case, my wife was permitted to bee present; but when they were to consider of it by themselves, and to give the reasons of their judgments, she and my councill were thrust out; but y<sup>e</sup> advers party permitted to stay in. Whither this were not wors then y<sup>e</sup> Star chamber? men's estates taken away, themselves, nor councill, so much as hearing why, I shall leave y<sup>e</sup> judgment to others.<sup>1</sup> Cook Instit. ii. p. 103. "All causes ought to bee heard, ordered, and determind, openly, in y<sup>e</sup> King's Courts, whither all persons may resort." And in y<sup>e</sup> year 364, Valentinianus and Valens give this especiall charge to a Judge,<sup>2</sup> "Ut non in secessu domus de statu hominum, vel patrimoniorum, sententiam referat; sed, apertis Secretarij foribus, intro vocatis omnibus, aut pro tribunali locatus, et civiles et criminales controversias audiat," etc.

196. Beeing in prison, having no opinion of any good could come to me, some friends of mine, nothing satisfied w<sup>th</sup> the iustice of y<sup>e</sup> former sentence, and desiring to preserve my estate from wast and utter ruine, intended to have made tryall whether they could have got

<sup>1</sup> Cok. Inst. 2, upon the first chapter of Marlbredge, p. 103.—T.

<sup>2</sup> Codex Theodos. de officio Rectoris Provinciae, Leg. 2, Lib. 1.—T.

me tenant to it. (As my Lady Finch of Fordich<sup>1</sup> was of her husband's, Sr George Sonds (whose sequestration beeing given to y<sup>e</sup> Towne of Glocester) had, by the gentlemen of y<sup>t</sup> County, intrusted by y<sup>e</sup> Parl<sup>nt</sup> in that buisnesse, beene.)<sup>2</sup> The Committee of Kent having the intelligence of it beefore myself, took notice of it, and thereupon, the 4<sup>th</sup> of Sept., writ this letter; but y<sup>e</sup> subscribers I might not know, though they gave me the Copy:—

197. “My Lords and gentlemen, understanding of some endeavors of Sr Roger Twysden, or some friends of hys, to procure an Order from your hon<sup>ble</sup> Committee, to become tenants to his estate, wee thought ourselves to represent unto you the mischiefs which are like to ensue upon such kind of dimises.

i. “It admits or creates a disposing power in y<sup>e</sup> Delinquent, w<sup>ch</sup> can not but prejudice y<sup>e</sup> Parlyament, both in poynt of interest and honor.

ij. “It exposeth such tenants as have beene active for the Parlyament, or conformable to it in due payment of their rents, to y<sup>e</sup> revenge and spleene of their old malignant Landlord; eyther by beeing turned out of their fermes, or otherwise discourtenanced or discouraged.

ijj. “It gives a Latitude, eyther to y<sup>e</sup> Delinquent, or to hys intrusted friend, to ingratiat to hym a disaffected party, by these dependencies upon hym and hys tenants. At least wise, it obligeth the fermors (who are y<sup>e</sup> strength of y<sup>e</sup> County) to a condition of neutralyty, through hope or fear of their malignant Landlord's frowne or favor; and, by consequence, lays a foundation of disservice to y<sup>e</sup> Parlyament, and insecurityty to y<sup>e</sup> Parlyament.

198. “These, or the like no lesse considerable mischiefes, wee humbly conceive apparent in y<sup>e</sup> present mannage of y<sup>e</sup> Bishop of Canterbury hys estate; w<sup>ch</sup>, by Order from this Committee, is in y<sup>e</sup> hands, not of y<sup>e</sup> Committees for Sequestrations entrusted by the Ordenance for y<sup>e</sup> severall Counties; but of the Bishop's owne servants and attendants; of w<sup>ch</sup> one onely, and he y<sup>e</sup> meanest of them, is inhabiting in this County of Kent, whens the greatest part of that Estate ariseth.

<sup>1</sup> See No. 86 and 89 in Vol. II.; see also Appendix I.—ED. <sup>2</sup> *Sic.*—ED.

“These things premised, our humble motion is, this hon<sup>ble</sup> Committee would be pleased to take them into their serious considerations, and to signify to us the result hereof, in your directions and commands to

“your humble Servants.”

(given me w<sup>th</sup>out any name.)

“Knoll, 4 September, 1644.

“Vera copia, ex<sup>o</sup> per me,

“R. VAUGHAN.”

199. You may aske mee heere, what moeved the Committee of Kent to write this letter, w<sup>ch</sup> truly, to my apprehension, had neede of a favorable reader to make good construction of; (for how could they call the persons they writ to “this Committee”?) and carryed contradictions w<sup>th</sup> it; for what influence could such as lived out of y<sup>e</sup> County, as y<sup>e</sup> Archbishop’s servant did, have on hys tenants in it? and when did the Parl<sup>nt</sup> commit the sequestration of any but to such as they confided in? or, if to the wife or some friend, it was w<sup>th</sup> ties streight enough imposed on them. Beesides, these arguments fought as well against such as should compound (w<sup>ch</sup> it was desired all men should bee driven to) as others.

200. You may perhaps farther enquire what drwe this extraordinary severyty from y<sup>e</sup> Committee of Kent against me, not taken to have beene y<sup>e</sup> most culpable? To this truly I can give no satisfactory answer (many of them I did not know so much as by face), unless I should alledge y<sup>t</sup> of Tacitus, “*odij causæ acriores quia iniquæ.*”<sup>1</sup> I have beene told, had I made my application to them onely, I might have sped better; but for y<sup>t</sup>, I shall desire the reader impartially to consider what is heere truly set downe, and tell me what I could doe more. Beeing not able to attend them myself, I did by letter addresse myself to y<sup>e</sup> Sequestrator Generall, and S<sup>r</sup> Ed. Scot, that I might know my offence, and seeke some remedy; After y<sup>t</sup>, by my brother and wife I made

it my sute, tyll y<sup>e</sup> one was committed, and y<sup>e</sup> other was told she should have nothing but on my acknowledging myself a Delinquent. Upon y<sup>e</sup> former Order, the Committee of Kent that had caused certayne goods I had for my necessity at Chelmington, in Great Chart, (of small value, as bedding for me and my men, when I was drawn thither, etc.) to bee viewed; yet now, beecause they would loose nothing, sent carts and carryed them away.

201. I had a very great desire to have saved my seat from utter defacing; and, my woods lying about my howse, I did labour to have them allotted as her fifth part. Out of these hopes, she petitioned, y<sup>e</sup> 6<sup>th</sup> of September, 1644, M<sup>r</sup> Browne (who truly I take in hys owne nature to bee a just man) sitting in y<sup>e</sup> Chayr; and, upon her desire of having the lands about my mansion howse included in her fifth part, when some question was made of it, "Yes, yes," sayd he, "let her have them, she hath had measure hard enough." So, in the end, she obteyned an Order, not peremptory, but recommendatory, to the Committee of Kent.

"6 Septem<sup>br</sup> 1644.

"Upon the complaynt of Dame Isabella Twysden, Wife of S<sup>r</sup> Roger Twysden, Baronet, it is thought fit and ordered, that the Committee of Kent doe allow unto y<sup>e</sup> sayd Lady a fifth part of her husband's estate, according to the Ordenance; and it is recommended to y<sup>e</sup> sayd Committee to let the sayd Lady have her Mansion Howse, and y<sup>e</sup> lands adjoyning, in case her fifth part amount to so much.

"SAM. BROWNE."

203. In poursuite of this Order, my Wife heard of the letter from Kent, of w<sup>ch</sup> beefore nu<sup>ro</sup> 197, and soone after had y<sup>e</sup> copy of it, by Order; but shee, now great w<sup>th</sup> child, and a very weak body, thought fit to attend y<sup>e</sup> Committee of Kent for her fift part: So downe she went, September y<sup>e</sup> 17, and y<sup>e</sup> 19<sup>th</sup> of the same, w<sup>th</sup> her Order to them

at Knoll, of y<sup>e</sup> 6<sup>th</sup> of y<sup>e</sup> same, for it: When she appeered beefore them, S<sup>r</sup> Anthony Weldon, then in y<sup>e</sup> Chayr, told her he heard she was come into the country, and that he wonderd how she durst. She replied, "She came to her owne howse." He told her, it was not her owne, but y<sup>e</sup> State's; and so presented them w<sup>th</sup> her Order, w<sup>ch</sup> they seemed little to regard; and, desiring she might hyer her estate, was absolutely refused. She alleadged some presidents to whom it had beene graunted; but nothing would bee heard, "*odij causæ acriores quia iniquæ*," as I sayd beefore; yet this I would not have understood of all y<sup>e</sup> Committee. There was then S<sup>r</sup> Edward Monyngs, who, as he was a neere kinsman<sup>1</sup> and an honest gentleman, so he shewed hymself allwayes a worthy friend to her, and me; and, by hys means, M<sup>r</sup> Oxenden; to whom I may adde M<sup>r</sup> James, and S<sup>r</sup> Nicholas Miller; that I dare say desired not to have done mischief in generall to any man, nor to me in particular, could they have prevayled, but y<sup>e</sup> leading men were heere now y<sup>e</sup> violent.

204. They prest her much for a particular of my estate; w<sup>ch</sup> she told them they knwe better then herself, having received y<sup>e</sup> rents a year and an half; much had beene altered since wee had the disposing of it; and so excused the giving of it: w<sup>ch</sup> indeede she could not, at y<sup>t</sup> time, doe. In short they used her very harsly, and when she told them she hoped nothing should bee done, Michaelmas beeing so nigh, but she might have according to y<sup>e</sup> Order; The Chayrman told her, "assoone as ever this half year was past, they would have all y<sup>e</sup> rents, and she nothing of them." An other added, "that if she did not bring in a rentall beefore Michaelmas, she would find it wors afterwards." This was y<sup>e</sup> liberty of y<sup>e</sup> subject in the propriety of their goods! and some who had complayned of the King's excesses in such like

<sup>1</sup> They were first cousins, as shown by pedigree. (See Appendix, No. II.)—Ed.



cases, seemed to her no lesse willing to exercise themselves this prodigious Tyrany.

205. When she saw they would doe her no right, neyther in hyring the estate, nor assigning her a fift part, according as had beene recommended unto them, she desired her Order again; w<sup>ch</sup> at first was refused, saying, "they would keepe it, and write up in answer and satisfy them at Westminster:" but she replying, "it beeloned to her, beeing all she had to demand it by;" one of them (she knwe not who) told y<sup>e</sup> rest, "she sayd trwe, it beeloned to her, let her have it." So home she went to Peckham, and returned to me at Lambeth, October y<sup>e</sup> 3.

206. Beeing now come, she made her addresses to them at Westminster; who onely told her the Committee of Kent should allow her a fifth part; That they had given her as good an Order for it as lay in them to doe; advised her agayn to repayr unto them. Thus was she put of from post to pillar, according to y<sup>e</sup> Proverb,—got nothing,—spent y<sup>t</sup> little she had; in so much as wee often questioned, whyther it were not better to attend God's leisure, and leave all, or follow y<sup>t</sup> they allowed her. Through so great difficultys, so trying delays, "*justitiæ dilatio est quædam denegatio.*"

207. But beeing persuaded otherwise, the 2 of November downe she went agayn, great w<sup>th</sup> child; and soone after to S<sup>r</sup> Peter Richant's<sup>1</sup> Howse in Aylesford; formerly S<sup>r</sup> John Sedley's, whither the Committee had transfered themselves, to speak unto them.

<sup>1</sup> This was the Friars, in Aylesford,—now the property of the Earl of Aylesford.—Sir Peter's estate had been sequestered for his attachment to the Royal cause,—and he himself was one of the persons excepted in the Propositions of the Lords and Commons, for a safe and well-grounded Peace, July 11, 1646, sent to Charles at Newcastle. He was father of ten children, the youngest of whom was the eminent Sir Paul Ricant, whose historical and political writings are no less distinguished than his services as a diplomatist and statesman.—ED.

208. Whither they, hearing her former usage to have beene taken notice of in the Country, or somewhat had past from them at London, I cannot say; but now they seemed nothing so rugged as beefore, called for a stoole to have her sit downe,—did not absolutely deny her a fift part; but put her of, beecause she had not yet given her particular of the estate (w<sup>ch</sup> yet they all-ready had from my tenants), S<sup>r</sup> Anthony Weldon, as Chayr man, telling her, tyll she gave it them, they could assigne her nothing. Neyther did it avayl, the saying she had never medled w<sup>th</sup> my receipts,—that they were burnt, etc. Tyll that were done, nothing could bee had. So they put her to y<sup>e</sup> procuring a thing well nigh impossible.

209. Beeing thus necessitated, she sends to her tenants to know what they had given in for their rent, who easily told her. Upon which, she made up a rental, and presented it unto them, not much differing from one themselves had of them on warning to pay me no rent, onely some few pounds lesse. At this meeting, Mr. Godfry (now Recorder of Maydstone), after Dyke, Sequestrator generall of y<sup>e</sup> County, asked her of my goods, what was beecome of them? To whom she replied, “Sir, it seemes you intend to examine me?” he sayd he did so; “Why,” says she, “I am not so much a foole but I know y<sup>t</sup> cannot bee, beeing hys Wife; yet to shew my integrity I am content.” He asked her then what she had done w<sup>th</sup> them? she told him, “she had sold them.” He sayd, that must bee eyther beefore or after my Sequestration; if after, she could not, for they were the State’s. She sayd, “I had done it beefore for payment of debts.”

210. To w<sup>ch</sup> he made answer, I was not a person indebted, and enquyred what Servant had beene formerly w<sup>th</sup> me. She, a wise woeman, easily apprehended that was to descry by them what they could. Did remember

Captayn Augustine Skinner and hymself, when George Stone and Thomas Moys had past y<sup>e</sup> Committee, tooke George Stone into a private roome, and questioned hym even upon oath what I had done w<sup>th</sup> my goods, who told them playnly he knwe nothing. But she was to answer; so she sayd, "I had one Hamnet Ward, Richard Read, John Mot, one Rutland." Then he demanded where they were? She answered, "The three first were in France, the last went to hys Country, being a stranger, she did not know whyther." When she had mentioned these, she did likewise George Stone and Moys, of whom beefore. So finding nothing could bee had out of her, he dismist her.

211. But she pressing for her fifth part, the 2 of December, they in Kent made this Order for Mr Wolf, who was their servant in sequestring men, and truly an honest man :—

"Ordered, that Walter Brooke, of Yalding, Gabriel Couchman, of y<sup>e</sup> same, and Samuell Button, of East Peckham, doe vieve the farme and lands in East Peckham, in the occupation of George Stone; and doe certify unto this Committee, what number the acres of each severall sort are beelonging to the sayd farme, and what yearly value, and what quanty of woods there are, and what growth and condition, and doe make y<sup>e</sup> like vieve and certificate of such other Lands as are desired by the Lady Twysden, in part of her fift part. And the collector for Sequestration within that division is required to give notice to y<sup>e</sup> sayd parties of this Order, and to attend the sayd survey; and doe make returne, under y<sup>e</sup> hands of the sayd parties, what they doe therein, w<sup>th</sup> in ten dayes after the date heereof. Aylesford, y<sup>e</sup> 2 of December, 1644.

" RICHARD HARDRES.  
THO. BLOUNT.  
N. MILLER.  
WM. JAMES.  
THO. FRANKLYN.

"To Mr. Wolf, at S<sup>r</sup> John Sedly's."

212. But the following day, upon information given, as was pretended, of divers goods of great value in my howse undiscovered, they ordered—

“Stay to bee made of y<sup>e</sup> Lady Twysden’s fift part, untill discovery of the goods in y<sup>e</sup> sayd howse, 3 of December, 1644.

“THOMAS PLUMMER. ANTHONY WELDON.

“RICHARD HARDRES.

“THO. FRANKLYN. NICH. MILLER.

“RIC. BEAL.”

213. And heere to speak a word of my goods, w<sup>ch</sup> they had beene heere severall tymes to search after: The best of w<sup>ch</sup> I had transported beeyond seas, and were there for y<sup>e</sup> most part lost; the others I had committed to those I knwe faythfull, and out of their power. Yet S<sup>r</sup> Anthony Weldon told my wife the goods were of a great value, worth 10000<sup>l</sup>,<sup>1</sup> sent M<sup>r</sup> Wolf divers tymes w<sup>th</sup> souldiers to search for them, who, finding none but what y<sup>e</sup> children lay on, or employed in theyr necessary use; and they beeing in some kind let to George Stone, w<sup>th</sup> whom they boorded, returned, truly there was not any. At this S<sup>r</sup> Anthony chafed, told Wolf he would turne hym out of hys place, who, thereupon, answered, he was not y<sup>e</sup> alone person searched; there were thirty Souldiers who did all see, as well as hee, there was none. But this was y<sup>e</sup> Knight’s ordinary language. I remember he sent once to hym that kept my parke for a Buck w<sup>th</sup> this epiphonema, “tell the keeper if he send me not a good one I will turn hym out of hys place.”

214. But whither y<sup>e</sup> Committee were satisfied w<sup>th</sup> the falsnesse of y<sup>e</sup> information, or what elce, I know not. Mr. Wolf sent word to George Stone, y<sup>e</sup> 13 December, he would the Wensday following, w<sup>ch</sup> was y<sup>e</sup> 18<sup>th</sup>, come and vieue the farme, according to former order; and

<sup>1</sup> See Appendix, No. III.—Ed.

therefore desired hym to give notice thereof to Walter Brooke, Gabriell Couchman, and Samuell Button: of w<sup>ch</sup>, three were my professed Enemies; not y<sup>t</sup> I had deserved ille of any of them; but rather y<sup>e</sup> contrary; Button having married an old servant's daughter, and one (if I mistake not) I christened, as did my mother, whose name she caryed, and was born in my howse. Brooke had likewise beene beeholding to me in some poynts of Justice; but, beeing poore, and employed by them in cutting downe my woodds, by w<sup>ch</sup> he hoped to have made hymself whole, he was so enraged against me as I have beene told, and I beeleeue it trwe, he should say, he hoped, or at least did not doubt to see my Wife and my lady Butler spyn for their livings. Of these, Couchman and Brooke appeered; but Button had not y<sup>e</sup> confidence to looke my wife in the face; and, w<sup>th</sup> M<sup>r</sup> Wolf's assistance, made a fayr certificate y<sup>e</sup> 18 December, 1644.

215. And who might not now have beene deceived as well as my Wife? The Lords and Commons professing her case to bee hard, recommended to them of Kent to have as her fift part my mansion howse and land about it, for avoyding y<sup>e</sup> defacing of it, nor made unserviceable;<sup>1</sup>—she poursues y<sup>e</sup> getting it, w<sup>th</sup> unspeakable trouble, vexation, and charge. They send to have an estimate of it, w<sup>ch</sup> is done; and, y<sup>e</sup> 24 December, she attends the Committee again at Aylesford. They assure her she shall heere of them. After all this expence of travell, enterteynment of those they appoynted to see what she desired, w<sup>ch</sup> was somewhat to those had all taken from them, see y<sup>e</sup> issue.

216. "At the Committee for Sequestrations, at Aylesford, the 31 December, 1644.

"It is ordered, that the severall Collectors for the Seques-

<sup>1</sup> *I. e.* and lest it should be made unserviceable.—Ed.

trations, doe allow unto y<sup>e</sup> Lady Twysden, one fift part of the rents and profits of the estate, reall and personall, of S<sup>r</sup> Roger Twysden, within their severall divisions, in poursuance of y<sup>e</sup> Ordinance for Sequestration. The sayd allowance to bee made out of the receipts since Michaelmas last.

“exempl<sup>y</sup> LAMBERT GODFRY.

“To M<sup>r</sup> Wolf, Collector  
for Sequestrations, w<sup>th</sup>in  
the Lath of Aylesford.”

217. If you aske, how it came to passe, after so much care and trouble, expence in pursuing of it, such a recommendation from above, and seeming compliance w<sup>th</sup> them beeneath, as appeered by their sending to value what she laboured to get, wee should onely have y<sup>e</sup> mountayns' byrth, I can give you no certayn answer. Yet I think not unfit to tell y<sup>e</sup> reader what I have heard, and seemes to me not improbable. That some of them, having carryed themselves so desperately to my ruine; yet finding, by relation, a good quanty of wood to bee styll standing, so as I might come to live at my howse again, they resolved to have it cut downe; that, by so doing, it might be made absolutely unserviceable for y<sup>e</sup> future. This I doe not give it for assured, so I thought it not fit to conceall it altogether: The reader may beeleeve what pleaseth hym.

218. My wife, seeing she could make no farther progresse, returned to Lambeth y<sup>e</sup> 27<sup>th</sup> of December, whether the former order was soone after sent; by w<sup>ch</sup> I saw it was not possible for me to expect any thing, when neither the recommendation of y<sup>e</sup> Lords and Commons, nor the justice of my cause could prevayl so far as to let her have (in y<sup>e</sup> case she then was) a place to shroude her head in. Beesides, what power had they to restreyn her fift part to beegin onely from Michaelmas 1644? The Committee of Westminster assigned her a fift part of my estate 6<sup>th</sup> September, beefore Michaelmas

rents were dwe: Therefore, at least, she was to have them out of our Lady day's rents. The Ordenance of y<sup>e</sup> 19 August, 1643, is, that she may bee allowed from y<sup>e</sup> hower of Sequestration; yet these limit it onely after Michaelmas. But wee were under, and must bee bound, not they.

219. This year, my dear Wife looking after my buisnesse, I had the liberty of following my studies; and finding humane nature can never bee absolutely idle, put out y<sup>e</sup> Lawes of Henry y<sup>e</sup> I. compared w<sup>th</sup> the red booke in the Exchequer, never beefore printed, and joyned them w<sup>th</sup> the Saxon Lawes set out by Mr. Lambert, 1568, and w<sup>th</sup> those of the Conqueror, publist by M<sup>r</sup> Selden; part of w<sup>ch</sup> beeing found in y<sup>e</sup> sayd booke, viz. after cap. 50, I compared and corrected by it; and so past them to y<sup>e</sup> presse w<sup>th</sup> a preface of my owne: w<sup>ch</sup> is y<sup>e</sup> first I ever appeered in print.<sup>1</sup>

220. In January, 164 $\frac{4}{5}$ , my wife informed the Committee of Lords and Commons she could get no expedition from y<sup>e</sup> Committee of Kent, according to their order, for her mansion howse or lands about it. But from theise she could get no reliefe; it beeing against persons were not onely to have the protection of both howses of Parlyament, when they did execute their commands; but were to bee held to have done an acceptable service in destroying other men. And heere I may not forget that she taulking one day with one of them, he told her, they must defend their Committees against me; for they were for them, when they knwe me against them. And when she asked, what I had done to shew it? he replied, they knwe my thoughts. Thus they conclude when they are guilty of those injuries to others themselves cannot pardon.

221. My deere Wife, great w<sup>th</sup> child, and now ready to lye in, the 8<sup>th</sup> of february went downe in to Kent.

<sup>1</sup> See Appendix, No. IV.—Ed.

And though she rid all the way on horsback beehynd George Stone, yet God so enabled her, a weak body, she had no hurt: To hym, therefore, bee the prayse, for that and all his other goodnesse to me and her, for ever and ever, Amen. But whither her many journies on my errands, an unhappy Midwife, or what elce, I know not, she had a very ille tyme after her beeing delivered; and indeede never recovered her former strength during all her life.<sup>1</sup> In so much as she returned not to me again tyll the 23 May following.

222. The 11 March, 164<sup>4</sup>/<sub>5</sub>, there was brought to Lambeth a Warrant, subscribed by John Leech, Clark to y<sup>e</sup> Committee for the advance of the Scottish Lones, directed to the keeper of the Prison in Lambeth. The effect of it was, That, Whereas the hon<sup>ble</sup> howse of Commons had set a fine upon me, and by their Order y<sup>e</sup> 4<sup>th</sup> of that instant March, referred to them the care of levying it, to desire hym to cause me and S<sup>r</sup> Wingfield Bodenham, if he were in hys custody, to bee brought to Gouldsmiths' Hall, on tuesday y<sup>e</sup> same day, at three of the Clock in the after noone, there to give in my answer.

223. According to this Warrant, I attended them; there beeing then present M<sup>r</sup> Ash, S<sup>r</sup> Anthony Irby, S<sup>r</sup> Davyd Watkins, and other whom I knwe not, six or eight, more or lesse. They used me very civily, by all means would have me sit downe, when they told me the howse of Commons had imposed on me a fine of 3000<sup>l</sup>, that it was referd to them to see it levyed, who for y<sup>t</sup> end had sent to confer w<sup>th</sup> me.

224. The immensenesse of this Summe imposed on me, with out ever beeing heard or sent unto; not acquainted by me how my estate stode; not knowing what I could say for my self; made me see the Star-chamber was remoeved to y<sup>e</sup> other end of Westminster

<sup>1</sup> For a most touching tribute to her memory, see Appendix No. V.—ED.



Hall. I pleaded for myself as well as I could; desired to know my fault. Some sayd y<sup>t</sup> was not referd to them; One read out of a paper, y<sup>t</sup> it was for abetting a petition came out of Kent. I sayd, I nether framed, nor deliverd it, nor subscribed, oherwise then I gave out a trwe Copy, w<sup>ch</sup>, on the howse of Commons' command I immediately called in.

225. Upon this M<sup>r</sup> John Ash that was in the Chayr spake these formall words, "Wee sit heere to oppresse no man. For my part, I think this gentleman to have had very hard measure; but wee can doe hym no good, other then giving hym tyme for payment." And so they seemed to think all. I asked them then, "if they could not how I might bee redrest." They sayd, "by petitioning the howse." I beesought them, y<sup>t</sup> one of themselves would bee pleased to deliver me a petition; but they replyed, it was not proper for them. And so they dismiss me. Beefore I had quite done, in came Captayn Augustine Skinner, who, as I heard after from hymself, spake in my favor of the hardnesse of my censure.

226. And heere, having mentioned M<sup>r</sup> Ash, I can not but say this in short of that gentleman; that, whilst I attended the Committee, I found hym, however observant of the Orders of y<sup>e</sup> howse of Commons, yet willing to hear reason in poynt of debts; or otherwise to dispatch men out of their misery; and to moderate, not their paiments, (for y<sup>t</sup> was impossible, at least not in hys Power) but other things as much as he could. And let no man think I speak this out of any favor I received from hym; for I protest I payd 400<sup>l</sup> for my fifth and twentyeth part, meerely for hys eyther wilfully or ignorantly mistaking the order of y<sup>e</sup> howse.

227. Beeing out of prison, I went to my brother Yelverton, to speak to hym a word of this fyne. He assured me, if I would acknowledge myself a Delinquent

(w<sup>ch</sup> I could not doe) it would bee mytigated. I desired it might have a full hearing in y<sup>e</sup> Howse, and then I should know I was faulty and submit myself, if they concluded me so: But this was not to bee expected, they were so full of businesse; especially, if the case were such the party had hope of beeing freedde of Sequestration.<sup>1</sup>

229. Now alone, my wife gon from me, I beegan to consider of the power and Priviledges of the two howses, as they stode apart, and did not joyn w<sup>th</sup> the King; especcially of the howse of Commons;—and how far they might legally requyre obedience from y<sup>e</sup> subject;—And whither they had any priviledge or right to govern the nation, otherwise then by y<sup>e</sup> knowne lawes of y<sup>e</sup> land. To w<sup>ch</sup> purpos beeing helped w<sup>th</sup> some good books from my Noble friend S<sup>r</sup> Simondz D'ieux;<sup>2</sup> from w<sup>ch</sup>, joyning w<sup>th</sup> them my owne collections, I gathered a good quantyty of Notes, and am resolved heere to set downe, as those may perhaps bee usefull to some after me.

230. As for Priviledges (the breaking of w<sup>ch</sup> was become much more dangerous then the transgressing any penall Law) I shall not heere make any inquiry into y<sup>e</sup> genuine signification of the word; The late Howses made every man understand well enough what they meant by it. But for the nature, I take that to bee trwe in generall, *Privilegia ad bene vivendum dantur, non ad delinquendum; illaque praesidio bonis adversus improbos esse debere, non autem malis ad nocendum facultatem.* This beeing, then, y<sup>e</sup> extent of all usages or concessions of that nature, I beegan to cast with myself, what made them of late so burthensome to y<sup>e</sup> subject.

231. As for their exemptions from sutes, molestations by law, arests, or otherwise; it seemes very reasonable,

<sup>1</sup> Half a page of the MS. is left blank for No. 228.—ED.

<sup>2</sup> See Appendix IV.—Ed.

they w<sup>th</sup> their attendance beeing there for y<sup>e</sup> publique good, should, as my Lord Dyer<sup>1</sup> hath it, enjoy that freedom; but then it is as reasonable, Parlyaments should not reach to y<sup>t</sup> immense length they have done of late, to y<sup>e</sup> laying a sleepe a great part of the justice of y<sup>e</sup> realm,<sup>2</sup> all guifts of the King having this condition, eyther exprest or tacit, *quod Patria per donationem illam magis solito non gravetur*. The like I think fit to bee sayd of their Priviledges. *Privilegia omnia paucis concessa personis in perniciem plurimorum in irritum devocentur*,<sup>3</sup> was an Edict of the Emperors Gratian, Valentinian, and Theodosius, An<sup>o</sup> 383. I did conceive the Commons beeing above 500, The Howse of Peeres about six skore, they and their Retinue could not bee less then five thowsand protected from all manner of Justice.

232. Another cause that the Commons did now not onely conclude what was a Priviledge; (w<sup>ch</sup> in elder tymes was done on their desires in y<sup>e</sup> upper howse, by y<sup>e</sup> advise of the Lords and Judges, as is manyfest by Thorp's Case, 31 H. 6, n. 26, and Pleddal's, 2 et 3, P. et M. Decem<sup>br</sup> 6. "*Journ. de Cōes.*" See there likewise, 4 et 5 P. et M. Jan. 29;) but themselves did likewise take upon them y<sup>e</sup> punishing y<sup>e</sup> transgressor, and freeing y<sup>e</sup> Party; whereas, formerly the person imprisoned became freed<sup>e</sup> by a writ out of Chancery, graunted on a warrant from Mr. Speaker, but for hys damages, recovered them in a Court of Justice by a legall tryall. And, though the Commons have some tymes petitioned, one injuring a Burges might pay hym treble damages,<sup>5</sup>

<sup>1</sup> Dyer, fol. 60, a.—T.

<sup>2</sup> Coke. The Case of Monopolies, fol. 86, b.—T.

<sup>3</sup> Codex Theodos. lib. xi. tit. 13. "Si per obreptionem fuerint impetrata, lege unica."—T.

<sup>4</sup> Journ. des Comes, 5 et 6 Ed. 6, febr. 22; *vide* 18 Eliz. febr. 16, 21, 22, 27, 28.—T.

<sup>5</sup> Rot. Parl. 5 Hen. 4, n. 71; 10 Hen. 6, n. 39.—T.

and after y<sup>t</sup>, for double; yet y<sup>e</sup> making any addition to y<sup>e</sup> Common Law, in y<sup>t</sup> kind, hath beene allways stopt, and y<sup>e</sup> party allowed hys defens in an ordinary legall way.

233. Neyther were their exemptions so absolute, but if for just causes they were imprisoned beefore the Parl<sup>ts</sup> sitting, they were, after the dissolution or prorogation, to bee returned thither again. 8 Eliz. one Gardiner, a member of the Howse of Commons, lying in the Fleete, the Howse thought fit to demand hys restitution by y<sup>e</sup> M<sup>rs</sup> of y<sup>e</sup> Requests and Rolls, the 8 of October; who returned answer, that he should bee restored, w<sup>th</sup> condition that, at y<sup>e</sup> prorogation or dissolution of the Sessions, he might bee eftsoons prisoner agayn.

234. And thus these Priviledges were not greatly grievous to y<sup>e</sup> nation, tyll after y<sup>e</sup> 18 Eliz., at w<sup>ch</sup> tyme, Edward Smally, servent to y<sup>e</sup> Burgesse of Grantham, beeing to have Priviledge from an Arrest, it was referred to a Committee,<sup>1</sup> to consider of the manner of doing it. Upon which, Report was made, febr. 22, by th' Atturney of y<sup>e</sup> Dutchy, "that they found no president for setting at large, by y<sup>e</sup> Mace, any person in Arrest, but onely by writ. And by divers presidents of Record perused by them, it appeareth, That every Knight, Citizen, and Burgesse, requyring Priviledge, hath used to take an oath beefore the Lord Chancelor or Keeper of y<sup>e</sup> Great Seal, that the party for whom such writ is prayed came up w<sup>th</sup> hym, and was hys servant, at the tyme of y<sup>e</sup> Arrest made."

235. After w<sup>ch</sup>, M<sup>r</sup> Hall, the Master to the sayd servant, was moeved to attend y<sup>e</sup> Lord Keeper, make Oath, and so to take out y<sup>e</sup> writ; yet not withstanding, after severall arguments had y<sup>e</sup> 27<sup>th</sup> of february, it was concluded he should bee freede by the Mace; w<sup>ch</sup> was done accordingly on Tuesday y<sup>e</sup> 28<sup>th</sup>, and from hince I con-

<sup>1</sup> Journ. des Cōes. 18 Eliz. febr. 21.—T.

ceive Hollinshed<sup>1</sup> is to bee corrected, where he says, "all commands from y<sup>e</sup> Nether howse are to be executed by y<sup>e</sup> Sergeant, w<sup>th</sup> out writ, by shew of hys Mace," w<sup>ch</sup> certainly hee spake according to y<sup>e</sup> tyme he writ in; for, doubtlesse, so many concurrent testimonies of freeing men by writ, in y<sup>e</sup> Journalls of Parl<sup>nt</sup>, can not bee false. Neyther can I think any difference beewene Ferrars a Burgesse, and Smally a Burgesse Man, (though y<sup>e</sup> nam of one bee recorded in Chancery and not y<sup>e</sup> other,) of any consideration as to this particular.

236. Since w<sup>ch</sup>, y<sup>e</sup> Commons (that beefore did not resolve of their priviledges w<sup>th</sup> out y<sup>e</sup> Lords, and y<sup>e</sup> opinion of the Judges) have not onely concluded w<sup>ch</sup> they are when violated, and the guilt of y<sup>e</sup> violaters of them, but y<sup>e</sup> 23 Eliz.<sup>2</sup> first appoynting a Committee to examine the returns of y<sup>e</sup> howse, And the 27 Eliz. another<sup>3</sup> to consider the state and manner of serving processe upon any member of y<sup>e</sup> howse; w<sup>ch</sup> two (having been joyned in one y<sup>e</sup> 35 Eliz. febr. 26, and at y<sup>e</sup> beegining of every Parl<sup>nt</sup> renewed) have so far enlarged the extent of these Priveledges, and their power in punishing, as now it is hard to say what may not bee a breach of them, if it have reference to a Parlyament man; And none but may w<sup>th</sup> more ease satisfy y<sup>e</sup> rigor of a severe penall Law, then the censure of that howse; and if he bee held a breaker of them, though ignorantly, yet if hee bee questioned, may think he fayrly comes of, if hee speede no wors (what w<sup>th</sup> Sergeant's fees, wayting on them from day to day, imprisonment, and such like) then paying double or treble Damages as assest by a Jury.

237. As for committing any, I did ever understand the rule of imprisoning to have beene, y<sup>e</sup> Law of y<sup>e</sup> Land; And in this, Magna Charta, cap. 29, to have given di-

<sup>1</sup> Hollinshed in Hen. 8, 1542, p. 956, 27.—T.

<sup>2</sup> Journ. des Comes. 23 Eliz. febr. 24.—T.

<sup>3</sup> Do. do. 27 Eliz. febr. 23.—T.

rections, "that it ought not to bee<sup>1</sup> *sanz due processe de la ley per legem*;" and therefore y<sup>t</sup> all prooffe against one in y<sup>t</sup> kind ought to bee legall, that is, by oath.

238. Upon w<sup>ch</sup> grownd it is, that a Justice of Peace can not cause one to find suerty of y<sup>e</sup> Peace or good bechaviour, but on the Complaynant's oath; though no statute inable hym unto it; yet, beeing according to y<sup>e</sup> rule, "*Neque super eum ibimus nisi per legem terræ, etc.*," it is questionlesse legally done. Hence it seemes to me, no Magistrat or Court, not having a right of administring an Oath, (w<sup>th</sup> out w<sup>ch</sup> there is no legall prooffe) can have right of committing any: and so, neyther y<sup>e</sup> Howse of Commons, nor their Committees, having the Power of administring an oath, I doe not see how they can of y<sup>e</sup> other; unlesse perhaps of some, their owne Members, for facts or words w<sup>th</sup> in their own walls.

239. His late Ma<sup>ty</sup>, in hys Declaration of the treaty at Oxford, 1643,<sup>2</sup> says, the Howse of Commons hath Power of committing, onely in the case of the breach of their Priviledges; w<sup>ch</sup> yet, under favor, I doe not well see how to assent unto; having not observed them in former ages to have judged of those, otherwise then by making a law for y<sup>e</sup> security of them; and for y<sup>e</sup> prooffe of this, to the presidents beefore, may bee added Rot. Parl. 5 Hen. 4, n. 78; 28 Hen. 6, n. 56.

240. Neither doe I remember one example, in all y<sup>e</sup> Rolls of Parlyament, of any one committed by y<sup>e</sup> Commons alone, or their Committees. In y<sup>e</sup> Journalls, towards the end of Ed. y<sup>e</sup> 6<sup>th</sup>, in Queene Marie's, and Elizabeth's raigns, I confesse there are some: yet but rarely: And y<sup>e</sup> farther back wee looke, the lesse frequent wee meete them. Heere truly I had much rather heare some person more learned speak in y<sup>e</sup> argument;

<sup>1</sup> Rot. Parl. 36 Edw. 3, n. 20; 17 Ric. 2, n. 37.—T.

<sup>2</sup> Collect. of Orders, to. 2, p. 115.—T.

but beeing led into it, I shall onely say what I have observed in it; leaving the judgment to other of what I shall deliver.

241. The 21 January, 2 Ed. 6, 154 $\frac{8}{9}$ ,<sup>1</sup> I find it ordered in the howse of Commons, John Story, a Member of it, should bee in y<sup>e</sup> Sergeant's ward, w<sup>th</sup> out any to speak w<sup>th</sup> hym, and to bee heard y<sup>e</sup> day following; but whither this were on exceptions taken for somewhat by hym uttered in y<sup>e</sup> howse, upon reading of y<sup>e</sup> booke of uniformity of y<sup>e</sup> Service in y<sup>e</sup> Church, or against hys Ma<sup>ties</sup> supreamacy, doth not appeere. The 23, The accusation against hym was read in y<sup>e</sup> howse; The 24, he was by order sent to y<sup>e</sup> Tower; The 26, it is Ordered, hys wife should bring in her byll y<sup>e</sup> next day; w<sup>ch</sup> beeing exhibited, was orderd to bee deliverd to my Lord Protector's grace. So y<sup>t</sup> it seemes hys offence was, y<sup>e</sup> presenting some byll against the King's supreamacy, or some such lyke. The 2 of March, upon a letter of submission from hym in the Tower, It is Ordered, the King's Privy Councill in the Nether howse shall humbly declare unto y<sup>e</sup> Lord Protector's Grace, that the resolution of that howse is, that M<sup>r</sup> Story bee set at liberty out of Prison; and to desire his Ma<sup>ty</sup> to forgive hym his offence, in this cause, towards the King and his Councill.

242. But, under favor, I doe not take this to have any conformity w<sup>th</sup> the commitments wee speak of. For first, Story was one of their owne body; so subject to such coercion as they should think fit. Secondly, the offens was so heynous against the King and his Councill, as the howse were suitors to hys Ma<sup>ty</sup> for forgivenessse of hym. And whither it might not have beene interpreted treason, in those doubtfull tymes, who can tell? Neither am I satisfied that commitment was by them onely, w<sup>th</sup> out y<sup>e</sup> King an Councill's directions; for it seemes not

<sup>1</sup> Journ. des Cōes. 2 Ed. 6, 21 Jan.—T.

to me probable the Commons would first have restreyned hym in y<sup>e</sup> Sergeant's ward three days, after sent hym to y<sup>e</sup> Tower, not delivered hym thens but w<sup>th</sup> a supplication for hys forgiveness, had not all past but w<sup>th</sup> advise from the Court. Therefore, in my opinion, wee must seeke out later presidents; and truly the first I have met w<sup>th</sup>, is y<sup>e</sup> fift and sixth of Edward y<sup>e</sup> sixth.

243. The 15 February, y<sup>e</sup> 5 and 6<sup>th</sup> of Edward y<sup>e</sup> sixth, one Brandling, Burgesse of Newcastle,<sup>1</sup> coming to y<sup>e</sup> Howse made hys complaynt against Sir John Witherington and others, upon an assault made upon the sayd Brandling. It was committed to one M<sup>r</sup> Morgan and others, to make a warrant in y<sup>e</sup> case, w<sup>ch</sup> it seemes was not then so usuall as was well knowne how to bee done; for y<sup>e</sup> 19<sup>th</sup> Febr. it is ordered, the Lord Chancelor may direct the King's Writ of attachment to y<sup>e</sup> president of the King's Councill in y<sup>e</sup> North parts, to attach Henry Witherington and others, upon complaynt of S<sup>r</sup> Robert Brandling, Knight,<sup>2</sup> Burgesse of Newcastle, exhibited to y<sup>e</sup> Nether house.

244. This seemes to have been done accordingly, and Witherington, upon it, came to towne. The 31 March, the howse refer the ordering this businesse to y<sup>e</sup> Duke of Northumberland; and y<sup>e</sup> 5 of April, they doe request the Lords of the Councill, to receive the byll exhybyted by Brandling against Witherington and others, and take order in y<sup>e</sup> same. The 7<sup>th</sup> Aprill, the Lords excuse themselves, returne the byll back again, to bee ordered by themselves, according to the auntient custome of y<sup>e</sup> howse. Whereupon, the sayd bill of complaynt was read in y<sup>e</sup> presence of Henry Witherington, sent from y<sup>e</sup> Lords to y<sup>e</sup> Howse of Commons, who confessed he beegan y<sup>e</sup> fray upon Brandling; upon w<sup>ch</sup> confession, the sayd Henry was committed prisoner to y<sup>e</sup> Tower.

<sup>1</sup> Journ. des Cōes. 5 et 6 Ed. 6, febr. 15.—T.

<sup>2</sup> He is called no where else other then M<sup>r</sup> Brandling.—T.



245. In y<sup>e</sup> same Parl<sup>nt</sup> Hugh Flood, servant to S<sup>r</sup> Anthony Winkfield, Controuler, Kn<sup>t</sup> of y<sup>e</sup> shire of Suffolk, was y<sup>e</sup> 18 March adjudged to have Priviledge. The 26<sup>th</sup>, John Gourdon, Frenchman, exhibits a supplication to undoe y<sup>e</sup> sayd Priviledge. The 28<sup>th</sup>, the Howse ordered a *procedendo* to bee dyrected, to set Flood with out y<sup>e</sup> Priviledge of the howse, The Serjeant to deliver hym Prisoner to y<sup>e</sup> Sherifs of London. The 29, the howse beeing credibly informed, Hugh Flood, upon hys delivery<sup>t</sup> to the Sergeant at London, did by an assault make an escape, did Order, the Sergeant shall require M<sup>r</sup> Controuler to find Hugh Flood, and one Cricktoft, to attend the howse next day by 8 of the clock; where appearing, and charged by the Sherif's man w<sup>th</sup> this Misdeamenor, and that Flood made his escape by the assistance of Cricktoft, they were both committed Prisoners to y<sup>e</sup> Gatehowse: from whens Flood was, y<sup>e</sup> day following, y<sup>e</sup> 31 March, remitted to the prison out of w<sup>ch</sup> he was by Priviledge remoeved; and, if he compound w<sup>th</sup> Gourdon, to abide the Order of the howse, it sitting, or elce of y<sup>e</sup> Lords of y<sup>e</sup> Councell, touching his misdemeamor; Cricktoft to attend the day following; w<sup>ch</sup> yet I doe not find he did til aprill y<sup>e</sup> 5<sup>th</sup>, when he was freede, paying his fees; but no intimation w<sup>ht</sup> they were, or to whom.

246. And hince ariseth an other question may deserve some consideration; whither it bee probable the wisdom of this Kingdome would trust those w<sup>th</sup> a power of imprisoning, w<sup>ch</sup>, beeing out of those walls (where they sate onely at y<sup>e</sup> Prince's pleasure) had not of delivering, and therefore referd the enlarging their prisoners to y<sup>e</sup> Privy councell? see *Journ. des Cōes.* 23 *Eliz. March* 18. If it bee objected, this fights as well against y<sup>e</sup> Howse of Peeres committing, as of y<sup>e</sup> Commons; truly, for my part, I was never satisfied of their doing it to a Commoner, otherwise then as some of them are Privy Councelors, whose power in matters of state I

meddle not w<sup>th</sup>. But having writ of this elcewhere,<sup>1</sup> I shall heere say no more but, “*adducere inconueniens non est solvere argumentum.*”

247. These I take to have beene y<sup>e</sup> first the howse of commons ever committed those were not their Members; and certaynly their remitting Brandling to y<sup>e</sup> Duke and C'ouncell by them to have it ended, and entring on it after so many remissions, no man but must conclude it a case not usually determyned by them in former tymes. But the Lords affirming such causes to have beene, according to the auntient custom of the howse, by themselves, that implying them to have a coercive power, their Commitments grewe more frequent.

248. But, hytherto, all commitments by them were on the parties' confession; for so was Witherington's; neyther doth Flood's appear to have beene otherwise; and Monington, who strook one Johnson a Burges, y<sup>e</sup> 23 April, 1 Mar. Parl. 2,<sup>2</sup> beefore hys commitment (from whens he was delivered y<sup>e</sup> next day) confessed y<sup>e</sup> fact. But 1 Eliz., one Throner,<sup>3</sup> servant to the Master of the Rolls, having spoke words against y<sup>e</sup> honor of the Howse of Commons, beeing brought beefore them April 17, denied y<sup>e</sup> same, w<sup>ch</sup> were justyfyed by one Carnefeu; upon w<sup>ch</sup> he was committed to y<sup>e</sup> Sergeant's keeping, and more of it I find not. How far (Carnefue's accusation beeing not upon oath) this was w<sup>th</sup> in y<sup>e</sup> word “*destruatur*” in Magna Charta, the Lawyers can best determin. The 1 February, 5 Eliz., a motion was made for imprisoning Sr Edward Warner; upon w<sup>ch</sup> Mr Comprouler and others were appoynted to confer of y<sup>e</sup> Commons towching imprisoning; what they found is not remembred; nor Warner to have beene committed by them.

<sup>1</sup> See my booke of The Commoner's Liberty.—T. See Appendix VI.—Ed.

<sup>2</sup> Journ. des Comes. Parl. 2, April 23, 1 Mar.—T.

<sup>3</sup> Journ des Comes. 1 Eliz. April 17.—T.

249. The 8 Eliz., an Informer sent to ward by Mr Grafton, Chayrman as it seemes of some Committee, remoeved himself by Habeas Corpus into the King's Bench. November y<sup>e</sup> 16,<sup>1</sup> it was referred to Mr Wroth and others, to take this into consideration, w<sup>th</sup> an other difference betweene Jones and Gray, sounding to y<sup>e</sup> breach of the Priviledge of the howse; w<sup>ch</sup> Wroth makes report of Novem<sup>br</sup> 23. But of y<sup>e</sup> other, none at all appears; by w<sup>ch</sup> it may bee conjectured y<sup>t</sup> had beene done was not found legall.

250. But one thing in these first Commitments, compared w<sup>th</sup> the latter, is in my judgment very considerable. Such as were then by them restreynd, the Howse itself presently tooke notice of their lying; and w<sup>th</sup> in a day or two remembred the freeing of them; so as indeede they had hardly caus to complayn, their lying beeing little above a day or two. Never any pressing of Sergeant's fees; if any thing were exacted, it was very small. But as y<sup>e</sup> Commons beecame more frequent in committing, they grwe more burthensome, both for the length of men's lying, and forcing from them charges to their Sergeant: of w<sup>ch</sup> a word.

251. The 14 Eliz., one Arthur Hall, Burgesse of Grantham, discontented as it seemes w<sup>th</sup> some proceedings of that Howse, had, May the 19, a good admonition by the Speaker at y<sup>e</sup> bar, and so dismist. His servant, y<sup>e</sup> 18 Eliz., called Edward Smalley, was arrested in London; and craving Priviledge,<sup>2</sup> was y<sup>e</sup> first set free by y<sup>e</sup> Mace, as beefore nu<sup>ro</sup> 234. But the Commons finding this arrest to have beene by hys owne procurement, sent hym to the Tower, there to remayn one whole month next ensuing, and to pay forty shillings<sup>3</sup> for y<sup>e</sup> Sergeant's fees; w<sup>ch</sup> is y<sup>e</sup> first summe I find assigned h̄y by y<sup>e</sup> howse.

<sup>1</sup> Journ. des Cōes. 8 Eliz. Novembr. 16.—T.

<sup>2</sup> *Vide* Journ. des Cōes. febr. 22, 27, 28; 18 Eliz.—T.

<sup>3</sup> March 10.—T.

252. The 27 Eliz., one John Bland, a Curryer of London, was awarded to pay hym twenty shillings<sup>1</sup> onely for hys fees, and bee freedde of hys Commitment. The 43 Eliz.,<sup>2</sup> the Sergeant demanded x<sup>sh</sup> by day. When I was committed, he demanded of me, beesides all charge of Chamber, Dyet, etc., four nobles<sup>3</sup> by day. It is trwe I compounded w<sup>th</sup> hym at an easier rate, he beeing indecde a civil person,<sup>4</sup> but told me y<sup>t</sup> was hys dwe; yet, as I remember, he had not lesse of me then 15 pound for my imprisonment as Fees onely. For my second, beeing committed for no other offens imaginable, I refused to pay any thing, as conceiving my former payments a discharge for y<sup>t</sup> offence: onely I desired to bee informed what rule they went by in demanding, as I tooke it, so exhorbitant fees; but they shewde me nothing.

253. Afterward, a very good friend of myne, one Sergeant Dendy, shewed me a Parchmin Roll, of no great antiquity, made by Thomas Duke of Clarence at y<sup>e</sup> siege of Caen in Normandy, the 3<sup>d</sup> of September, 1417, conteyning severall Orders for the manner of their attendance of hys Ma<sup>ty</sup>: to w<sup>ch</sup> was annexed Other Ordinances, Priviledges, Services, and Employments by y<sup>e</sup> Sergeant at Arms auntiently used and enjoyed. In these indeed was exprest, that he should take for the Arrest of an Archbishop or Duke an c shillings of sylver, and xl shilling for hys guard per diem; For a Marquis, Earl, Viscount, Bishop, Baron, Abbot, Pryor, five markes in silver,<sup>5</sup> and two Marks for hys guard per Diem; For y<sup>e</sup> Arrest of a Knight Bachelor, or Banneret, xl shillings,

<sup>1</sup> Journ. des Cōes. Novembr. March 10.—T.

<sup>2</sup> My Father's Memorialls of 43 Eliz. Novembr. 27.—T.

<sup>3</sup> *i.e.* £1. 6s. 8d., a noble being valued at six shillings and eightpence.—Ed.

<sup>4</sup> Sergeant Hunt.—T.

A mark was worth thirteen and fourpence,—so that these fees were £3. 6s. 8d., and £1. 6s. 8d. for his guard per diem.—Ed.

and xx shillings for hys guard, by day; and for y<sup>e</sup> arrest of a Gentleman, xx shillings and x shillings for hys guard, by day; w<sup>th</sup> some other particulars towching hys riding, etc.

I did desire to know where this was inrolled; and was told, in y<sup>e</sup> King's Bench, at first; but upon search, it was no where to bee found but in y<sup>e</sup> Herald's office. I saw by the mentioning Dukes, Marqueses, these fees could not bee prescribed for. But there was no contesting w<sup>th</sup> men would undoubtedly bee born out, were not to bee sued beecause of the Priviledge of Parlyament.

255. The wisest sort therefore finding the attendance on the howse so tedious, the charge so immense, to lye under this burthen of sergeants's fees, lodging, Diat, etc., at their coming first under hym, compounded at a summe for y<sup>e</sup> tyme they lay, bee it long or short. But this had an ille, that, after he had hys mony payd, he would bee very apt to procure the remoevall of the Prisoner from hymself to other prisons; where, after hys flawing, he was to bee excoriated, "*cum Pansa eripiet quicquid tibi Natta reliquit.*"<sup>1</sup> So y<sup>t</sup>, in short, there was no securty of not beeing by them or their Agents ruined, but, to have nothing they could reach. Lord of thy mercy graunt England may never see y<sup>e</sup> like tymes again!

256. As for y<sup>e</sup> power of the Howse of Commons to fyne eyther Member or other, I have met w<sup>th</sup> nothing for my part, beefore y<sup>e</sup> 13 Eliz.,<sup>2</sup> when one Thomas Long, having given y<sup>e</sup> Major of Westbury in Wiltshire four pounds to bee chosen a Burgesse, as hymself confessed, The Corporation was fyned to y<sup>e</sup> Queen's use, y<sup>e</sup> 10 May, twenty pounds, for their sayd leude and slanderous attempt; and the 11<sup>th</sup> May, ordered to bee sent for: but,

<sup>1</sup> Juvenal, Satyr. viii. 95.—T.

<sup>2</sup> Journall des Cōes. 13 Eliz. 10, 11 May.—T.

y<sup>t</sup> Long was ejected, or the Mayor did appeere upon their summons, I can not affirme. Certainly this was some what hard, first to punish, then to have them sent to for to give accoumpt how y<sup>e</sup> fact passed.

257. Arthur Hall, of whom beefore, beeing as it seemes some what concerned in y<sup>e</sup> case of hys servant Smalley, did, in y<sup>e</sup> interval of Parlyament beetweene y<sup>e</sup> 18 and 23 Eliz., publish a booke, dedicating it to S<sup>r</sup> Henry Knyvet, to the slander of y<sup>e</sup> late Speaker and sundry members thereof, and to the proceedings of y<sup>e</sup> sayd howse, in a cause concerning the sayd Hall and Smalley hys man; for w<sup>ch</sup> he was convented beefore the Lords; and y<sup>e</sup> 23 Eliz.<sup>1</sup> censured in y<sup>e</sup> howse of Commons, to lye six months in y<sup>e</sup> Tower, to pay a fyne of 500 markes<sup>2</sup> to her Ma<sup>ty</sup>, to bee excluded from beeing a member of the howse, a writ to bee sent for chusing a nwe Burgesse, etc. And this is the first I ever found expeld by y<sup>e</sup> Commons onely, whom yet I meete w<sup>th</sup> again returned y<sup>e</sup> 27 Eliz.

258. The same Howse did likewise impose a fine<sup>3</sup> of twenty pounds upon every Knight, and ten pounds upon every Burgesse, that had beene absent the whole Session of that Parlyament. But that any peny of these fines were payd, I have not beene able to certyfy myself; I have heard the contrary; and that they were imposed onely *in terrorem*. This is all hath come to my hands in these poynts, w<sup>ch</sup>, beecause they may serve some for use, others to make more careful search after, I have heere noted; and returne agayn to y<sup>e</sup> relation of my own misfortunes.

My wife, beefore her going from Lambeth, having received y<sup>e</sup> Copy of the Order from M<sup>r</sup> Godfry, (of w<sup>ch</sup> nu<sup>ro</sup> 216), seeing no part of her woods, howse, or

<sup>1</sup> Journall des Comes. febr. 5, 6, 14; 23 Eliz.

<sup>2</sup> £333. 6s. 8d.—ED.

<sup>3</sup> 23 Eliz. March 18, post meridiem.—T.

land, assigned her, was advised by her friends (her woods beeing Tymber) to petition the Committee for woods (the justice of England going much now by Committees) for y<sup>e</sup> saving of them, there beeing in it two very honest Gentlemen, S<sup>r</sup> Robert Pye,<sup>1</sup> and S<sup>r</sup> Thomas Dacres;<sup>2</sup> and myself, having formerly had good acquaintance w<sup>th</sup> S<sup>r</sup> Thomas Dacres, writ unto hym the 18 January.

260. "That beeing sequestred, my wife had petitioned, her howse and land about it might bee assigned as her fift part, that she might preserve them from spoyle.—That this was alowed her by the Lords and Commons for Sequestrations; it beeing affirmed by some of them, her case was extraordinary.—That since the woods about, for whose sake onely she desired it, are not onely felled; but that which in law is Tymber, resolved to bee cut, if not stopt; beeing oke not onely more then thirty years' growth, but ever employed by my auncestors and myself for Laths, Rafters, Rayles, building;—That I could not bee so far wanting to my self as not inform hym thus much and desire hys favor."

The same day my wife delivered a Petition to y<sup>e</sup> Lords and Commons that were of the Committee for cutting downe of Woods; the effect this:—

261. That she was to have a fifte part of her husband's estate, hys Mansion howse and lands adjoining to it. That the Committee of Kent had caused the same to bee estimated, Yet the woods adjoining to y<sup>e</sup> sayd howse, beeing as she conceived in her fifte part, were then in felling. She did therefore humbly desire the sayd woods might bee stopt from felling, and alowed her, according to an Order of y<sup>e</sup> 6<sup>th</sup> of September, of w<sup>ch</sup> beefore nu<sup>ro</sup> 201. Upon w<sup>ch</sup> petition she obtayned this Order:—

<sup>1</sup> Member for Woodstock.

<sup>2</sup> Member for Hertfordshire.

262.

" 4 febr. 164 $\frac{3}{4}$ .

" At the Committee of Lords and Commons for supply of the Cities of London and Westminster, etc. w<sup>th</sup> wood for fewell.

" Upon consideration had of the Petition of Dame Isabella Twysden, wife of S<sup>r</sup> Roger Twysden, concerning the woods growing upon her fift part, and neere adjoyning unto the Mansion howse of the sayd S<sup>r</sup> Roger Twysden, and other woods of y<sup>e</sup> sayd S<sup>r</sup> Roger; and upon information given to this Committee that y<sup>e</sup> felling thereof will bee a great defacing to y<sup>e</sup> scite of the howse, It is thought fit and so ordered, that stay bee made of felling any more of the sayd woods by the persons employed by this Committee; and if any part of the sayd woods bee allready felled, the sayd Lady shall have the same (paying y<sup>e</sup> charges of the felling) upon Certificate to bee by her first obteyned from three or more of the Committee of Kent, that they are of her sayd fift part; mean whyle, stay to bee made of the felling any more of y<sup>e</sup> sayd S<sup>r</sup> Roger Twysden's, by any the Agents for this Committee, tyll other Order bee taken by this Committee.

" JOHN WYLDE."

263. You may think by this, the Committee had an intent to have done me some right after that severe sentence; but the Committee of Kent was resolute. I must have neyther favor, nor Justice; or, as a gentleman told me from them, I should never bee unsequestred w<sup>th</sup> out applying my self unto them; w<sup>ch</sup> yet I could not bee persuaded unto; it beeing certayn, I must first have taken y<sup>e</sup> Covenant, and joyned w<sup>th</sup> them in all their injustice, at least, so far as not to have shewed a dislike of their actions. But, w<sup>th</sup> y<sup>t</sup> Order, the 8<sup>th</sup> of febr.<sup>1</sup> my deere wife went downe into Kent, where I will leave her a while and looke back towching felling these woods.

264. In february, 164 $\frac{3}{4}$ , they first beegan w<sup>th</sup> three

<sup>1</sup> *Vide N° 221, supra.*



woods of myne; Prior's Broome, by some called Brown's Wood (because one Browne had sometyne bought it of my father when felled) and y<sup>e</sup> Shetes; A second, named Motewood, both in Nettlestead; A third, Offam or Oven's Wood, in Wateringbury; neyther fully 20 years' growth; in w<sup>ch</sup> they used me so barberously, as my wife having not her fifths assigned, they forced the tenant, who kept my howse and children, to pay for y<sup>e</sup> wood hymself, and they spent (w<sup>ch</sup> I after allowed hym); and this, though they tooke from me every farthing they could any way come by. But then they left Stokenbury wood unfelled, beeing oke, and far y<sup>e</sup> greatest of growth, and more fit to bee cut, and w<sup>ch</sup> I my self was in doing beefore I came in trouble; eyther conceiving it, as indeede it was, Tymber; or not assured of y<sup>e</sup> Parlyament's prevayling; Or y<sup>t</sup> I might bee adjudged not sequestrable, they would not expose themselves to y<sup>e</sup> hazard of paying for y<sup>t</sup> the order of the two Howses did not justify them in. So this Stokenbury wood was left uncut all 1644.

265. The 25 Aprill, 1644, they made an order, That no wood should bee felled untill farther Order; The 7<sup>th</sup> of May following, they explained it so as did amount to little other then a revocation; Shewing, that upon a petition the 6<sup>th</sup> of February, 164 $\frac{3}{4}$ , woods proper to be barked were to stand tyll this tyme of y<sup>e</sup> year they might be flawed: And therefore their Officers might now proceede in the felling of them. After w<sup>ch</sup>, my wife finding no good to bee done by them, turned her self to y<sup>e</sup> Committee of Sequestrations, whom she did so closely sollicit as she procured severall Orders; some peremptory, not to fell any tyll I were adjudged; w<sup>ch</sup> stopt them in Pryor's Broome tyll it was indeede too late in y<sup>e</sup> year to barke any, w<sup>ch</sup> makes it now so full of young okes; for y<sup>e</sup> next year the Springs beeing growne, the part left was not so considerable as to

cause an utter devastation by taking them away that stood.

266. At the beeginning, therefore, of this year 164 $\frac{4}{5}$ , they beegan w<sup>th</sup> Stokenbury wood, w<sup>ch</sup> had beene allways reputed Tymber, beeing Oke; and so employed as fit for Lathes, Rafters, and y<sup>e</sup> lyke; but now assigned for fewell to y<sup>e</sup> City of London, as was pretended by one Northcod engaged by them to attend y<sup>e</sup> service. But my Wife coming w<sup>th</sup> this Order of the 4 Febr, they made some stoppe; but it was from those knwe how to undoe what they conceived might advantage another against whom they had prejudice. So the 13 of February, 164 $\frac{4}{5}$ , they made this on the desire of such as hoped to have the felling of them.

267.

13 Feb<sup>r</sup>, 164 $\frac{4}{5}$ .

“At the Committee of Lords and Commons for supply of the Cities of London and Westminster, etc., w<sup>th</sup> wood for fewell.

“Touching the case of y<sup>e</sup> Lady Twysden, touching her fift part of y<sup>e</sup> woods of S<sup>r</sup> Roger Twysden, Knight, her husband, in y<sup>e</sup> County of Kent, and the allegations made beefore this Committee, that some part of the sayd Woods w<sup>ch</sup> are apoynted to bee felled for this Service, are Tymber; and some other part so neere adjacent to hys Mansion howse, and of such ornament and use thereunto, as y<sup>t</sup> no part can bee taken w<sup>th</sup> out defacing the seat. It is ordered, that the subcommittee for this service doe find some discreete and trusty person to take vieue of y<sup>e</sup> sayd woods; and afterwards to certyfy this Committee, under their hands in writing, the truth of the premises; and also to bring a certificat from M<sup>r</sup> Godfrey, solicitor for Sequestrations in the County of Kent, whither any part of the sayd woods (beeing, as informed, all that are felleable this year) bee set out for y<sup>e</sup> sayd Ladies fift part, for such farther Order thereupon, to bee given you thereupon as shall bee fit.

“Exam<sup>n</sup> et concordat cum originall  
per Richard Hall Cleric Commi<sup>t</sup>.”

It was not difficult to see this was no other then a disanulling y<sup>e</sup> former Order procured by my wife; for none can imagine the Subcommittee, against whom wee complayned, would send any thing to accuse themselves; or that M<sup>r</sup> Godfry would certyfy ought to my advantage, by whose warrant they were cut downe. My wife claymed them by y<sup>e</sup> Order of y<sup>e</sup> Lords and Commons of the 6<sup>th</sup> of September, w<sup>ch</sup> they in Kent would not make good; against whom she therefore moeved for that Order; and indeede the 14 March, 164<sup>4</sup>/<sub>5</sub>, one Edward Reede writ to y<sup>e</sup> foresayd Northcod, "The Committee of London did expect he should proceede in y<sup>e</sup> work, and give accoumpt thereof according to hys Commission; not taking notice of any request or command, unlesse from a greater, or the same power that gave them a Commission for y<sup>e</sup> work."

265.<sup>1</sup> All restreynt now taken of, (for I was made acquainted w<sup>th</sup> nothing came from Kent,) it was strange the havock they made of Tan and Tymber; accounted 7 Acres what was indeede neerer twenty; in short, the destruction was so excessive, and their carriage so insupportable, my Wife framed and sent me this Petition, w<sup>ch</sup> I gat delivered, y<sup>e</sup> 2 Aprill, 1645, to the Lords and Commons for woods, by my constant and noble friend S<sup>r</sup> Simonds Dieux, in effect thus.

266. "That they had the sixth of September last ordered her to have a fift part of her husband's estate; and recommended to y<sup>e</sup> Committee of Kent, the having her Mansion howse w<sup>th</sup> the lands adjoyning to it,—That she had received no benefit by such Order; but y<sup>e</sup> woods lying neere the sayd howse cut downe, and the greatest part of one, called Stokenbury wood, heeretofore reputed Tymber, now felled for fying. She did therefore humbly desire the sayd woods might bee assigned as her fift part, that she might make sale of them, to y<sup>e</sup>

<sup>1</sup> Sic.—Ed.

advantage of y<sup>e</sup> Country, and reliefe of her self and children."

267. Upon w<sup>ch</sup> the Committee, who would doe some what, that their Clarks might bee payd for an Order, the same day resolved; "That the Committee of Kent (to whom that of y<sup>e</sup> 6<sup>th</sup> of September was directed) doe make stay of felling any Tymber upon y<sup>e</sup> sayd S<sup>r</sup> Roger Twysden's lands or woods, w<sup>th</sup> in y<sup>e</sup> scite or for y<sup>e</sup> ornament of the Mansion Howse; and that the sayd Lady have her fift part of all the woods."

268. Upon this Petition and Order it was, y<sup>t</sup> Sergeant Wyld took S<sup>r</sup> Simonds D'ieux apart,<sup>1</sup> and desired hym to deal seriously w<sup>th</sup> hym; and to tell hym really what my offense was, that the Committee of Kent would not suffer them heere to doe me right or favor in any kind. And M<sup>r</sup> Browne, (now Sergeant Browne) speaking w<sup>th</sup> hym in y<sup>e</sup> same kind, told hym their importunty was such, hee durst doe no other then Sequester me: Of all w<sup>ch</sup> he sent me word the 5<sup>th</sup> and 9<sup>th</sup> of this Aprill: w<sup>ch</sup> yet, by hys favor, I doe not think trwe of all; but onely of some furious Zelots, who were themselves lead more by malice, then Justice.

269. But that Order was all I could now get; w<sup>ch</sup> coming downe to one Walter Brook of Yalding, an active man in felling them downe, he easily perceived it conteyned nothing; and told them came to hym, he cared not for it, he must have from higher than they. And when they replied, it came from y<sup>e</sup> Lords and Commons for Sequestrations; he sayd he would not bee put of w<sup>th</sup> "fiddle faddle;" That he could assigne my wife no fifth part, having hymself bought all now in cutting, the same beeing good for Rafters, Laths, Rayls, etc. Likewise Northcod, of whom, nu<sup>ro</sup> 266<sup>2</sup> & 268, my Brother Frank demanding, on my wive's beehalf, a fift

<sup>1</sup> See nu<sup>ro</sup> 189.—T. *I.e.* No. 189, p. 131.

<sup>2</sup> *I.e.* 266 in page 164.—ED.

part of those woods he that year felled, according to Order w<sup>ch</sup> he read unto hym, made answer, he had sold them, and could not let her have any; though he confessed they had beene challenged of hym in December, full four months beefore. And these Speeches and actions, w<sup>ch</sup> truly would have undone me, were interpreted by them, but as from persons zealously affected to their service. O y<sup>e</sup> Justice of Committees!

270. These Men continewing thus to fell this fine young Tymber, I prest exceedingly at Westminster, to have it stopt; alleadging it to bee wood out of y<sup>e</sup> Ordinance; w<sup>ch</sup> truly no person lyving who knwe it, and had not hys understanding absolutely captivated, but must confesse to have beene. But the Committee of Lords and Commons, to whom I adrest my self, supposing, by y<sup>e</sup> name of Stockenbury Wood, it to grow out of old stocks; or upon some information I know not, the 17 of Aprill, came to this resolution; that woods of Oke, though never so great, yet growing not cleere out of the ground, was not to bee reputed Tymber. And this I hold every whit as unjust as the sentence of Sequestration; as contrary to all experience, that ever reputed of good use such, for building and other things about Husbandry; contrary to y<sup>e</sup> Kentish proverb,

“T’ Oke that growes on the father’s head  
Is as good Tymber as ever was bread.”

271. But I resolved (though w<sup>th</sup> out her that best could) to drive the nayle as far as it would goe. So sent downe to have a trwe certificate sent me of the nature of Stokenbury; such as, if neede were, would bee suorn to. Upon w<sup>ch</sup> I had shortly after this returne, in effect, from four persons well experienced in such affayrs.

272. That Stokenbury Wood was above 30 years’ growth;—That a part of it, w<sup>ch</sup> was felled some five

years since, was then employed for Rayles, Laths, Ploughes, Rafters, and other necessaries about building;—That this now remaying was more fit for those, or the like uses, then that had beenc then cut, and more serviceable for them then greater;—That I had no Tymber so fit for those employments, as that little did yet remayn of that wood;—That when it was hecetofofe felled by my father, beeing about the growth it now is, it was so used;—That they did conceive, beeing Oke of xxx<sup>ty</sup> years' standing, it ought to bee reputed Tymber;—That to bee felled, and not so employed, would bee a losse to y<sup>e</sup> parts adjacent;—That it was about half a myle from my mansion Howse, and those felled the year beefore, nearer, to the great defacement of it.

273. Having these informations, and likewise that they had felled a thousand young streight tymber trees, xx<sup>ty</sup>, xxx<sup>ty</sup>, xl<sup>ty</sup> foote long, w<sup>th</sup> out ever a bough, tall, and coming cleere and free of themselves; I got my noble friend S<sup>r</sup> Simonds D'ieux (a person never wearyed in doing courtesies) to move the Committee at Westminster, suggesting they had cut downe five hundred Tymber trees, and denyed my Wife her fift part of the sayd woods. Upon w<sup>ch</sup> I obteyned this Order of y<sup>e</sup> 14 May.

274. “Die Mercurij, 14 May, 1645.

“At the Committee of Lords and Commons for Sequestrations.

“In y<sup>e</sup> case of y<sup>e</sup> Lady Twysden, wife of S<sup>r</sup> Roger Twysden, it beeing informed by S<sup>r</sup> Simonds D'eux, that the Subcommittee of London, or their Agents, have felled five hundred Tymber,<sup>1</sup> in y<sup>e</sup> sayd S<sup>r</sup> Roger Twysden's woods in Kent, called Stokenbury wood, and Motewood; and have refused to alow the sayd Lady her fift part of y<sup>e</sup> sayd woods, according to former Order of this Committee. It is ordered that some of the sayd Committee doe appeere beefore this Committee, on

<sup>1</sup> Sic.—Ed.

Fryday next come fortnight, to answer the sayd matter; at w<sup>ch</sup> tyme all parties are to bee heard, and such order taken as shall bee fit.

“JOHN WYLDE.”

275. Upon this my deere Wife, now somewhat recovered of a great weaknesse she had after her lying in, provided herself of witnessse to prove fully the information; and came to me at Lambeth the 23 May (it beeing to bee heard the 30<sup>th</sup>, that day sevenight after) of w<sup>ch</sup> I was not a little joyed; as one had much wanted her, y<sup>t</sup> was indeede both a wise and temperat sollicitrix.

275. And now fryday, the day appoynted, drawing on, my witnessse came to Lambeth, and in y<sup>e</sup> after noone to Westminster, to y<sup>e</sup> Committee; where, upon oath they testyfyed, there could not have beene felled lesse then a thousand okes growing out of y<sup>e</sup> grownd, not from any former stock. Against w<sup>ch</sup> there appeared Walter Brooke, of whom beefore; who urged, those wee produced, not to bee competent witnessse, having beene all in a late rising in Kent against the Parlyament; my brother Francis, there present, made answer, that could not bee trwe of all; for hym self was never in any; w<sup>ch</sup> was so likewise of others.

276. An other, whose name they could not learn, sayd, the woods were not of that qualyty these men informed. Beeing asked if he had ever seene them, he sayd, “no;” Beeing farther demanded, whither he had ever beene in Kent, he sayd likewise, “No;” And this was all there spoken publickly in opposition of our evidence; and then the Committee spake something privately amongst themselves, and dismissing my wife and her company; who returned to me fully persuaded they would doe us some right, in punishing so notorious abuses; but when wee came to looke after y<sup>e</sup> Order,

wee found ourselves mistaken, that speaking no other then thus.

277. "Die Veneris, 30 May, 1645.

"At the Committee of Lords and Commons for Sequestrations.

"In the case of y<sup>e</sup> Lady Twysden, Wife of Sr Roger Twysden, towching her complaynt for the felling of Tymber trees by the Subcommittee of London for woods, or their Agents, in y<sup>e</sup> wood called Stokenbury wood; and to have her fift part of the sayd woods; upon hearing and debating of the matter (the sayd Committee beeing present), it appeereth that there was no felling of any Tymber trees; but the woods were felled in an orderly manner, according to the Ordinance, leaving 900 trees remayning in a xi or xii acres, whereof many might have beene felled. And, as towching the sayd Lady's fift part, It is ordered that the sayd Lady shall have her fift part of the woods standing, as allso of the woods that have beene felled, or of the proceede or trwe value that was made of them, and likewise of y<sup>e</sup> barke and hoppoles that have beene made or felled of the sayd woods, the sayd Lady allowing her proportionable charge for felling of the sayd woods, etc., w<sup>ch</sup> the sayd Committee doth agree too. And it is farther ordered, that care bee taken by the sayd Subcommittee and their Agents, that, by y<sup>e</sup> burning of any Cole the sayd Woods bee not destroyed, or the growth thereof hynderd.

"JOHN WYLDE.

"Intra R. VAUGHAN."

278. When I saw this Order, I resolved never to trouble myself or them more w<sup>th</sup> any thing, let them doe what they would; they could have but all, and that they would have "*per fas nefas*," whither right or wrong. I saw wee must have nothing but that y<sup>e</sup> Subcommittee did agree to, who spake of the leaving DCCC trees standing; and what was that to y<sup>e</sup> purpos? if there were so many, were they now of their leaving? or such as my auncestors' care had done formerly? Did not



our witness testify on Oath, they had cut a M there was no couller to doe by the Ordinance? Those they left are yet to bee seene: Let it bee examyned whither there bee any less flourishing in the Wood? Is it possible it should cast this time worse then formerly? Did they not now expressly save the worst? my wife one day walking downe it to see their doings in it, seeing one, a fine growing tree, desired it might bee left; Did not Walter Brook's sonne then make answer, it should bee cut, because she prayed y<sup>e</sup> standing of it, and soone fell upon it?

279. All wee did in opposition of this order, was the shewing of it to some of the Committee, such as wee knwe; who all disavowed the beeing according to their sense; yet beeing done, no one would adde a finger to revers it. I sayd beefore "*gravius lacerantur homines a pravis judicibus quam a cruentis hostibus,*" and in these extremities, that of Ecclesiast. v. 8, was my great comfort; "If thou seest the oppression of y<sup>e</sup> Poore, and violent perverting of judgment and justice in a province; marvell not at y<sup>e</sup> matter, for he y<sup>t</sup> is higher then the highest, reguardeth; and there bee higher then they."

280. There was never any intended w<sup>th</sup> power to bear out a person in doing an other injury, but one way was, y<sup>e</sup> difficulting the proofes against hym; and an other, slighting all objections produced. So these men, finding the two howses not to have given liberty for cutting Tymber, first allowed none for such; except onely Ash, Elme, Oke; nor these, coming out of a stock formerly cut. And though some Parlyament men were shewed this to bee very contrary to y<sup>e</sup> usage of this County, that did hold and use all Ash and Oke indifferently, as well that w<sup>ch</sup> grwe on y<sup>e</sup> father's head, as others, for repaying, building, etc. That S<sup>r</sup> Edward Cooke's opinion, Inst. 2, p. 643, seemed other wise; That Stat. 25 Ed. 3, cap. 3, looked onely at the age of

wood, the Commons expressly shewing that *soubbois est compris en ces paroles "sylva cedua" et nēny arbres de telle age*; yet, notwithstanding all these were to bee slighted, none could prevayle, nor ought in opposition might bee heard, but it must not bee reputed Timber, though never so old; there beeing no other way to palliate the enormous transgressions of their Officers.

281. This year in the summer, S<sup>r</sup> Christofor Yelverton and hys wife, my sister, desirous to take the fresh ayr of y<sup>e</sup> Country, and not thinking fit to adventur at their owne in Northamptonshire,<sup>1</sup> eyther by reason of hys Ma<sup>ties</sup> guarrison at Banbury, or some other cause, came and lived at my howse in Peckham; and as he was ever a kind friend unto me, so during his abode there, seeing that insupportable devastation made by them in Stockenbury Wood, sent unto me to think of some way of redeeming myself from y<sup>e</sup> slavery I lay under.

282. My answer was, I should most willingly doe it, did I know how; but as I protested the fault by me committed; so I did assure hym I could not imagine a way, w<sup>th</sup> out absolutely quitting my inocensy, to get out of these bryars. But hymself coming about Michaelmas to London, styll insisted on it, and persuaded me to deliver a petition, w<sup>ch</sup> was an huge difficulty to get in to y<sup>e</sup> howse of Commons; as I my self wayted two years afterward to get it done. For such was the justice of that howse and their Committees; if one committed by them lay under an oppression they could not coulorably deny the relieving of hym; then, by reason of the greatnesse of y<sup>e</sup> publick affairs, they could not bee at leisure to hear hym.

283. To which purpos, it may heere deserve a place, that Alderman Abel told me of hymself; How he beeing imprisoned about a nwe custome layd upon wines, and perhaps lying under the Odium of beeing an Agent for y<sup>e</sup>

<sup>1</sup> Easton Maudit.—ED.

Court in y<sup>t</sup> businesse ; some of the Howse of Commons gave out as if they would doe great matters against hym, as supposing he was greatly enriched by it ; but on examination, finding nothing could of moment bee w<sup>th</sup> justice charged on hym, he not gayning one farthing by y<sup>e</sup> project, they dismist hym ; yet retayned hym in the custody of their Sergeant, to attend them with counsell, “de die in diem,” w<sup>ch</sup> he did, at an excessive charge, a good space ; but finding no end, they styll clogd w<sup>th</sup> multiplicity of affayrs ; in y<sup>e</sup> end, he thought of trying (underhand, I conceive,) whither two thousand pounds would buy hys peace ; w<sup>ch</sup> understood, and that there was mony coming, those very men y<sup>t</sup> could not for y<sup>e</sup> multiplicity of buisnesse harken to hym, were (as I take it) at leisure y<sup>e</sup> very next day to hear hym, accept hys fine, and discharge hym of y<sup>e</sup> Sergeant.

284. An other Gentleman, one Mr. Brooke, told me, y<sup>t</sup> beeing sent for to a committee, he desired a friend of hys to goe up to y<sup>e</sup> Committee for prisoners, who asked hym why, and told hym, if it were to commit one he would doe it presently ; but hearing it was to free one, he excused hym self, by reson of some pressing occasions y<sup>t</sup> called hym away : agreeing with that of Mr. Say to me, that y<sup>e</sup> howse of Commons was much more easy to punish, then absolve, any man. God of hys mercy deliver the nation from such like Tyranicall oppression for y<sup>e</sup> future ! let hym y<sup>t</sup> had no feeling of it, pray he never may, and he shall dye happy ! but I returne to my brother Yelverton, whom I left engaged to get my petition into y<sup>e</sup> Howse of Commons.

285. Which in the end he procured to bee read, the 9<sup>th</sup> of December, 1645, when my auntient friend and kinsman, my Cosen Richard Browne, spake very well and earnestly on my behalf. “That hymself had beene twice sent from y<sup>e</sup> Committee of Kent, to know y<sup>e</sup> opinion of that howse, whether men were sequestrable

onely for meddling w<sup>th</sup> that Petition, and it would give no direction for y<sup>e</sup> doing of it, w<sup>ch</sup> he and they tooke for an affirmation they were not. That nothing else materiall could bee made good against me. That I was never charged w<sup>th</sup> compliance w<sup>th</sup> y<sup>e</sup> enemy; and did therefore desire I might be freedd etc." All was sayd I can not repeat. The conclusion was, this Order my friends gayned.

"Die Martis ix December, 1645.

"The humble Petition of S<sup>r</sup> Roger Twysden now Prisoner at Lambeth, was this day read and it is thereupon ordered, that hee bee forthwith bayled. And it is referred to the Committee of Lords and Commons for Sequestration to report the state of the case concerning S<sup>r</sup> Roger Twysden to the howse, that they may therupon take such order there in, as they shall think fit.

"HEN. ELSYNG, Cler. Parl.  
"D. Com."

287. The next day, my sister, Yelverton her self, good soule! brought it me; w<sup>ch</sup>, though it were not much, yet truly was more then I expected, and what I could not suddaynly make use of on this occasion.

288. At the beeginning of these tymes, one Richard Kenward, having in Eastpeckham a peece of Land w<sup>th</sup> in mine, called Long shots, offerd it me to sell, it lying very convenyent for me; I was unwilling to misse it; and, conceiving my self then as far out of any Order of Sequestration as any man, contracted for it, payd him about cccc pounds doune, and had a year's day for cc pounds of y<sup>e</sup> mony, for w<sup>ch</sup> I gave hym my bond. Before this came dwe, Richard Kenward dyed, and his wife beeing to have x<sup>l</sup> when she joynd in leavying a fine, in her widouhood, came to me, sealed me a releas, and had her mony. At that tyme, she made some scruple as having no other but my owne single bond; I told her,

abate me y<sup>e</sup> use, I would pay her the mony next morning, w<sup>ch</sup> she refused to doe.

289. Now, beefore y<sup>e</sup> mony became dwe I was sequestred, and she marryed to one M<sup>r</sup> Besbeech; who came unto me some tymes for y<sup>e</sup> mony; I that had none now to receive, was in prison, durst not leave my self absolutely w<sup>th</sup> out some; w<sup>ch</sup> I told hym, and advised hym to repayr to y<sup>e</sup> Kentish Committee, at least to get the Use of them; this he did; but they told hym, their part was to receive y<sup>e</sup> rent of y<sup>e</sup> land, but pay nothing; he replyed, the land was not mine, beeing not payd for; all one, he could get nothing of them. So one day coming to me at Lambeth, and expostulating w<sup>th</sup> me of it, I spake to hym somewhat perhaps more freely then was fit, that if hee did by law proceed against me I cared not; Upon w<sup>ch</sup> hee very inconsiderately commences sute against me. In this conjuncture, for me to goe from one prison to an other was what I liked not to run in to; and therefore would not leave this tyll I had in some measure satisfyed hym, w<sup>ch</sup> in the end was thus: I agreeede to pay hym forthwith two hundred Pounds, and thirty more for y<sup>e</sup> use or forbearance of it; so he had of me 230<sup>l</sup> for what I never drank of some years after.

290. Yet having done this, I could not immediately get out of Lambeth; for now I was to make a reckoning w<sup>th</sup> my keeper, one Alexander Leighton, a Scot, who writ hymself D<sup>r</sup> of Phisick, some tyme heeretofore a Divine, no ille disposed person, but an earnest Presbyterian, and one who had not many years beefore beene censured<sup>1</sup> in y<sup>e</sup> Star chamber for a Booke called "Zion's Plea against the Prelacy;" but now, to shew their greater contempt of y<sup>e</sup> Archbishop, had y<sup>e</sup> keeping of Lambeth howse, (by order of y<sup>e</sup> 5 January, 164<sup>2</sup>/<sub>3</sub>, from y<sup>e</sup> Lords and Commons) committed unto hym for a

<sup>1</sup> See Appendix, No. VII.

prison, w<sup>th</sup> severall Instructions, w<sup>ch</sup> I shall give a short vieue of.

“i. That the servants of the late Archbishop, excepting onely Mr. Dobson and one John Howell, doe depart and leave their chambers.

“ij. That the servants intrusted w<sup>th</sup> the Archbishop's goods, might remove such as y<sup>e</sup> Committee for contributions should allow,—The rest to bee left to y<sup>e</sup> keeper's use, who was to bee responsible for them.

“ijj. That such as had bought the hay now in y<sup>e</sup> howse, to carry it away with in a weeke. The wood and cole in the howse, to remayn for y<sup>e</sup> use of the same.

“iv. The Gardens, Orchards, Fishponds, etc. to bee preserved. The chapel and windowes not to bee defaced, but by persons authorised by Order of Parlyament. M<sup>r</sup> Dobson to allow out of the Archbishop's rents for repaying the howse.

“v. Collonell Manwayring and y<sup>e</sup> Militia of London desired, with approhation of y<sup>e</sup> keeper, to appoynt a sufficient guard for y<sup>e</sup> security of the place.

“vi. The Keeper to receive as fees at the entrance of ordinary persons, xx shillings; of Esquires and Knights, xl<sup>ty</sup> shillings; and of persons of an higher degree, five marks, and not above.

“vii. The keeper to take reasonable allowance for chamber, abating, to such as shall find their owne furniture, so much as it would cost to bee hyred of an Upholster.”

291. The two last of these yeilded me some dispute w<sup>th</sup> the Keeper; for when I came in to prison, I was assigned a Lodging had formerly beene one of the Archbishop's Chaplayns, w<sup>ch</sup> had three roomes and a studdy, according to most of the buildings of that house; one fayr chamber w<sup>th</sup> a chimney, for enterteynment; an other small one w<sup>th</sup> in it, or rather on y<sup>e</sup> side, made, I conceive, for hanging hys gownes and other vestments; w<sup>th</sup> in, an other where wee lodged, and to that a studdy; both smaller then those w<sup>th</sup> out. For the bare walls of these, w<sup>ch</sup> indeede were all but one, they demanded

xii<sup>sh</sup> by the weeke, when I enterd; w<sup>ch</sup> I payd; tyll y<sup>e</sup> 16 of August, 1644, when seeing my imprisonment like to bee long, I went to the Doctor w<sup>th</sup> some others, and told hym I could not pay that summe any longer.

292. But he, who loved mony, would not abate one peny, though he were very ritch; for I my self saw of hys, at one tyme, so much brought in to that howse as two Porters could hardly carry in great baskets to y<sup>e</sup> porch, from y<sup>e</sup> waterside, without resting; and thense, through the hall to hys lodging gave them their fill. It was sayd to have beene above two thousand pounds; and that it was after vieued by some of y<sup>e</sup> Parlyament's officers,<sup>1</sup> and found to be so. It is certayn, he intending to dispose of it, was afterwards, by some of the wayters there, denyed the transporting out of the howse at first; but by what auctoryty I can not say. I have heard the howse of Commons had in debate, y<sup>e</sup> erecting a Committee to take away mony where ever it could be discovered; w<sup>ch</sup> though it did not passe, yet on occasion was prety rife; so as, to bee known to have mony by them, for any (though of their own party) was not a little dangerous.

293. But to returne to Dr Leighton, or rather hys Deputy, (for hymself medled not much w<sup>th</sup> the Prisoners); upon this my denyal of rent, I was threatned w<sup>th</sup> harder usage, in so much as the 26th of September 1644, I was constreyned to write to Mr. Knightly, "that since my coming into that howse I had payd hym above 15 Pounds for bare walls, three payr of stayrs high, beeing the lodging of one onely person of the many beeloned to the Archbishop. That I had nothing of my estate, though I had never in any thing willingly offended the Parlyament. That I conceived, if any man had hys estate taken from hym, they who did it ought to affoord whereby he might bee susteyned. That I had never

<sup>1</sup> By one Captayn Guest.—T.

beene in any Act of hostility whatsoever, never out of the Parlyament quarters, etc." To all w<sup>ch</sup> Mr Knightly made answer very civily like himself, "That I should not fear any harder measure; when it was offerd, I should complayn to hym;" and such like; so I payd nothing.

294. Beesides this, the Doctor demanded five marks for entrance mony, as beeing a Baronet; all w<sup>ch</sup> came to a great matter, more then I was well able to pay; in so much as I was forced to petition, by the means of my ever hon<sup>rd</sup> friend S<sup>r</sup> Henry Cholmley, to that noble gentleman Mr Knightly, Chayr man<sup>1</sup> of the Committee for Prisoners, and got it ordered the 6th february 164<sup>5</sup>/<sub>6</sub>, that D<sup>r</sup> Leighton and myself should attend that Committee the wensday following; w<sup>ch</sup> wee did, my brother Yelverton, S<sup>r</sup> Henry Cholmly, and what friends I could get, beeing present; where it was ordered, I should pay hym forty shillings entrance, and viii shillings per weeke from y<sup>e</sup> 16th August; for tyll then, he had beene satisfied; and of this in hand, xv Pounds forthwith, and xvij<sup>l</sup> iiij<sup>sh</sup> y<sup>e</sup> remaynder, at 3 months and three months; so that now there was xxxij<sup>l</sup> iiij<sup>sh</sup>, to bee payd in a short tyme, by one had not six pence of hys estate; w<sup>ch</sup> yet I did according to the times prefixed, and parted w<sup>th</sup> very great kindnesse from Doctor Leighton; the man beeing no ill dispositiond person, but one who loved the Presbytery, and loved mony.

295. And heere, having mentioned Mr Knightly, I think it not amisse to remember that, beeing recommended to hym by my brother Yelverton hys countryman, I received from him, beeing indeede hymself very much a gentleman, severall favors whilst I remaynd under restreynt; as first, the remooving me from that loathsome one in Southwark to that wholesome one at Lambeth; ij, where the Committee had ordered the

<sup>1</sup> He was member for Northampton.—ED.



15<sup>th</sup> May 1644 the keepers of prisons should be enjoyned at their perills, not to permit any prisoners to goe abroad; nor any to have accesse unto them, but such as brought them their provisions; y<sup>e</sup> 28 May, he permitted my brother Frank (to whom I was much beehoulding for solliciting my buisnesse) and such as came in hys company to have accesse unto me,—The 14<sup>th</sup> June 1644, he permitted me farther to walk in the garden; yet w<sup>th</sup> this restriction, it to bee in the presence of the keeper; w<sup>ch</sup> signified nothing; for y<sup>e</sup> keeper neither did nor ever would attend me; yet perhaps was as much as he might w<sup>th</sup> safty doe.

296. The 29 August 1645, The Commons did order the keepers of severall prisons to admit no servant wayt on any prisoner but of their assignment; referring to y<sup>e</sup> Committee of Prisoners, to take care thereof; and no prisoner to styr w<sup>th</sup> out their leave; by couler of w<sup>ch</sup>, they would permit no provisions to bee brought us but by their owne servants, and sold it at excessive rates; w<sup>ch</sup> was extream troublesome to me, who had much I eat and all I burnt, out of Kent; and this beeing w<sup>th</sup> some earnestnesse endeavored to bee put upon me, my brother Yelverton represented it to that noble gentleman; from whose hand he procured this warrant; w<sup>ch</sup> was of great advantage to me that had no fewell but out of our Country.

“10 October, 1645.

“At the Committee of the Howse of Commons for Prisoners.

“Whereas this Committee is informed, the Keeper of Lambeth howse will not suffer S<sup>r</sup> Roger Twysden to bring in bear or fewell in to y<sup>e</sup> sayd prison, for hys owne provision; It is ordered, that the sayd Keeper, and hys Deputy, doe suffer the sayd S<sup>r</sup> Roger Twysden, to bring in to y<sup>e</sup> sayd prison, bear, fewell, and other necessaries, for hys subsistence.

“RICHARD KNIGHTLY.

“To the Keeper of  
Lambeth howse, or hys Deputy.”

298. As I have not beene silent of the injuries these times made me acquainted w<sup>th</sup>, so the reader will pardon this digression in remembring where I received civilities. And now I returne to my prison, out of w<sup>ch</sup> I was freede, y<sup>e</sup> 20 february 164<sup>5</sup>/<sub>6</sub>, having remayned there two years lacking two days; from thense I went to a lodging in Westminster, at one M<sup>r</sup> Austin's in S<sup>t</sup> Anne Streete; where I abode two years more; during all w<sup>ch</sup> tyme I was few mornings (unless when ye fear of the sicknesse drove me in to y<sup>e</sup> country) from y<sup>e</sup> Parlyament doore. I put in to y<sup>e</sup> Hands of all my friends, petitions to the Howse that they would appoynt a day to see their order of the 9 December 1645 put in execution.

299. Meeting M<sup>r</sup> John Selden<sup>1</sup> one day, he spake to me of my Sequestration, and I to hym of this Order; He ingenuously told me, I would never get of but by compounding at Goldsmiths' hall; w<sup>ch</sup> after I found trwe; for indeede this was the manner of that unpareleld Howse of Commons and their Committees; When in Justice they could not by their owne Orders Sequester an estate, they would continue what the Committees in the County, from whens he appealed, had done; eyther w<sup>th</sup> a reference to y<sup>e</sup> judgment of the howse (w<sup>ch</sup> it was hard to have), or not declaring hym to be w<sup>th</sup> in any words of the Order of Sequestration, leave it so ambiguous, as he had just cause to crave the howse's explanation and mercy in y<sup>t</sup> case. Now, they must not hear any man's friend's information in the cause, but must have a particular Report from y<sup>e</sup> Committee of Lords and Commons of it, w<sup>ch</sup> it was resolved should never be heard; and this I take to have beene my case; for neyther by friends, faver, nor mony, could I get it heard.

300. I went to M<sup>r</sup> Ash, the Chayr man at Gold-

<sup>1</sup> This was the learned John Selden, who assisted Sir Roger Twysden in the publication of the 'Decem Scriptorum,' and with whom he ever maintained a close intimacy and friendship.—ED.

smiths' hall; who told me truly and honestly, that they could not compound w<sup>th</sup> me, after the ordinary way, by the value of my estate; because, all layd against me was beefore the 20 May 1642; to w<sup>ch</sup> tyme their Compositions onely looked, as from the time y<sup>e</sup> war beegan. If I would pay 3000 pounds, I might bee received by them.

301. I went likewise to M<sup>r</sup> Browne (who was in the chayr when my Sequestration, after so many remissions, was continewd,) to procure hym make y<sup>e</sup> report; but I saw that was vayne to hope; he meant not to doe it; advised me to Goldsmith's hall too; And when I told hym they could not compound w<sup>th</sup> me, on y<sup>e</sup> grownds beefore, all he answered was, "he would warrant me they should." So unwilling wee are (for I can attribute it to no other) to let others hear those of our Actions w<sup>ch</sup> our own conscience doth not approve.

302. And heere is a strange matter. I was not so notorious a Delinquent; but whither w<sup>th</sup> in the Ordinance, or not, was a question; but such as fought against them, might and did come off much better, and at far easier rates then I, that never was out of the Parlyament's quarters. So dangerous is it to trust a multitude w<sup>th</sup> the administration of Justice, whose severyty usually increaseth w<sup>th</sup> their prosperyty. In short, I omitted nothing I could devise, for three years' space after I was out of Lambeth, eyther in solliciting friends, advising with councill, sparing neyther cost nor payns all y<sup>t</sup> whyle; but good I could doe none; and if I did compound, I must take the Scottissh Covenant; w<sup>ch</sup> I could not downe w<sup>th</sup> unless permitted my owne explications; and thus I stood expecting tyll after the King's death, seeing my estate wither away by little and little, yet no power of helping it.

303. In March 164<sup>g</sup>, the Commons having now made an absolute conquest; y<sup>e</sup> 14, 17, 21 of that month, is-

sued out severall Resolves, very hard (for their severity ever increased w<sup>th</sup> their power) in poynt of payments; yet easier to bee embraced, in that they requyred no promysory oath of the Compounder, but otherwise. That the tymes for men to come in at, w<sup>th</sup> in certayn distances of London, should bee, viz, w<sup>th</sup> in 80 miles, by y<sup>e</sup> 20 April to file their Petitions; if farther, by y<sup>e</sup> 3 of May, etc. What persons excepted out of all compositions. Such as admitted to pay a full sixth of the trwe value of their estates, half of it downe, the other half three months after. If any of a greater value, being concealed and not discovered by the party hymself, to bee forfeited. So likewise, of such as neglect to compound; w<sup>th</sup> out any allowance to bee made to Wife or Children. Such as perfect their compositions by their respective days then limited, whose estates had continewed untill y<sup>e</sup> 21 March, 164<sup>8</sup>/<sub>9</sub>, should be exempted from paying any fift or twentieth part.

304. And whereas, formerly men's Compositions were to bee reported to y<sup>e</sup> Howse of Commons by some of the Committee of Goldsmiths' Hall, where they were made; who approved what past there, beefore the second was dwe; by which it came to passe, some who were befriended, got it deferd two or three years more or lesse, and, by that means, were inabled out of their rents to make y<sup>e</sup> second payment; The 23 May, 1649, it was concluded, such Reports to bee made in order of tyme as they were set to certayn Commissioners; (which were themselves the Committee of Goldsmiths' hall) the compounder to pay the whole with in sixe weekes, under such penalties as were expressed in an Act by them published, w<sup>ch</sup>, because they are in print, I shall wade no farther in.

305. Beeing styrd by these orders, the King dead, and no visible power able to oppose them, I resolved to try once again if it were possible for me to make any con-

clusion in my businesse. I spake my self, and got that honest Gentleman, my trwe and worthy friend M<sup>r</sup> Nathaniel Stephens, to deal w<sup>th</sup> M<sup>r</sup> John Ash about it; who told us, truly they could not compound w<sup>th</sup> me, as having no auctoryty to meddle w<sup>th</sup> setting any fine but for offences since the 20<sup>th</sup> May, 1642; yet advised me to petition unto them, and gave me some directions in y<sup>e</sup> manner of doing it.

306. Accordingly, I went to Goldsmiths' hall, and in a full Committee, gave hym my petition; who tooke it, and desired their attention to it; but there was nothing to bee done. The Clarke found I had beene set at 3000<sup>l</sup> by the howse, and without paying that, no hope of compounding; So away I was forced. In this encounter, I observed no man more sharpe than S<sup>r</sup> Arthur Haselrig;<sup>1</sup> upon w<sup>ch</sup> I went to hym, and by means of a very noble gentleman, one M<sup>r</sup> George Fenwick, spake w<sup>th</sup> hym; and having rightly informed hym of my case, found hym much other then I apprehended; for he not onely assisted me in drawing a Petition to the howse, but advised me to get young S<sup>r</sup> Henry Vane to deliver it; who not expediting it hymself, y<sup>e</sup> 5<sup>th</sup> May, 1649, remembred y<sup>e</sup> Commons of my suffrings; by w<sup>ch</sup> he caused mine to bee inserted in to y<sup>e</sup> list of other names, who as to y<sup>e</sup> mitigation of their fines were to bee considered on y<sup>e</sup> twelf of May following. In y<sup>e</sup> mean tyme, I procured all my friends to bee for me; I gave my Petition to young S<sup>r</sup> Henry Vane; but nothing could bee done tyll Saturday 19 May, when of all my case was some what spoken to. Old S<sup>r</sup> Henry Vane, and young, spake earnestly for me. So did many more. S<sup>r</sup> Lislebon Long, now knighted and Recorder of

<sup>1</sup> Member for Leicestershire, one of the most violent of the regicides, and the first designer of the Abolition Bill. It was he who, with Oliver Cromwell and S<sup>r</sup> Henry Vane, put this bill into S<sup>r</sup> Edward Dering's hands, and inveigled him into presenting that odious measure to the House.—Ed.

London, solicited hys friends on my behalf: I may not forget a Gentleman of whom I received so signall favor.

307. The truth is, S<sup>r</sup> Anthony Weldon now dead; and S<sup>r</sup> John Sedly's power, by hys owne carriage, taken of; my woods, the great eye sore, destroyed; I found y<sup>e</sup> Committee of Kent, not so eager against me, and my addresses more facile to y<sup>e</sup> Parlyament; but what was to bee done was y<sup>e</sup> question. S<sup>r</sup> Arthur Haselrig (truly I am persuaded, having experience of y<sup>e</sup> delays of that howse, out of an intent of doing me good) pitched upon this: that I should compound at a 'Tenth, y<sup>t</sup> is, two years' revenue of my Estate,<sup>1</sup> and not above; w<sup>ch</sup> was easily assented unto, and an order there upon, of the 19 May, 1649. "That S<sup>r</sup> Roger Twysden, notwithstanding the fine imposed on hym by a former Vote of this Howse, bee referred to y<sup>e</sup> Committee at Goldsmiths' hall, to compound at a 'Tenth, and not above."

308. When I heard of this Order, I was not a little troubled to think, for no fault, according to the use of former Parlyaments, I must pay a fyne; but I resolved to make an end of a tedious buisnesse, on my friends' persuasions, and embrace it; and so adrest my self to Goldsmith's hall; and giving them there the particular of my estate, w<sup>th</sup> the Incumbrance of a Leas lay upon it; and representing That my howse and fermes were all out of repayr; That Longshots was not payd for; That they had cut downe a world of wood; had left me nothing to rayse one peny by; That I had done nothing to forfeit my estate; if to bee fyned, I conceive it to have beene payd allready.

<sup>1</sup> After the great wars betweene the French and Charls 5<sup>th</sup>; upon the Truce concluded, 1556, beetwixt those potent princes; it was agreede, for freeing of Prisoners, "ut milites, trimestri stipendio exsoluto; Nobiles, unius anni suorum bonorum reditum dependerent." But the Parlyament held it fit to deal more severely w<sup>th</sup> their cowntreymen, than these with enemies taken in war. Thuanus, tom. 1. An<sup>o</sup> 1556. lib. 17, p. 514, d.—T.

309. But all these were nothing. The Howse, w<sup>ch</sup> had ordered my payment to bee a Tenth and not above, did intend I should pay so much, or elce no unsequestering. In short, in poursuit of that Order, they imposed on me the 31 of May, 1649, a fine of 1500<sup>l</sup>; w<sup>ch</sup> afterward, the 8 of June following, by reason of a leas beefore mentioned, was reduced to 1340<sup>l</sup>, half to bee payd w<sup>th</sup> in 14 dayes, the remaynder, six weekes after it should bee reported; according to which, I payd 670 Pounds w<sup>th</sup> in 14 days, w<sup>ch</sup> was y<sup>e</sup> full halfe; and in respect there were Quit rents, Anueties, and the like, issuing out of my lands, whose value I could not certaynly tell, I desired they might bee remitted to y<sup>e</sup> second payment, and then alowed me w<sup>ch</sup> was assented to.

310. In following this, I met w<sup>th</sup> one answer may perhaps not unfitly heere have a place. Observing none to speede better then such notable Delinquents as had beene in Arms against the two howses, especially if they came in on Articles, (for it cannot bee denyed the Officers of the Army were very honorable in seeing them made good to y<sup>e</sup> advers party) I complayned of it to M<sup>r</sup> Reading; (an honest gentleman and of Counsell for the Committee y<sup>t</sup> sate at Goldsmiths' hall for Compositions) That I, no notorious offender, should bee thus harrast, when they came of so well: at w<sup>ch</sup> he smyled on me and replyed, they had rules to deal w<sup>th</sup> them by, but not w<sup>th</sup> me, whose sequestration was so on malice, as they could not compound w<sup>th</sup> me, but by an especiall Order.

311. According to w<sup>ch</sup>, I cannot omit what I had of S<sup>r</sup> Francis Barnham. That, dealing one day with M<sup>r</sup> Maynard, now Sergeant Maynard, to get M<sup>r</sup> Robert Barnham (a very deserving sonne of a worthy father) out of Leeds Castle, where he lay secured by the Committee of Kent, he used this argument; that hys sonne had neyther fayled in duty to the howses, nor committed any thing against them: To w<sup>ch</sup> M<sup>r</sup> Maynard answered

(beeing as well a wise man as a great Lawyer) that he could then doe hym no good ; for if hys fault had beene eyther omission or commission, hee would have fetched him out the same way he came in ; but against malice he had no fence.

312. For as 1572 in y<sup>e</sup> Massacher at Paris, some re-vengeing their private Spleenes, under the notion of Huguenot, tooke away their adversaries, though of the Roman creede ; so now under this government, Injustice, Violence, and oppression, breaking in upon y<sup>e</sup> people ; the lawes not permitted to give protection ; any leading man of a Committee maligning an other (though never so quyat a liver) as having a better estate, seat, howse, accomodation to it, then he wisht hym, did find means to ruine hym, under the tytle of hys disaffecting their courses and y<sup>e</sup> present cause.

313. To w<sup>ch</sup> purpos, I shall set heere downe what I had from a good hand, and I beelieve was trwe. That<sup>1</sup> a powerfull person of those tymes riding by an handsome seat, well wooded and pleasant otherwise, in y<sup>e</sup> North ; he enquired to whom it beelonged ; and finding it unsequestred, the owner not in y<sup>e</sup> Parlyament's service, hee could not conteyn hymself from saying he had an Earth worme in hys breast, must have y<sup>t</sup> Estate sequestred ; and never left poursuing the owner tyll he got it done. The truth of this I can not aver, onely I had it from old S<sup>r</sup> Henry Vane, a person of y<sup>t</sup> worth and honor, I dare say he would not have spoke it but on good grounds.

314. Beeing now in y<sup>e</sup> Country, I found my estate miserably torne and ransackt by these Men ; but beefore I was well warme in my howse, I had nwes my case was reported y<sup>e</sup> 7<sup>th</sup> December, 1649. Upon w<sup>ch</sup> up I went, desired I might bee allowed 60 Pounds, for 30 pounds quit rents and charges issuing out of my estate. At first they would not any thing, in respect y<sup>e</sup> Report was

<sup>1</sup> S<sup>r</sup> Arthur Hazelrig.—T.



past, and contrary to the rules that Committee had taken to goe by, (for they set themselves lawes to conclude others by, knowne to very few but their dayly attendance) to abate any man after the report had past.

315. But not satisfied w<sup>th</sup> this, the 18 January, 164 <sup>$\frac{9}{50}$</sup> , I petitioned the sayd Committee then sitting in the Lords' howse at Westminster. "That by an Order of Parlyament, I was to compound for my Estate at a Tenth, and not above; that I informed the Committee there lay, in quit rents and other charges, about 30<sup>l</sup> a year payd out of it; but, by reason I was not certayn of y<sup>e</sup> summe, nor had at hand the proofes, that the allowance might bee respited tyll my second payment; that I did desire no abatement upon revieue; but that it might bee allowed me now, having not benee formerly." Upon this, M<sup>r</sup> Mayer moeved they might see y<sup>e</sup> papers of my Composition. W<sup>ch</sup> beeing looked into, and seene that I spake truth, M<sup>r</sup> Reading informing them, my case was differing from others, they having no power to compound w<sup>th</sup> me but by an especiall Order, they asked for y<sup>e</sup> particulars of my payments; w<sup>ch</sup> whilst I stept for, they concluded to abate me 40<sup>l</sup>, w<sup>th</sup> out at all looking on them. So, instead of 60<sup>l</sup>, I had onely 40 pounds; w<sup>ch</sup> I rather chose to accept, then make a trouble, and have them perhaps not allow of y<sup>e</sup> proofes I was to produce, or quarrell at y<sup>e</sup> things themselves.

316. When this was done, and I had payd all my fine, brought them my acquittances, and had my discharge, I stept to M<sup>r</sup> Ash, telling hym, by way of asking hys opinion, that I was now to pay no fifth nor twentieth part. Upon w<sup>ch</sup> he sate downe by y<sup>e</sup> fyer w<sup>th</sup> me in y<sup>e</sup> Lords' howse, (where this Committee now sate) and called to one Vincent an officer there, to give hym y<sup>e</sup> Votes of y<sup>e</sup> Commons towching Sequestrations; and having read them, asked if I had made the first pay-

ment punctually according to them; I told hym I had. "Then," says he, "you are not." And of y<sup>e</sup> same opinion, I assure myself, all y<sup>e</sup> rest of y<sup>e</sup> Committee would have beene; for I well remember M<sup>r</sup> Reading not onely agreed w<sup>th</sup> hym in it, but told me it was expressly set so in y<sup>e</sup> Act made upon y<sup>e</sup> votes. But, "nwe Lords, nwe Lawes," This Committee (as not polling men perhaps enough) beeing changed afterwards by y<sup>e</sup> Howse of Commons, they forced from me 400<sup>l</sup> for it, as you shall hear.

317. Having now my discharge, under right of their hands of y<sup>e</sup> 19 January, 164<sup>9</sup>/<sub>50</sub>, for any delinquency charged on me, for any thing sayd or done by me in relation to the first Warre,—(I have told what part I had in them; but so it must bee!)—I retyred my self home ("accable des debtes," as the French frase is,) so opprest w<sup>th</sup> debt as I knwe not how to turn my self, my Estate ruined, my Woods feld, my howse ready to fall, in short, every thing in disorder.

318. Beefore I knwe well how to order my self, I was summoned by an Order from Haberdashers' Hall, bearing date on Wensday y<sup>e</sup> 24 September, 1651, under y<sup>e</sup> hands of Arthur Squibb, Richard Moore, William Molyns, Jo. Berners, to appeere y<sup>e</sup> 17 October following, to give satisfaction to y<sup>e</sup> assessment of six hundred pounds layd upon me, for y<sup>e</sup> 20<sup>th</sup> part of my estate both reall and personall. I confesse this startled me. I was in y<sup>e</sup> Country above 20 myles from London, I could not imagine they had any power to assesse me, their power beeing limited to that space, by y<sup>e</sup> Ordinance of y<sup>e</sup> 30<sup>th</sup> of May, 1643.<sup>1</sup> On y<sup>e</sup> 17 October I could not appeere, beeing not well; Upon w<sup>ch</sup> I was respyted 21 days, on y<sup>e</sup> importunty of my good friend and kinsman Collonell Robert Manwayring, against w<sup>ch</sup> tyme I made my self ready to goe.

<sup>1</sup> Collect. of Orders, to. 2, p. 185.—T.

319. But beefore I went to them, I thought good to goe to M<sup>r</sup> John Ash, w<sup>ch</sup> I did w<sup>th</sup> that worthy patriot and constant friend of myne, M<sup>r</sup> Nathaniel Stephens, finding hym layd up of y<sup>e</sup> Gout at hys brother's howse, in Fanchurch streete; spake to hym of that had past hym in y<sup>e</sup> Lords' Howse, w<sup>ch</sup> he seemed not to remember; yet sayd he durst say he then told me nothing but what he conceived right. That y<sup>e</sup> thing was playn, the Howse as a favor tooke off y<sup>t</sup> 5 and 20<sup>th</sup> part from none, but such as payd their last w<sup>th</sup> in three months after their former; That, indeede, by y<sup>e</sup> rules of their Committee, they looked after no man tyl more then six weekes after their Report past; and when I replyed, my Composition not to have beene perfect tyll reported, beecause of somewhat then to have beene allowed; That they might have done it w<sup>th</sup> in 6 weekes y<sup>e</sup> one of y<sup>e</sup> other; That it was not my fault they did it not; That their Committee did not, I supposed, vary from y<sup>e</sup> votes of y<sup>e</sup> howse w<sup>ch</sup> employed them; he sayd, no, but I should have called on them to have made it sooner; (yet one expresse order, of y<sup>e</sup> 23 May, 1649, was for Reports to bee made in order of tyme as they were set, and not otherwise; so y<sup>t</sup> I should have desired of them y<sup>t</sup> they could not have done) that this was an especiall favor of y<sup>e</sup> Howse; so y<sup>e</sup> tyme of three months must bee punctually observed; and thus, in a manner, this great bounty of y<sup>e</sup> Howse was reduced to nothing. Men could not pay their second payment till reported; The Commissioners ment not to have y<sup>t</sup> done of six months, and then people were uncapable of receiving any benefit by y<sup>e</sup> vote.

320. Receiving thus little comfort from M<sup>r</sup> Ash; the 7<sup>th</sup> November, 1651, I went to the Committees at Haberdashers' Hall, procured S<sup>r</sup> Michael Livesay<sup>1</sup> and Captayn Skinner to remonstrate my case, and speak for me. S<sup>r</sup> Mychael spake rather against me; told them he

should not urge them to any thing stode not w<sup>th</sup> the rules of their Committee, and y<sup>e</sup> justice of y<sup>e</sup> thing. (this man delivered hym self playnly that he meant they should squeeze me as much as they would). I spake what I could my self; alleadged the Orders or votes of y<sup>e</sup> 17, 21, March, the continuance of them y<sup>e</sup> 26 May and 27 June, 1649, of w<sup>ch</sup> the last is thus, "That all y<sup>e</sup> severall and respective days lymyted in y<sup>e</sup> late Act or Orders concerning Compositions w<sup>th</sup> Delinquents at Goldsmiths' hall, w<sup>th</sup> the severall qualifications, as well for y<sup>e</sup> continewance of rents in tenants' hands, as otherwise, bee prolonged untill y<sup>e</sup> first of August next and no longer."

321. I shewed them like wise I compounded as soone as they were inabled to treat w<sup>th</sup> me; That my composition was neither agreed nor perfected tyll my last payment, when I was alowed such quit rents and charges as issued out of my estate; That they had tooke all my goods from Redcross streete, therefore must have y<sup>e</sup> 20<sup>th</sup> part; onely I did not presse my abode was more then twenty miles from London; partly through ignorance; (for though I had heard of it yet I had it not at hand to produce) I have beene since told it would have done me no good, that themselves knwe of it, and beeing publick ought to have taken notice of it; but I confess I since wish I had insisted on it, but what event beefel me will bee seene by the Order then made, w<sup>ch</sup> I shall give you verbatim.

322. "Haberdashers' Hall, Fryday, 7 November, 1651.

"By y<sup>e</sup> Commissioners for advance of mony, etc.

"In y<sup>e</sup> case of S<sup>r</sup> Roger Twysden, of East Peckham, in y<sup>e</sup> County of Kent, concerning an Assessment upon hym for hys 20<sup>th</sup> part; upon hearing the sayd S<sup>r</sup> Roger Twysden this day, who pleadeth the Votes of the 17 and 21 of March, to bee

<sup>1</sup> See note 3, No. 22.

exempted from hys 20<sup>th</sup> part ; it appearing that the sayd Sr Roger did not petition tyll y<sup>e</sup> 24 May 1649 ; whereas by y<sup>e</sup> sayd votes, he ought to have filed hys Petition beefore y<sup>e</sup> 20<sup>th</sup> of April 1649, and did not pay in the latter moyety w<sup>th</sup> in y<sup>e</sup> tyme limited by the sayd votes :

323. " Whereupon, wee proceede to set hys fyne for hys 20<sup>th</sup> part ; and upon calculating y<sup>e</sup> particular of hys estate, (deduction beeing made of such debts as y<sup>e</sup> sayd Sr Roger owed upon the 20<sup>th</sup> of May 1642) It is ordered, that he doe pay to our Treasurer the summe of four hundred and fifty pounds, in this manner ; viz. one half there of w<sup>th</sup> in fourteene days, the other half thereof fourteen days after, and upon entry of hys Acquittance w<sup>th</sup> our Auditor, hee shall thereupon have our discharge of and from hys assessment for hys 20<sup>th</sup> part.

" ARTHUR SQUIBB.	RIC. MOORE.
WM. MOULINS.	JO. BERNERS.

" M. DALLISON."

(he was Secretary to y<sup>e</sup> Committee.)

325. One thing not to bee forgot in this instans ; they prest me, and that on oath, to tell them all I owed 1642, w<sup>ch</sup> who could doe ? truly I needed long premeditation ; yet somewhat I did set downe. If I fayled in any particular, I beeseech Christ forgive me ! But hast was requyred ; and, I have since heard, not w<sup>th</sup> out reason ; for if men had beene permitted to pause on it, the portions they then intended their children allready born might perhaps have beene accounted as dwe debts unto them, and by that means mollified their fynes.

326. By this Order I playnly saw they intended to excoriate me. What should I doe ? my estate made over for payment of my fine would not bee good against them ; they would break all conveyances whatsoever made since 1642. I was in a very great streight. I desired it might bee referred to y<sup>e</sup> howse for their opinion. They told me then I must pay half immediately, or elce bee sequestred. My friends assured me, the

howse having assumed as well y<sup>e</sup> disposing, as giving, mony, they never would goe against any thing their Agents did in y<sup>t</sup> kind; that if I should get out, many had y<sup>e</sup> same plea; from whom they now rayseed considerable sums; That I might perhaps wait after them 5 or 6 years; of all w<sup>ch</sup> I had a sad experience myself.

327. On these motives, I resolved to follow their advise; and on Tuesday y<sup>e</sup> 18 Novem<sup>ber</sup> payd 225<sup>l</sup> in to their Treasury, taking an Acquittance for it. But heere, beefore I passe farther, I must let y<sup>e</sup> reader know; after my Sequestration was of, I had sometyme occasion of repaying to y<sup>e</sup> Committee of Kent; whom I found much more civill then I expected; but their power beeing taken of, and Haberdashers' hall having by order taken their accoumpts, and received the mony they had, there was transmitted unto them 88<sup>l</sup> 02<sup>s</sup> 03<sup>d</sup> of my wive's fift part, as was acknowledged by themselves; upon w<sup>ch</sup>, by M<sup>r</sup> James of Ighthams means and direction, I obteyned this effectuall letter from them in Kent.

328. "Gentlemen, At y<sup>e</sup> request of y<sup>e</sup> Lady Twysden, wife of S<sup>r</sup> Roger Twysden, of this County, wee doe heereby certify that there was dwe unto her and unpayd at the tyme of transferring the sequestred estates into your hands, by y<sup>e</sup> late Act of y<sup>e</sup> 25 January, 1649, the summe of Eighty eight Pounds, two shillings, and three pence, the remaynder of her fifth part of the rents and profits of her husband's estate, received by y<sup>e</sup> Collectors and Officers of this County, and by them accounted for, together w<sup>th</sup> y<sup>e</sup> rest of y<sup>e</sup> Sequestration monyes then remayning in their hands, unto your Treasurers, as by y<sup>e</sup> sayd Act was enjoyned; w<sup>ch</sup> sayd arere, dwe and payable unto ye sayd Lady, was also certyfyed unto you particularly, (as others of like nature) in the generall returne of Papists and Delinquents w<sup>ch</sup> had beene sequestred and discharged upon compositions, etc.; sent in unto you from y<sup>e</sup> late Committee of this County, and remayning w<sup>th</sup> you. This wee conceive will give you satisfaction, that she hath no other addresse for reliefe in

this particular, but to your selves, in whose hands the very mony it self now resteth; and therefore to your just and favorable consideration, wee now recommend her present suite in this beehalf, and rest

“Your humble Servants, late of the  
Committee of y<sup>e</sup> County of Kent  
for Sequestrations.

“N. MILLER. WM. JAMES.

AUGUSTINE SKINNER.

LAMBERT GODFRY.

“Maydstone, September, 1651.”

379. Upon this letter written so effectually, I did not at all doubt of my mony; and desired of them, if I must pay this Assessment, I might bee allowed it. And they, whilst it was unpayd, did not deny the doing it; but told me, if I payd them, they would pay me what was my dwe. What should I doe? I had not now M<sup>r</sup> James to consult with nor advise w<sup>th</sup>, they threatened that monster Sequestration, out of whose pawes I had so lately crept, and layn so long under, that they allowing mee for goods (viz. two cart loads of bedding, stooles, and other howsehold stuffe) by them carryed out of Red-crosstreete, the summe of 10<sup>l</sup> 1<sup>s</sup> 06<sup>d</sup>, and reducing, on Fryday, 21 of November, the whole to 400<sup>l</sup> onely, I did, y<sup>e</sup> 26<sup>th</sup> of the same, pay unto their Treasurer, George Dauson, 164<sup>l</sup> 18<sup>s</sup> 06<sup>d</sup> for my fifth and twentieth part, w<sup>ch</sup> made just 400<sup>l</sup> in all for it.

380. When I came downe into Kent, my good friend M<sup>r</sup> James was angry w<sup>th</sup> me for not abating that 88<sup>l</sup> 02<sup>s</sup> 03<sup>d</sup> dwe to my wife; assuring me, if I had payd the rest, this Committee would never have sequestred me for that onely. But I was so afrayd of y<sup>e</sup> Beast, beeing threatened by them, I durst not venture; especially having a great confidence it would bee payd me afterwards. But I was deceived; for when they had myne, though I prest them my self, and beeing forced in to Kent, left the sollicitation of it to Collonell Manwayr-

ing, my neere Kinsman, and a person gracious w<sup>th</sup> them, who I dare say laboured it earnestly, but w<sup>th</sup> out succeſſe, as he writ me word y<sup>e</sup> 10<sup>th</sup> December following, in w<sup>ch</sup> he tells me,

381. "That on Twesday sevenight beefore,<sup>1</sup> he delivered the letter of the Committee of Kent to M<sup>r</sup> Mayer, (he was Chayr man of this Committee) who wiſht hym to come in y<sup>e</sup> after noone. That about four of the clock, they read the ſame, debated upon it about half an howre, then called hym in, and gave them<sup>2</sup> their reſolution, that they could not pay me any thing. That he, thereupon, did deſire to know theyr reaſons why they could receive and not pay; to w<sup>ch</sup> all y<sup>e</sup> answer was, the becing beefore their tyme they could not, that they pleaded they were upon their Oaths."

382. Thus people in power doe find eaſily excuses not to doe ſometymes thoſe actions, though right and juſt, they can not bee compeld unto, and to make oaths and Conſcience the ground of ſuch their doings; for certaynly the mony ſhould have beene my wive's, beeing by them taken from the Committee of Kent, there could in juſtice bee no other expectation or intent in doing it, but for them to ſatisfy what by their own order, was really dwe unto her. But having y<sup>e</sup> ſword, theſe were reſolved to interpret it otherwiſe; and to pay nothing, (though dwe by ſo many Orders of y<sup>e</sup> Lords and Commons for Sequeſtrations) w<sup>th</sup> out one eſpeciall in y<sup>e</sup> caſe; pretending their oaths to juſtify their ſo doing, and knowing it meere folly for me to ſeeke it from that howſe, w<sup>ch</sup> was hardly ever at leiſure to doe any man oppreſſ by a Committee Juſtice; unleſſe, perhaps, on y<sup>e</sup> potent interceſſion of ſome in y<sup>e</sup> Army.

383. And heere, having ſhewde how I fell into theſe troubles, how miſerably I was tortured under them, and how God in hys good tyme, in part, delivered me

<sup>1</sup> The 2 December.—T.

<sup>2</sup> *Sic.*



out of them; there remainys that I render hym all humble and hartly thanks, for hys gracious assistance to me and mine, during the continuance of them; And in y<sup>e</sup> end, by an unexpected hand, freeing this nation of their heavy Task masters, that men may live more quietly, and enjoy w<sup>th</sup> more freedom their owne howses and thoughts. God of hys mercy graunt, that for y<sup>e</sup> future, it may never see a perpetuity added to y<sup>e</sup> two howses of Parlyament; Nor Committees to manage y<sup>e</sup> justice of y<sup>e</sup> Kingdome, and sit Judges of men's liberties, estates, and fortunes; admitting not y<sup>e</sup> law for their rule; but the arbitrary, ambiguous, revocable, disputable Orders and Ordinances of one or two Howses if not of their own framing<sup>1</sup>—which, as things now stand, is rather to bee prayed for, then expected; neither can I find any way how it can bee; but must remit all to y<sup>e</sup> onely wise God, who of hys infinite goodness, and pity of the miseries of this distracted nation, may bee pleased to find some means of restoring every one to their rights, the law to its vigor, by a just King<sup>2</sup> Protector of it; w<sup>th</sup> out w<sup>ch</sup>, I shall never look for a lasting Peace. And as it is, this 11<sup>th</sup> of December, 1657. So to see it shall ever bee the prayer of Roger Twysden.

<sup>1</sup> There is much confusion and erasure here in the manuscript. One line, (originally the concluding one of the Journal,) signed "Roger Twysden," has been erased, and "if not of their own framing" interlined. The remainder of the manuscript is a subsequent addition, in paler ink.—ED.

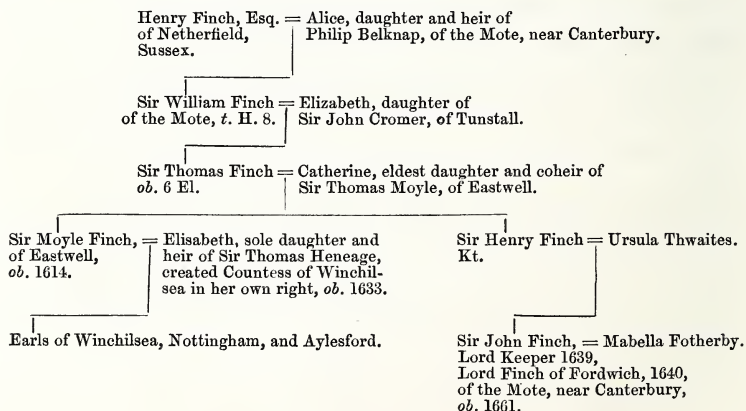
<sup>2</sup> "King" is an addition, in darker ink, made doubtless at the Restoration.—ED.

## APPENDIX.

## I.

Note to No. 196, "Lady Finch, of Fordich," and No. 89, Vol. II. p. 207.

The Lady Finch here mentioned was the wife of Lord Finch, of the Mote, near Canterbury, who was at this time a refugee in Holland. He had been Chief Justice of the Common Pleas, was made Lord Keeper, 1639, and created Lord Finch of Fordwich, 7th April, 1640. "A man," says Clarendon, "exceedingly obnoxious to the people upon the business of ship money, and not of reputation and authority enough to countenance and advance the King's service." His seat of the Mote had descended to him from his grandfather, Sir William Finch, who inherited it from his mother, the heiress of Belknep. The house was burnt down many years since. The estate is now the property of Earl Cowper. The connection between the Lord Keeper and the Earls of Winchilsea is shown in the following abstract from the pedigree of that illustrious house:—



## II.

Note to "S<sup>r</sup> Edward Monyngs, who, as he was a neere kinsman," No. 208.

They were first cousins, as shown by this pedigraic extract:—



of that learned work, few have, hitherto, been conscious of the tale of suffering and exhaustless energy involved in those simple words, "Ex ædibus Lamethanis." Truly has it been said, "The elasticity of a powerful mind ever increases with the pressure imposed upon it." Even so was it with Roger Twysden. Indeed these words are but a philosophical commentary on his own expression, "finding humane nature can never bee absolutely idle."

It will be remembered that, in an earlier part of this Journal (see Vol. II., No. 69, p. 195), when on bail, restricted to the limits of London, he beguiles the weariness of his confinement by searching the Records at the Tower; and now we have him in actual imprisonment, with unbending spirit, turning to the same resources of literature "in hisce carceris claustris solum literarum levamen admittentibus," as he touchingly writes to his friend Sir Simon Dewes, when asking the loan of a few books to cheer his solitude. The whole of this letter to Dewes is so characteristic of the man, that we cannot resist giving it entire. It is among MS. Harl. 374, p. 237 (old num. 248), and is as follows:—

"Ante decennium integrum (vir clarissime) de eximiâ tuâ in anti-quitatibus scientiâ, et instructissimâ simul bibliothecâ libris selectissimis refertâ, tantum ad aures meas perferebat communis ex sermone rumor, ut incredibili te cognoscendi desiderio arderem; verum cum domesticæ curæ ab urbanis delitiis aliquanto longius me rus ad privata negotia non tam avocarent quam importune pertraherent, desperabam propemodum de obtinendâ unquam viri tam docti familiaritate, donec tandem huc revocato, iterum cœpit reviviscere pristina ardoris flamma; ideoque tum sororium meum rogavi ut tuæ me amicitiae insinuaret.

"Sed jam, præter illud quod inter uxores nostras est sanguinis vinculum, innata illa tua et vera primorum sæculorum bonitas, summaque in me benevolentia, tot in me collatis favorum documentis adeo me tibi obstrinxit, ut in hac qua premor conditione, nihil feram magis ægre quam quod non invenio quo et vel grati saltem animi signum ostendam. Dabit meliora Deus. Interim, si quid mihi ex illo quem memoras antiquitatum tuarum acervo communicare volueris, poteris facillime, ac tuto, illud per Davidem Sibbaldum,<sup>1</sup> virum ut vere doctum, ita pium, et ex tenui lare suo quo contentus ruri

<sup>1</sup> David Sibbald was a coadjutor and amanuensis to Sir Roger in putting out his 'Decem Scriptores,' etc.

degebat, non aliâ quam solius conscientiæ servandæ causâ ejectum, ad me transmittere, utque ita mihi in hisce carceris claustris solum literarum levamen admittentibus, non parum solatii afferre.

“Vale, vir doctissime, et semper amati studiosissimum,

“Lambethæ,  
XIV Cal. Decemb.  
MDCXLIV.”

“ROGER TWYSDEN.

[In dorso.] “Viro clarissimo Simondo D'Ewes, equiti aurato et Baronetto, in ædibus suis Westmonasterii.”

## V.

Note to “never recovered her former strength,” No. 221.

Sure we are our readers will pardon us the insertion of a somewhat lengthened note to this passage, in one of the most affecting tributes ever penned by a noble-hearted husband to the memory of a loved and matchless wife. It is from the private diary of Sir Roger Twysden. We gave this touching effusion, some years since, to our lamented friend John Mitchell Kemble, who has introduced it in his charming biography of Sir Roger prefixed to the forty-fifth volume of the Camden Society's publications. It will bear reprinting. Indeed, to use Kemble's own words, “It would be a sin to omit a record which displays so beautifully the piety and amiability both of herself and the writer.”

“Isabella Saunder, daughter of Sr Nicholas Saunder, of Ewell, in Surry, by Nonesuch, married to me the 27<sup>th</sup> day of January, 163 $\frac{4}{5}$ , mother of sixe children, three male and three female, . . . left the miseries of this life at a little house of myne in y<sup>e</sup> Dean's Yard, in a little court in Westminster, the 11<sup>th</sup> day of March, 165 $\frac{6}{7}$ , about 6 of y<sup>e</sup> clock in y<sup>e</sup> after noone, or rather not so much, but very nigh y<sup>e</sup> houre, the day on which she dyed beeing Wensday, and was brought downe and buried by my father in our little burying place, in East Peckham Church, y<sup>e</sup> Tuesday following, beeing y<sup>e</sup> 17 day of March, 165 $\frac{6}{7}$ .”

“She was a person of the most virtue and fewest vices I ever saw. She was truly religious and fearing God, serving hym allwayes in spirit and truth, after the auntient manner of the English Church, as it was reformed by Queen Eliz. and King James. This seasoned

all her other actions and made them such as were acceptable in y<sup>e</sup> sight of God and good men. She had a very discerning judgment, and w<sup>th</sup> that, a temper beeyond imagination, and, with it, an affectionate nature to all, especyally such as loved her or me, of whom, if that can bee a fault, she was too fond, and so of her children. With what patience she, for my sake, endured the loathsomeness of a most nasty pryson, called y<sup>e</sup> Counter, in Southwark, that she might have my company onely; with what wisdom she sollicitated, then and afterward, my business at Committees, and at the howse of Commons, sometymes, itself; with what magnanimyty she went through those miserable tymes, (in w<sup>ch</sup> it was enough to be undone, not to bee so foolysh as not to cousent or run madly to our owne ruine, y<sup>t</sup> beeing the undoubted mark of a MALIGNANT) I shall not heere write, beecause indeede I have not words to expresse it.

“She was not at all unwilling to dye, insomuch as when she, growing weaker, my Cosen Burraston told her she feared ‘she was not a woeman,’ she took the words out of her mouth, and added herself, ‘of this world;—God’s will bee done; hys name be ever prayسد!’

“I was, unfortunately, in y<sup>e</sup> Country, when she fell sick of her last sickness. She had beene ille of a Cold; but was prety well recovered agayn; but y<sup>e</sup> night I went away was stricken with death; though they conceived it onely a Cold. On Tuesday y<sup>e</sup> 10 March, they sent a messenger of purpos for me. I saw there was then no delaying; but went so early, as I was w<sup>th</sup> her about 10 of y<sup>e</sup> clock, found her much spent, her eyes to have lost her naturall quicknesse. Yet God gave her then a little lightning beefore death: Was joyd to see me, received the sacrament VIATICUM with me, w<sup>ch</sup> done, she kissed the Minister, and us about her, to take her leave of us,—told me wee should meete in heaven. I never saw any receive the Eucharist w<sup>th</sup> more reverent devotion. Then, growing neerer her end, desired to bee layd to rest again, beeing heavy as nigher her tymes end. About 3 of the clock, she awaked agayn, knewe me. I kist her and she me; but I could not well understand her speech, but, as I since conceive it was, y<sup>t</sup> she might dye quyately, w<sup>ch</sup> she did, laying her self again to sleepe; but never waked more in this world.

“When I kist her, which was y<sup>e</sup> last I ever did whilst she lived, she gave me many kisses together, so as I told her, ‘heere is y<sup>e</sup> old kisse still.’ She smiled, as what she knewe she used to doe.

“She was of a weak constitution, very sickly, in so much as some tymes jesting w<sup>th</sup> her, and saying in sport, not long beefore her end, ‘If God ryd me of this, for a second wife I would take no thought,’ she, as conscious of her owne weaknesse, replied, ‘Mock not, it may bee sooner than you think;’ and so it happened.

“I may not forget, after her death, she reteyned y<sup>t</sup> amyable pleas-

ing sweetnesse of countenance, she had living. I could not absteyn from kissing her to see it,—God suffering her body carry to her coffyn the lovely aspect, to show how deere and pleasing her soule was in hys sight. Lord! make me live as she lived, and truly fear God as she did, that I may dye as she did; y<sup>t</sup> I may attayn that happy crown she is now in possession of.

“I may not forget, to these many guifts of mind, she had a very weak body; often sickly, or rather, allwaies sickly; often sick very desperately, at least, since her last child, Charls, seldom well. When I lay in Lambeth, eyther from the contagion of many coming into it, after the fight at Naseby, or, seeing S<sup>r</sup> George Bunckly, whom she saw in hys extreamyty ready to depart, or anxiety of mynd to see me w<sup>th</sup> out any hope of freedom, she fel into a sicknesse, w<sup>ch</sup> ended in a double quartan ague; after which, or rather perhaps her ill childbed of my yongest boy Charls, she had lesse her health then beefore; though God lent her me about 12 years after, yet ever weak.

“Her goodnesse I can not expresse, her pyety, mildnesse, temperance, not to be styrd, not at all passionate, sweetnesse of nature, judgment, justice, fellow-compassionatenesse, patience, humility, yet well understanding herself and her dwe, they who best knewe her can onely judge. Of her humblenesse I shall onely give this one example: after some of her great journeys into Kent, w<sup>ch</sup> she undertooke for my buysinesse, and so very wisely sollicitated, seeing her ille and great w<sup>th</sup> child, I have sometyme sayd, ‘What an unfortunate man am I y<sup>t</sup> have brought a gentlewoeman to such a deal of mysery for my sake!’ She would take me up, as intymatyng and saying she would endure much more for my sake. When I was first sequestered, I kept a man to wayt upon her; after I could not; which she was so well contented with as nothing more.

“She was the saver of my estate. Never man had a better wife, —never children a better mother!”

## VI.

Note to “The Commoners’ Liberty,” a footnote to No. 246.

This was a tract published anonymously by Sir Roger Twysden in 1648. Its title is, ‘The Commoner’s Liberty, or the Englishman’s Birthright.’ It consists of thirty-three pages, in small quarto. There is no printer’s name; the title-page contains merely the above title, three mottoes from Coke, and the words, “Printed in 1648.” We have in our possession Sir

Roger's own copy, with copious marginal manuscript additions, "to be prynted in y<sup>e</sup> booke it self, if ever it be reprinted."

The subject was a tempting one to Sir Roger, who has brought to bear upon it all his vast stores of constitutional lore.

## VII.

### Note to 290.

Sir Roger uses a singularly moderate expression here. Perhaps the "censure" of the Star Chamber was, in these days, so well understood and appreciated, that it was hardly necessary to make further mention of the execrable spirit of vengeance with which the sentence was passed,—or the unparalleled cruelty with which its full rigours were inflicted on Leighton. Laud is said to have taken off his cap in court, and returned thanks to God, when the sentence was pronounced. As to Leighton—he was first whipped, then set in the pillory, where one of his ears was cut off; next, one side of his nose was slit, and his cheek branded with a hot iron, as the sower of sedition, with the letters S S; the very next week, ere the wounds, thus inflicted on every part of his body, were healed, he was again whipped, and, placed in the pillory, had his other cheek branded, his nose slit, and his remaining ear cut off; he was then imprisoned for eleven years. Strange were the vicissitudes of Leighton's fate, and more than amply was he now avenged! The return of brighter days, however, was destined to be of short duration; for his death took place accompanied by insanity—which was doubtless occasioned by the exquisite sufferings both his body and mind had formerly been doomed to sustain. His biographers appear to have committed a slight error in assigning the year 1644 as the period of his death; for in the above narrative Sir Roger Twysden speaks of him as still living, when he quitted his confinement in the early part of 1646. He was father of the learned, pious, and amiable Archbishop Leighton.

L. B. L.



NOTES FROM THE CHARTULARY OF THE ABBEY  
OF ST. BERTIN.

IN the 'Archæologia,' vol. xxv., are printed three charters of grants of the churches of Throwley and Chilham to the abbey of St. Bertin, at St. Omer, in France, of which the alien priory of Throwley was a Cell. These documents were communicated by Sir Thomas Phillips, who states, that during the French Revolution, the brotherhood of the abbey, hoping that the fury of the revolutionary spirit would soon be spent, endeavoured to secure their muniments by sending them to the abbey of St. Jesse, to be buried under the walls there; that on the sale of monastic lands, the purchaser of this abbey of St. Jesse, in excavating the foundations for the erection of a house, discovered a box containing these muniments; and that the whole of the collection was purchased at Calais from the son of the discoverer, who furnished Sir Thomas Phillips with the account above given.

On reading this statement in the year 1836, we at once started for St. Omer, in the hopes of discovering further traces of these treasures. We were unable to find a fragment of the originals, but were well pleased at discovering in the public library there an extensive chartulary, which had fortunately been compiled a few years before the outbreak of the Revolution. It consists of ten volumes in folio, entitled—

“Le Grand Cartulaire, ou recueil général et chrono-

logique des chartes et titres de l'Abbaye de S<sup>t</sup> Bertin ; depuis sa fondation, faite par Adroald en 648, dans la onzième année du règne de Clovis II, roi de France, jusqu'en 1200,<sup>1</sup> inclusivement. Le tout tiré et copié sur les originaux mêmes, reposans aux archives de la dite abbaye, et à leur défaut, sur les Cartulaires de Folquin, Simon, Tassart et autres anciens écrivains de l'Abbaye de S<sup>t</sup> Bertin. 1775."

The seals, many of them very elaborate and interesting, are tricked in pen and ink.

Finding that a *literatim* transcript of all the entire charters relating to Kent would occupy more time than we could devote to this work, we limited ourselves to a *précis*, copying therein, scrupulously, every name without exception, and every sentence that, in its remotest bearing, could be of importance ; we omitted, in fact, none but words of mere form, and not a single charter was passed unnoticed.

They contain much that is new in illustrating the history of the alien priory of Throwley and the parishes to which they relate, and add many links to the pedigrees of our ancient Kent magnates. We therefore deem them of sufficient interest to print in our 'Archæologia,' at the same time assuring our readers that not a word of the slightest importance has been omitted in our *précis*. The dates assigned to some of the Charters, and the consequent order observed in their insertion in the Chartulary, are, in some instances, apparently erroneous ; in these cases we have ventured to insert them in that which we believe to be their proper order, as we have noted in passing. The first charter relating to Kent is the grant of the church of Chilham to the abbey of St. Bertin.

<sup>1</sup> This date only refers to vol. i. ; probably copied from an earlier chartulary.

## I.—(circiter A.D. 1140.)

[*Hugo de Chilham, son of Fulbert de Dover, for the souls of himself, his father Fulbert, his mother Adelit, and his relations, and of Matilda his wife, grants the Church of Chilham to the Church of St. Bertin, by the hands of Leonius, the abbot thereof, in perpetual alms, to find two priests, capellans, to serve in the said church. If unfit ones be found, the archbishop, the abbot, and himself to correct it. If any monks seek hospitality from him, they shall be lodged in the abbot's house, and have straw there, but no provisions for themselves or their horses.*]

[In the margin: "43, le B. 172. 1140, circiter. Donatio ecclesie de Chilleham ecclesie S<sup>ci</sup> Bertini."]

HUGO DE CHILEHAM, filius FULBERTI DE DOFORA,<sup>1</sup> concessi et dedi pro salute anime mee et patris mei FULBERTI, et matris mee ADELIT, et parentum meorum, et MATILDE uxoris mee, etc. etc., ecclesie beati BERTINI, per manum LEONII ejusdem loci abbatis, ecclesiam de CHILHAM, cum omnibus pertinentiis, etc., in perpetuam elemosinam, etc.; ita quod ecclesie predicte duo presbiteri, capellani, more solito, deserviant: Si vero capellani idem non idonei inventi fuerint, consilio Archiepiscopi, et nostro corrigetur. Insuper, religiosi quique, qui ad me, hospitalitatis causa, declinaverint, in domo abbatis hospitabuntur, et in ea tantummodo paleas accipiant; cetera omnia victualia, tam equis quam hominibus, a domo non recipiant.

Testibus hiis.—Silvestro, beati Augustini Abbate; Willelmo, Priore Sancti Augustini; Petro, Canonico Sancte Marie Taruanensis;<sup>2</sup> Willelmo Cade;<sup>3</sup> Helya de Chilleham; Matilde, uxore mea; Radulpho, filio Willelmi; Willelmo et Johanne, fratribus ejus, nepotibus meis; Baldewino de Stura; Gaufrido de Ticheseia; Gulielmo de Eslinges; Arnaldo de Bolonia.

<sup>1</sup> In Domesday Book, "Fulbert" is entered as holding Chilham of the Bishop of Baieux. On the Bishop's forfeiture, and the creation of the Barony of Fobert, as one of the eight lordships constituting the Constabulary of Dover Castle, the King granted Chilham, as part of that Barony, to Fulbert. This Barony consisted of fifteen knight's-fees, (Chilham furnishing two,) and was held *in capite* by the service of ward of Dover Castle for twenty weeks in the year. Though the honour of Chilham was the "Caput Baronie," yet he and his descendants were generally styled "De Dover," as in most of these charters; though sometimes called "De Chilham."

<sup>2</sup> *i.e.* Therouenne.

<sup>3</sup> In Pipe Roll, 1 & 2 H. 2, William Cade renders account for Dover; perhaps he was "Præpositus" there.

[Seal, as etched in the MS., a knight armed and mounted.  
“Sigillum Hugonis filii Fulberti de Dovwre.”]

“Ex originali in theca Angleterre. N° 1; 1° loco.”

## II.—(circiter A.D. 1153.)

[*William de Ipra*<sup>1</sup> grants the Churches of Chilham and Throwley to the Church of St. Bertin, in perpetual alms, by the hands of Theobald, Archbishop of Canterbury, The Abbot and Convent of St. Bertin to be in future the sole patrons.]

[Chartulary, vol. i. p. 288. In the margin, “155, 198; circiter 1153. Donatio Willelmi de Ipra ecclesiarum Trullea et Chilleham.”]

Universis, etc. etc. WILLELMUS DE IPRA, etc. etc., concessi duas ecclesias, de *Chilham*, videlicet, et de *Trullea*, que mei juris erant, in perpetuam elemosinam, per manum domini THEOBALDI, Cantuariensis Archiepiscopi, ecclesie beati Bertini, etc. etc., ita etiam quod quicumque de cetero predictas possiderit ecclesias, nomine ecclesie Beati Bertini et monachorum, eas, cum omnibus appenditiis suis possidebit. Valet.

[Seal, as etched in the MS., a knight armed and mounted.  
“Sigillum Willelmi de Ipra.”]

“Ex originali in theca Angleterre. N° 1; 2° loco.”

## III.—(circiter A.D. 1153.)

[Chartulary, vol. i. p. 288. In the margin, “199; circiter 1153.”]

STEPHEN, King of England, confirms the Charter No. II., that the said Church and monks may have the said Churches “cum terris et decimis,” etc.

Witnesses: Richard, Bishop of London, and Robert, Bishop of Lincoln, “et Coñ Siñ et W. Martt. apud Londinum.”

[The great Seal of Stephen, etched.]

“Ex originali in theca Angleterre. N° 1; 3° loco.”

<sup>1</sup> He was Earl of Kent, and the most powerful of Stephen's supporters against the Empress. We have no record how De Ipra became possessed of these churches. Probably, during the troubled reign of Stephen, the manors were seized by the Crown and granted thence to him,—returning to their right owners on his retirement from England.

IV.—(*circiter* A.D. 1153.)

[Chartulary, vol. i. p. 290. In the margin, "200; circiter 1153."]

THEOBALDUS, Archbishop of Canterbury, etc., and Apostolic Legate, to ROGBERT, Archdeacon of Canterbury, etc., at the request of William de Ipra, confirms the Church of Throwley (*Trullega*) "cum terris et decimis et capellis et omnibus, etc.; salvis tamen per omnia episcopalibus ad ecclesiam Cantuariensem pertinentibus, consuetudinibus, etc."

Witnesses: Richard, Bishop of London; Walter, Bishop of Rochester; and Rogbert, Archdeacon of Canterbury; and Philip the Precentor (*cantore apud Cantuariam*).

[The official Seal of the Archbishop, etched. "Sigillum Theobaldi, Dei gracia archiepiscopi Cantuariensis."]

"Ex originali, etc. N° 1; 4° loco."

V.—(*circiter* A.D. 1153.)

[Chartulary, vol. i. p. 292. In margin, "202; circiter 1153. Anastasius iiij confirmat."]

Pope ANASTASIUS IV. to Leo, Abbot of St. Bertin, etc. etc., confirms the Churches of Throwley (*Trullega*) and Chilham. Dated "Laterani, xv Kalendas Decembris."

VI.—(*circiter* A.D. 1155.)

[Chartulary, vol. i. p. 300. In margin, "160, 205, 1155; Adrianus, Papa iiij, confirmat, etc."]

Pope Adrian IV. confirms the above grants. Dated "Beneventi, vi Kalendas Februarii."

## VII.—(circiter A.D. 1160.)

[*Hugh, son of Reginald de Bynges Vode, for two shillings and fourpence, releases to brother Hugh and the Convent of St. Bertin an annual rent-charge of twopence, which they used to pay to him out of three virgates of wood near his house, between his wood and that of William Scot; a rent of an apple at Michaelmas reserved.*]

[Chartulary, vol. i. p. 311. In margin, "43 le B. Leon. 213; circiter 1160."]

Hugo filius REGINALDI de BYNGES VODE, dedi, etc. etc. etc., "Fratri Hugoni et Conventui Sancti Bertini, quatuor denarios redditus mei, quos mihi domus de Trulega annuatim consuevit ferre, de tribus virgatis bosci, cum pertinentiis, etc., jacentibus juxta domum meam, versus Orientem, inter boscum Willelmi Scotici<sup>1</sup> et boscum meum qui est versus occidentem," etc., rendering to me "unum pomum de Forisgabulo,<sup>2</sup> ad festum Sancti Michaelis, qualiscunque sit speciei, pro omnibus secularibus demandis," etc.

For this demise, brother Hugo, "procurator<sup>1</sup> de Trulega," has given me two shillings and fourpence.

Witnesses: Willelmo de Ladane,<sup>2</sup> Stephano de Binges Voden, Willelmo de Byngesvoden, Willelmo de Sconeheld, Nicholao de Ecclesia, Jacobo filio Fabri, Johanne de Cruce, Virgilio Mercatore, Roberto de Thalamo, Henrico filio Samelin, Ricardo de Vanella, Willelmo Flandrensi.

[Seal, as etched, a Star. "S. HUGONIS de BARUN."]

"Ex originali, etc. N<sup>o</sup> 2; 1<sup>o</sup> loco."

Reginald de Bynges Vode =

Hugh [de Barun]

<sup>1</sup> *i.e.* William Scot.

<sup>2</sup> "Forisgabulum," almost literally "Quit Rent."

<sup>3</sup> In these alien cells were generally located foreign monks, sent over from the Superior Abbey with a Priest, who was little more than a Proctor or Steward, to manage the affairs for their foreign Head. Of this class, probably, was "Hugo Procurator de Trulega," to whom, in that capacity, with the Convent of St. Bertin, the grant is made.

<sup>4</sup> Probably William de la Dene. It must be remembered that the names throughout these charters are written as deciphered by a foreign scribe. Some latitude, therefore, must be allowed in attempting to recognize those of our ancient families. We write them as they stand in the Chartulary, but the palpable errors in official titles, as well as in names, are very numerous.

VIII.—(*circiter* A.D. 1165.)

[Chartulary, vol. i. p. 332. In margin, "174, 44. Godescalque. 223; circiter 1165. Henricus ij confirmat," etc.]

HENRICUS REX. Letters patent to HAMO DE TRULEA, to permit the Abbot of St. Bertin to hold peaceably his Church of Trulea, etc.; "et nisi feceris, Thomas, Archiepiscopus Cantuariensis, fecerit."

Tested at Rochester.

[The great Seal of Henry II., etched.]

"Ex originali, etc. N° 2; 2° loco."

IX.—(*circiter* 1165.)

[Chartulary, vol. i. p. 332. In margin, "1165, circiter. 175, 224. S. Thomas, etc., confirmat, etc."]

THOMAS, Archbishop of Canterbury, etc., confirms to the Abbey of St. Bertin the Church of Throwley (*Trullega*) as granted to them by WILLIAM DE IPRA, the patron thereof, and confirmed by Archbishop THEOBALD.

Witnesses: Baldewino de Bolonia, Norwico Archidiacono; Silvestro Thesaurario Lixonienſi; Theoldo, Canonico Sancti Martini; Roberto, Canonico Meritone; Magistro Herberto; Magistro Lumbardo; Magistro Ernulfo; Gunterio; Ricardo de Sañ, capellano; Alexandrò Walensi, etc.

[Archbishop Becket's Seal, etched, "Tomas Dei gratia Cantuariensis Archiepiscopo." Counterseal, do., "Sigillum Tome Lund."]

"Ex originali, etc. N° 3."

X.—(*circiter* 1165.)

[Chartulary, vol. i. p. 332. In margin, "1165, circiter. 225."]

THOMAS, Archbishop of Canterbury; a similar confirmation of the grant of the Church of CHILHAM.

"Ex originali. N° 4; 1° loco."

XI.—(inter A.D. 1162 et A.D. 1165.)<sup>4</sup>

[Hamundus (Hamo), son of Herefred, with his wife Matilda, and his sons and daughters, on petition of the monk Marsilius, grant to the Abbot Goddescale, and the monks of the Church of St. Bertin, for the souls of myself and my wife Mabilia, and my relations, the Church of Throwley, in perpetual alms.]

[Chartulary, vol. i. p. 338. In margin, "44 Godescalque. Circiter 1167. 229, 179. Hamundus filius Herefredi ordinat anniversarium suum."]

HAMUNDUS,<sup>1</sup> filius HEREFRIIDI,<sup>2</sup> cum uxore mea MATILDE, filiisque meis et filiabus; pariterque petitione karissimi nostri Marsilii monachi, concessi et dedi Abbati GODDESCALCO, et monachis ecclesie SANCTI BERTINI, pro salute anime mee, et uxoris mee MABILIE,<sup>3</sup> et parentum meorum, ecclesiam de THRULEGE, in elemosinam, etc., perpetue possidendam, etc. etc.

Witnesses: Clarembaldus, Abbas de Faversham; Normanus, Monachus ejus; Nicholaus, Decanus; Magister Osbertus; Hamo, Presbyter de Trullega; Ædmundus, Presbyter de Chilleham; Willelmus filius Alexandri; Thomas, Clericus; Karolus, Clericus; Willelmus, Clericus de Chilleham; Hugo,<sup>4</sup>

<sup>1</sup> This grant, as printed by Sir Thomas Phillips, has the endorsement, "Karta Haymonis de Truleia; primum donum."

<sup>2</sup> In Domesday Book, Throwley is entered as held of the Bishop of Baieux by "Herefridus." On the Bishop's forfeiture it was granted to William de Peverel, to be held *in capite* of the King, being part of the Barony of Peverel, one of the eight lordships constituting the Constabulary of Dover Castle. This barony consisted of fourteen and a quarter knights'-fees, Throwley furnishing three of them. The service was, ward of Dover Castle for one month in the year. This William, according to Dugdale, was succeeded by his son William, from whom the barony escheated to the King, 2 Hen. I. By Nos. II., III., IV., V., and IX. it would seem that William de Ipra held it *t. St.*, with reference to which see foot-note to No. II. In a subsequent charter, No. XXII., (A.D. 1220) it will be seen that Hamo de Gatton was then Lord of Throwley, and held this barony, and that he was apparently grandson of the Hamundus in the text above. We have been unable to discover any Record, when or to whom the grant of this Lordship was made, after the escheat of Peverel; probably it was to the direct ancestor of this Hamundus.

<sup>3</sup> She is called in the Grant both Matilda and Mabilia. It is *possible* that Mabile, for whose soul prayers are to be made, may have been a former wife. According to the Close Rolls, Hamo de Gatton left a widow named Beatrice.

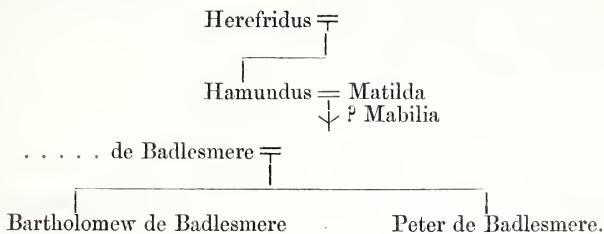
<sup>4</sup> By the Pipe Rolls, it appears that Hugh de Dover was Sheriff of Kent from 8th to 11th Hen. II., which will help us in deciding the date of this grant. He was son of Fulbert de Dover.



Vicecomes de Chent; Bartholomeus de Badlesmere; Petrus, frater ejus; Clemens de Serlinge; Osbertus de Hucham; Gilebertus, Camerarius Vicecomitis; Daniel de Sillingehall.<sup>1</sup>

[Seal, as etched, an armed knight, mounted. "Sigillum Hamundi filium Herefredi."]

"Ex originali, etc. N<sup>o</sup> 4; 2<sup>o</sup> loco."



## XII.—(circa A.D. 1175.)

[Chartulary, vol. i. p. 364. In margin, "44 Godescalque. 189, 1<sup>o</sup>. 248, circiter 1175."]

RICHARD, Archbishop of Canterbury, confirms the confirmation charters of his predecessors, THEOBALD and ST. THOMAS, of the grant to the Abbey of St. Bertin of the Church of THROWLEY, with the chapels thereto belonging, that of LEVELANDE being specifically named as one ("ecclesiam de Trulegha, cum capellis ad eam pertinentibus, quarum unam, scilicet de LEVELANDE, nominatim duximus exprimendam").

Witnesses: Magistro Venerabili Water, Baiocensi Archidiacono; Magistro Petro Blesañ; Willelmo de Norhast; Radulfo de Winge ham; Henrico Baioce Canonico; Radulfo de Sancto Martino; Amicio, Clerico; Rogerio, elemosinario; Roberto de Bavento; Magistro Johanne Douř; Willelmo Beiuino; Willelmo de Sotindona, etc.

[The Archbishop's Seal and Counterseal, etched. The same as in 'Archæologia Cantiana,' Vol. II. p. 41.]

"Ex originali in theca, etc. N<sup>o</sup> 4; 4<sup>o</sup> loco."

<sup>1</sup> *i.e.* Shillingheld, a manor in the honour of Chillham.

XIII.—(*circiter* A.D. 1175.)

[Chartulary, vol. i. p. 365. In margin, "249; circiter 1175.]

RICHARD, Archbishop of Canterbury, confirms to the Abbey of St. Bertin the Church of CHILHAM.

Witnesses: Benedicto, Abbate de Burgo; Waltero, Archidiacono Baiocensi; Magistro Roberto de Inglessham; Henrico, Baiocensi; Willelmo de Vallibus; Rogero Norwicensi, etc.

"Ex originali, etc. No. 4; 3<sup>o</sup> loco."

## XIV.—(A.D. 1176.)

[*Act registered by Symon, Abbot of St. Bertin, viz. that Henry de Insula had endeavoured to withdraw himself from the parochial jurisdiction of the Church of Throwley; that a controversy had thence arisen between the Church of St. Bertin and the said Henry, who, abjuring his wrongdoing, with his wife Margaret and heirs, in the Chapter at Canterbury, before Herbert the Archdeacon, and Master William, of St. Faith's, acknowledge themselves parishioners of the said Church of St. Michael, Throwley, and that they faithfully owe to the said Church all tithes renewing on their property. This is done, that themselves and their relations may be in the good works and prayers of the said Church of St. Bertin, and that the day of their obits be kept as of one of the congregation of the said Church. Moreover, in covenant of perpetual peace, the said Henry shall send one of his sons across the sea to the Abbot for education, and, after three or four years, to be made a monk, if he so will it. Done in the year of our Lord 1176, at Canterbury, in the presence of Herbert the Archdeacon; confirmed by his hand, the whole Chapter of Ospringe being eyewitnesses, Master William, of St. Faith, assisting; Abbot Godescalc, of pious memory, my predecessor, then presiding in the Church of St. Bertin.*]

[Chartulary, vol. i. p. 374. In margin, "45 Simon ij, 192. 1176. 256."]

SYMON, etc., Abbot of ST. BERTIN, etc.

Whereas, etc., "HENRICUS DE INSULA a parochiali jurisdictione ecclesie de TRUDLEGA se niteretur subtrahere, et ob id, inter ecclesiam SANCTI BERTINI, ad cujus titulum memorata parochia pertinere dinoscitur, et eundem HENRICUM, controversia diutius verteretur, tandem, abdicata injuria sua, tam ipse HENRICUS, quam uxor ejus MARGARETA, atque heredes ipsorum, Cantuarie, in capitulo presbyterorum, assistente HERBERTO, Archidiacono Cantuariensi, ac Magistro WILLELMO de SANCTA FIDE, se parochianos esse predictae ecclesie Sancti Michaelis de TRUDLEGA, recognoverunt, ac decimas, tam frugum quam nutri-

mentorū, et aliarū omnium rerū suarū, quę eis renovantur in anno, eidem ecclesie fideliter debere: Hoc autem ea ratione factum est, ut tam ipsi, quam parentes eorū, in beneficiis et orationibus sint ecclesie beati Bertini, et ut dies obitus memorati HENRICI, et uxoris ejus MARGARETE, anniversarius, quando evenerit, sicut unius fratris congregationis predictę ecclesie, in regula annotetur. Insuper etiam, in federe perpetue pacis, prefatus HENRICUS unum de filiis suis puerum, trans mare, Abbati mittet, qui, videlicet, puer, litteris instructus, ac ceteris vite necessariis, per Abbatem, diligenter educatus, post tres aut quatuor annos, si voluerit, Monachus efficietur.

Acta sunt hec, anno domini mclxxvi, CANTUARIE, in ecclesia Sancte Marie, presente HERBERTO, Archidiacono, et per manū ipsius confirmata, in conspectu etiam totius Capituli de HOSPRINGE, assistente Magistro WILLELMO DE SANCTA FIDE, etc. etc., presidente in ecclesia beati BERTINI predecessore meo pie memorie GODESCALCO Abbate.”

[Seal, as etched, an armed knight mounted. “Sigillum Henrici de Insula.” Also, the Seal of the Abbey of St. Bertin.]

“Ex originali, etc. No. 4.”

Henry de Insula	=	Margaret.
1176.		1176.
	↑	

XV.—(circiter A.D. 1180.)

[Chartulary, vol. i. p. 411. In margin, “45 Simon ij, 288, circiter 1180.—Colbertus de Doura confirmat, etc.”]

FOBERTUS, filius JOHANNIS DE DOURA, etc.

Whereas HUGO DE DOURA, “avunculus patris mei,” gave the Church of CHILHAM to the Abbot and Monks of ST. BERTIN, in perpetual alms, and confirmed to them in this form (reciting No. I. p. 205, *supra*).

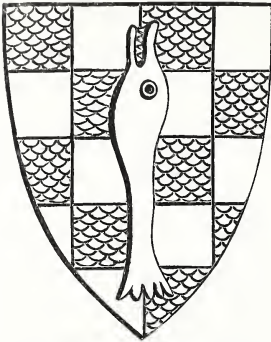
Therefore, to avoid all injury, I, as legitimate heir, ratify the above grant, etc.

Witnesses: Gaufrido, Priore Cantuariensi; Magistre Everardo, Vice-Archidiacono; Radulfo de Haslinges;<sup>1</sup> Ricardo filio Radulfi; Manasserio de Hastings; Johanne de Suilinghoude;<sup>2</sup>

<sup>1</sup> Probably for Eslinges.

<sup>2</sup> *i. e.* Shillinghelde.

Willelmo de Hucham ; Petro de Chilleham ; Johanne de Herste ; Stephano de Ultrastura ; Helto, fauciff ; Ricardo Juvenc ; Willelmo, filio Radulfi de Haslinges ; Willelmo de Dudintun ; Simone, Clerico de Wendene, et Gaufrido fratre ejus.



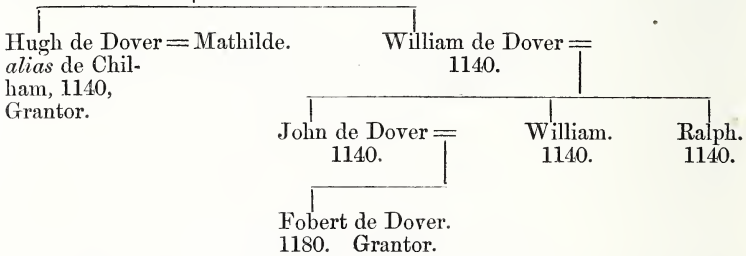
[Seal as etched in the MS. : Chequy a Luce hauriant. "Sigillum Foleberti de Doure."]

This Fobert de Dover married the daughter of Geffrey de Lucie, and eventually heir to her brother. From this marriage he perhaps adopted the Luce in his arms.

"Ex originali, etc. No. 4. 5<sup>o</sup> loco."

Pedigree deduced from this deed and No. 1 united:—

Fulbert de Dover = Atheliz.



XVI.—(circiter A.D. 1180.)

[Chartulary, vol. i. p. 412. In margin, "Circiter 1180."]

Certificate of the BARONS OF DOVER, that the Abbot and Convent of ST. BERTIN have land within the Liberty of DOVER, for which they do full service "Domino Regi nobiscum."

[Seal: A one-masted galley ; a man at the head, and another at the stern, each hauling a rope suspended from the yards. "Sigillum Burgensium de Doura."]

"Ex originali, etc. No. 4. 6<sup>o</sup> loco."

XVII.—(*circiter* A.D. 1180.)

Pope ALEXANDER III.<sup>1</sup> Bull, forbidding SIR NATHANEL [DE LEVELAND], under pain of excommunication, to molest the Monks of St. BERTIN in their possession of the Chapel of LEVELAND, all right to which he had disclaimed for himself. It appears that there had been a controversy between the Monks of St. Bertin and Sir Nathanael [“Natanaelem militem”] concerning the Chapel of Leveland, and the Abbots of Faversham and Boxley had undertaken to arbitrate between them. The Knight, at first, refused to appear before them; but afterwards, under a threat of excommunication, came and acknowledged that he had no right in the said Chapel [*se in predicta capella nil juris habere constanter asseveravit*]. Whereupon the Archbishop of Canterbury interfered, and put in a claim, and appealed [“*ea siquidem hora, venerabilis frater noster Ricardus,*<sup>2</sup> *Cantuariensis Archiepiscopus, Apostolice sedis legatus, misso nuntio cum literis suis, predictam capellam sui juris esse proclamavit, et ne monachi in possessionem mitterentur, in vocem appellationis prorupit*”]. Sentence upon the said Knight was therefore deferred; and the Pope, thereon, issues his present Letters to the Bishops of Exeter and Worcester to summon the parties before them, and forbid all further molestation on the part of the said Knight, under pain of excommunication.

“Datum AVAGNIE vj kalendas Augusti.”

XVIII.—(*circiter* A.D. 1183.)

[*Fobert de Dover acknowledges that he has no right of pre-emption of the Tithes of Chilham, notwithstanding former conventions between him and the Monks of St. Bertin, unless he may choose at any time to buy them at a better price than others will give, and this only dependent on their favour.*]

[In margin, “45 Simon ij, 209, 305, circiter 1183. Carta Folberti de Doure circa decimas de Chileham, pro monachis Sancti Bertini.”]

FOBERTUS DE DOURE, etc. etc.

“Quia nolo quod dilecti fratres mei, et amici, Monachi SANCTI

<sup>1</sup> Alexander III. was Pope from A.D. 1159 to A.D. 1181.

<sup>2</sup> “Ricardus Monachus,” the successor of Becket, was Archbishop from A.D. 1171 to A.D. 1184.

BERTINI, aliquod dispendium sui juris patiantur, occasione libertatis et gratie quam aliquando erga eos inveni." Be it known, etc. etc. "Quod licet inter me et dictos monachos, aliquando convenerit de blado ipsorum emendo apud CHILEHAM, me nihil juris vel auctoritatis in illa emptione habuisse, vel habere, nec illos teneri illud mihi vendere quam alii, nisi majorem gratiam quam alii erga illos, in illa emptione, potero invenire; et ne illud posteris venire possit in dubium, hac carta mea testificor, me nihil in illis decimis, nisi de gratia, exigere."

[Seal: Chequy, a Luce hauriant, as in No. 15.]

"Ex originali, etc. No. 4. 7° loco."

XIX.—(*circiter* A.D. 1186.)

[Chartulary, vol. i. p. 462. In margin, "45 Simon ij, 333, *circiter* 1186."]

BALDEWINUS,<sup>1</sup> Archbishop of CANTERBURY, recites and confirms the confirmation of his predecessor RICHARD, of the Church of THROWLEY [TRULEGA] to the Abbey of ST. BERTIN.

Witnesses: Henrico de Norlant; Magistro Silvestro Regiñ de Olly; Magistro Nicolao de Exoniensi; Ricardo de Hunfravill; Galfrido fotti (?), etc.

"Ex originali, etc. No. 4, 8° loco."

XX.—(*circiter* A.D. 1186, ? 1270)<sup>2</sup>

[*Sir Hamo de Trulega and other specified parishioners of Throwley, besides others who have not seals, petition Hamo Mortimer, Archdeacon of Canterbury, to remove their Vicar, who has fled for debt, and substituted for himself strangers, capellans, to whom they dare not open their consciences, or safely make confessions.*]

[Chartulary, vol. i. p. 462. In margin, "*Circiter* 1186."]

REVERENDO Patri ac Domino Magistro Hamodo de Mortuo<sup>2</sup>

<sup>1</sup> Baldwin was Archbishop from A.D. 1184 to A.D. 1191.

<sup>2</sup> Hugh Mortimer appears in the list of the Archdeacons of Canterbury

Mare, Cantuariensi Archidiacono. Hamodus,<sup>1</sup> miles, et Dominus de Trulega, Petrus Dalton, Willelmus et Radulfus de Wilretun, Thomas de Corbais, Symon et H . . . . de Tanghe, Parochiani ecclesie de Trulega, et multi alii parochiani, sigilla propria non habentes. Salutem.

Cum Magister G . . . , Vicarius noster, suam ecclesiam vacantem et viduam per multos dies, nobis ignorantibus ubi sit, reliquerit, et predictam ecclesiam per capellanos extraneos deserviat, quibus conscientias et confessiones nostras securi non audemus revelare, etc. etc.

Therefore, they pray that the said Vicar may be removed, and that the Patron present a proper person in his room, or that the Archdeacon make the said Vicar return "a culpis suis totaliter absolutum;" . . . . . "predicta enim ecclesia Domini non poterit sic vacare, tum propter creditores qui pro suis debitis contra dictum Vicarium non cessant conqueri et clamare, tam propter multa alia pericula quæ vestra paternitas non ignorat."

"Ex originali, etc. No. 4, 9<sup>o</sup> loco.

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XXI.—(A.D. 1190.)

[Chartulary, vol. i. p. 505. In margin, "351, 1190, 1 R. 1."]

ROBERTUS filius HAMUNDI DE THRULEGE, filii HEMFREDI, et heres.

Reciting No. XI. *supra*, by which HAMUND, his father, had given the Church of THROWLEY [*Thrulega*] to the Monks of ST. BERTIN, he confirms the same to them, together with "terris, decimis, et oblationibus, etc., ad eam pertinentibus, pro salute anime mee, et uxoris mee MABILE, et patris mei, et matris mee, et fratris mei, etc. etc.

"Datum Londini 1<sup>o</sup> anno RICARDI, Regis Anglie, 12<sup>o</sup> die Junii."

A.D. 1270, and seems to have held his Archdeaconry till A.D. 1278, when he was created Bishop of Norwich, but we cannot find the name of Mortimer in any authentic list A.D. 1186.

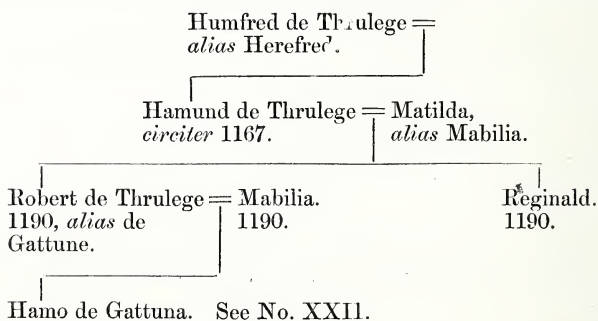
<sup>1</sup> Hamo de Gatton succeeded his father Robert as Lord of Throwley, A.D. 1263, which furnishes additional evidence that the document is dated erroneously; but we have not ventured to change the order of its insertion, leaving it as it stands in the Chartulary.

Witnesses: Henrico de Cornhulle, Vicecomite de Chent; Reginaldo de Cornhulle, Constabulario de Chilleham; Symone de Turentes; Reginaldo, filio Hamundi de Thrulege.

[Seal, not armorial: "Sigillum Roberti filii Hamonis."]

"Ex originali, etc. No. 5, 1<sup>o</sup> loco."

Pedigree collected from Nos. XI., XIX., and XXII. :—



XXII.—(? A.D. 1220.)

[Chartulary, vol. i. p. 461. In margin, "45 Simon ij, 332, circiter 1186."]

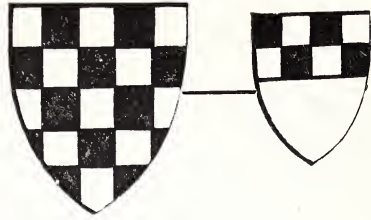
HAMO DE GATTUNA, heres ROBERTI DE GATTUNA, grants to the Monks of ST. BERTIN the Church of THROWLEY [TRULEGA]. "Secundum quod avus meus et pater meus eisdem eandem ecclesiam dederunt, et carta sua confirmaverunt." He speaks of his wife, though not by name.

Witnesses: Waltero,<sup>1</sup> Priore Sancte Trinitatis; Simone, Capellano de Trulega; Roberto, Capellano de Chileham; Wilhelmo, milite, de Badelesmere; Radulfo Colekin; Gileberto de Wilrintuna, etc.

<sup>1</sup> There must be error in the date assigned in the Chartulary to this grant; for the only Priors whom we find of the name of Walter, are—Walter Durdent, elected Bishop of Coventry 1149; Walter Parvus, succeeded 1149, and deposed 1153; and another Walter, elected A.D. 1217. Conjecturing that Robert de Trulege, No. XXI. A.D. 1190, is identical with Robert de Gattuna, father of this Hamo, we may fairly conclude that the real date of this charter is *circiter* 1220, and not, as conjectured in the Chartulary, 1186; we have therefore changed the order of its insertion, and numbered it XXII. instead of XIX.



[Seal, as etched: Chequy.  
 "Sigillum Hamonis de Gattuna."  
 Counter-seal: A chief chequy.  
 "Ego sum filius Roberti."]



"Ex originali, etc. No. 4, in 8° loco."

Robert de Gattuna = (Probably identical with Robert "filius  
 | Hamundi de Trulege," No. 22.)  
 |  
 Hamo de Gattuna.

### XXIII.

[Chartulary, vol. i. p. 512. In margin, "356, 1190."]

RICHARD I. Charter of Confirmation of the Grant of the Church of CHILHAM to the Abbey of St. BERTIN, etc., made by HUGO, son of FULBERT DE DEVORA. (See No. I.) "In bosco et in plano, in pratis et pascuis, in aquis et molendinis, et in omnibus," etc. etc.

Witnesses: Ricardo de Humets, Rogero de Pratellis, Stephano de Longo Campo, Dapiferis.

Datum apud Ruhoalt, 17° die Decembris, per manum Wilhelmi Elyensis electi, Cancellarii nostri, regni nostri primo.

The Great Seal of England. On the King's shield, a lion rampant facing sinisterways.

"Ex originali, etc. No. 5, 2° loco."

The above are all the Kent entries in the first volume of the Chartulary.

## MISCELLANEA.

## NOTES AND EMENDATIONS TO VOLS. II. AND III.

## I.

Note to the term "gumphæ," Vol. II. p. 125, foot-note.

By inadvertence, the term "rides" in this note is applied to the "gumphæ," instead of to the "verteuellæ," to which it properly belongs. The "gumphæ" are the iron hooks fixed in the sides of a doorway, and the "rides" are the straps or bands attached to the door, and by which it is hung on ("rides on") the hooks. The term is still in common use in Kent.

## II.

Vol. II. p. 132, foot-note 2, to "skynill."

This should have been printed "skyuill," a clerical error for, or corruption of, "shyuill." "Chevilles" was a term used in mediæval times for tile pegs.

## III.

Vol. III. Plate III. No. 4. p. 143.

At the suggestion of the Rev. H. Lindsay, of Ide Hill Parsonage, for "S<sup>r</sup> John de Isli," we would read "John de Isli." On the seal itself, Isli does not designate himself a knight. Although this determines nothing either way, yet, from other evidences, we are inclined to acquiesce in Mr. Lindsay's opinion; for this family, at least from all the evidences that have yet been before us, does not appear to have attained the knightly dignity till after their acquisition of the "Capite" lands of the Frenynghams.

## IV.

Vol. III. p. 180, note 6.

Mr. Lindsay, who has carefully investigated the history of the Isleys, has also called our attention to the uncertainty with which different writers speak of the place of Sir Henry Isley's execution; some naming MAIDSTONE, while others fix it at SEVENOAKS. Hasted, in this respect, is inconsistent with himself, —at one time naming the former, at another, the latter.

On referring to Proctor, we find that he fixes it at MAIDSTONE. His words are :—

“Sundrie other of Wygate's complices beinge arraigned and condemned, uppon their confession of treason, suffered in diuers partes of the shyre: as Henrye Isleye, Knyghte, Thomas Isleye, his brother; and Water Mantel, at Magdston, where Wygat firste displaid his standerde. Antonge Kneuet, William his brother, with another of the Mantels, at Seuenocke. Bret at Rochester hanginge in chagnes.”

On the authority, then, of Proctor, who was a contemporary historian, we will correct our original statement, and name MAIDSTONE as the place where Isley suffered.

## V.

Vol. III. p. 263.

“LACHEDACHES.”—This must be a clerical error of the Scribe for LAGEDAYES, *i.e.* Law Days—Days of open Court, or View of Frank Pledge, of which the Pleas and Perquisites were nine marks.

## WILLS.

## I.

Will<sup>1</sup> of SIR THOMAS CAWNE, Kt., *fn.* Ed. III.

The well-known effigy in Ightham Church, usually, but doubtfully, assigned to Sir Thomas Cawne, has caused much perplexity to antiquaries. The following transcript, therefore,

<sup>1</sup> Perhaps it should be more correctly entitled a Declaration of Trust for the purposes of his Will.

from the trusts of his will, which we have discovered among the manuscripts at Surrenden, will be acceptable; for it identifies the monument, with certainty, as his—and satisfactorily accounts for his burial in that Church. It appears that he was owner of The MOTE in IGHAM, though this fact has hitherto escaped the researches of Kent topographers.

Our Transcript is in Latin; for the benefit of the general reader we render it into English as literally as possible:—

“This is the Will and intention of S<sup>r</sup> THOMAS COUEN, K<sup>t</sup>, with regard to the feoffment made of all his lands and manors, to S<sup>r</sup> THOMAS MORAUNT, K<sup>t</sup>, JAMES DE PECHAM, ROBERT ATTE BECHE, Rector of the Church of EYGHAM, JOHN LANGHERE, Rector of the Church of MEREWORTH, and JOHN HASELDEN, Vicar of the Church of Wrotham, as appears in a certain deed.

“First.—He wills, that after his death, the aforesaid shall enfeoff LORA,<sup>1</sup> his wife, in the manors called ALDHAM, HASTYNGLEGH, WERHORN, and SNAVE, with all their pertinancies, for the term of her life.

“He also wills, that when ROBERT, his son, shall come to the age of twenty-one years, he being six years old at the date of these presents, they shall enfeoff the foresaid ROBERT in the Manor called LA MOTE, with all the lands which he had in the parishes of SEELE, EYGHAM, and SHIBORNE, to the foresaid ROBERT, and the heirs of his body lawfully begotten; and, in like manner, when THOMAS, son of the aforesaid THOMAS, shall come to the age of twenty-one years, being now three years old at the date of these presents, they shall enfeoff the said THOMAS in the manors of CROSTON and BERSTEDE, to the foresaid THOMAS, and the heirs of his body lawfully begotten.

“And, if the foresaid LORA, wife of the said THOMAS, keep herself sole and chaste without a husband married to her, she shall have the wardship of the foresaid ROBERT and THOMAS, his sons, and of all his sons, with all the profits of the foresaid tenements and manors of LE MOTE, CROSTONE, and BERSTEDE, until the said ROBERT and THOMAS come of age; and if she do not keep herself sole, the said feoffees shall have the wardship of the said ROBERT and THOMAS; and all the profits of the foresaid manors of MOTE, CROSTONE, and BERSTEDE, over and above

<sup>1</sup> She was daughter and coheir of Sir Thomas Morant; and, after the death of Sir Thomas Cawnc, she became the wife of James de Peckham.

the maintenance of the foresaid ROBERT and THOMAS, shall be delivered to the aforesaid ROBERT and THOMAS, when they shall come of full age.

“ And after the decease of the said LORA, all the foresaid manors of ALDHAM, HASTYNGLEGH, WERHORNE, and SNAVE, shall remain to ROBERT, son of the foresaid THOMAS, when he is of full age, and to the heirs of his body lawfully begotten; and if it happen that the said ROBERT die without heirs of his body, all the foresaid manors of MOTE, ALDHAM, HASTYNGLEGH, WERHORN, and SNAVE, shall remain to THOMAS, his brother, son of the foresaid THOMAS COUEN, and the heirs of his body lawfully begotten.

“ And if it happen that the foresaid THOMAS die without heirs of his body, the foresaid manors of CROSTONE and BERSTEDE shall remain to ROBERT, his brother, son of THOMAS COUEN, and the heirs of his body lawfully begotten.

“ And if it happen that the foresaid ROBERT and THOMAS die without heirs of their bodies lawfully begotten, all the foresaid manors shall remain to the heirs of the said SIR THOMAS COUEN, K<sup>t</sup>, lawfully begotten; and if there be no heir of his body, LORA his wife surviving, the said LORA shall have all the foresaid manors, for the term of her life; and, after the decease of the said LORA, all the foresaid manors shall be sold by the said feoffees, and £200 shall be distributed among the poor relations of the foresaid THOMAS COUEN, at their disposal; and, in like manner, £200 among poor labourers, neighbours of the said THOMAS, who have little to maintain themselves. Also £200 to be distributed among the religious brotherhoods of London and Kent, to celebrate masses for his soul, and the souls of all the faithful.

“ Item, he ordained, for one window to be made in the north part of the Church of EYGHAM, near the altar of ST. MARY, xx<sup>li</sup>.<sup>1</sup>

“ Item, for repairing a road from Crepehourste . . . as far as Colverden crouche, xl<sup>li</sup>.

<sup>1</sup> Over Sir Thomas Cawne's monument, on the north side of the chancel of Ightham Church, is a window, of which we have given a representation in the annexed cut. Its position would indicate it to be that which was erected in fulfilment of Sir Thomas's Will. We cannot, however, identify it with certainty, because, although some of the details may appear to correspond in date with that of the Will, there are other parts which, as well as the general character of the masonry, seem clearly to belong to nearly a century later; and these remarks will apply even to some

“The remainder of the sale of all the foresaid manors, to be distributed for the soul of the foresaid THOMAS.”<sup>1</sup>



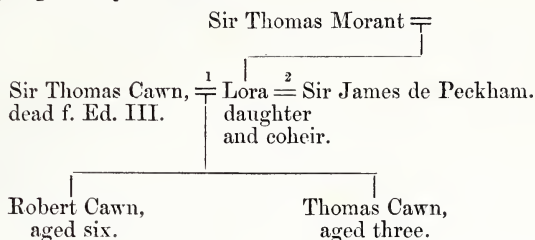
parts of the monument itself. It may be that the instructions of the Will were not carried out immediately on the death of Sir Thomas, and that removals and repairs may have modified the original composition of the work. Be this as it may, with the Will before us, we have felt justified in introducing the cut. In this connection it cannot be without interest, and may well engage the attention and investigation of the archæologist.

<sup>1</sup> The above document is written upon paper, in a hand of about the end of Ed. III.; and is torn off at this point. There may have been more declarations in it, but it seems complete.

Although no date is given, we have the pleadings of writs “de eui in vita” in which Lora, as the widow of Sir Thomas, recovers these manors from the feoffees.—47 Ed. III.

We therefore date it conjecturally as above.

From the document itself and the notes which we have supplied, the following pedigree may be educed:—



## II.

(Testament of JOHN WOTTON, Master of the Collegiate Church of All Saints, Maidstone, September 30, 1417. Probate, November 26, 1417.)  
[From the Registers of the Archbishopric of Canterbury at Lambeth. Chichele, vol. ii.]

In Dei Nomine. Amen. Die Jovis proximo post festum Sancti Michaelis archangeli, anno domini Millesimo iiiij<sup>mo</sup> xvij<sup>mo</sup>. Ego JOHANNES WOTTON, magister ecclesie Collegiate Omnium Sanctorum de Maydeston, ac Rector ecclesie parochialis de Stapulhurst, sanus mentis et bone memorie, de peccatis meis quidem innumerabilibus, preveniente me misericordia Dei, penitens, et confessus habens, dante altissimo fidem rectam, spem firmam, et caritatem ordinatam, Condo et ordino testamentum meum in hujus modum :

In primis, submittens me miserum peccatorem immense misericordie Dei Omnipotentis, meritis et precibus sue sanctissime matris, et omnium Sanctorum, ac universalis ecclesie, eidem omnipotenti Deo, animam meam quam creavit et care redemit, lego sue dure passionis ineffabili auxilio, meritisque et precibus sue piissime matris, omnium Sanctorum, et sancte matris ecclesie, presentando corpus meum ecclesiastice sepulture, viz. in ecclesia Collegiata de Maydeston antedicta, in loco destinato, ante altare sancte (*sic*) Thome martiris, in ala australi dicte Ecclesie Collegiate. Inhibeo eciam omnino pompas exequiarum, que magis sunt solacia vivorum quam subsidia mortuorum. Et volo quod quinque ceree tantum, ponderis cujuslibet x librarum cere, in honore quinque vulnerum Christi circa funus meum in exequiis, cum competenti apparatu, accendantur; quorum unus ponatur circa cor meum, ad designandum mentem meam ad Deum; reliqui vero ad modum crucis circa funus meum accendantur.

Et duodecim torticii tantum sint parati, et deferantur ante corpus meum, dum portatur ad ecclesiam; et cum corpus meum fuerit repositum in loco destinato, volo quod xij<sup>cim</sup> dicti torticii extinguantur, et postea in missa illuminentur, et ardent donec tota missa finiatur, deinde deferantur cum funere, in signum lucis eterne, donec corpus sepeliatur. Et postea remaneant cum cereis in eadem ecclesia, ad honorem Dei, donec expendantur.

Item lego pro expensis funeralibus, in die sepulture mee, et die mensis, ad distribuendum inter pauperes eisdem diebus xl marcas, scilicet, cuilibet pauperi venienti j<sup>d</sup>, ut orent pro anima mea.

Item lego ad altare sancti Thome martiris, ubi elegi sepulturam meam, unum magnum missale cum uno parvo missali, et vestimenta mea, dicto altari pertinencia, cum duabus calicibus, j paxbrede argenteo, et duabus folis argenteis, unam ymaginem sancti Thome martiris argenteam et deauratam ad deservendam in eodem altari in perpetuum.

Item lego Reverendissimo in Christo patri, ac domino meo, domino HENRICO Dei gracia ARCHIEPISCOPO CANTUARIENSI, meliorem ciphum meum argenteum et deauratum, cum cooperculo argenteo et deaurato cum armis de COURTENEY, et x libras.

Item lego capellanis, tam fratribus mendicantibus quam aliis presbiteris, celebrantibus mille missas pro anima mea, et animabus omnium fidelium in die mensis mei iiij<sup>li</sup> iij<sup>s</sup> iiij<sup>d</sup>.

Item lego cuilibet Canonico residenti in ecclesia Cathedrali Cicestrensi, ad tenendum obitum meum, iij<sup>s</sup> iiij<sup>d</sup>.

Item lego triginta vicariis in eadem ecclesia deservientibus lx<sup>s</sup>, viz. eorum cuilibet ij<sup>s</sup>.

Item lego aliis Officiariis in eadem ecclesia deservientibus xiiij<sup>s</sup> iiij<sup>d</sup> ad distribuendum inter eos secundum Decani ejusdem ecclesie discrecionem, ut habeant me in oracionibus suis.

Item lego ad opus Ecclesie de BUKSTED, ubi quondam eram Rector, vi<sup>s</sup> viij<sup>d</sup>, et ad distribuendum inter pauperes parochianos ibidem vj<sup>s</sup> viij<sup>d</sup>.

Item lego ad opus ecclesie de CHORLWODE, ubi olim eram Rector vj<sup>s</sup> viij<sup>d</sup>, et ad distribuendum inter pauperes parochianos ibidem vj<sup>s</sup> viij<sup>d</sup>.

Item lego domino GALFRIDO MALSTON zonam meam meliorem, et c solidos.

Item domino RICARDO LENTWARDYN, secundam zonam meliorem, et c solidos.



Item magistro JOHANNI HURLEGH, e solidos ad voluntatem meam ultimam perficiendam, pro labore suo.

Item lego dompno (*sic*) JOHANNI WOTTON, monacho, cognato meo, xl<sup>s</sup>.

Item lego PRIORI ET CONVENTUI ECCLESIE CHRISTI CANTUARIENSIS x marcas.

Item lego PRIORI ET CONVENTUI DE LEDYS v marcas.

Item lego PRIORI ET CONVENTUI ROFFENSI v marcas.

Item lego ROBERTO WOTTON, fratri meo, unum lectum, viz. Canuace, ij blanketis, j materez, i par linthiaminum, unum cooperatorium, j testour, j silour, iij Curteyns cum vij costerez de paled Worstede rubro et nigro; et secundam robam meam meliorem, cum cloca secunda meliori furrata cum menever, et cum uno capucio furrato.

Item lego MARIONE cognate mee, unum lectum, unum Surkett, secundum discrecionem executorum meorum.

Item lego JOHANNI REDE, clerico, unum lectum, viz. j Canuace, j materase, ij blankets, j par Linthiaminum cum uno cooportorio de pallio Worsted rubro et blueto, j selour, j testour, iij curteyns cum iij costerez ejusdem coloris.

Item lego JOHANNI BOCTON secundum equum meum meliorem, cum sella et freno competenti.

Item lego JULIANE LAVENDRE unum Surkett cum capucio, secundum discrecionem executorum meorum.

Item lego cuilibet capellano deservienti in ecclesia parochiali de STAPULHURST in die obitus mei, iij<sup>s</sup> iij<sup>d</sup>.

Item lego clerico meo ibidem, xx<sup>s</sup>.

Item lego sacriste ejusdem ecclesie, ij<sup>s</sup>.

Item lego ad distribuendum inter pauperes parochianos ibidem, xiiij<sup>s</sup> iij<sup>d</sup>.

Item lego ad usum dicti Collegii meliorem lectum meum de rubeo Worstede embrowderato cum rotis fortune, cum iij costerez ejusdem coloris, pro magna camera dicti Collegii perman-surum.

Item volo quod omnes executores mei, omnes capellani, clerici, choriste, et omnes alii familiares dicti Collegii, pannis nigris vestientur in die mensis mei secundum discrecionem executorum meorum; et ad hoc lego xx libras.

Item volo quod una amisia mea, melior de Gray, cum uno superpellicio meo meliori, unum capucium furratum, cum j cloca furrata, remaneant magistro et capellanis dicti collegii ad de-

serviendum cuilibet parvo puero electo in Episcopum in dicta ecclesia, in festo sancti Nicholai Episcopi, quamdiu durare poterunt, in honore sancti Nicholai, juxta discrecionem executorum meorum.

Item volo, remitto, relaxo, et perdono magistro, capellanis, et confratribus ejusdem ecclesie, omnia debita que michi debentur ab eisdem, in die sepulture mee.

Item domino THOME COK capellano, unam clocam furratam, secundum discrecionem executorum meorum.

Item JOHANNI, filiolo meo, filio JOHANNIS OF THE CHAMBRE, vj<sup>s</sup> viij<sup>d</sup>.

Item lego ALICIE WOTTON, cognate mee, x marcas.

Item lego magistro HENRICO BROUNE x marcas.

Item lego JOHANNI BLECCHYNGLE x marcas.

Item lego JOHANNI KNOLLIS, sacriste, x marcas.

Item lego THOME CRESSYNGHAM c<sup>s</sup>.

Item lego JOHANNI BOTTELE c<sup>s</sup>.

Item lego Johanni Curteys c<sup>s</sup>.

Item lego domino Johanni Leghtefote, capellano, xl<sup>s</sup>.

Item lego JOHANNE, uxori RICARDI EYRE [? Gyre], cognate mee, unum lectum, et unum Surket, secundum discrecionem executorum meorum.

Item lego domino JOHANNI SEYNTNED, capellano, unam amiam de Gray, cum uno superpellicio.

Item lego AGNETI, uxori WALTERI FULLER, de Maydeston supradicta, unum Surkett, secundum discrecionem executorum meorum.

Residuum, vero, omnium bonorum meorum non legatorum, do et lego executoribus meis, ad distribuendum pro anima mea in tres partes, quarum una pars remaneat penes ecclesias et capellas meas, viz. MAYDESTON, LOSE, DATELYNG, FARLEGH, LYLYNGTON, SUTTON, et STAPULHURST.

Et secunda pars remaneat fratri meo, JOHANNE, Marione, et consanguineis meis.

Et tertia pars ad distribuendum inter pauperes parochianos ibidem, et familiares meos, prout melius executoribus meis videbitur expedire, ut velint respondere coram summo iudice.

Et ad istum testamentum meum fideliter exequendum et ad implendum, ordino et constituo executores meos dominum RICARDUM LENTWARDYN, dominum GALFRIDUM MALSTON, magistrum JOHANNEM HURLEGH, dominum JOHANNEM SEYNTNED, et dominum JOHANNEM COOKE.

Datum die et loco et anno domini supradictis.

In cujus rei testimonium huic presenti testamento sigillum meum apposui.

Hiis testibus, Magistro HENRICO BROUN, domino JOHANNE CHAUNDELERE, domino RICARDO BOYS, JOHANNE BLECCHYNGLE, JOHANNE (*sic*, blank), RICARDO EYRE (? Gyte), RICARDO PECHAUNT, et aliis.

LITERAL TRANSLATION.

In the name of God. Amen. On Thursday next after the feast of St. Michael the Archangel, in the year of our Lord 1417. I, JOHN WOTTON, Master of the Collegiate Church of All Saints, of MAIDSTONE, and Rector of the Parish Church of STAPULHURST, sound of mind, and of good memory, repenting my innumerable sins, the mercy of God preventing me, and having been confessed, the Most High giving me a right faith, firm hope, and the charity that is ordained, do make and ordain my will after this manner :—

First, submitting myself a miserable sinner to the boundless mercy of Almighty God, the merits and prayers of his most holy Mother, and of all the Saints, and of the universal Church. To the same Almighty God I bequeath my soul, which he created, and dearly redeemed by the ineffable aid of his bitter passion, and to the merits and prayers of his most pious Mother, of all the Saints, and of holy mother Church ; presenting my body for ecclesiastical sepulture, viz. in the Collegiate Church of Maidstone aforesaid, in the place appointed, before the altar of S<sup>t</sup> Thomas the Martyr, in the south aisle of the said Collegiate Church.

Also, I forbid all pomp of obsequies, which is more for the consolation of the living than the benefit of the dead.

And I will that only five wax tapers, the weight of each ten pounds of wax, in honour of the five wounds of Christ, be lighted, with becoming furniture, in the obsequies around my corpse ; one of which to be placed by my heart, to designate that my mind was Godward ; the rest to be burning about my corpse in the form of a cross. And that twelve torches only be prepared, and borne before my body while it is being carried to the church. And when my body has been deposited in the appointed place, I will that the said twelve torches be extinguished, and afterwards that they be lit at the mass, and burn

until the entire mass is finished ; that they be then borne away with the funeral, in sign of light eternal, until my body is buried ; and afterwards, that they remain with the wax tapers in the said church, to the honour of God, until they are expended.

Item, I bequeath for my funeral expenses, on the day of my sepulture, and my month day, to distribute among the poor on the same days, xl marks, viz. to each pauper who comes j<sup>d</sup>, that they may pray for my soul.

Item, I bequeath to the altar of S<sup>t</sup> Thomas the Martyr, where I have selected my sepulture, one large missal, with one small missal, and my vestments belonging to the said altar, with two chalices, one silver paxbread,<sup>1</sup> and two silver phials, one silver-gilt image of S<sup>t</sup> Thomas the Martyr, for the service of the same altar for ever.

Item, I bequeath to the Most Reverend Father in Christ, and my lord, the Lord HENRY, by the Grace of God, Archbishop of Canterbury, my best silver-gilt cup with silver-gilt cover, with the arms of COURTENAY, and ten pounds.

Item, I bequeath to the Chaplains, as well mendicant Friars as other Presbyters, celebrating a thousand masses for my soul, and the souls of all the faithful, on my month's day, iiij<sup>li</sup> iij<sup>s</sup> iiij<sup>d</sup>.

Item, I bequeath to each Canon resident in the Cathedral Church of Chichester, to hold my obit, iij<sup>s</sup> iiij<sup>d</sup>.

Item, I bequeath to thirty Vicars serving in the same Church x<sup>s</sup>, viz. to each of them ij<sup>s</sup>.

Item, I bequeath to the other officials serving in the same Church, xiiij<sup>s</sup> iiij<sup>d</sup>, for distribution among them, at the discretion of the Dean of the same Church, that they may have me in their prayers.

Item, I bequeath to the work of the Church of BUKSTEDE, where I was formerly Rector, vj<sup>s</sup> viij<sup>d</sup>, and for distribution among the poor parishioners there, vj<sup>s</sup> viij<sup>d</sup>.

Item, I bequeath to the work of the Church of CHORLWODE, where I was formerly Rector, vj<sup>s</sup> viij<sup>d</sup>, and for distribution among the poor parishioners there, vj<sup>s</sup> viij<sup>d</sup>.

Item, I bequeath to S<sup>r</sup> Geoffrey Malston, my best belt and c shillings.

<sup>1</sup> *i.e.* An osculatory, a small tablet which passed from one to the other to kiss, when the priest pronounced the words, "The peace of God be with you." It was substituted for the actual kiss of peace, which had caused scandal.

Item, to S<sup>r</sup> Richard Lentwardyn, my second best belt and c shillings.

Item, to Master John Hurlegh, c shillings to perform my last Will, for his labour.

Item, to S<sup>r</sup> John Wotton, monk, my kinsman, xl<sup>s</sup>.

Item, I bequeath to the Prior and Convent of Christ Church, Canterbury, x marks.

Item, I bequeath to the Prior and Convent of Leeds, v marks.

Item, I bequeath to the Prior and Convent of Rochester, v marks.

Item, I bequeath to Robert Wotton, my brother, one bed, viz. canvas, 2 blankets, 1 mattress, 1 pair of sheets, 1 coverlid, 1 tester,<sup>1</sup> 1 seeler,<sup>1</sup> 3 curtains with 7 costers<sup>1</sup> of paley red and black worsted;<sup>2</sup> and my second best robe, with my second best cloke furred with menever, and with one furred hood.

Item, I bequeath to Mariona, my kinswoman, 1 bed, and 1 surcoat, at the discretion of my Executors.

Item, I bequeath to John Rede, Clerk, 1 bed, viz. 1 canvas, 1 mattress, 2 blankets, 1 pair of sheets, with 1 coverlid of red and blue paley worsted; 1 seeler, 1 tester, 3 curtains, with 3 costers of the same colour.

Item, I bequeath to John Bocton, my second best horse, with sufficient saddle and bridle.

Item, I bequeath to Juliana Lavendre, one surcoat with hood, at the discretion of my Executors.

Item, I bequeath to each Chaplain serving in the Parish Church of STAPULHURST on the day of my obit, iij<sup>s</sup> iiij<sup>d</sup>.

Item, I bequeath to my Clerk there, xx<sup>s</sup>.

Item, I bequeath to the Sacristan of the same Church, ij<sup>s</sup>.

Item, I bequeath for distribution among the poor Parishioners there, xij<sup>s</sup> iiij<sup>d</sup>.

Item, I bequeath to the use of the said College, my best bed of red worsted, embroidered with the wheels of fortune, with

<sup>1</sup> The "celure" was the roof of the canopy of the bed. The "tester" was the back of it. The "costers" were ornamental cloths for the sides of the bed; "curtains" were attached to the tester, either fixed or by rings to the celure. The celure and tester were fixed to the wall and ceiling, and not attached to the bed itself, for large four-post bedsteads were introduced in the sixteenth century. The bed was sometimes placed in a square compartment, separated from the room by curtains which were suspended from the ceiling. (See Wright's 'History of Domestic Manners and Sentiments in England during the Middle Ages,' p. 403.)

<sup>2</sup> *i.e.* Paied, striped vertically, as paly in heraldry.

4 costers of the same colour, to remain for the great chamber of the said college.

Item, I will, that all my Executors, all the Chaplains, Clerks, Choristers, and all other the family of the said College, be clothed in black cloth, on my month day, at the discretion of my Executors, and for this I bequeath twenty pounds.

Item, I will that one amice,—my best grey one,—with my best surplice, one furred hood, with one furred cloak, remain to the Master and Chaplains of the said College, for the use of each poor boy elected to be the Bishop<sup>1</sup> in the said Church, on the feast of S<sup>t</sup> Nicholas the Bishop, as long as they last, in honour of S<sup>t</sup> Nicholas, at the discretion of my Executors.

Item, I will, remit, release, and pardon, the Master, Chaplains, and Brethren, of the same Church, all debts which are due to me from them, on the day of my sepulture.

Item, to S<sup>r</sup> Thomas Cok, Chaplain, one furred cloak, at the discretion of my Executors.

Item, to John, my godson, son of "John of the Chambre," vjs viij<sup>d</sup>.

Item, I bequeath to Alice Wotton, my kinswoman, x marks.

Item, I bequeath to Master Henry Broune, x marks.

Item, I bequeath to John Blechyngle, x marks.

Item, I bequeath to John Knollis, the Sacristan, x marks.

Item, I bequeath to Thomas Cressyngham, c<sup>s</sup>.

Item, I bequeath to John Bottele, c<sup>s</sup>.

Item, I bequeath to John Curteys, c<sup>s</sup>.

Item, I bequeath to John Leghtefote, Chaplain, xl<sup>s</sup>.

Item, I bequeath to Joan, wife of Richard Eyre (? Gyre), my kinswoman, one bed and one surcoat, at the discretion of my Executors.

<sup>1</sup> In this bequest our readers will readily recognize the mediæval custom of the choristers in collegiate churches electing annually the "boy-bishop," whose episcopate lasted from St. Nicholas' Day (December 6) till the feast of the Innocents (December 18), during which he wore the episcopal vestments, and sang the hours episcopally. Those who desire further information may refer to the Essay on the subject by Gregory, Chaplain to Bishop Duppa, published in 1680, on the occasion of the discovery of the tomb of a boy-bishop (probably deceased *durante officio*) of the thirteenth century, at Salisbury. This bequest in Wotton's Will proves the observance of the custom in collegiate churches which were neither cathedrals, nor schools like Eton. It is noticeable that none of the articles which he bequeaths are specially episcopal vestments. St. Nicholas was the child's saint, and even to this day the festival of St. Nicholas is the *fête*-day of children in Protestant Holland.

Item, I bequeath to John Seyntned, Chaplain, a grey amice, with one surplice.

Item, I bequeath to Agnes, wife of Walter Fuller, of Maydeston aforesaid, one surcoat, at the discretion of my Executors.

The residue of all my goods, not bequeathed, I give and bequeath to my Executors, to distribute in three parts for the good of my soul. Of which, one part to remain in possession of my churches and chapels, viz. Maidstone, Loose, Detling, Farleigh, Linton, Sutton, and Staplehurst. And the second part to remain to my brother, Joan, Marion, and my kinsfolk. And the third part, for distribution among the poor parishioners there, and my household, as shall seem most expedient to my Executors, as they would answer for it before the Supreme Judge.

And to the faithful execution and fulfilment of this my testament, I ordain and appoint as my Executors,—S<sup>r</sup> Richard Lentwardyn, S<sup>r</sup> Geoffrey Malston, Master John Hurlegh, S<sup>r</sup> John Seyntned, and S<sup>r</sup> John Cooke.

Dated on the day, at the place, and in the year of our Lord aforesaid.

In witness whereof, to this my present testament I have ap-  
posed my seal :

These being witnesses :—Master Henry Broun, S<sup>r</sup> John Chaundelere, S<sup>r</sup> Richard Boys, John Blechynglee, John . . . . , Richard Eyre (? Gyre), Richard Pechaunt, and others.

#### NOTE ON THE PRESERVATION OF OLD BUILDINGS, ETC.

We have great pleasure in inserting the following communication from a valued correspondent ; and in doing so, we invite contributions of the same nature from all who can enable us to place on record and to honour as it deserves the spirit therein displayed. In this utilitarian age, he is indeed a public benefactor who religiously spares any the smallest fragment that elucidates the mode of life and social habits of bygone generations. Even so, we express an earnest hope that this communication may only be the precursor of many similar announcements.

“The thanks of this Society are eminently due to those who, when compelled to repair objects of antiquity, are careful to preserve their characteristic features.

“Edward Homewood, Esq., of Ufton Court, Tunstall, in this county, is the owner of a very picturesque old timber-built house, at Baxon, or Bexon, in the parish of Bredgar. The greater part of this house appears, by the date over the front gable, to have been built about 1617. The date in the principal sitting-room shows that it was not completed till two years later, 1619. The larger timber used at the north end is, no doubt, of an earlier period. Happily the timber has never been subjected to paint, or artificial colouring of any kind; and Mr. Homewood has, with great good taste, merely scraped and cleaned the moss off the building, scrupulously and without regard to expense restoring where renovation was necessary, but without any unwarrantable or fanciful additions.

“The house and the land attached to it are the property mentioned in Hasted, as in his time belonging to the Best family. It was sold by the late Mr. George Best to Mr. Wise, of Borden, from whom it descended to the present Mrs. Homewood, one of Mr. Wise’s daughters. It may be worth while to observe, that the initials in connection with the dates both within and without the building, W E G, are irreconcilable with Hasted’s statement, that this property for some time both before and after the date in question belonged to a family of the name of Tong.”

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#### COLLECTIONS FOR ROCHESTER CASTLE.

The following, from the Royal Letters preserved among the Public Records, is worthy a place in “Collections” for the History of Rochester Castle. It is a letter from Richard de Gravesend, Bishop of London, to Sir John de Langeton, Chancellor, desiring that the Executors of Sir John de Cobeham, deceased, be ordered to deliver over Rochester Castle and its arms and stores, to the said Bishop, by indenture, in obedience to a Commission which they have received from the King. The Letter complains that the said Executors refuse to seal the Inventory which has been prepared, on the ground that very few stores, and they of small value, have been found in the Castle. It is therefore further requested that, if they still refuse obedience to the King’s commission, letters be written to the Sheriff of Kent, that the stores in the Castle be, under his view and attestation, delivered over to the Bishop, to secure him against



being hereafter charged with a larger quantity and greater value than he has received.

The letter is dated at Crondon, 22nd April, 28 Ed. I., A.D. 1300, and is in these words:—

“Venerande discrecionis viro domino JOHANNI DE LANGETON, domini Regis Cancellario.

“R., permissione divina Londonensi Episcopo, salutem, cum omni promptitudine complacendi.

“Licet executores domini JOHANNIS DE COBEHAM, defuncti, commissionem domini nostri Regis de Castro Roffensi nobis liberando, et eciam de utensilibus armis et aliis in eodem Castro inventis, nobis, per dividendam tradendis, receperint: Quia, tamen, pauca in ipso Castro et valoris modici sunt inventa, iidem executores cuidam littere quam inter nos de hujusmodi inventis fieri fecimus juxta ordinacionem domini Regis, et preceptum, sigilla sua apponere nunc recusant: vos affectuosis precibus exoramus quatinus ut dicti executores domini Regis Commissioni, que penes eos residet, pareant, iterum jubeantur; vel saltem scribatur Vicecomiti Kancie, ut ea que sunt in Castro nobis tradantur, sub ejus testimonio atque visu: processu enim temporis, plura nobis possent impingi recepta, et estimacionis forsan majoris. Et ideo in hoc caucius est agendum. Quid autem facere decreveritis nobis intimare velitis, si placeat, per presencium portitorem. Bene in domino valeatis. Datum apud Crondon x Kalendis Maii, anno domini Mccc<sup>mo</sup>.”

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#### NOTE ILLUSTRATIVE OF WYATT'S REBELLION.

At p. 181, Vol. III., we have given the Deposition of Anthony Norton, from the original in the State Paper Office. We have in our possession a transcript of the same document, made in a hand of the seventeenth century; it is accompanied by the following:—

SIR ROBERT SOUTHWELL TO THE COUNCIL, RELATIVE TO WYATT'S REBELLION.

“It may like your good Lordshipps to be advertised, that yesterday one PROCTER,<sup>1</sup> a Schoolemaster, of Tunbridge, brought

<sup>1</sup> He was Master of the Free School at Tunbridge, and afterwards wrote

unto me and Mr Clarke,<sup>1</sup> a Proclamation, which Sr HENRY ISSELEY, ANTHONY KNEVET, and another gentleman, servant to the Lady Elizabeth, made at Tunbridge, (he being present,) and after Larom Rouge proclaymed it, as it was after in Sevenocke, and other places of the Wild. It is but short, but if it shall please you to give it the reading, you shall find good gere in it.

“He told us further, that, the same day, THOMAS CULPEPER, of Begeburie, came thither from London, and had ridden all night, where he made Report, that all England was upp, and that between London and Tunbridge, every Towne was upp, to drive away Spanyards. It may like you further to be advertized, that, after my goeing from Rochester, I wrote to the Mayor of Canterbury, to assist my Under Sheriffe in executing some of the prisoners, who, accompanied with an hundred of the honestest men in the Towne, being Horsemen, met him by the way, and fifty of them rode the rough with him to Dover.

“Hornden, of Sittingborne, did also assist the Sheriff, with 30 Horsemen from Rochester, till they met with the Canterbury men, where I find willing and obedient service. I thinke my duty to advertize you thereof. The Mayor of Dover would learn of mine Undersheriffe, his authority to execute any there.<sup>2</sup> The Bayliffe, neverthesse, was very serviceable, as my Undersheriffe informes mee. If now it would please your Lordshipps to appoynt such men of worship as you trust, to examine Gawles, to the intent such as have been furdurers and Ringleaders in this vile Journey, may remayne to answer the Law, and such other as were compelled, or warned in the Queen’s name, and their offences lesse then the others, might goe abroad upon good Sureties, to be forthcoming at your Lordships Commandment, to answer the Quality of their offences, your Lordshipps might doe a charitable deed, for sundry of them be Husbandmen, and some artificers, and all is at a stay for the time of their imprisonment. I doubt not but your Lordshipps will take order for such as be fledde, or otherwise hidden, that

a history of this rebellion, which he printed in 1554, under the title of “The historie of Wyates rebellion, with the order and maner of resisting the same, whereunto, in the ende is added an earnest conference with the degenerate and sedicious rebelles for the serche of the cause of their daily disorder. Made and compyled by John Proctor.” It is in black letter and of very rare occurrence.

<sup>1</sup> Of Ford, in Wrotham.

<sup>2</sup> The privilege of the Cinque Ports would have exempted them from the Sheriff’s authority.

shall take no advantage thereby. And thus beseeching your Lordships to beare with my fond letters, that am bold to use my folly, I take my leave of you for this time.

“From Merewood, this 24<sup>th</sup> of February, 1553, at your Lordships commandment,

“Ro. SOUTHWELL.

*Superscription*—“To the Right Honorable and my very good Lords, the Lords of the Queen’s Majesty’s Councill.”

## LETTERS.

### I.

#### JANE ROPER TO LORD PRIVY SEAL CROMWELL.

(Soliciting for her son-in-law, John Pilborough, the appointment of Attorney to the Queen, whom the King is shortly to marry, and inviting Cromwell to her house.<sup>1</sup>)

In my most humble wyse, I have me comended unto your good lordship; and, all though, my good lorde, I am all redy exceedingly bounden unto you for your manyfold goodnesse evermore shewyd unto me, and unto my poore frends for my sake, wherof I am not able to recompence any part in dede, but, of bounden dutie, must persever your daily bedewoman to God, for the continuaunce of your prosperous estate; yet the good behaviour of my son PILBOROUGH, your servaunt, towarde me, and my naturall love to my daughter his wief, compelle me nowe to desire most hartely your good lordship to be good lord unto my said son, and preferre hym to be Attourney unto the Quene, whome, as I here saye, by Goddes grace, the Kynges hignes pleasith shortly moost nobly to mary. And your lordshippes soo doying shall not be to my said son more pleasure then to me comfort, which God rewarde you, you have allwais

<sup>1</sup> Cromwell was appointed Privy Seal in July, 1536; Jane Seymour being then Queen. She died in October, 1537. By the instrumentality of Cromwell the King married Anne of Cleves, his next wife, in January, 1540. We may therefore, with sufficient certainty, assume that the date of this letter was the 16th November, 1539, eight months only before the fall of Cromwell, who was beheaded 28th July, 1540. The original, for a copy of which we are indebted to the kindness of the Rev. Professor Brewer, is among the documents in the State Paper Office.

tendred in me; and, nevertheles, bynde my said son evermore both with dede to his litell power and good wille of his poore hert, to recompence duryng all his lyfe.

And, forasmuch, also, my good lord, that I here saye, it is the Kynges pleasure shortly to come down into this Countrey of Kent, I doo prepaire to receive your lordship moost gladly into my poore house: which is so moche enryched in my remembrance of your ones beyng there, that my special trust is, ye will never herafter faile to be as bolde therof as of your owen. And thus, Almyghtie God graunt your lordship prosperously long to lyve in your honourable estate.

Written the xvj<sup>th</sup> day of this present monyth of November, by her which is noo lesse yours then she is bounden,

JANE ROOPER.<sup>1</sup>

To the Right honourable and my moost  
syngular good lorde, the lorde Pryve  
Seale,

Geve this.

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II.

ANTHONY WINGFIELD TO ELIZABETH LADY GOLDING, OF ROYDEN  
HALL, KENT.

(Requesting the loan of £7 to enable him to join Sir Philip Sidney in the Low Countries. From the Twysden family papers at Roydon Hall.)

GOOD MADAM,

For y<sup>t</sup> I shoold be ashamed to sollicit myn own sute unto yowe, havinge never been able to deserve any favor of yowe, cawseth mee to present y<sup>e</sup> same unto yowe herby w<sup>ch</sup> I knowe can not blushe. I am presently to departt to S<sup>r</sup> Phillip Sidney, I hope to my great preferment, for y<sup>t</sup> him self hath assured mee so mutche, but, as I have been kept from goinge with him by want, so, in my dispatchinge after him I have fownd so many

<sup>1</sup> The writer of the above letter was Jane, daughter of Sir John Fyneux, Chief Justice of the King's Bench, and widow of John Roper, of Eltham, Esq.; her daughter Elizabeth was wife of John Pilborough, the subject of her solicitations. (See 'Archæologia Cantiana,' Vol. II. p. 174.)

William Roper, the eldest son of the above John and Jane, married Margaret, daughter of Sir Thomas More. According to her dying request, she was buried in St. Dunstan's Church, Canterbury, with her father's head in her arm.

impediments, as I have been forced to spend above my expectation, and am therefore constreyned to crave favor contrary to myn own desyre, where I can deserve little; yet sinc neede hath no lawe, I hope your La will both pardon my boldness, and do mee so mutch plesure as to lend mee vij<sup>li</sup> till our ladye daye, w<sup>ch</sup> I assure you shall bee in deed so great a plesure, as it shall bynd me allways to bee most redy to do you any service I maye, and do herby protest before God and yowr La, y<sup>t</sup> itt shall bee payd att y<sup>t</sup> daye w<sup>h</sup>owt all fayll, otherwyse, think mee y<sup>e</sup> most unthankfull man, and least deservinge sutch a frend, for y<sup>t</sup> both your La kyndes shall bynd mee, and y<sup>e</sup> place wherunto I am preferred shall inable mee therunto. I beseetch your La not to deny mee herin, sinc y<sup>e</sup> great hope I have of your La hellp hathe assured mee to adventure thus farr. I mean to take my leve of you ere my departure, w<sup>ch</sup> shall bee y<sup>e</sup> speedyer and better by your La, if itt will plesse you to hellp mee thus farr, which I pray you immagin to bee as great a good turn as you could do to any; for that my dispatch standeth herupon. So I humbly tak my leve, the 1 of December, 1585.

Your La most assured,

ANT. WINGFELDE.

To y<sup>e</sup> ryght woorshipfull  
his very good Lady, y<sup>e</sup>  
Lady Goldinge.<sup>1</sup>

Enclosed is this bond:—

Bee it known unto all men by these presents, y<sup>t</sup> I, Anthony Wingfelld, of Blankney, in y<sup>e</sup> county of Lincolln, gent, do owe unto y<sup>e</sup> Lady Elysabeth Goldinge, of Royden Hall, in Pekham, in y<sup>e</sup> county of Kent, y<sup>e</sup> soom of vij<sup>li</sup> of lawfull mony of England,

<sup>1</sup> The Lady to whom the above letter is addressed was one of the daughters of THOMAS ROYDON, of Roydon Hall, in EAST PECKHAM, Esq. Her first husband was WILLIAM TWYSDEN, of CHELMINGTON, in GREAT CHART, who died 26th Nov. 1549. She married secondly, CUTHBERT VAUGHAN, Esq., of Hargest, in Wales, a man eminent among the Reformers, and thirdly, SIR THOMAS GOLDING, Kt.

She and her sisters were coheirs to their brother, who died *s.p.* She eventually purchased the shares of her sisters in the Roydon Hall estate, of which she thus became the sole possessor. She survived all her husbands, leaving issue only by William Twysden, whose descendants, the Baronets of that name, ever after resided at Roydon Hall.

to bee payd at or before y<sup>e</sup> feast of y<sup>e</sup> anuntiation of ower Lady next cominge; for y<sup>e</sup> trew payment wherof I do, by these presents, bynd mee, myn heys, executors, and assingnes. In witness wherof, I have sett to my hand, the third daye of December, in y<sup>e</sup> xxvij<sup>th</sup> yere of y<sup>e</sup> reynge of our Sovereyne Lady Ely-sabeth, by y<sup>e</sup> grace of God, etc., a<sup>o</sup> 1585.

by mee,

ANT. WINGFELDE.

### III.

BIONDI TO SIR ROGER TWYSDEN.

“ILLUSTRISSIMO SIGNORE,

“Non hò risposto alle cortesi Lettere di V. S. scritte mi sotto li 9 di Marzo, nè ringraziatola del favore de libri, perche designava farle alla ricevuta loro, ma non essendomi stati resi ancora benche mi si dia speranza ch'io sia per averli dimani, non hò voluto indugiar più parendomi sacrilegio che le lettere di mia Nipote capitino à Peckham senza le mie. Le bacio le mani dunque del favore fattomi, uno de frutti dell' ingenita sua cortesia meco. M<sup>r</sup> Valcker mi promise la settimana passata di scrivere à Estwel perche gli si mandassen questi libri. Devro capitar questa nottè, ma non sò quel che ne sarà. Qui siamo allegri tutti nella sua elezione al Parlament, con tanta riputazione ed onore. L'aspettareme à servirla di presenza senza aver obbligo nè à V. S. nè à Madama Tuysden, ma alla sola provinzia di Kent, che contra lor voglia li manda à Londre. Vengano presto, mentre con ogni affetto mia moglie ed io bacciamo ad amendue le mani. Di Londre, li 29 Marzo, 1641. Di V. S. Ill<sup>ma</sup>

“Umilissimo servidore,

“GIO. FRANC. BIONDI.

*Superscription*—“To my much respected friend, Sir Roger Twysden, Knight Baronet, Peckham.”

The Visitation of the County of Kent,

TAKEN IN THE YEAR 1619

BY

JOHN PHILIPOTT, ROUGE DRAGON,

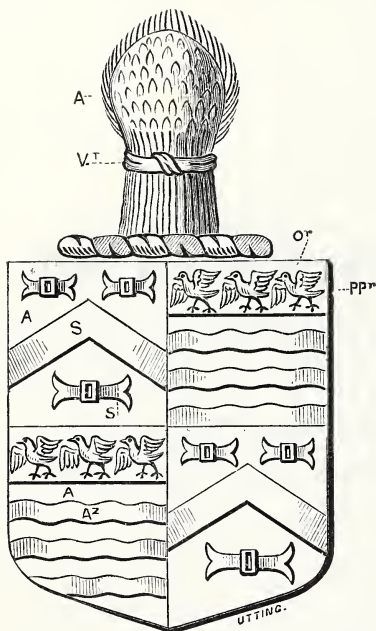
*Deputy and Assistant to William Camden, Clarencieux King-of-Arms.*

[From a copy in the handwriting of Sir Edward Dering now preserved in the Surrenden Library, with additions, etc.]

## James.

To all and singular, as well Nobles and Gentlemen as others, to whom this present's shall come, I, William Camden, Esquier, Clarenceux King-of-Armes of the South-east and West parts of this Realme of England, from the River of Trent southwards, send greeting in our Lord God everlasting. Among many and sundry monuments devised by our prudent progenitors to commend the memory of men of worth and good desarts to succeeding ages, it is notorious that the cheifest and

most vsual hath byn the bearing of signes in sheilds, commonly called armes, both as euident demonstrations of their virtucs and the rewards of the same, that for their commendable service to their Princee and Countrey, in warre or peace, they may in their lyues receive due honor, and deriue the same after their death successively to their posterity.



In which respect, whereas Roger James, of Upminster Hall, in the county of Essex, and John James, his brother, sonnes of Roger James of London, natife of Cliueland, of the familie of Hawkstert, and Sara his wife, daughter and sole heire of Henry Morskin, of Liege, hath requested me to take notice of the armes lawfully descended to them, and the same to register in my books, notifie, exemplifie, and emblazon, I could not but condescend to their reasonable request, and have accordingly herein notified, exemplified, and emblazoned the same (*videlicet*)—Quarterly, first, argent, a cheueron sable betwene three Ferr de Molyns transverse of the same, by the name of James. Secondly, barry wavy of six argent and azure, on a cheife or three swallows volant proper,\* by the name

of Morskyn. The third as the second; the fowerth as the first. And for the crest of James, a garb argent banded vert. For the crest of Morskyn, a storke or beaked and legged sable, as more plainly appeareth depicted in the margent. The which armes and creasts, I, the said King-of-Armes doe confirme, ratifie, and allow to the said Roger James and John his brother; as also to Arnold James, of London; William James, of Itam, in the county of Kent, Thomas James, of Strowd-greene, in the county of Middlesex; Richard James, of Malandyn, in the county of Essex; John James and Georg James, of Itam aforesaid, sonnes of Roger James aforesaid, natife of Cliueland; and to their posterity, to beare, vse, and shew forth, with their due differences, according to the lawes of armes and lawdable custome of England.

In witnes whereof I have hereunto sett my hand and seale of office, the eighteenth day of November, anno Dom. 1611, and in the yeares of the raigne of our Soueraigne Lord James, by the grace of God King of England, Scotland, Fraunce, and Ireland, Defendor of the Faith, etc., That is to say, of England, Fraunce, and Ireland the nynth, and of Scotland the five and fourth.

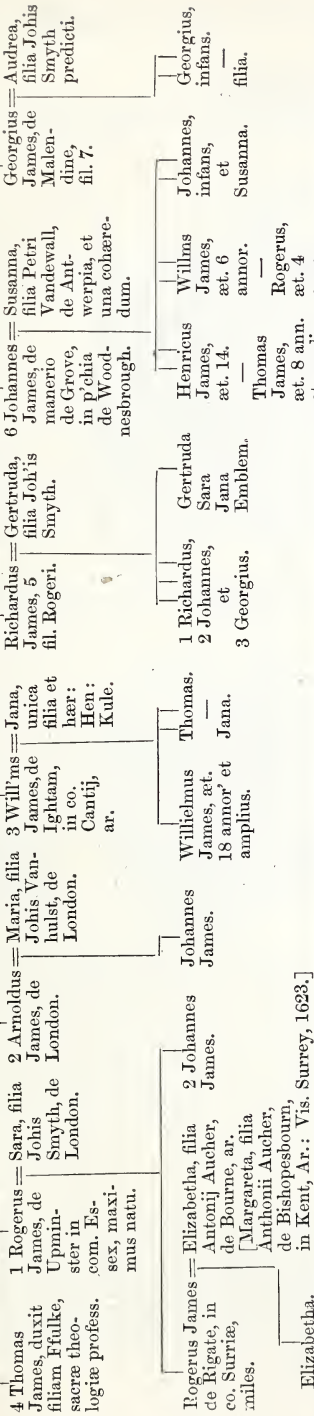
WILLM CAMDEN,  
Clarenceux King-of-Armes.

\* In the original Visitation of Kent the swallows are marked sable. Arms: Quarterly; one and four, James; two and three, Morskyn.



# James.

† Rogerus James = Sarah, filia et unica hæres Henrici Morskin, de London.



## Entries of James in Ightham Register:—

- John James, Gent., and Susanne Vandwall, married 24th August, 1601.  
 Richard James, son of Richard, Gent., baptized 16th May, 1602.  
 Jane James, daughter of Richard, Gent., baptized 25th September, 1603.  
 John James, son of John, Gent., baptized 16th October, 1603.  
 John James, son of John, Gent., buried 15th February, 1604-5.  
 Henry James, son of John, Gent., baptized 12th May, 1605.  
 Susanne James, daughter of John, Gent., baptized 9th June, 1606.  
 John James, son of John, Gent., baptized 20th July, 1607.  
 John James, son of William, Gent., buried 7th September, 1607.  
 Christiane James, daughter of William, Esq., baptized 17th June, 1611.  
 Christiane James, daughter of William, Esq., buried 26th September, 1611.  
 Sarah James, daughter of John, Gent., baptized 8th September, 1615.  
 Dora James, daughter of John, Gent., baptized 8th January, 1615-16.  
 Susan James, daughter of John, Gent., buried 14th August, 1618.  
 Susan James, daughter of William, Esq., buried 11th May, 1619.

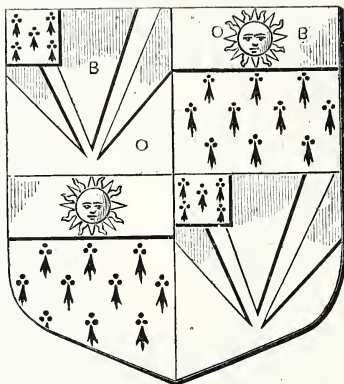
† In the church of All Hallows Barking, London, there yet remains a brass with the figure of a man habited in a doublet and gown, the sleeves of the latter striped at the shoulders, with this inscription:—

“Here under lieth ye bodye of Roger James, late of London, Brewer, whoe, beinge of the age of threescore and seven, departed this lyfe the second daye of March, in the yeare of our Lorde one Thowsand five hundred fourescore and eleaven, leavinge behind him Sara his wyfe, eight sonnes, and one daughter.”

## Extracts from Registers of All Hallows Barking:—

- 1566, July 31. James, son to Roger James, buried.  
 1578, Aug. 3. John James, son to Mr. Roger James the elder, christened.  
 1591-2, Feb. 19. Mr. Roger James, beer brewer, buried.  
 1596, Dec. 22. Mr. Roger James, son to Mr. Roger James the elder, buried.  
 1597-8, March 18. Sara James, wife to Roger James the elder, buried.

## Bryan.



Johannes Bryan, de Kibworth, in co : Leicestriæ. = Elionora, soror Antonij Watson, Episcopi Cicestrensis.

Willielmus Bryan, de Wrotham, in co. Kent, ar., consang. et hæ: Antonij Watson p'dict. = Magdalena, filia Johis Wats, milit. ac Aldermani Lond.

Thomas Bryan, de Hastinge, duxit Aliciam filiam Johis Brett, de Hasting.

Alicia, filia unica, nupta Rob'to Raie de Kibworth p'dict.

Note.—Arms: Quarterly; one and four, Bryan; two and three, Watson.

The name of Bryan does not occur in the Wrotham Registers. From an old plan of the manor of Wrotham, in the possession of Colonel James, of Ightham Court, entitled "Plot of Parte of the Mannor of Wrotham, in Kent, surveyed in May, 1620, by John Hine," it would appear that the Brians were possessed of considerable property in Wrotham parish at that time.

## The Armes of Gravesend and Milton.



THE SEALE OF THE PORTREVE OF GRAVESEND AND MILTON.

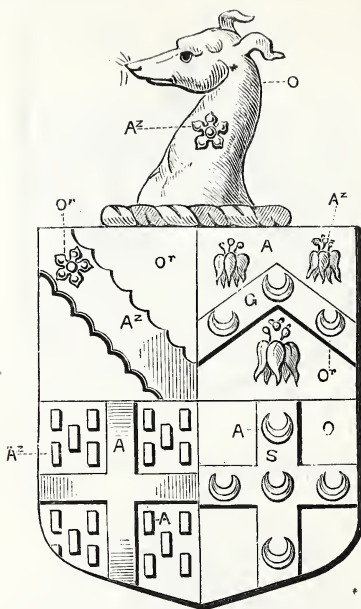


These are the Armes of the Towne and Corporation of Gravesend and Milton whose p'viledges have been confirmed unto them by the name of Portreve Jurats and Comonalty of the parishes of Gravesend and Milton, in the 5 yeare of the Raigne of Q. Elizabeth, w<sup>ch</sup> p'viledges with those that were formerly granted unto them in the tyme of Henry y<sup>e</sup> 4<sup>th</sup> have been since confirmed. Att this tyme theise being cheife in the government there :

THO. YONGE, Portreve.  
 JOHN BERE.  
 HENRY PINOKE.  
 RICHARD BOURNE.  
 WILL. BLACKMORE.  
 JOHN MANLEY.  
 THOMAS STANLEY.

THO. LEE, Esq., Steward there.  
 WILL. VERNON.  
 BENJAMIN FINCH.  
 PETER MILLER.  
 HENNERY TUCKER.  
 STEPHEN COOKE.  
 JOHN GODDEN.

## Clerke.



Note.—Arms: Quarterly of four; one, Clerke; two . . . ; three, Tatesham; four, Ellis.

## EXTRACTS FROM WROTHAM REGISTERS.

## BAPTISMS.

Elizabeth, daughter of William Clerke, Esq., January 8, 1561.	Elizabeth, daughter of George Clerke, Gent., December 13, 1573.
Anne, daughter of William Clerke, Esq., July 9, 1564.	William, son of George Clerke, Gent., Decem- ber 19, 1574.
Frances, daughter of William Clerke, Esq., May 23, 1566.	Mary, daughter of William Clerke, Esq., May 13, 1576.
Elizabeth, daughter of James Clerke, Gent., July 29, 1567.	Katherine, daughter of William Clerke, Gent., April 10, 1580.
Catherine, daughter of William Clerke, Esq., Oct. 29, 1567.	Dorothy, daughter of William Clerke, Gent., September 2, 1582.
James, son of Mr. William Clerke, November 23, 1568.	William, son of William Clerke, Esq., June 21, 1585.
Jane, daughter of William Clerke, Esq., Sep- tember 2, 1571.	William, son of John Clerke, Gent., March 3, 1624.

## MARRIAGES.

George Clerke, Esq., to Mrs. Winefride Peek- ham, August 11, 1572.	Rev. Robert Cheek, D.D., to Mary Clerke, gentlewoman, at Addington Church, Febru- ary 8, 1620. *
Peter Paris to Elizabeth Clerke, May 26, 1584.	
Edward Thedam to Frances Clerke, November 4, 1606.	

## BURIALS.

George Clerke, Esq., March 8, 1558.	Jane, wife of William Clerke, Esq., April 28, 1598.
Elizabeth, daughter of Mr. James Clerke, April 10, 1568.	William Clerke, Esquire, March 25, 1612.
Catherine, daughter of William Clerke, Esq., October 5, 1576.	Thomas Clerke, Gent., June 21, 1618.

Johannes Clerke, de Forde, unus = . . . filia et coheres . . . Tatesham, de Tatesham, armigeri.  
Baronum de Sc'cio dni Regis.

Isodia, nupta Thomae Selby, de East Malling, in co. Cantij.  
Johannes Clerke, de Forde, = Lucia, filia . . . Moyle, ar., fil. et her. Johis p' dict. ux. p' dict. Joh'is Clerke. armigero.  
[Robert Watton died 1470.]  
Alicia, nupta Roberto Watton, de Addington, armigero.

Jacobus Clerke, de Forde, = Elizabetha, filia Ed'ri Ferrers, de Badesley, et arn., fil. et haeres.  
Peckham, in co. Cantij, militis.

4 Johannes. 3 Walterus. 2 Henricus. Georgius Clerke, de Forde, = Elizabetha, filia Thomae Wilsforde, de ar., fil. et her. Jacobi. Cranbrooke, armigeri.

\* Elizabetha, ux. Goulden, de Leyborne, [Gouden or Gouden, Dering MS.]  
4 Thomas. Georgius = . . . filia Reg. Peckham.  
5 Reginaldus. Peckham.  
6 Rob'tus vel Roger. Elisab.

Jacobus = Maria, filia et her. Edri Saxbie, milit. et Baronis Sc'crij.

Will'mus Clerke, = Anna, filia Edm. Cartwright, de Ossington, in co. Nottingham, uxor pr'ma. 1611, aged 76; buried in Wrotham Church.]

2 Jana, filia Sanger.

= Elizabetha, filia . . . Aubrey, juris Civilis D'nis, relicta Thomae Norton, de Northwood, ar., 3 conjux, s. p.

Petrus Clerke, = Elizabeth Warren.  
Anna, ux. Humf. Browne, de London.  
Edwardus Clerke, de Minster, in Shepcey.  
Juditha, filia R'di Elmeston de Renham.  
Francisca, nupta Edr. Theodum, de co. Essexia.

Katherina, consors Georgij Chauncey, de Hartford.

Jana, desponsata Johis Howell, de Wrotham, militi.  
Anna, conjux Rich. Lee, de Lee Magna, ar.

Elizabetha, nupt. Petro Parrie, de Est Malling, et her. jam sup-erstes.  
† Johannes = Elizabetha, filia Willmi Steede, de Hartsham, militis.  
Jacobus, maximus natu. obiit in Francia, s. p.

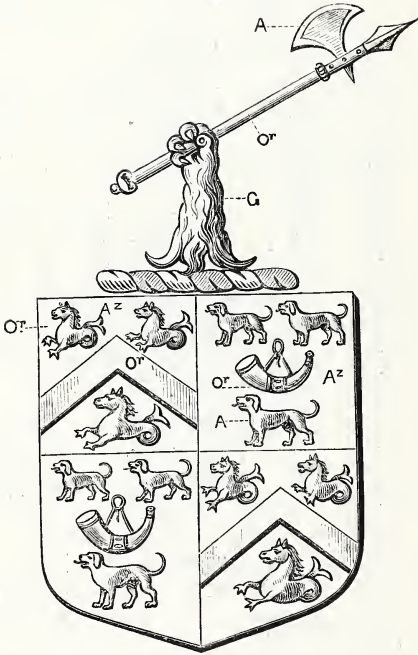
\* Probably 'Gouden', a frequent name in Leyborne Register in sixteenth century. Inter al., "Thomas Gouden, Gent., buried Sept. 10, 1584," probably this very man. And "Elisab. Gouden, baptized Nov. 2, 1572;" probably the daughter of the above Elizab. The Goldings did not come to Leyborne Castle till much later.

† Marriage settlement dated 1st June, 1608.

Wilhelmus, maximus natu. et. 9 annor', et amplius.  
Cecilia.

Johannes, et. 5 annor' et amplius.

## Tucker.



Note.—In some MSS. the seahorses are argent.  
Arms: Quarterly; one and four, Tucker; two and three, Hunter.

# Tucker.

Wilhelmus Tucker, de Throulley, — Josen, filia Williimi Ashe,  
in eo, Devonie, ar. de eo, Devon.

1 Geo. Tucker, de Milton, in eo, Cantij. fil. et haer. — Maria, filia p'ima et collat. Jolies Tucker, = Josen, primo nupt. Willmo Barlebin, de North Tamton, in eo, Devon., deinde Marco Slowman, et postea Johi Wood, de eo, Devon.

— Maria, nupta Arthuro Starkey. — Elizabetha, filia Tho. Rem, de Loudon.

Richardus Tucker, de Loudon.

Arthurus. — Thommus. — Radus. — Georgius. — Johannes. — Thoup Young, prep sito de Gravesend et Milton.

Martha, primo nupta Char'i. Freeman, de Higham in eo, North., postea Antonio Herent, de Oundesh, in eo, p' dict. — Hester, nupta Rich. Cadwell. — Elizabetha, prima filia Francisca Stanghton, de Craford, in eo, Cantij. — Georgius Tucker, de Milton, p' dict. fil. et haeres. — Maria, filia secunda Johis Darrell, de Cudeshill, ar. — Nicholans Tucker, de Gravesend, fil. 2dus. — Anna, filia Johis Gravesend, de Loudon.

— Tobias Tucker, de Loudon, duxit Maria' Elizabetha, Dering MS.] filiam Stephi Fitchy, de Loudon.

— Manisfield, duxit Elizabetham ...

— Elizabetha, nupta Paulo Stomard.

— Elizabetha, nupta Thoma Legate, de Essex : Dering MS.]

— Maria.

— Anna.

— Sara.

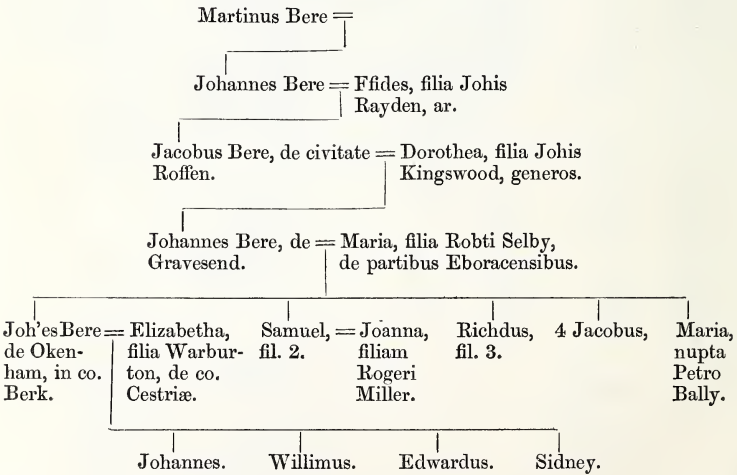
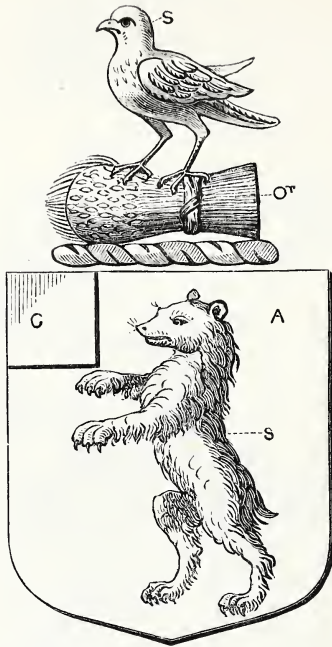
— Martha.

2 Johannes, = Anna, filia et haer: unice Thome Pronid, de Eger-ton, gener. Dering MS.]  
et. 19 ann.

3 Robtus, = Hester.  
et. 14 annor.

et. 8 ann.

Bere.

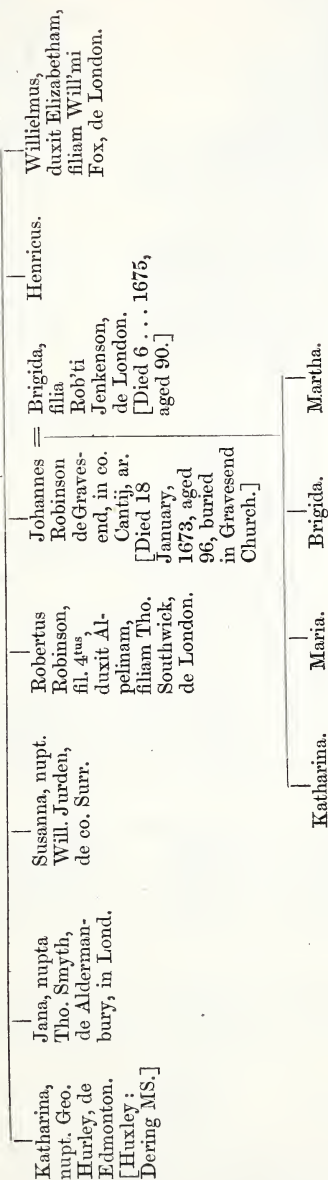


The following arms were granted, in 1586, to John Beere, of Kent:—Argent, a bear rampant sable, a canton gules. Crest: on a garb fessways or a raven sable. (It is not known by whom this coat was granted.)



## Robinson.

Maria, filia = Johannes Robinson = Martha, filia  
 Will. Ramsey, de London. Croixtone.  
 uxor 2.



Note.—No arms are given either in the original Visitation or in the Dering MS. In Hasted's copy of the same Visitation (Addit. MSS. 5507) the following arms are tricked at the commencement of the pedigree:—Vert, on a chevron between three stags trippant or as many trefoils slipped gules. These arms—impaling azure a fess wavy argent in chief three estoiles or (Jenkinson); crest, a buck trippant or pelletty—were on a mural monument in Gravesend Church, in memory of John Robinson, of Gravesend.

Bargrave.

BRIDGE REGISTER.

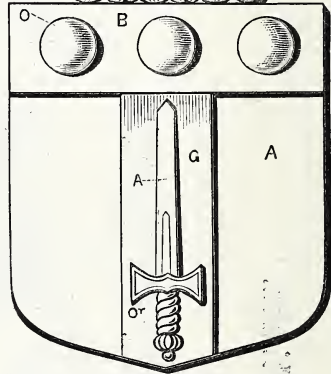
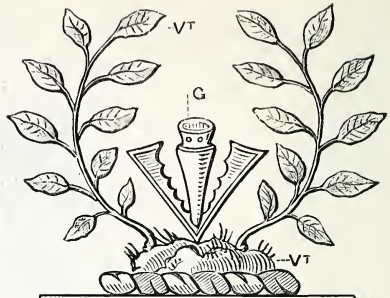
Isacke Bargar was baptised the 12 daye of June, anno supra. [Afterwards Deane of Canterbury.] The words within brackets are in more modern handwriting.

PATRIXBOURNE REGISTER.

Ano. 1604. The fowerth day of October, were maryed Mr. John Boyes, Clark, and Mrs. Angell Bargar, virgine.

Ano. 1604. The 27th day of february, were maryed Thomas Lukine and Katherine Bargar.

Ano. 1627. Thomas Rayment, Dr. in Divinity, and Mrs. Jone Bargrave, virgin, were married the 26 of March, 1627.



Johannes Bargrave = Alicia Kennard.  
[Remarried John Lukyn, of Fordwich, 1584.]

Robertus Bargrave = Joanna, filia Johis Gilbert, de Sandwich.  
[Ob. Dec. 1598: will proved 1600. Hasted's Collections, Addit. MSS., No. 5520.]

Anna, uxor Rob. Naylor.

Alicia, uxor Rob't Turney. [Of Sturry, co. Kent.]

Ingle, uxor Johis Boys, Decani Cantuariensis.

Thomas Bargrave, Theologia Ministerius.

Rich'dus Bargrave.

Johannes Bargrave, de B'grave, in p'chia de Patribourne, ar.

Jana, filia et coher. Egidij Crouche, de London.

Robtus duxit viduam ... Wood.

Isacus fil. 6, Decanus Cantuarie, duxit Eliza, filiam Johis Dering.

5 Georgius, duxit Dorcam, filiam Johis Martine.

Robertus, æt. 19 an.

Johannes.

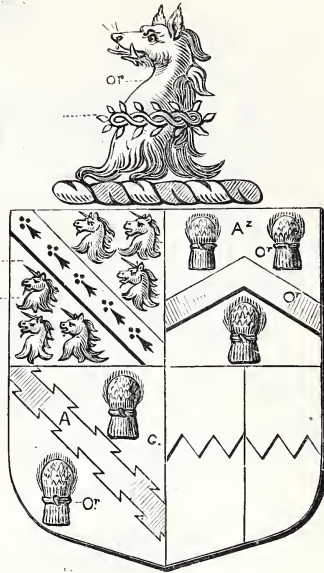
Joanna,  
—  
Jana,  
—  
Sara, et  
Anna, ob. virgo.

Thomas, primogenitus filius Isaci Bargrave.

Anna.

The following arms were granted by Camden, in 1611, to John Bargrave, al's Barger, of Patricksborne, in Kent:—Or, on a pale gules a sword erect argent, hilted and pomelled gold, on a chief azure three bezants. Crest: on a mount vert a pheon gules between two laurel branches proper.

## Wombwell.\*



Thomas Wombwell, a = Joanna, filia  
familia ejus nominis  
apud Wombwell, in  
co. Eboracensis, venit  
apud Cantium.

Johannes Wombwell, de = ... filia Hugonis  
Wombwell Hall, in Brent, de Charing,  
p'chia de North Fleete. ar.

[Johanna Wombwell,  
20 H. VII. Dering  
MS.]

Thomas Wombwell, fil. = Elizabetha, filia Ashdon,  
et hæres Johis. de Chidingstone;  
alibi Ashton.

1 Margareta, filia =  
Johis Lovelace, de Kingsdowne.

Willms Wombwell, = 2 Elizabetha, filia Tho.  
de Wombwell. Jackson, de Windsore,  
uxor 2da. [p' fil. Pikinging :  
Dering MS.]

Tho. Wombwell, = Margareta, filia et  
de Wombwell cohæres Will'i Hatton,  
Hall, ex p'ma Hatton, ex  
conjuge. [Ob. Joanna, filia et co-  
10 Julij, 1619: heredi Willimi Walworth.  
Dering MS.]

Ffrancisca,  
nupt. Rodolpho  
Saltun. [Vel  
Salters :  
Dering MS.]

Baldwinus duxit  
Benetam, filiam  
Tho. Tendring,  
de co. Essex.

Sampson Wombwell, = Katherina, filia Baldwini  
de Wombwell, ar. et unica hæ. Hic Baldwinus fuit  
filius Stephani Bromley, co. Cestria.

Thomas Wombwell,  
fil. et hæ., æt. 8  
annorum.

Benetta,  
ob. s. p.

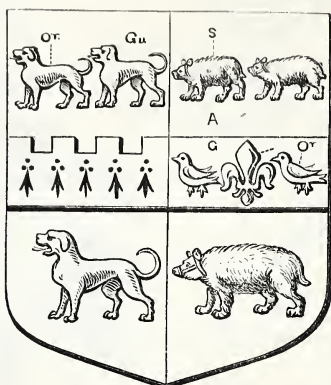
Maria.

Note.—Arms: Quarterly of four; one, Wombwell; two, Hatton; three, Walworth;  
four, Bromley; quarterly per fess indented gules and or.

Arms confirmed to William Wombwell, of Northfleet, gent., by Robert Cooke,  
Clarenceux, 10th September, 1574.

\* See note, p. 30.

## Hasling.



Edwardus Hasling, = . . . filia Godden, de  
de Mepham. | Leybourne, renupta  
| Arthuro Geysnsford.

Henricus Hasling, = Elizabetha, filia Waller,  
de Mepham. | de Spelhurst, vidua  
| Roberti Clerke.

Henricus Hasling, = Anna, filia Nicholai  
de Mepham. | Barham, de Wadhurst.

Barham Hasling,  
fil. et hæc., æt. 4  
annor'.

Elizabetha.

Anna.

Arms: Hasling impaling Barham.

## EXTRACTS FROM MEOPHAM REGISTERS.

## MARRIAGES.

- |  |   |
|--|---|
| 1579. William Tailer and Joan Haslyne, both of Mepham.       | 1605. William Moreland and Margaret Haslin. |
| 1581. Henry Haslyne and Elizabeth Clarke, widow.             | 1606. Mr. Henry Haslin and Anne Barham.     |
| 1601. George Smith and Elizabeth Haslyne, both single folks. | 1617. Thomas Dent and Joan Haslin.          |
|  | 1618. George Smith and Hellenor Haslin.     |

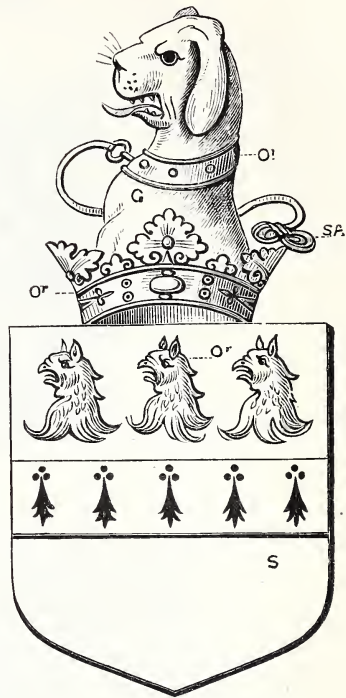
## BAPTISMS.

- |  |  |
|--|--|
| 1586. Elizabeth, da. of Henry Haslyn, Aug. 19.             | 1614. Henry, son of Henry Haslin, jr., April 12. |
| 1587. Henry, son of Henry Haslyn, July 3.                  | 1616. Barham, sonne of Henry Haslin, Mar. 25.    |
| 1588. Margaret, da. of Henry Haslyn, June 18.              | 1617. Elizabeth, da. of Henry Haslin, Aug. 24.   |
| 1589. Edward, son of Henry Haslyn. [Day of month omitted.] | 1619. Anne, da. of Henry Haslin, Sept. 12.       |
| 1594. Joan Haslyn, da. of Henry Haslyn, July 25.           | 1620. Elenor, da. of Henry Haslin, Feb. 18.      |
| 1595. Hellenor, da. of Henry Haslyn, March 7.              | 1621. Henry, sonne of Henry Haslin, Feb. 24.     |
| 1609. John, son of Tho. Haslyn, June 18.                   | 1625. Richard, sonne of Henry Haslin, June 5.    |
|  | 1628. Mary, da. of Henry Haslin, July 25.        |

## BURIALS.

- |  |                                     |
|--|-------------------------------------|
| 1592. Samford Haslyne, 7th April.                | 1616. Edward Haslin, sen., Jan. 27. |
| 1598. Wilrork Haslyne, 4 Dec.                    | 1617. Henry Haslin, Sept. 25.       |
| 1610. Alice, wyffe of Edward Haslin, Jan. 31.    | 1628. Henry Haslin, Nov. 13.        |
| 1614. Henry, son of Henry Haslin, jr., April 13. |                                     |

## Manningham.



Thomas Manningham, de =  
Luton, in co. Bedford.

Joh'es Manningham, = Elizabetha, filia  
de Baldock, in co. Butler, de Waisley,  
Hartf., fil. et hæ. in co. p'dict.

Robertus Manningham, obt = Johanna, filia Joh'is  
apud Fenney Drayton, in Ffisher, de Bedlow,  
Cant. in p'cha de Clophill.

Joh'es Manningham, de = Anna, filia Will'i Curle,  
East Malling, in co. unius auditorum D'ni  
Cantij, ar. Regis in Curia pupillor'.

Johannes,  
fil. 2<sup>us</sup>,  
æt. 3 ann'  
et ampl.

Richardus,  
fil. et hæ.,  
æt. 11 annor'  
et amplius.

1 Susanna.

2 Anna.

3 Elizabetha.

Note.—In the original Visitation the crest is as follows:—Out of a ducal coronet gules a talbot's head or collared of the first, lined sable.

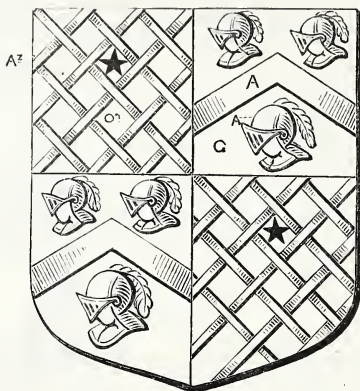
The following inscription and arms are on a mural monument on the north wall of the chancel of East Malling Church:—

“Richardus Mannyngham honestâ natus familiâ, mercaturam juvenis exercenit satis copiosam, ætate provectiore ruri vocavit, literis, & valetudini; in studiis tam divinis quam humanis eruditus, Latinè, Gallicè, Belgicè, dixit, scripsit eleganter & propriè; nec alieni appetens, nec profusus sui; amicos habuit fideliter & benignè; pauperes fortunâ suâ sublevavit, affines & consanguineos auxit; animi candore, vultus suavitate & gravitate conspicuus; sobriè prudens & sincerè pius; languido tandem confectus morbo, fide Deum amplexus orthodoxâ, expiravit 25<sup>to</sup> die Aprilis A<sup>o</sup> Salutis 1611 et ætatis suæ 72; desideratus suis, maximè Johanni Mannyngham hæredi, qui monumentum hoc memor mœrensque posuit.”

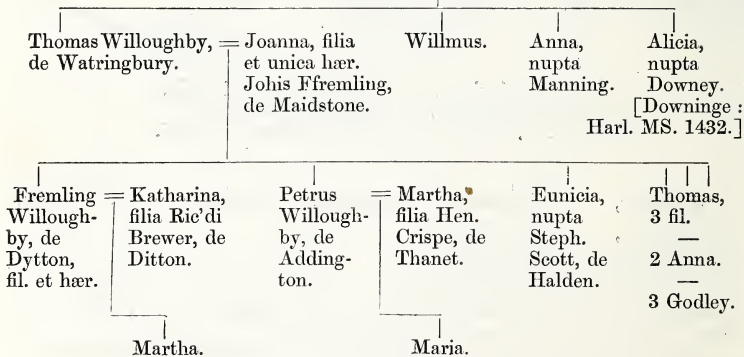
Arms:—Sable, a fess ermine in chief, three griffins' heads crased or, langued gules.

Crest:—A talbot's head or, gorged with a collar and langued gules within a crown of the last.

## Willoughby.



Thomas Willoughby, ex antiqua familia in p'vincia Lincolnensis, Sacrae Theologiae P'fessor et Decanus Roffensis. = Alicia, filia Tho. Wood, de Hadley, in co. Suff.



Note.—Arms : Quarterly ; one and four, Willoughby ; two and three, Fremling.

In Ightham Register we have—

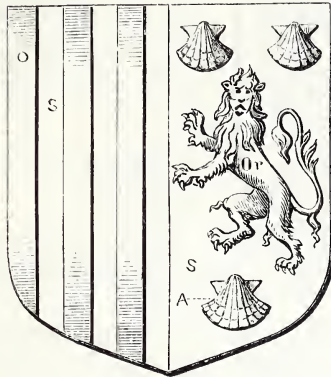
Thomas Willoughby, son of Edward, Gent., baptized 26th October, 1591.

Elizabeth Willoughby, daughter of Edward, baptized 8th May, 1593.

Elizabeth Willoughby, daughter of Edward, buried 7th August, 1594.

(But no clue whether connected with the above.)

## Harlstone.



Robertus Harlstone, =  
de co. Suff.

Margareta, desponsata  
Matheo Parker, ar.  
Archiepiscopi Cantuariensis.

Symon Harlstone, = Katherina.  
de Mendlesham,  
in co. Suff.

Alicia, uxor Dudley  
Boyland, in co.  
Surr.

Samuel Harlstone = Alicia, filia Richardi  
Hareslip, de Cantab.

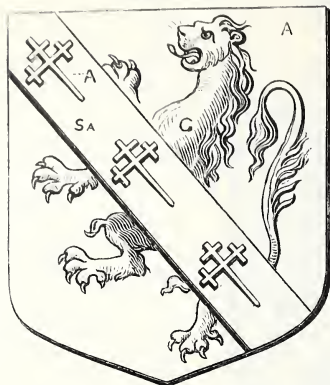
Symon Harlstone,  
de Fordwich.

Sara, filia et una  
cohæredu. Thomæ  
Gibbon, de Bethersden.

1 Thomas, 2 Symon. 3 Samucl. 4 Johannes. 5 Williclmus. Sara.  
æt. 19 Alicia.  
annor. Margareta,  
[duxit Mariam Katherina.  
Norton, de Anna.  
Fordwich. Phebe.  
Dering MS.] Maria.

Arms: Harlstone impaling Gibbon.

## Watton.



Extracts from Addington Registers:—

Thomas Watton, Esq., and Mary Rutland, married January 8, 1572.

Thomas Dedicote and Elizabeth Watton, mar. July 6, 1574.

Thomas Watton, Esq., buried July 22, 1580.

Mary, wife of Thomas Watton, Esq., buried May 26, 1583.

John, son of Thomas Watton, Esq., baptized June 2, 1594.

Edmund, son of Thomas Watton, Esq., bur. April 30, 1598.

Francis, son of Thomas Watton, Esq., bur. May 11, 1599.

John, son of Thomas Watton, Esq., bapt. Sept. 16, 1599.

Thomas, son of Thomas Watton, Esq., bur. July 18, 1599.

Martha, wife of Thomas Watton, Esq., bur. April 10, 1600.

John, son of Thomas Watton, Esq., bur. Jan. 5, 1618-19.

Robertus Watton, de Addington, ar. = Alicia, filia et hæc. Willielmi Snath, de Addington.

Willimus Watton, de Addington, ar. = Benedicta, filia et cohær. Tho. Towne, de Towne Place, in Throwley.

Robertus Watton, de Addington, ar. = Alicia, filia Johis Clerke, unus Baronum de Scaccario. [de Wrotham. Addit. MSS. 5507.]  
[Died 19 November, 1470, buried in Addington Church.]

Edmundus Watton, de Addington, ar. = Elizabetha, filia et cohær. Rob'ti Arnold, ex Rosa, filia Ric'di Bamme, de Gillingham. [Catherine, filia ux. . . . Peckam. Dering MS.]  
[Died September, 1527, buried in Addington Church.]

Georgius Watton.

Thomas Watton = \*Margareta, soror Edmundi, Baronis Sheffilde. [Amita Johis D'ni Sheffield, occisi apud Norwich. Dering MS.]  
de Addington, ar.  
[Buried 26 July, 1580, in Addington Church.]

Margareta, nupta . . . Spicer.

Anna, nupt. Edw. Hinde.

Maria, filia . . . Rutland, ux. p'ma, s. p.

Tho. Watton, de Addington, ar'.  
[Died 16 September, 1622, buried in Addington Church.]

Martha, filia Tho. Roper, de Eltham, ar.

Elizabetha, nupta Tho. Dedicott.

Willielmus, maximus natu, æt. 28 annor'.

Anna.

Johannis Simonds, in comitatu Essexiæ, generosi, obiit 28<sup>o</sup> Octobris, 1651.]

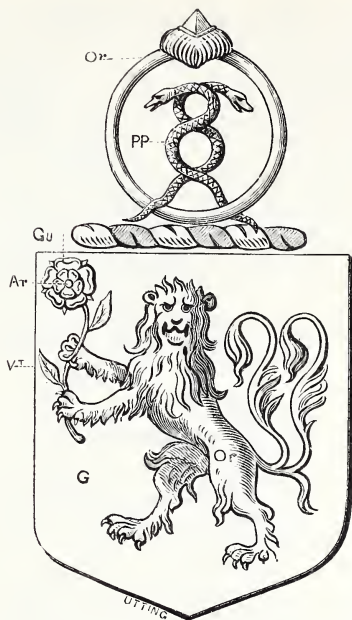
The following arms are quartered by the Wattons. In the original Visitation the names of the quarterings are given, and the arms roughly tricked.

1. WATTON.—Argent, a lion rampant gules debruised with a bend sable charged with three crosses crosslet fitché argent.
2. SNAYTH.—Argent, a chevron between three birds' heads erased sable beaked gules.
3. TOWNE.—Argent, on a chevron sable three crosses crosslet ermine.
4. DETLING.—Sable, six lioncels rampant, three, two, and one, argent.
5. SHELVYNK.—Azure, a chevron engrailed between three martlets argent.
6. DENE.—Argent, a fess dancetté gules.
7. GATTON.—Chequy argent and azure.
8. ARNOLD.—Azure, a cross engrailed between two leopards' heads and two escallops saltireways or.
9. BAMME.—Ermine, on a chief indented sable two trefoils slipped argent.
10. . . . —Sable, a chevron between three leopards' faces or.

\* On the monument in Addington Church she is called "Eleanoram, filiam Edmundi Domini Sheffield."



Master.



Richardus Master =  
venit Cantiu'.  
[Freemason :  
Dering MS.]

Robertus Master, de =  
Willesborough.  
[Buried in y<sup>e</sup> churchyard  
here, neere y<sup>e</sup> south doore,  
under a tombe stone now  
broken, 1626 : Dering  
MS.]

Edwardus Master, =  
de Willesborough.  
[as a serviaunt to y<sup>e</sup> L<sup>d</sup>  
einey & purveyour to K.  
VIII. : Dering MS.]

\* Richardus Master, = ... filia  
medius Reginae  
Elizabethae. eo. Lincoln.

Robertus Master, de =  
Willesborough.

Georgius Master, de =  
Cyrenecestriae, in eo.  
Gloucestriae, fil. 1.

Brigitta,  
fil. et unica  
haeres Corne-  
wall de  
Malborow.

Robertus Master, = [filia . . .  
Juris Civilis  
Docteur et Cancel-  
larius Coventriae  
et Lichefeilde. Pagett :  
Dering MS.]

Michael Master, =  
mareseallus  
Aula Regia.

Elizabetha, soror  
Will'i Hall, milit.  
[filia Johis Hall,  
de Willesborough :  
Dering MS.]

2 Thomas.

3 Edwardus = [filia Bate de Lydd : Dering MS.]

4 Robertus = [Anna, filia Calthorp, vel Golphorpe : Dering MS.]

5 Egidius = [Franeisea, filia Johis Sherley : Dering MS.]

Edwardus = [Elis, fil.  
Ed'ri Chute,  
ar. : Dering MS.]

† 2 Willms.

3 Rob'tus.

4 Michael.

1 Joanna.

2 Margareta.

\* Arms, granted by Sir Gilbert Dethick, Kt. Garter, Robert Cooke, Clarenceux, and William Flower, Norroy, 1 Dec. 1568, to "Richardus Master, in Medicinis Doctor in Academia Oxoniensi, creatus Serenissimae Angliae Reginae Eliabethae inseruiens ac a cubiculo medicus." "De guelles un lyon rampant gardant d'or armee d'asure, la queue fourche tenaunt en sa deux pattes un rose doublee rouge et blanche, le braunche de vert. Sur son heaulme la torsse d'or et de gucles dedans, un anneau d'or avec un point de Diamont, deux serpens en leur propre couleur entrelacees, mantelle de gucles double d'argent."

† Inscription formerly on a square tomb, east of the porch, in Willesborough Church-

yard, but now illegible; copied from the Willesborough Register, into which it was entered in the year 1764, with the note appended—"See Otway's Tragedy of the Orphan, the Plott whereof was taken from this accident in the Master family."

"Here lyeth entombed William Master, the second son of Michael Master, Esquier. He came to a Batchelor's life, He came to an untimely Abel's death at the age of 26 years. . . . Civill in his carriage, Honest of his word, well respected and beloved of all. Elizabeth, the only daughter of John Hall, the mourner and mother for so great and incomparable Losse of so deere a son . . . all memory she hath erected this monument with [expectation] of meeting in the Resurrection of Soules. An. Dom. 1634."

On a flat stone, in the chancel of Willesborough Church, is the following inscription, surmounted by the Master arms and crest:—

"Here vnder this stone lyeth y<sup>e</sup> bodies of Robert Master, gent., and Margarette his wife. He departed this natvrall life the 24 day of Avgvst, 1616, aged 77 yeres and 4 months; and she departed this natvrall life y<sup>e</sup> 28 of Novem., 1607, aged 60 yeres; and they had issue 14 children, 6 sonns and 8 daughters."

*Notices of the Family of MASTER, taken from the Register Books of the Parish of Willesborough, to the year 1619 (the date of the Visitation).*

## MARRIAGES.

Nov. 20, 1543.	Thomas Masters and Rose his wife.	Feb. 7, 1584.	George Masters and Marian Cober.
June 30, 1549.	Robert Masters and Agnes his wife.	Nov. 4, 1596.	Michael Master and Elizabeth Hall.
August 8, 1552.	Robert Masters and Elizabeth Ryobard?	Nov. 6, 1597.	Thomas Masters and Elizabeth Masters.
August 9, 1556.	Mr. Robert Masters and Joane his wife.	Edward Master and Martha Downing were married the 4th of December, 1615.	
Feb. 9, 1566.	John Bray and Joane Masters.		

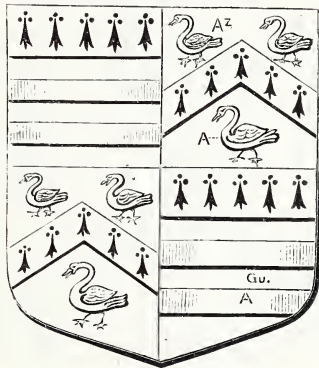
## BAPTISMS.

April 6, 1539.	Robert Masters.	Feb. 19, 1592.	Dorothy Masters.
March 25, 1541.	George Master.	Jan. 13, 1594.	Ursula Masters.
Aug. 29, 1543.	John Master.	Feb. 19, 1597.	Robert Masters.
Nov. 20, 1543.	Jane Master.	Sept. 7, 1598.	Thomas Masters.
Nov. 20, 1543.	Elizabeth Master.	Oct. 2, 1604.	Joane, daughter of Michael Masters, was baptized.
Oct. 9, 1545.	Denys Master.	May 5, 1605.	Edward Master was baptized.
May 9, 1546.	George Masters.	April 12, 1607.	William Masters, son of Michael Masters, was bapt.
Feb. 12, 1547.	Richard Masters, son of Edward Masters.	July 5, 1607.	Robert Masters, sonne of Tho. Masters, was bapt.
April 3, 1550.	Robart, son of Robart Masters.	Sept. 8, 1609.	Robert Masters, sonne of Michael Masters, was bapt.
Jan. 21, 1550.	Agnes, daughter of Edward Masters.	Margaret Master, the daughter of Michell Master, was bapt. the 16 day of April, 1612.	
Aug. 12, 1571.	Joane Master, daughter of Robert Masters.	Michell Master, the son of Mr. Michell Master, was bapt. the 19 of March, 1614.	
Oct. 30, 1572.	Michall Masters, son of Robert Masters.	Christopher Master, son of Edward Master, was bapt. the 7 of June, 1618.	
May 1, 1586.	John, son of Robert Masters.	Catherine Master, the daughter of Edward Master, was bapt. the 5 of March, 1619.	
June 5, 1586.	Susan, daughter of Robert Masters.		
Dec. 27, 1587.	Gyles, son of Robert Masters.		

## BURIALS.

March 5, 1544.	Edward Master.	Feb. 14, 1591.	Dorothy Masters.
May 18, 1549.	Richard Master.	May 10, 1593.	William Master.
June 18, 1551.	Margaret Master, wife of Robert Master.	Oct. 22, 1598.	Robert Masters.
Feb. 19, 1556.	Richard Master.	John Masters was buried the 25 Feb. 1612.	
May 19, 1567.	Agnes Master.	John Masters, son of Robert Masters, was buried the 22 of February, 1613.	
Feb. 5, 1578.	Annys Masters, daughter of Edward Masters.	Mr. Robert Master was buried the 27th of August, 1616.	
April 30, 1585.	Edward Masters.		

## Thomson.



## EXTRACTS FROM LENHAM REGISTER.

Children of Henry Thompson, of Royton Chapel, in the Parish of Lenham, and Dorothy his wife.

1595. March 26. Robert, the sonne of Henrie Thompson, Gent., baptized.  
 1599. Oct. 14. Mary, the daughter of Henry Thompson, Gent., baptized.  
 1602. August 2. Judith, the daughter of Henrye Thompson, baptized.  
 1604. Nov. 18. John, the sonne of Henry Thompson, Gent., baptized.  
 1607. Sept. 20. Elizabeth, the daughter of Henrie Thompson, baptized.  
 1612. Aug. 30. Anthony, the son of Henry Thompson, Gent., baptized.

Children of Robert and Dorothy Thompson, eldest son of the above Henry Thompson.

## BAPTISMS.

1617. Aug. 10. Mary, the daughter of Mr. Roberte Thompson, Gent.  
 1618. July 20. Dorothy, ye daughter of Robert Thompson, Gent.  
 1619. Nov. 21. Henry, ye sonne of Robert Thompson, Gent.

## BURIALS.

1617. Aug. 28. Mary, the daughter of Mr. Robert Thompson, Gent.  
 1618. July 21. Dorothy, ye daughter of Robert Thompson, Gent.

Note.—The crest, as tricked in the original Visitation of Kent in the College of Arms, may thus be described:—On a mount vert a greyhound sejant argent collared azure, lined or, eared sable.

Arms: Quarterly; one and four, Thomson: two and three Swann. [These arms were granted to Francis Swan, of Wye, in 1533.]

Arms granted, 3rd January, 43 Elizabeth, 1600, by William Dethick, Garter, and William Camden, Clarenceux, to "Thomas Thompson, of Kenfelde, in the paryshe of Petham, wthin the countie of Kent, gentleman, beinge the sonne and heire of Thomas Thomson, of Sandwiche, gentleman":—"Gules two barres argent a cheif ermyns, and for his crest and cognissance followinge, that ys to saye, a greyhounde argent, his eares sable, collered azure studded or seant on an hyll vert with a lease or, all upon a wreath of his cullers."



## \* EXTRACTS FROM WYE REGISTERS.

## BURYALLS.

1606. Mr. Thomas Swanne, Gent., ye ij of  
Maye.

## BAPTISMS.

1599. Dorothy, daughter of Mr. Thomas  
Swanne, Gent., ye . . of February.

‡ Buried in chancel of Lenham Church. Inscription:—

“Here underlye the bodies of Henry Thompson and Dorathy his wife, of Royton Chappel, in this parish. Hee was the sonne and co-heire of Thomas Thompson, of Sandwich, Merchant; and shee the eldest daughter of Robert Honiwood, of Pett, in Charing, Esq. They had issue 5 sonns and 3 daughters. 1 Robert, 2 Marye, 3 Judith, 4 John, 5 Elizabeth, 6 Peter, 7 Anthony, 8 Charles. Living piously together sixty-three years, and being old and full of dayes, cheerfully resigned their souls into the hands of the Almighty Creator.

“Hee being aged 78 } an'o 1648.

Shee . . . aged 77 } an'o 1649.”

Arms:—Gules, two bars argent, a chief ermine, a crescent for difference, impaling argent, a chevron between three falcons' heads erased azure beaked or.

† Buried in Lenham Church. Brass on chancel floor:—

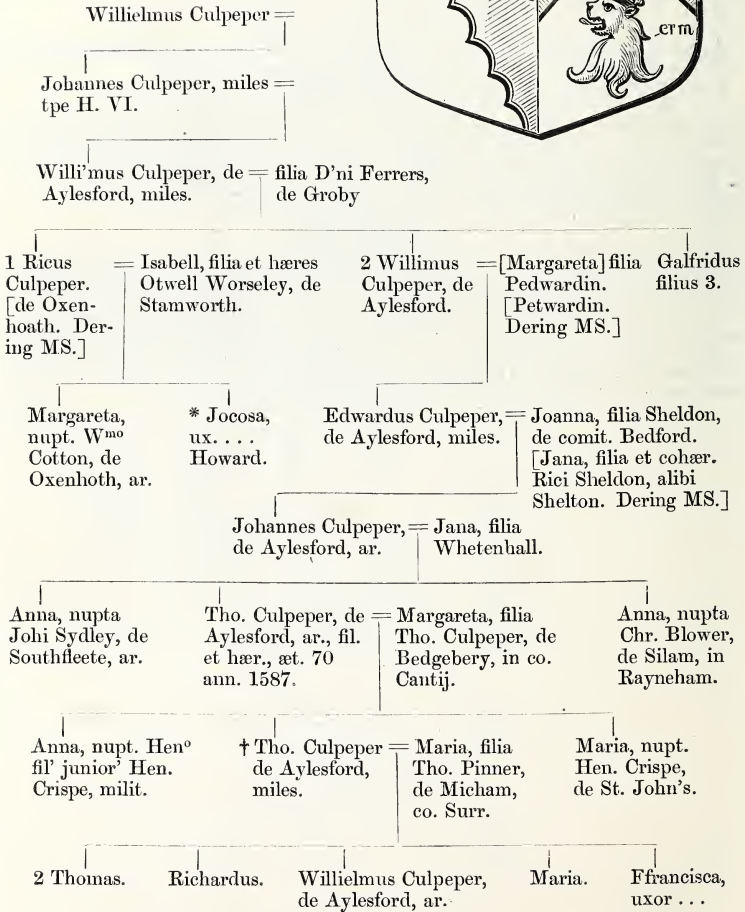
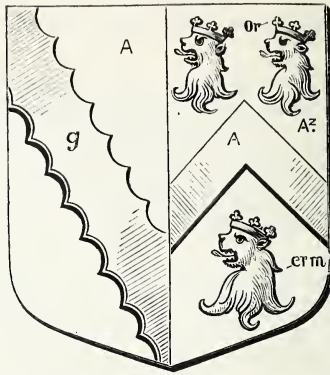
“In this bedd of earth sleepest the body of Robert Thompson, sonne and heire to Henry Thompson, of this parish, Esq., sowne in full assurance to be quickened againe at the last day. He marryed Dorathy, the daughter of Thomas Swann, of Wye, Esq., by whom he had 2 sonnes and 6 daughters. Then Sarah ye daughter of George Tucker, of Milton next Gravesend, Esq., by whom he had 6 sonnes and 2 daughters, and dyed great of the 9th. He forewent his parents into Paradise Sep. 5.

Anno { *Ætatis* 47.  
          } *Salutis* 1642.

He was the grandchild of that truly religious matron Mary Honeywood, wyfe of Robert Honeywood, of Charing, Esq., who had at her decease lawfully descended 367 children, 16 of her own body, 114 grandchildren, 228 in the third generation, 9 in the fourth; whose renowne lives with her posterity, whose body lyes in this church, and whose monument may be scene at Markes Hall, in Essex, where she exchanged life for life.”

Arms:—One and four, Thompson, gules, two bars argent, a chief ermine, a crescent for difference. Two, azure, a chevron ermine between three swans argent, Swan. Three, azure, a chevron or between three sea-horses argent, Tucker.

Culpeper.



\* Jocosu uxor Rad'fi Leigh, renupta Edmundo Howard et habet exit' p' utrumq', viz. Edmundo fil. Thomæ, Ducis Norfolk; Katharina Howard ux. Hen. 8<sup>vi</sup> Regis, Hen. Charles et George. (Dering MS.)

Arms:—Culpeper impaling Pinner.

† Buried in south chancel of Aylesford Church. Inscription on monument:—

“Here liethe intombed Sr Thomas Colepeper, Knighte. By Bloode and Discente descended of many worthy Ancestors; In his life time for his Worth and Desarte Beloved of all Men: and in his death as much lamented and bemoned: he had by Dame Marie, his only Wife, at the time of his decease, three sonnes and two daughters. Which Dame Marie, to perform her last duty in remembrance of her Faithfull love to her deceased Husband, at her owne coste erected this gratefull monumentt: under which he resteth, and by his lively faithe hopeth a joyfull resurrection. He died 12 Oct. 1604.”

Arms:—Six coats quarterly:

1. Argent, a bend engrailed gules.
2. Argent, a chevron sable between nine martlets gules.
3. Gules, on a cross argent five escallops of the first.
4. Barry of four, vert and gules, three bezants, two and one in chief a cross formée or.
5. Gules, seven mascles, three, three and one, or.
6. Sable, a fess chequy argent and sable between three owls proper, impaling azure a chevron argent between three lions' heads erased, ermine crowned or.

#### EXTRACTS FROM AYLESFORD REGISTERS.

8 May, 1655. Mr John Beale and Mrs Ann Colepepyr, of Aylesford, were married the viij daie of Maie, 1655, in the presence of Sir Richard Colepepyr, of Maidstone, Baronet, and Thomas Crispe, of Dover, Gent., by George Duke, Esq., one of ye Justices of ye peace for the county. Witness his hand, GEO. DUKE.

Sir Thomas Colepeper, of Hallingbourne, Knight, and Mrs Alice Colepeper, of Aylesford, daughter of Sir Willm Colepeper, late of Aylesford, deceased, were married by vertue of a Licence out of the Prerogative Court, the 31 day of December, 1663.

1667. John Alchorn, junior, of Broughton Moun-chelsey, Esquire, and Mrs Frances Colepepyr, [Daughter of Sr William Colepepyr, late of Aylesford, Barronet, deceased,] by vertue of a Licence out of ye Court of faculties, were marryed the ffive and Twentieth day of Aprill, 1667.

Sir Richard Colepepyr, Baroett, was buried the v of January, 1659.

Helena, ye daughter of ye right worsh Sir Richard Colepepyr, Baroet, deceased, & of Dame Margaret his wife, was brryred the v daie of December, 1661.

Frances, the daughter of Sir Thomas Colepepper, Knight, and of Alice his wife, was baptized the one and twentieth day of february, 1664.

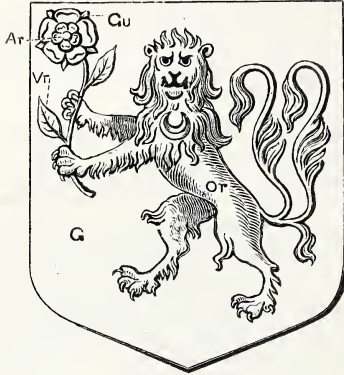
Mrs Helene Colepepyr [daughrer of Sr Wm Colepepyr, late of this Parish, Barrote, deceased] was buried the xxij day of October, 1667.

Dame Hellena Colepeper was buried, not in woollen, Oct. 19, 1678.

The Lady Margaret Colepeper, widow of Sir Richard Colepeper, Baronet, was buried Sept 26, 1691.

Dame Elizabeth, wife of Sir Thomas Colepeper, Baronet, was buried february the 5 day, 1708.

Master.



Robertus Master = Agnes, filia Roberti Wise,  
de Henhurst, in Woodchurch.

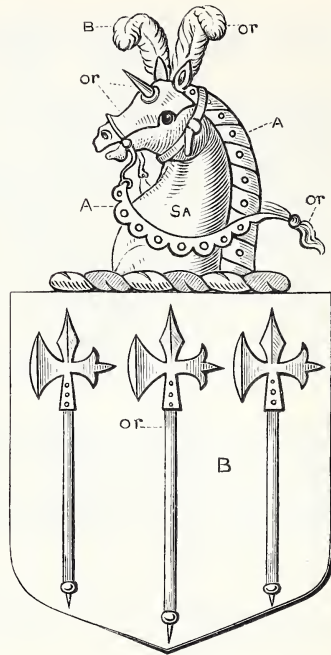
Elizabetha, ux. Tho. Master.	Tho. Master, = de Wood- church.	Elizabetha, filia Roberti Wenell. [Menell Dering MS.]
---------------------------------	---------------------------------------	--

Elizabetha, filia Pettit.	= Egidius Master, de Woodchurch	= Maria, filia Ed'ri Hales, de Chilham.
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Dorothea.	Egidius.	Ed'rus, fil. 2.	Maria.	Elizabetha.	Margareta.	Debora.
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Hall.



Richardus Hall, de =  
Willesborough.

Edwardus Hall, de Kennington, =  
in com. Kantij, gener.

Jana, nupt.  
Ric'do Thurston,  
de Challocke.

Will'ms Hall, =  
de Esheford,  
fil. et hæc.

Ursula, filia  
Robti Master,  
de Willesborough.

Francesca,  
nupt. Johi  
Baker.

Margareta.

Arms granted by Robert Cooke, Clarenceux, to Edward Hall, of Bybrooke, in Kennington Parish, in Kent, A.D. 1588.

EXTRACTS FROM ASHFORD REGISTER.

- |   |  |
|---|--|
| 1620. Nov. 6. Thomas Hall, buried.                                | 1627. June 29. Peter Hall, buried.                         |
| 1623. Feb. 22. Elizabeth Hall, the daughter of Edward Hall, bapt. | 1627. July 14 { William Hall } married.<br>{ Cara Stokes } |
| 1624. Oct. 10. Jane, the daughter of Mr. Wm. Halle, bapt.         | 1628. Aug. 12. Mary Halle, of Eastover, buried.            |
| 1624. April 2. Robert Halle, Woolen Draper, buried.               | 1629. July 9. William, the son of Wm. Hall, buried.        |
| 1624. Sept. 25. Elizabeth Halle, buried.                          | 1631. July 29. Mr. William Hall, of Buxford, buried.       |
| 1625. Sept. 7. Jaunne, wife of William Halle, buried.             |  |

The only entry in the Kennington Registers [which date from 1671] relating to the Hall family is the following:—

1671. Mrs Mary Hall, wid., dying at Ashford, was buried at Kennington, Sept. 10th.

## Best.

## EXTRACTS FROM ALLINGTON REGISTERS.

## BAPTISMS.

Elizabeth Best, one of the daughters of John Best the younger, of Allington Castle, Gent., was christened upon the twentieth day of May, Anno Dni. 1631.

Mary Best, one of the daughters of John Best the younger, Gent., being borne upon the eight day of Aprill last, was christened upon the twelfth day of this instant Aprill, Anno Dni. 1632.

John Best, the sonne of John Best the younger, was baptized second day of June, 1633.

Humphry Best, the sonne of John Best, Esq., was baptized the third of Aprill, Anno Dni. 1636.

Alice Best, the daughter of John Best, Esq., was baptized the 25th day of July, 1637.

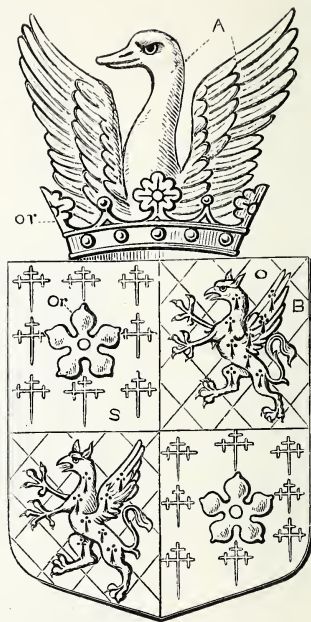
Will. Best, the sonne of John Best, Esq., was baptized the 25th day of November, 1638.

## BURIALLS.

John Best, the sonne of John Best, Esquier, was buried the third of June, 1633.

Humphry Best, the sonne of John Best, Esq., was buried the fourth of Aprill, 1636.

Alice, the daughter of John Best, Esq., and Elizabeth his wife, was buried the 18 of September, 1639.



Ric'dus Best, de = Dorothea, filia et cohaer.  
Bibrook, in com. = Johannis Barrow, de  
Cantij, gener. = Hinxell.

Magdalena,  
nupt. Johi  
Joole. [Fowle.  
Addit. MS.  
5507.]

Anna, filia =  
Laurentij  
Brooke,  
de Horton,  
monachore.

Johannes Best, =  
de Allington  
Castle.

Anna, filia  
Reginaldi  
Knatchbull, de  
Saltwood Castle,  
ux. 1.

Joh'es, =  
aet. 17. Georgius,  
aet. 16.

Ursula,  
ux. Tho.  
Ffinch,  
de Grove-  
hurst.

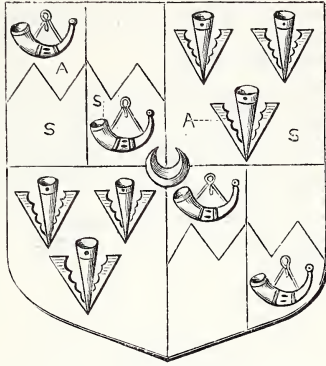
Dorothea,  
nupt. Tho.  
Gibbon.

Rich'us =  
Best, =  
aet. 21  
ann. et  
ampl.

Anna, =  
nupta nupt. Hen.  
Jo. =  
Stourton.  
Odiante,  
de Maidstone.

Arms: Quarterly; one and four, Best; two and three, Barrow.

## Forster.



Johannes Forster, de Eveleigh, in co. Salop. = [Isabella, filia Kiffin de Abertanat. Vincent's Salop.]

Rieus Forster, de Euelegh =  
fil. maximus natu.

Willielmus Forster, = [Margeria, fil. Will.  
de Tonge, fil. 2<sup>dus</sup> Taylor, de Longdon.  
Vincent's Salop.]

Thomas Forster =

Robertus Forster, = [Katherina, fil. W<sup>mi</sup>  
de Tonge. Barker, de Coulsege, in  
com. Salop. Vincent's  
Salop.]

Georgius Forster =

Richardus =  
Forster.

Rogerus.

Rie'dus Forster, = Elizabetha, filia  
de Tonge. Rich'di Blackway,  
de Berington,  
in co. Salop.

Willimus,  
obijt sine  
prole.

Thomas  
Ffoster,  
de Tonge.

Walterus =  
Forster

Thomas Forster, = \* Meliscenta, filia  
de Borden, in Simonis Greenstreete,  
co. Cant. de Ospringe.

Willimus, fil.  
2<sup>dus</sup>, duxit Janam,  
filiam Ri'ei Wheler,  
de Garleford, in co.  
Wigornia =

Georgius Forster,  
de Eueleigh p'dict.  
in co. Salopia, aetat.  
10 annor'.

Henricus Forster,  
aet. 6 annor'.

Arms: Quarterly; one and four, Forster; two and three, Kiffin.

There are no entries relating to the Forster family in the Borden Registers.

\* In Ospringe Church are monumental inscriptions to two members of this family, namely, to John Greenstreete, who died in 1671; and to Peter Greenstreete, who died in 1677, leaving issue Peter and Ann.

Arms:—Barry of eight, on a canton an eagle displayed impaling, ermine, a lion rampant guardant, on a canton an eagle displayed with two necks. (Edwards.)

## EXTRACTS FROM OSPRINGE REGISTERS.

## BAPTISMS.

1579. The sixth day of Januarie, was baptised George Grenstret.
1581. The ij day of Aprill, was baptised Margame)?) Grenstreate, ye daughter of Peter Grenstret.
1584. The xxvith day of July, was baptised William Grenstret, the sonne of Peter Grenstrete.
1586. The xxvith day of October, was baptised Peter Grenstret, the sonne of Peter Grenstret.
1589. [Date indistinct.] Thomas, the son of Simon Grenstret.
1590. October iijth, John, the sonne of Simon Grenstrete.
1592. [Date indistinct.] Joane, the daughter of Simon Grenstret.

1595. Novemb. 16, Dennis, the daughter of Simon Grinstreet.
1598. March 4, Joane, third daughter of Simon Greenstreete.

## MARRIAGES.

1631. May 10th, was Sara Greenstreet married with Edward Wake, with license.
1632. June 12th, Edward Lucas and Martha Greenstreet.
1644. August 11th, James Greenstreete and Frances Rumney, *per licentiam*.

## BURIAL.

1604. March 13, Symon Greenestret, householder.

Note on Wombwell (see p. 13).

## EXTRACTS FROM NORTHFLEET REGISTERS.

## BAPTISMS.

1549. April 22, Joane, the daughter of William Wombell, Gent.
1550. July 2, Thomas, son of William Wombell, Gent.
1573. Sept. 18, Susan, daughter of William Wombell, Gent.

1611. Nov. 3, Thomas, son of Sampson Wombwell, Esqre.
1623. January 20, William, son of Sampson Wombwell.

## MARRIAGES.

1548. June 19, William Wombell and Margeret Lovelyes.

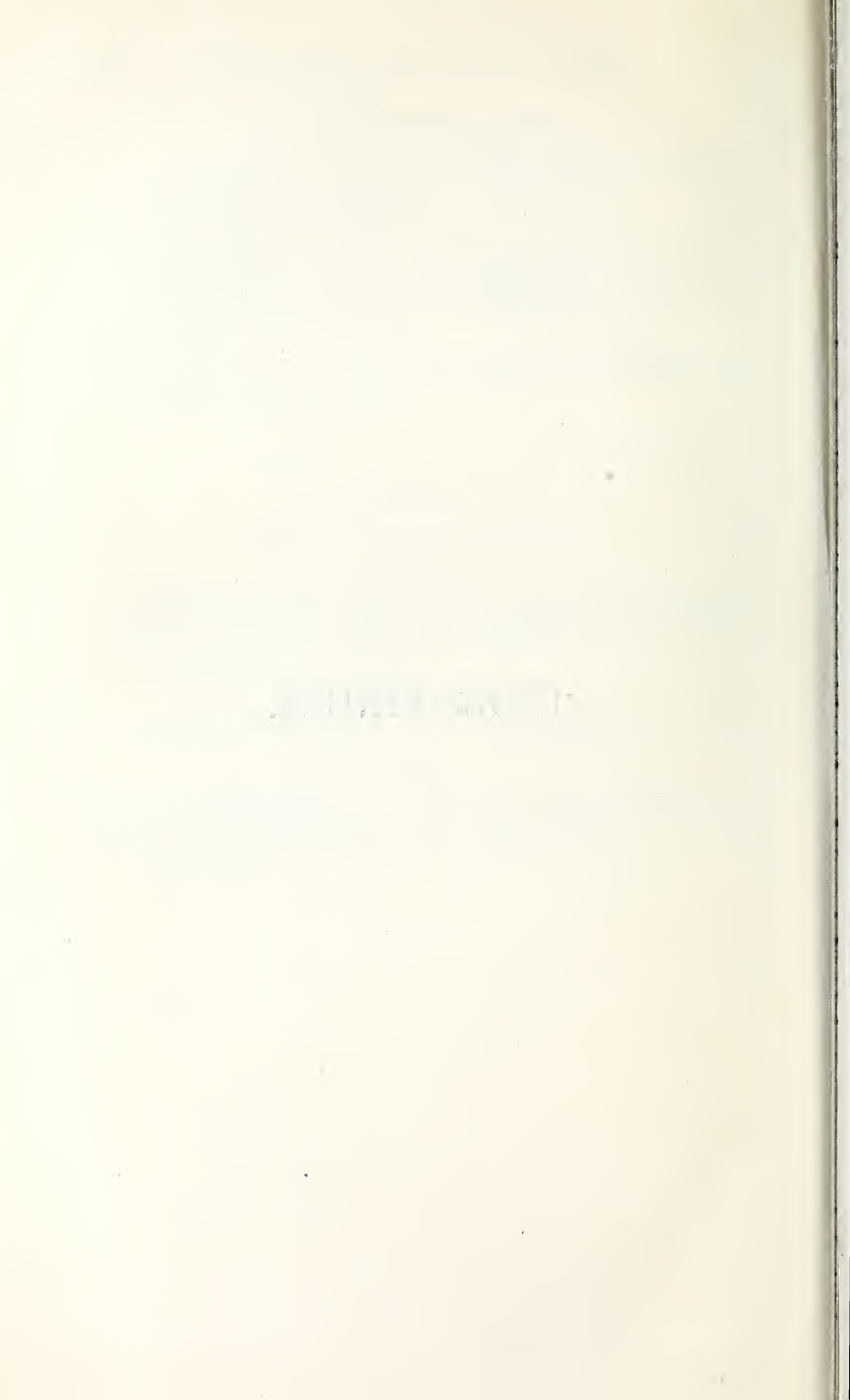
1591. April 13, Richard Sharle and Joane Wombell, widow.

## BURIALS.

1551. May 12, Margeret Wombewell.
1552. February 21, Allice Wombell.
1558. June 4, Allice, wife of Thomas Wombell.
1568. May 27, Thomas Wombell, Esquire.
1583. January 11, Margeret, wife of Thomas Wombell, Gent.

1590. January 25, Michaell Wombell, Gent.
1590. " 26, George Wombell.
1619. February 18, Sara, the wife of Thomas Wombell, Gent.
1646. May 21, Winefred Wombwell.

PEDES FINIUM.



## PEDES FINIUM.

*(Continued from Vol. III. p. 240.)*

## CXIX.—(40 J.)

[27th April, 1203, 4 Jo.]

(In a recognizance of "Magna Assisa," Asketine Baddechese acknowledges five acres of land in Lewisham to be the right of Simon de Grenewico; for which acknowledgment the said Simon grants the said Asketin and his heirs, out of the said land, one messuage, containing an acre and a half, lying next Balebroc, towards the east; to be held of the said Simon and his heirs for ever, by the free service of sixpence per annum.)

Apud Westmonasterium, a die Pasche in tres septimanas, anno regni Regis Johannis quarto.

Coram G. filio Petri, etc. [ut in No. 116.]

Inter SIMONEM DE GRENEWICO, petentem, et ASKETINUM BADDECHESE, tenentem.

De quinque acris terre, cum pertinenciis, in LEUESEHAM.

Unde recognicio Magne Assise summonita fuit inter eos in prefata Curia, scilicet quod predictus ASKETINUS recognovit totam predictam terram, cum pertinenciis, esse jus ipsius SIMONIS.

Et pro hac recognicione et fine et concordia, predictus SIMON concessit predicto ASKETINO, et heredibus suis, j masagium de eadem terra, quod continet j acram et dimidiam, et jacet juxta BALEBROC, versus orientem; tenendum de ipso SIMONE et heredibus suis, in perpetuum, per liberum servicium vj denariorum per annum, pro omni servicio, reddendorum ad festum Sancti Michaelis.

## CXX.—(81 J.)

[8th June, 1203, 5 Jo.]

(Matilda, widow of Hugh de la Hide, for two marks of silver, quitclaims to Aldulf de Leilande and his heirs, all her right of dower in the freehold of her said late husband, Hugh, in Stoke.)

Apud Westmonasterium, in octabis Sancte Trinitatis, anno regni Regis Johannis quinto.

Coram G. filio Petri, etc. [ut in No. 116.]

Inter MATILLIDEM que fuit uxor HUGONIS DE LA HIDE, petentem, et ALDULFUM DE LEILANDE, tenentem.

De rationabili dote ipsius MATILLIDIS que eam contingit de libero tenemento quod fuit predicti HUGONIS quondam viri sui in STOKE.

Unde placitum fuit inter eos in prefata Curia, scilicet quod predicta MATILLDIS remisit et quietum clamavit predicto ALDULFO, et heredibus suis, totum jus et clamium quod habuit in predicta dote.

Et pro hac quieta clamancia et fine et concordia, predictus ALDULFUS dedit predicte MATILLIDI duas marcas argenti.

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Hugh de la Hide = Matilda.  
Dead 1203.                      1203.

## CXXI.—(76 J.)

[15th June, 1203, 5 Jo.]

(In a recognizance of "Magna Assisa," John de Benestede, for five marks of silver, quitclaims to Hamo de Ailmerstone and his heirs for ever, all right in one knight's-fee in Elmstone.)

Apud Westmonasterium, in xv dies post festum Sancte Trinitatis, anno regni Regis Johannis quinto.

Coram G. filio Petri, etc. [ut in No. 116.]

Inter JOHANNEM DE BENESTEDE, petentem, et HAMONEM DE AILMERSTONE, tenentem.



De feodo j militis, cum pertinenciis, in AILMERESTONE.<sup>1</sup>

Unde recognicio Magne Assise summonita fuit inter eos in prefata Curia, scilicet quod predictus JOHANNES remisit et quietum clamavit totum jus et clamium quod habuit in predicta terra, cum pertinenciis, predicto HAMONI et heredibus suis, de se et heredibus suis, in perpetuum.

Et pro hac quieta clamancia et fine et concordia, predictus HAMO dedit eidem JOHANNI v marcas argenti.

CXXII.—(78 J.)

[15th June, 1203, 5 Jo.]

(In a recognizance of Mortdauncestor, Ailman de Radefann acknowledges an acre and a half of land in Kedbrook to be the right of Gunilda, the wife of Robert Parmentar, and quitclaims it to the said Robert and Gunilda, and the heirs of the said Gunilda, for ever; for which the said Robert and Gunilda quitclaim to the said Ailman and his heirs, all their right in the sixth part of an acre in Kedbrook.)

Apud Westmonasterium, in xv dies post festum Sancte Trinitatis, anno regni Regis Johannis quinto.

Coram G. filio Petri, etc. [ut in No. 116.]

Inter ROBERTUM PARMENTARIUM et GUNILLIDEM uxorem suam, petentes, et AILMANNUM DE RADEFANN, tenentem.

De una acra terre et dimidia, et sexta parte unius acre terre, cum pertinenciis in KETEBROC.<sup>2</sup>

Unde recognicio de morte antecessoris summonita fuit inter eos in prefata Curia, scilicet quod predictus AILMANNUS recognovit predictam acram terre, et dimidiam, cum omnibus pertinenciis ad eandem acram terre et dimidiam pertinentibus, esse jus ipsius GUNILLIDIS, et eam remisit et quietam clamavit predictis ROBERTO et GUNILLIDI, et heredibus ipsius GUNILLIDIS, de se et heredibus suis, in perpetuum.

Et pro hac recognicione et quieta clamancia et fine et concordia, predictus ROBERTUS et GUNILDIS remiserunt et quietum clamaverunt predicto AILMANNO, et heredibus suis, totum jus et

<sup>1</sup> *i. e.* Elmstone.

<sup>2</sup> *i. e.* Kedbrook, in Charlton, formerly a distinct parish.

clanium quod habuerunt in predicta sexta parte unius acre, cum omnibus pertinenciis, ad eandem sextam partem pertinentibus, de se et heredibus suis, in perpetuum.

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Robert Parmentar = Gunnilda.  
1203. 1203.

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CXXIII.—(80 J.)

[15th June, 1203, 5 Jo.]

(In a recognizance of "Magna Assisa," Robert de Hamme acknowledges sixty acres in Ham to be the right of Warin de Berham; for which, and for six marks and a half of silver, the said Warin grants the said land to the said Robert, to be held by the said Robert and his heirs, of the said Warin and his heirs, for ever, by the service of the eighth part of one knight's-fee.)

Apud Westmonasterium, in xv dies post festum Sancte Trinitatis, anno regni Regis Johannis quinto.

Coram G. filio Petri, etc. [ut in No. 116.]

Inter WARINUM DE BERHAM, petentem, et ROBERTUM DE HAMME, tenentem.

De lx acris terre, cum pertinenciis, in HAMMES.<sup>1</sup>

Unde recognicio Magne Assise summonita fuit inter eos in prefata Curia, scilicet quod predictus ROBERTUS recognovit totam predictam terram, cum pertinenciis, esse jus ipsius WARINI.

Et pro hac recognicione, idem WARINUS concessit predicto ROBERTO, totam predictam terram, cum pertinenciis, tenendam sibi et heredibus suis, de predicto WARINO et heredibus suis, in perpetuum, per servicium viij partis unius militis, pro omni servicio.

Et pro hac concessione, idem ROBERTUS dedit eidem WARINO sex marcas et dimidiam argenti.

<sup>1</sup> *i. e.* Ham.

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## CXXIV.—(79 J.)

[22nd June, 1203, 5 Jo.]

(In a recognizance of Mortdauncestor, Alexander, son of Gunnilda, for twenty-one shillings, quitclaims to Roger, the Parson of Dartford, and Boidinus, the son of Sawin, and their heirs, all right in two acres of land in Dartford.)

Apud Westmonasterium, in tres septimanas post festum Sancte Trinitatis, anno regni Regis Johannis quinto.

Coram G. filio Petri, etc. [ut in No. 116.]

Inter ALEXANDRUM FILIUM GUNILDE, petentem, et ROGERUM Parsonam de DERTEFORD, et BOIDINUM FILIUM SAWINI, tenentes.

De duabus acris terre, cum pertinenciis, in DERTEFORD.

Unde recognicio de morte antecessoris summonita fuit inter eos in prefata Curia, scilicet quod predictus ALEXANDER remisit et quietum clamavit predictis ROGERO et BOIDINO, et heredibus eorum, totum jus et clamium quod habuit in predictis duabus acris terre, cum pertinenciis, de se et heredibus suis, in perpetuum.

Et pro hac quieta clamancia et fine et concordia, predicti ROGERUS et BOIDINUS dederunt predicto ALEXANDRO xxj solidos esterlingorum.<sup>1</sup>

<sup>1</sup> There was a pure coin stamped first in England by the *Easterlings*, or merchants of East Germany, by the command of King John, and called thence *Esterling* money,—in modern language *Sterling*,—and used to denote the legal proportion of fineness which ought to be in the money, of whatever denomination, to which the term applied. Thus a *pound sterling* signifies a pound of lawful English money, and so of coins of lesser denomination.

## CXXV.—(77 J.)

[1st July, 1203, 5 Jo.]

(John de Besevill and Petronilla, his wife, quitclaim to William Fitz Robert<sup>1</sup> all right of her dower in sixteen acres of marsh, six acres of arable land, two acres of meadow, and one acre and one rood of wood, in Higham, the freehold of her late husband, Robert Fitz Lambert; for which the said William grants her the service of Simon de Gatle, viz. six shillings out of five acres which he holds in Higham, excepting the "forinsec" service, which the said William retains; he also grants her all the land called Scereday in the same ville, for life, in name of dower. The said John and Petronilla to do all the portion of service which belongs to the land of said William in Higham, less sixpence. The said Simon was present and joining in the agreement.)

Apud Westmonasterium, in octavis Sancti Johannis Baptiste, anno regni Regis Johannis quinto.

Coram G. filio Petri, etc. [ut in No. 116.]

Inter JOHANNEM DE BESEVILL et PETRONILLAM, uxorem suam, petentes, et WILLELMUM, FILIUM ROBERTI, tenentem.

De xvj acris de marisco, et de vj acris de terra arabili, et de ij acris prati, et de j acra et j roda bosci, in HEGHAM,<sup>2</sup> quas ipsa PETRONILLA clamat pertinere ad rationabilem dotem suam quam habuit de libero tenemento quod fuit ROBERTI FILII LAMBERTI, quondam viri sui.

Unde placitum fuit inter eos in prefata Curia, scilicet quod predicti JOHANNES et PETRONILLA remiserunt et quietum clamaverunt predicto WILLELMO et heredibus suis, totum jus et clamium quod ipsa PETRONILLA habuit in predictis terris.

Et pro hac quieta clamancia et fine et concordia, predictus WILLELMUS concessit predicte PETRONILLE totum servicium SIMONIS DE GATLE, scilicet, sex solidos de quinque acris terre quas tenet in HEGHAM, preter forinsecum servicium, quod remanet ipsi WILLELMO, et heredibus suis.

Et preterea, idem WILLELMUS concessit predicte PETRONILLE totam terram que vocatur terra SCEREDAY, in eadem villa, tenendam tota vita ipsius PETRONILLE, sub nomine dotis.

Et predicti JOHANNES et PETRONILLA facient terciam partem

<sup>1</sup> Probably the son of her first husband, Robert Fitz Lambert.

<sup>2</sup> *i. e.* Higham.

servicii quod pertinet ad terram predicti WILLELMI in HEGHAM, sex denariis minus.

Et hec concordia facta fuit, presente et concedente predicto SIMONE.

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John de Beseville <sup>2</sup> 1203.	=	Petronilla <sup>1</sup> 1205.	=	Robert Fitz Lambert. Dead 1203.
				⋮
				⋮
				William. 1203.

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CXXVI.—(75 J.)

[20th October, 1203, 5 Jo.]

(Hillaria, daughter of Helliard, quitclaims to William de Becco and his heirs all right in forty acres in Livingesburn; for which he grants her six acres and a half in Sumerfeld, which she before held of him; to her and her heirs, to be held of the said William and his heirs, by five pence per annum for all service except "forinsec.")

Apud Westmonasterium, in tres septimanas post festum Sancti Michaelis, anno regni Regis Johannis quinto.

Coram G. filio Petri, Ricardo de Herierd, Eustachio de Fauconberg, Godefrido de Insula, Johanne de Gestlinges, Waltero de Creping, Osberto filio Heruei, Justiciariis, etc.

Inter HILLARIAM filiam HELLIARD, petentem, et WILLELMUM DE BECCO, tenentem.

De quadraginta acris terre, cum pertinenciis, in LIUINGELBURN.<sup>1</sup>

Unde placitum fuit inter eos in prefata Curia, scilicet quod predicta HILLARIA remisit, et quietum clamavit totum jus et clamium suum, quod habuit in predicta terra, cum pertinenciis, predicto WILLELMO et heredibus suis, de se et heredibus suis, in perpetuum.

Et pro hac quieta clamancia et fine et concordia, idem WILLELMUS concessit predictae HILLARIE, sex acras terre et dimidiam, cum pertinenciis, in SUMERFELD, quas prius tenuit de eodem WILLELMO. Tenendas sibi et heredibus suis, de predicto WILLELMO et heredibus suis, in perpetuum; reddendo annuatim

<sup>1</sup> Livingborne, here written Liuingelburn, was the old name for Bekesbourn.



## CXXVIII.—(72 J.)

[27th January ?,<sup>1</sup> 1203-4, 5 Jo.]

(Walter Fitz Thomas, for five marks, quitclaims to Benedict, Abbot of Stratford, and his successors, all right in two hides of land in Lewisham, and warrants the land against all intrusion of any one coming out of the enclosure of the said Walter.)

Apud Westmonasterium, a die Sancti Yllarii, in . . . dies, anno regni Regis Johannis quinto.

Coram G. filio Petri, Ricardo de Herierd, Simone de Pateshill, Eustachio de Fauconberg, Johanne de Gestling, Godefrido de Insula, Osberto filio Heruei, Waltero de Crepping, Justiciaris, etc.

Inter WALTERUM FILIUM THOME, petentem, et BENEDICTUM, ABBATEM DE STRATTFORD, tenentem.

De duabus hidis terre, cum pertinenciis, in LEUESEHAM.

Unde placitum fuit inter eos in prefata Curia, scilicet quod predictus WALTERUS remisit et quietum clamavit predicto ABBATI, et successoribus suis, totum jus et clamium quod habuit in predicta terra, cum pertinenciis, de se et heredibus suis, in perpetuum.

Et pro hac quieta clamancia et fine et concordia, predictus ABBAS dedit predicto WALTERO v marcas argenti.

Et sciendum, quod predictus WALTERUS, et heredes sui, warantizabunt predicto ABBATI, et successoribus suis, totam predictam terram, cum pertinenciis, contra omnes exeuntes ex ceppo<sup>2</sup> ipsius WALTERI.

<sup>1</sup> The form of expression would almost necessarily imply that the obliterated letters are "xv," otherwise it would have been "in octabis," or "in tres septimanas," etc.

<sup>2</sup> "Ceppus," ? enclosure or garden (*κηπος*); it can hardly stand here in its ordinary signification of stocks. This is curious as an early record against "right of way."

## CXXIX.—(73 J.)

[23rd May, 1204, 5 Jo.]

(In a recognizance of Mortdauncestor, Sibilla Fitz Ralph quitclaims to Ralph, Richard, John, Henry, William, Thomas, Peter, Elyas, Geoffrey, and Gilbert, sons of Alard Tundu, and their heirs, all right in ten acres in Eynsford; for which they quitclaim from themselves and their heirs to the said Sibilla and her heirs all right in four shillings rent in the same ville, which the said Sibilla had deraigned against them; they also give her four marks; and be it known that the said Sibilla did not deraign the said four shillings rent against them except by default.)

Apud Westmonasterium, a die Pasche in unum mensem, anno regni Regis Johannis quinto.

Coram G. filio Petri, etc. [ut in No. 128.]

Inter SIBILLAM FILIAM RADULPHI, petentem, et RADULPHUM, et RICARDUM, et JOHANNEM, et HENRICUM, et WILLELMUM, et THOMAM, et PETRUM, et ELYAM, et GAUFRIDUM, et GILEBERTUM, filios ALARDI TUNDU, tenentes, per RADULPHUM et RICARDUM positos loco JOHANNIS, et HENRICI, et WILLELMI, et THOME, et PETRI, et ELYE, et GAUFRIDI, et GILEBERTI, ad lucrandum vel perdendum.

De decem acris terre, cum pertinenciis, in EINESFORD.

Unde recognicio de morte antecessoris summonita fuit inter eos in prefata Curia, scilicet quod predicta SIBILLA remisit et quietum clamavit predictis RADULPHO, et RICARDO, et JOHANNI, et HENRICO, et WILLELMO, et THOME, et PETRO, et ELYE, et GAUFRIDO, et GILEBERTO, et heredibus eorum, totum jus et clamium quod habuit in predicta terra, cum pertinenciis, de se et heredibus suis, in perpetuum.

Et pro hac quieta clamancia et fine et concordia, predicti RADULPHUS, et RICARDUS, et JOHANNES, et HENRICUS, et WILLELMUS, et THOMAS, et PETRUS, et ELYAS, et GAUFRIDUS, et GILEBERTUS, remiserunt et quietum clamaverunt predictae SIBILLE, et heredibus suis, de se et heredibus eorum, in perpetuum, totum jus et clamium quod habuerunt in quatuor solidatis redditus in eadem villa, quas eadem SIBILLA antea disrationavit<sup>1</sup> versus predictos RADULPHUM, et RICARDUM, et JOHANNEM, et HENRICUM,

<sup>1</sup> *Disrationare*—to dereyne, *i. e.* to recover property by proving a right to it. “In our common law,” says Cowell, “it is used diversely, first generally, for ‘to prove,’ as, ‘*Dirationabit jus suum hæres propinquior*’ (Glanvil, lib. ii. cap. 6); and ‘*Habeo probos homines qui hoc viderunt et audierunt, et parati sunt hoc dirationare*,’ (Id. lib. iv. cap. 6); and ‘*Diratio-*



et WILLELMUM, et THOMAM, et PETRUM, et ELYAM, et GAUFRIDUM, et GILEBERTUM, in predicta Curia.

Et preterea, predicti RADULPHUS, et RICARDUS, et JOHANNES, et HENRICUS, et WILHELMUS, et THOMAS, et PETRUS, et ELYAS, et GAUFRIDUS, et GILEBERTUS dederunt predictæ SIBILLE, quatuor marcas argenti.

Et sciendum, quod predicta SIBILLA non disrationavit predictos iij solidos redditus versus predictos RADULPHUM, et RICARDUM, et JOHANNEM, et HENRICUM, et WILLELMUM, et THOMAM, et PETRUM, et ELYAM, et GAUFRIDUM, et GILLEBERTUM, nisi per defaultam.

Alard Tundu =									
Ralph.	Richard.	John.	Henry.	William.	Thomas.	Peter.	Elyas.	Geffrey.	Gilbert.
1204.	1204.	1204.	1204.	1204.	1204.	1204.	1204.	1204.	1204.

CXXX.—(85 J.)

[6th October, 1204, 6 Jo.]

(Jordan de Serres acknowledges forty acres of marsh, in the manor of Chistlet, to be the right of the Abbot of St. Augustine's, Canterbury; for which, and for one hundred shillings, the said Abbot grants the said marsh to the said Jordan and his heirs, to be held of the said Abbot and his successors by the free service of seven shillings and six pence per annum.)

Apud Westmonasterium, in octabis Sancti Michaelis, anno regni Regis Johannis sexto.

Coram G. filio Petri, Ricardo de Herierd, Eustachio de Fauconberg, Johanne de Gestling, Osberto filio Heruei, Waltero de Crepping, Justiciariis, etc.

Inter ROGERUM, ABBATEM DE SANCTO AUGUSTINO DE CANTUARIA, petentem, per Adam, monacum suum, positum loco suo ad lucrandum vel perdendum et JORDANUM DE SERRES, tenentem.

De quadraginta acris marisci, cum pertinenciis, in manerio de CISTELET.<sup>1</sup>

*navit terram illam in curia mea,*' (Id. lib. ii. cap. 20), *i. e.* he proved that land to be his own" (Cowell *in verbo*), in other words, he recovered it by proving his right to it; in which sense the word is used in our text.

<sup>1</sup> *i. e.* Chistlet.

Unde placitum fuit inter eos in prefata Curia, scilicet quod predictus JORDANUS recognovit totum predictum mariscum, cum pertinenciis, esse jus ipsius ABBATIS, et ECCLESIE SANCTI AUGUSTINI DE CANTUARIA.

Et pro hac recognicione et fine et concordia predictus ABBAS concessit eidem JORDANO totum predictum mariscum, cum pertinenciis, tenendum sibi et heredibus suis, de predicto ABBATE et successoribus suis, in perpetuum, per liberum servicium septem solidorum et sex denariorum per annum, pro omni servicio; scilicet, ad Natale, tres solidos et novem denarios, et ad Nativitatem Sancti Johannis Baptiste, tres solidos et novem denarios.

Et pro hac concessione idem JORDANUS dedit predicto ABBATI centum solidos.

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CXXXI.—(87 J.)

[6th October, 1204, 6 Jo.]

(Solomon de Serres acknowledges twenty acres of marsh in the manor of Chistlet to be the right of the Abbot of St. Augustine's, Canterbury; for which, and for sixteen shillings and eight pence, paid by the said Solomon, the said Abbot grants the said marsh to the said Solomon and his heirs, to be held of the said Abbot and his successors for ever, by the free service of fifteen pence per annum.)

Apud Westmonasterium, in octabis Sancti Michaelis, anno regni Regis Johannis sexto.

Coram G. filio Petri, etc. [ut in No. 130.]

Inter ROGERUM, ABBATEM DE SANCTO AUGUSTINO, petentem, per Adam, monacum suum, positum loco suo ad lucrandum vel perdendum, et SALOMONEM DE SERRES, tenentem.

De viginti acris marisci, cum pertinenciis, in manerio de CISTELET.

Unde placitum fuit inter eos in prefata Curia, scilicet quod predictus SALOMON recognovit totum predictum mariscum, cum pertinenciis, esse jus ipsius ABBATIS, et ECCLESIE SANCTI AUGUSTINI DE CANTUARIA.

Et pro hac recognicione et fine et concordia, predictus ABBAS concessit eidem SALOMONI, et heredibus suis, totum predictum mariscum, cum pertinenciis; tenendum de se et successoribus

suis, in perpetuum, per liberum servicium quindecim denariorum per annum, pro omni servicio : scilicet, ad Natale, septem denarios et obolum, et ad Nativitatem Sancti Johannis Baptiste, septem denarios et obolum.

Et pro hac concessione idem SALOMON dedit predicto ABBATI sexdecim solidos et octo denarios.

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CXXXII.—(86 J.)

[6th October, 1204, 6 Jo.]

(Lambinus de Serres acknowledges twenty acres of marsh in the manor of Chistlet to be the right of the Abbot of St. Augustine's, Canterbury ; for which, and for sixteen shillings and eight pence paid by the said Lambinus, the said Abbot grants the said marsh to the said Lambinus and his heirs, to be held of the said Abbot and his successors for ever, by the free service of fifteen pence per annum.)

Apud Westmonasterium, in octabis Sancti Michaelis, anno regni Regis Johannis sexto.

Coram G. filio Petri, etc. [ut in No. 130.]

Inter ROGERUM, ABBATEM DE SANCTO AUGUSTINO DE CANTUARIA, petentem, per Adam, monacum suum positum loco suo ad lucrandum vel perdendum, et LAMBINUM DE SERRES, tenentem.

De viginti acris marisci, cum pertinenciis, in manerio de CISTELET.

Unde placitum fuit inter eos in prefata Curia, scilicet quod predictus LAMBINUS recognovit totum predictum mariscum, cum pertinenciis, esse jus ipsius ABBATIS et ECCLESIE SANCTI AUGUSTINI DE CANTUARIA.

Et pro hac recognicione et fine et concordia, predictus ABBAS concessit eidem LAMBINO et heredibus suis, totum predictum mariscum, cum pertinenciis, tenendum de se et successoribus suis, in perpetuum, per liberum servicium quindecim denariorum per annum, pro omni servicio ; scilicet, ad Natale, septem denarios et obolum, et ad Nativitatem Sancti Johannis Baptiste, septem denarios et obolum.

Et pro hac concessione idem LAMBINUS dedit predicto ABBATI sexdecim solidos et octo denarios.

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## CXXXIII.—(88 J.)

[13th October, 1204, 6 Jo.]

(Solomon de Bosenden acknowledges ten acres in Bosenden to be the right of Ailgar, Abbot of Faversham, and the Church of St. Saviour's, Faversham, and quitclaims them to the said Abbot and his successors for six marks and a half.)

Apud Westmonasterium, a die Sancti Michaelis, in xv dies, anno regni Regis Johannis sexto.

Coram G. filio Petri, etc. [ut in No. 130.]

Inter AILGARUM, ABBATEM DE FAVERESHAM, petentem, per Robertum de Beremundeseia, positum loco ad lucrandum vel pendendum, et SALOMONEM DE BOSENDEN, tenentem.

De decem acris terre, cum pertinenciis, in BOSENDEN.<sup>1</sup>

Unde placitum fuit inter eos in prefata Curia, scilicet quod predictus SALOMON recognovit totam predictam terram, cum pertinenciis, esse jus ipsius ABBATIS et ECCLESIE SANCTI SALVATORIS DE FAVERESHAM, et eam remisit et quietam clamavit predicto ABBATI, et successoribus suis, de se et heredibus suis, in perpetuum.

Et pro hac recognicione et quietam clamancia et fine et concordia, predictus ABBAS dedit predicto SALOMONI sex marcas et dimidiam.

## CXXXIV.—(84 J.)

[13th October, 1204, 6 Jo.]

(Roger de Biricholt acknowledges half a knight's-fee in Bircholt to be the right of John de Biricholt; for which the said John grants half of the said half knight's-fee to the said Roger and his heirs, to be held of him, the said John, and his heirs by the service of one fourth part of a knight's-fee. The capital message remaining to the said John free of liabilities.)

Apud Westmonasterium, a die Sancti Michaelis in xv dies, anno regni Regis Johannis sexto.

Coram G. filio Petri, etc. [ut in No. 130.]

Inter JOHANNEM DE BIRICHOLT, petentem, et ROGERUM DE BIRICHOLT, tenentem.

<sup>1</sup> Bosenden—a manor in Blean, belonging to the Abbot of Faversham.

De feudo dimidii militis, cum pertinenciis, in BIRICHOLT.<sup>1</sup>

Unde placitum fuit inter eos in prefata Curia, scilicet quod predictus ROGERUS recognovit totum predictum feudum dimidii militis, cum pertinenciis, esse jus ipsius JOHANNIS.

Et pro hac recognicione et fine et concordia, predictus JOHANNIS concessit predicto ROGERO, et heredibus suis, medietatem totius predicti feudi dimidii militis, cum pertinenciis, tenendam de se et heredibus suis, in perpetuum, per servicium quarte partis unius militis inde faciendum, pro omni servicio, salvo capitali masagio (*sic*), quod remanet predicto JOHANNI et heredibus suis quietum.

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CXXXV.—(83 J.)

[7th November, 1204, 6 Jo.]

(In a recognizance of "Magna Assisa," John Capel acknowledges the advowson of Preston to be the right of Roger, the Abbot of St. Augustine's, Canterbury, and for eleven marks quitclaims it to the said Abbot and his successors for ever.)

Apud Cantuariam, die dominica proxima post festum Omnium Sanctorum, anno regni Regis Johannis sexto.

Coram ipso domino Rege Johanne,<sup>2</sup> G. filio Petri, Comite Essexie, Simone de Pateshull, Magistro Radulpho de Stok, Justiciariis, etc.

Inter ROGERUM, ABBATEM SANCTI AUGUSTINI, CANTUARIE, penitentem, et JOHANNEM CAPEL, tenentem.

De advocacione Ecclesie de PRESTON.

Unde recognicio Magne Assise summonita fuit inter eos in eadem Curia, scilicet quod predictus JOHANNES recognovit predictam advocacionem esse jus ipsius ABBATIS et ECCLESIE SANCTI AUGUSTINI, et illam remisit, et quietam clamavit de se et heredibus suis, predicto ABBATI, et successoribus suis, et ECCLESIE SANCTI AUGUSTINI, in perpetuum.

Et pro hac recognicione remissione quietam clamancia fine et concordia, predictus ABBAS dedit eidem JOHANNI undecim marcas argenti.

<sup>1</sup> *i.e.* Bircholt, near Smeeth.

<sup>2</sup> The King himself, then, presided in person. By Mr. Hardy's 'Itinerary of King John,' it appears that the King was at Canterbury on this day.

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## CXXXVI.—(82 J.)

[25th November, 1204, 6 Jo.]

(William de Lose acknowledges the whole ville of Loose to be the right of the Prior and Church of St. Trinity, Canterbury; for which the said Prior grants to the said William and his heirs one carucate of land, which the said William before held, in the said ville, except all the pasture of Firht, which remains to the said Prior and Church of Canterbury for ever. The said Prior also grants to the said William and his heirs a mill in the said ville, with its accustomed suit; to be held of the said Prior and his successors in fee farm, by two marks per annum, to be paid to the treasury of St. Trinity, Canterbury, for all service. The said Prior also grants to the said William and his heirs, in fee farm, all the land of Pirefeld<sup>1</sup> which Emma, grandmother of the said William, holds in dower, paying yearly to the said Prior and his successors, at the Court of Farley, eight shillings and four pence for all service, reserving to the said Emma for life, her dower in the said land of Pirefeld; she being present and claiming nothing out of the said land but her dower. For this, the said William quitclaims to the said Prior and his successors all his right in the residue of the said ville of Loose.)

Apud Westmonasterium, a die Sancti Martini in xv dies, anno regni Regis Johannis sexto.

Coram G. filio Petri, Eustachio de Faucunberge, Osberto filio Heruei, Waltero de Creping, Justiciariis, etc.

Inter WILLELMUM DE LOSE, petentem, et GAUFRIDUM, PRIOREM SANCTE TRINITATIS, CANTUARIE, tenentem, per ROGERUM MARESCALLUM, positum loco suo ad lucrandum vel perdendum.

De tota villa de LOSE,<sup>2</sup> cum pertinenciis.

Unde placitum fuit inter eos in prefata Curia, scilicet quod predictus WILLELMUS recognovit totam predictam villam, cum pertinenciis, esse jus ipsius PRIORIS et ECCLESIE SANCTE TRINITATIS, CANTUARIE.

Et pro hac recognicione et fine et concordia, predictus PRIOR concessit eidem WILLELMO, et heredibus suis, unam carucatam terre, cum pertinenciis, in eadem villa, quam idem WILLELMUS prius tenuit, salva tota pastura de FIRHT, que remanet ipsi PRIORI et ECCLESIE DE CANTUARIA, in perpetuum.

Et preterea, idem PRIOR concessit eidem WILLELMO et here-

<sup>1</sup> See Fine LXI., Vol. II., p. 248.

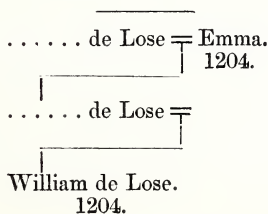
<sup>2</sup> *i. e.* Loose, near Maidstone.

dibus suis unum molendinum, cum pertinentiis, in eadem villa, cum secta consueta, et cum ceteris pertinentiis suis.

Tenenda ad feodi firmam<sup>1</sup> de ipso PRIORE, et successoribus suis, libere et quiete, per duas marcas argenti, reddendas annuatim Thesaurarie SANCTE TRINITATIS CANTUARIE; scilicet ad Pascham unam marcā, et ad festum Sancti Michaelis, unam marcā, pro omni servicio.

Et preterea, idem PRIOR concessit eidem WILLELMO et heredibus suis, totam terram de PIREFELD, ad feodi firmam; scilicet, illam quam EMMA, avia ipsius WILLELMI, tenet in dotem, reddendo inde annuatim eidem PRIORI, et successoribus suis, ad Curiam de FARLEE, octo solidos et quatuor denarios; scilicet, ad Pascham quatuor solidos et duos denarios, et ad festum Sancti Michaelis quatuor solidos et duos denarios, pro omni servicio. Salva, tamen, eidem EMME predicta terra de PIREFELD, tota vita sua, que EMMA presens fuit, et nichil clamat in predicta terra nisi dotem tantum.

Et pro hac concessione, idem WILLELMUS remisit et quietum clamavit eidem PRIORI, et successoribus suis, de se et heredibus suis, in perpetuum, totum jus et clamium quod habuit in residuo totius predictæ ville de LOSE, cum pertinentiis, quam posuerant in clamio suo.



<sup>1</sup> By "fee farm" is meant perpetual ferm or rent. "In ancient times, 'ferm' signified 'rent.' When land or other durable estate was granted to an aggregate body, or to any person or persons having perpetual succession, or to a man and his heirs, it was sometimes granted in 'feudi firma.' This was so called in the bald sense of the word 'feudum' or 'feodum,' to wit, as it denoted a perpetual estate. For, ever since 'feudum,'—'fee,' was by usage in England applied to signify a perpetual estate or inheritance in land, it hath been also used to signify perpetuity in an office, and in a rent or farm. Thus inheritable offices have been called offices in fee, 'Senescalli anglia de feodo,' etc., and perpetual farms, 'fee farms.'"—*Madox: Firma Burgi.*

## CXXXVII.—(90 J.)

[6th October, 1205, 7 Jo.]

(In a recognizance "ultima presentacionis,"<sup>1</sup> Geoffrey de Say quitclaims to Brother Robert Thesaurarius, Prior of the House of the Hospitallers of Jerusalem, and the Brethren serving God there, all right in the advowson of the Church of Burham; for which they admit him to all the good works and prayers of the said hospital for ever.)

Apud Sanctam Brigidam, Londini, in octabis Sancti Michaelis, anno regni Regis Johannis septimo.

Coram G. filio Petri, Eustachio de Faucunberg, Johanne de Gestling, Waltero de Creping, Justiciariis, etc.

Inter GAUFRIDUM DE SAY, petentem, per MATHEUM DE LA CUMBE, positum loco suo ad lucrandum vel perdendum, et fratrem ROBERTUM THESAURARIUM, Priorem domus hospitalis Jerosolimitatem, tenentem, per fratrem ROBERTUM DE WAIE, positum loco suo ad lucrandum vel perdendum.

De advocacione Ecclesie de BURHAM.

Unde recognicio ultime presentacionis summonita fuit inter eos in prefata Curia, scilicet quod predictus GAUFRIDUS remisit et quietum clamavit de se et heredibus suis, predicto PRIORI et successoribus suis, et domui hospitalis Sancti Johannis, et fratribus ibidem Deo servientibus, totum jus et clamium quod habuit in advocacione predicte ecclesie. Et predictus PRIOR et fratres ejusdem loci receperunt eum in singulis beneficiis,<sup>2</sup> et orationibus que fuerint in domo predicti hospitalis in perpetuum.<sup>3</sup>

<sup>1</sup> *i. e.* An inquiry as to who it was that presented to the benefice when last vacant.

<sup>2</sup> "Beneficia,"—"Benefacta,"—used indiscriminately for the supererogatory good works of the brethren, the benefit of which and their prayers they thus agreed to give in return for endowment.

<sup>3</sup> The value of these records is shown by this Fine. The advowson of Burham was recently claimed by the coheirs in gavelkind, but the production of this Fine disproved their right. Geoffrey de Say, the grantor to the Hospitallers, held the manor of Burham *in capite*, by the barony of Maminot, and consequently the custom of gavelkind could not be maintained against the elder son, as sole heir.



## CXXXVIII.—(93 J.)

[27th October, 1205, 7 Jo.]

(In a recognizance of Great Assize, Robert Fitz William quitclaims to Robert de Molendino all right in fifty acres of land in Wickham.)

Apud Sanctam Brigidam, Londini, a die Sancti Michaelis in unum mensem, anno regni Regis Johannis septimo.

Coram G. filio Petri, Simone de Pateshill, Eustachio de Fau-cunberg, Henrico Archidiacono Stafford, Jacobo de Poterne, Ricardo de Mucegros, Johanne de Gestling, Osberto filio Here-uei, Waltero de Creping, Justiciariis, etc.

Inter ROBERTUM FILIUM WILLELMI, petentem, et ROBERTUM DE MOLENDINO, tenentem.

De quadraginta acris terre, cum pertinentiis, in WICHAM.

Unde recognicio Magne Assise summonita fuit inter eos in prefata Curia, scilicet quod predictus ROBERTUS FILIUS WILLELMI remisit et quietum clamavit de se et heredibus suis, predicto ROBERTO DE MOLENDINO, et heredibus suis, in perpetuum, totum jus et clamium quod habuit in predicta terra cum pertinentiis.

Et pro hac quieta clamancia et fine et concordia, predictus ROBERTUS DE MOLENDINO dedit predicto ROBERTO FILIO WILLELMI duodecim marcas argenti.

## CXXXIX.—(94 J.)

[26th October, 1205, 7 Jo.]

(In a recognizance of Mortdauncestor, Alan Fitz Henry and Orabilla his wife, for ten marks, quitclaim to the Prior of Leeds and his successors for ever, all right in one yoke of land in Losenham.)

Apud Sanctam Brigidam, Londini, a die Sancti Michaelis in unum mensem, anno regni Regis Johannis septimo.

Coram G. filio Petri, etc. [ut in No. 138.]

Inter ALANUM FILIUM HENRICI, et ORABILLAM uxorem suam, petentes, per ipsum ALANUM positum loco ipsius ORABILLE ad lucrandum vel perdendum, et FULCONEM, PRIOREM DE LIEDES,



Unde placitum fuit inter eos in prefata Curia, scilicet quod predictus GUNCELINUS recognovit predictam octavam partem feodi unius militis, cum pertinentiis, esse jus predictarum BASILIE et CUSTANCIE, et eam remisit et quietam clamavit de se et heredibus suis, predictis ROGERO et BASILIE, RICARDO et CUSTANCIE, et heredibus ipsarum BASILIE et CUSTANCIE, in perpetuum.

Et pro hac recognicione et quieta clamancia et fine et concordia, predicti ROGERUS et BASILIA, RICARDUS et CUSTANCIA, remiserunt et quietum clamaverunt de se et heredibus ipsius BASILIE et CUSTANCIE, predicto GUNCELINO et heredibus suis in perpetuum, totum jus et clamium quod habuerunt in una octava parte feodi unius militis, cum pertinentiis, quam idem GUNCELINUS antea tenuit; et unde placitum fuit inter eos in comitatu de KENT, per breve de Recto.<sup>1</sup> Et sciendum, quod quilibet eorum tenebit tenementum suum in capite de domino capitali.

Roger Cook = Basilia.  
1205.            1205.

Richard le Cor = Custance.  
1205.            1205.

CXLI.—(91 J.)

[20th January, 1205-6, 7 Jo.]

(In a recognizance of Last Presentation, Stephen de Ponton acknowledges the Church of Liddon to the Abbot and Church of St. Mary of Langdon, and quitclaims it to the foresaid Abbot and his successors for ever. For which the said Abbot and Convent admit him to all the good works and prayers of their said Church of Langdon for ever.)

Apud Westmonasterium, in octabis Sancti Hillarii, anno regni Regis Johannis septimo.

Coram G. filio Petri, Eustachio de Faucunberge, Johanne de

for forty days in every year, if called upon to do so. If he held half a knight's-fee, he was only bound to attend twenty days; and so in proportion. In a note of Sir Roger Twysden's, cited Arch. Cant., Vol. II. p. 313, £20 is assigned as the value of a knight's-fee, and its extent four hides of 160 acres each; the scutage being forty shillings.

<sup>1</sup> For an account of a Writ of Right, see note to Fine CVIII., Arch. Cant., Vol. III. p. 229; see also note to Fine LXXIX., Vol. II. p. 265.

Gestling, Osberto filio Heruei, Waltero de Creping, Justiciariis, etc.

Inter STEPHANUM DE PONTON, petentem, et RICARDUM, ABBATEM DE LANGEDUN, tenentem, per fratrem WALTERUM, Canonicum suum, positum loco suo ad lucrandum vel perdendum.

De Ecclesia de LEDENE.

Unde recognicio ultime presentacionis summonita fuit inter eos in prefata Curia, scilicet quod predictus STEPHANUS recognovit predictam ecclesiam esse jus ipsius ABBATIS et ECCLESIE SANCTE MARIE DE LANGEDUNE, et eam remisit et quietam clamavit de se et heredibus suis, predicto ABBATI et successoribus suis, in perpetuum.

Et pro hac recognicione, et quieta clamancia et fine et concordia, idem ABBAS et CONVENTUS receperunt eum in singulis beneficiis et orationibus que fuerint in ecclesia sua de LANGEDUN, in perpetuum.

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CXLII.—(92 J.)

[16th April, 1206, 7 Jo.]

(William Fitz Amfrid and Walter Fitz Osbert, for five marks paid to each of them by Ailgar, Abbot of Faversham, quitclaim to the said Abbot and his successors for ever, all right in one virgate of land,<sup>1</sup> half a saltwork, and the pasture of one hundred and fifty sheep in Faversham.)

Apud Westmonasterium, in xv dies post Pascham, anno regni Regis Johannis septimo.

Coram G. filio Petri, Eustachio de Faucunberg, Johanne de Gestling, Waltero de Creping, Justiciariis, etc.

Inter WILLELMUM FILIUM AMFRIDI, et WALTERUM FILIUM OSBERTI, petentes, et AILGARUM, ABBATEM de FAVERSHAM, tenentem.

De una virgata terre, et dimidia<sup>1</sup> salina, et de pastura centum et quinquaginta ovium cum pertinentiis, in FAUERESHAM.

Unde placitum fuit inter eos in prefata Curia, scilicet quod

<sup>1</sup> There being no punctuation in the original, it is doubtful whether this should not be read thus—"De una virgata terre et dimidia, salina," etc., *i. e.* "one virgate and a half of land, a saltwork," etc.

predicti WILLELMUS et WALTERUS remiserunt et quietum clamaverunt de se et heredibus eorum, predicto ABBATI et successoribus suis, in perpetuum, totum jus et clamium quod habuerunt in predicta terra et salina et pastura, cum pertinentiis.

Et pro hac quieta clamancia et fine et concordia, idem ABBAS dedit predicto WILLELMO quinque marcas, et predicto WALTERO quinque marcas.

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CXLIII.—(118 J.)

[15th May, 1206,<sup>1</sup> 8 Jo.]

(Emma Fitz Aluered, for fifteen shillings, quitclaims to James de Reneham all right in ten acres of land in Rainham.)

Apud Wintoniam, xv die Maii, anno regni Regis Johannis octavo.

Coram Simone de Pateshull, H. Archidiacono Stafford, Jacobo de Poterna, Richardo Muschegros, Justiciariis, etc.

Inter EMMAM FILIAM ALUEREDI, petentem, per HENRICUM FILIUM JOHANNIS, positum loco suo ad lucrandum vel perdendum, et JACOBUM DE RENEHAM, tenentem.

De x acris terre, cum pertinentiis, in RENEHAM.

Unde placitum fuit inter eos in prefata Curia, scilicet quod predicta EMMA remisit et quietum clamavit, de se et heredibus

<sup>1</sup> John's reign being dated from Ascension Day to Ascension Day, the date of this Fine may be either 15th May, 1206, or 15th May, 1207; because, from Ascension Day, 1206, *i. e.* 11th May, to Ascension Day, 1207, *i. e.* 30th May, was the 8th year of John's reign, consequently 15th May, 1206, and 15th May, 1207, both fall within the said 8th year.

8 Jo. = 11th May, 1206, to 30th May, 1207.

By the Itinerary of John, it appears that the King was at Winchester, 14th May, 1206, and that on 14th May, 1207, he was at Woodstock, and consequently could not well have been at Winchester on the following day, the 15th. These facts decide the point, that the date of this Fine is certainly 15th May, 1206; for, though it does not state positively that it was "coram ipso domino Rege," yet, the King being at Winchester on the 14th, and the judges holding court there on the 15th, it is probable that they had followed the King to Winchester, though on this day he was not present in court, probably gone to Cranbourne Chase; for he was at Cranbourne on the 16th, according to the Itinerary.

suis, predicto JACOBO et heredibus suis, totum jus suum et clamium quod habuit in predicta terra, cum pertinentiis, in perpetuum.

Et pro hac remissione, quieta clamancia et fine et concordia, predictus JACOBUS dedit predictæ EMME xv solidos esterlingorum.

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CXLIV.—(119 J.)

[1st July, 1206, 8 Jo.]

(In a plea of Warranty of Charter, Thomas Escotland, for five marks, acknowledges sixty acres of land in Farningham to Stephen, the Clerk of Chelsfield, to hold to him and his heirs, of the said Thomas and his heirs, for ever, by the service of the twentieth part of a knight's-fee, for all service.)

Apud Westmonasterium, in octavis Sancti Johannis Baptiste, anno regni Regis Johannis octavo.

Coram G. filio Petri, Simone de Pateshulle, Eustachio de Faucunberge, Waltero de Cresping, Justiciariis, etc.

Inter STEPHANUM, clericum de CHELEFELD, et THOMAM ESCOTLAND.

De sexaginta acris terre, cum pertinentiis, in FRENINGHAM.

Unde placitum Warantie Carte<sup>1</sup> summonitum fuit inter eos in prefata Curia, scilicet quod predictus THOMAS recognovit predictas sexaginta acras terre, cum pertinentiis, esse jus ipsius STEPHANI, tenendum sibi et heredibus suis de predicto THOMA et heredibus suis, in perpetuum, per servicium vicesime quinte partis feodi unius militis inde faciendum pro omni servicio.

Et pro hac recognicione et fine et concordia, idem STEPHANUS dedit predicto THOME quinque marcas argenti.

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<sup>1</sup> "Warantia Carte," see note No. LXV., Vol. II. p. 252.

## CXLV.—(108 J.)

[15th September, 1206, 8 Jo.]

(In a recognizance of Mortdauncestor, Elyas Clericus acknowledges a message in Eynsford to Sibilla Fitz Ralph; for which, and for five shillings, the said Sibilla grants the said message to the said Elyas, to hold to him and his heirs, of the said Sibilla and her heirs for ever, by the free service of nineteen pence per annum, payable in even portions at four specified feast days, for all service thereto pertaining. The said Elyas and his heirs to acquit the said message of all services due from it to the chief lord.)

Apud Cantuariam, in crastino Exaltacionis Sancte Crucis, anno regni Regis Johannis octavo.

Coram Willelmo de Wrotham, Archidiacono Tainton, Reginaldo de Cornhull, Johanne de Gestling, Rogero de Huntingefeld, Justiciariis Itinerantibus, etc.

Inter SIBILLAM FILIAM RADULFI, petentem, et ELYAM clericum, tenentem.

De uno mesagio, cum pertinentiis, in EINESFORD.

Unde recognicio de morte antecessoris summonita fuit inter eos in prefata Curia, scilicet quod predictus ELYAS recognovit predictum mesagium, cum pertinenciis, esse jus ipsius SIBILLE.

Et pro hac recognicione et fine et concordia, predicta SIBILLA concessit eidem ELYE totum predictum mesuagium cum pertinenciis, tenendum sibi et heredibus suis, de ipsa SIBILLA et heredibus suis, in perpetuum, per liberum servicium decem et novem denariorum per annum, reddendorum ad quatuor terminos anni, scilicet, ad festum Sancti Michaelis, quinque denarios uno quadrante minus, ad Natale totidem, et ad Pascham totidem, et ad Nativitatem Sancti Johannis Baptiste totidem, pro omni servicio ad eam pertinente.

Et predictus ELYAS, et heredes sui, aquietabunt totum predictum mesuagium, cum pertinenciis, versus Capitales dominos feodi illius, de omnibus serviciis que ad mesuagium illud pertinent.

Et pro hac concessione, idem ELYAS dedit predicte SIBILLE quinque solidos.





## CXLVII.—(115 J.)

[15th September, 1206, 8 Jo.]

(In a plea of Warranty of Charter, William de Alding and Avicia his wife, for ten marks, acknowledge forty acres in Livingesborn to William de Becco, and quitclaim them to him and his heirs for ever.)

Apud Cantuariam, in crastino Sancte Crucis, anno regni Regis Johannis octavo.

Coram Willelmo de Wrotham, etc. [ut in No. 145.]

Inter WILLELMUM DE BECCO, et WILLELMUM DE ALDING et AVICIAM uxorem suam.

De quadraginta acris terre, cum pertinentiis, in LIUNGEBURN.

Unde placitum Warantie Carte summonitum fuit inter eos in prefata Curia, scilicet quod predicti WILLELMUS et AVICIA recognoverunt totam predictam terram, cum pertinentiis, esse jus ipsius WILLELMI; et eam remiserunt et quietam clamaverunt de se et heredibus ipsius AVICIE, eidem WILLELMO et heredibus suis, in perpetuum.

Et pro hac recognicione et quieta clamancia et fine et concordia, idem WILLELMUS dedit predictis WILLELMO et AVICIE decem marcas argenti.

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William de Alding = Avicia.
1206.                      1206.

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## CXLVIII.—(103 J.)

[15th September, 1206, 8 Jo.]

(Benedict Brunstun grants to Aldina,<sup>1</sup> widow of Arnulf Fitz Robert, for her dower for life, six acres out of the ten which she claims as her reasonable dower from her said husband's freehold in Westfeld, in Gillingham, to the west of the road; for which grant, she releases to the said Benedict all claim for dower against him and his heirs for ever.)

Apud Cantuariam, in crastino Exaltacionis Sancte Crucis, anno regni Regis Johannis octavo.

<sup>1</sup> ? Aldiua, or Aldiva.

Coram Willelmo de Wrotham, etc. [ut in No. 145.]

Inter ALDINAM, viduam, petentem, et BENEDICTUM de BRUNSTUN, tenentem.

De decem acris terre, cum pertinentiis, in GILLINGEHAM, quas ipsa clamat esse rationabilem dotem suam, de libero tenemento quod fuit ARNULFI FILII ROBERTI, quondam viri sui, in eadem villa.

Unde placitum fuit inter eos in prefata Curia, scilicet quod predictus BENEDICTUS concessit eidem ALDINE sex acras terre de predicta terra que jacet in WESTFELD, versus occidentem de Chemino, habendas et tenendas eidem ALDINE tota vita sua, nomine dotis.

Et pro hac concessione et fine et concordia, predicta ALDINA remisit et quietum clamavit eidem BENEDICTO et heredibus suis, in perpetuum, totum jus et clamium quod habuit versus eum nomine dotis.

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Arnulph Fitz Robert = Aldina.  
Dead 1206. 1206.

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CXLIX.—(102 J.)

[15th September, 1206, 8 Jo.]

(Robert, Jordan, and Ivo, sons of Ralph, quitclaim to William de Aketon, sixty acres in Charing. If the said William die without heir of his body, the remainder to be to his next eldest brother.)

Apud Cantuariam, in crastino Exaltacionis Sancte Crucis, anno regni Regis Johannis octavo.

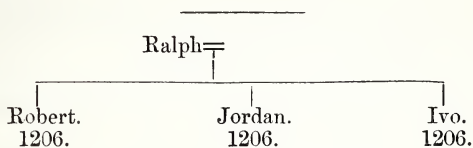
Coram Willelmo de Wrotham, etc. [ut in No. 145.]

Inter WILLELMUM DE AKETON, petentem, et ROBERTUM et JORDANUM et IVONEM FILIOS RADULPHI, tenentes.

De sexaginta acris terre, cum pertinenciis, in CHERRING.

Unde placitum fuit inter eos in prefata Curia, scilicet quod predicti ROBERTUS et JORDANUS et IVO recognoverunt totam predictam terram, cum pertinenciis, esse jus ipsius WILLELMI, et eam remiserunt et quietam clamaverunt eidem WILLELMO, et

heredibus suis, in perpetuum. Ita, tamen, quod si predictus WILLELMUS decesserit sine herede de corpore suo genito, tota predicta terra integre revertetur fratri suo primogenito post ipsum, heredibus suis primogenitis, quicumque fuerit frater ejus primogenitus.<sup>1</sup>



CL.—(104 J.)

[15th September, 1206, 8 Jo.]

(In a plea of Warranty of Charter, Roger de Bramfeld, for five marks, acknowledges to Warin de Burnes one fourth part of a knight's-fee in Ore, and quitclaims it to him and his heirs for ever.)

Apud Cantuariam, in crastino Exaltacionis Sancte Crucis, anno regni Regis Johannis octavo.

Coram Willelmo de Wrotham, etc. [ut in No. 145.]

Inter WARINUM DE BURNES et ROGERUM DE BRAMFELD.

De quarta parte feodi unius militis, cum pertinentiis, in ORE.

Unde placitum Warantie Carte, summonita fuit inter eos in prefata Curia, scilicet quod predictus ROGERUS recognovit predictam quartam partem feodi unius militis, cum pertinentiis, esse jus ipsius WARINI, et eam remisit et quietam clamavit, de se et heredibus suis, eidem WARINO et heredibus suis, in perpetuum.

Et pro hac recognicione et quietam clamancia et fine et concordia, idem WARINUS dedit predicto ROGERO quinque marcas argenti.

<sup>1</sup> This passage has been much bleared and corrected in the original; we have given it as correctly as we could decipher it.

## CLI.—(100 J.)

[15th September, 1206, 8 Jo.]

(In a plea of Warranty of Charter, Gunilda de Bramfeld, for five marks, acknowledges to Warin de Burnes one fourth part of a knight's-fee in Ore, and quitclaims it to him and his heirs for ever.)

Apud Cantuariam, in crastino Exaltacionis Sancte Crucis, anno regni Regis Johannis octavo.

Coram Willelmo de Wrotham, etc. [ut in No. 145.]

Inter WARINUM DE BURNES et GUNILDAM DE BRAMFELD.

De quarta parte feodi unius militis, cum pertinentiis, in ORE.

Unde placitum Warantie Carte summonitum fuit inter eos in prefata Curia, scilicet quod predicta GUNILDA recognovit predictam quartam partem feodi unius militis, cum pertinentiis, esse jus ipsius WARINI, et eam remisit et quietam clamavit de se et heredibus suis, eidem WARINO et heredibus suis, in perpetuum.

Et pro hac recognicione et quieta clamancia et fine et concordia, idem WARINUS dedit predicte GUNILDE quinque marcas argenti.

## CLII.—(95 J.)

[15th September, 1206, 8 Jo.]

(Martin de Fengesham and Agnes his wife, for five shillings, acknowledge to Anselm de Norburn four virgates and a half of land in Finglesham, lying between the houses of Walter de Uppedun and Osbert Fitz Eilric; also, all the service of Henry de Fengesham out of four acres which he holds in the same ville, viz. five shillings, less one halfpenny, and three hens and one cock; to have to hold to the said Anselm and his heirs, of the said Martin and Agnes, and the heirs of the said Agnes, for ever, by the free service of six pence per annum. Henry de Fengesham is present, and acknowledges that he owes the services.)

Apud Cantuariam, in crastino Exaltacionis Sancte Crucis, anno regni Regis Johannis octavo.

Coram Willelmo de Wrotham, etc. [ut in No. 145.]



## CLIII.—(99 J.)

[19th September, 1206, 8 Jo.]

(In a recognizance of Mortdauncestor, Aluina de Strodes, for four shillings, grants to Martin T . . . . and his heirs, half an acre of land in Strood, to hold of her and her heirs, by one penny per annum for all service.)

Apud Cantuariam, die Martis proxima ante festum Sancti Mathei Apostoli, anno regni Regis Johannis octavo.

Coram Willelmo de Wrotham, etc. [ut in No. 145.]

Inter ALUINAM DE STRODES, petentem, et MARTINUM T . . . . , tenentem.

De dimidia acra terre, cum pertinentiis, in STRODES.

Unde recognicio de morte antecessoris summonita fuit . . . . . eos in prefata Curia, scilicet quod predictus MARTINUS recognovit predictam terram cum pertinentiis esse jus ipsius ALUINE. Et pro hac recognicione predicta ALUINA concessit totam predictam terram, cum pertinentiis, predicto MARTINO, habendam et tenendam, sibi et heredibus suis, de se et heredibus suis, in perpetuum; reddendo inde per annum j denarium pro omni servicio, scilicet ad festum Sancti Michaelis.

Et pro hac concessione et fine et concordia, predictus MARTINUS dedit predicte ALUINE iiij solidos.

## CLIV.—(114 J.)

[13th October, 1206, 8 Jo.]

(This is a grant of land in fee and perpetual alms, in the form of a fictitious suit,—a recognizance whether one acre and one perch in Egerton was the lay fee of Robert de Marti [? Marci], or belonging in Frankalmoigne to the Church of St. Mary, Egerton; the said Robert acknowledges the said land to the said Church of Egerton, and quitclaims it to the said Church, from himself and his heirs for ever. For which, John de Tinemue, Parson of the said Church, grants the said Robert a participation in the good works of the said Church.)

Apud Westmonasterium, in xv dies post festum Sancti Michaelis, anno regni Regis Johannis octavo.

Coram Willelmo de Wrotham, etc. [ut in No. 145.]

Inter ROBERTUM DE MARTI,<sup>1</sup> petentem, et Magistrum JOHANNEM DE TINEMUE, parsonam ecclesie Sancte Marie de EDIARDINTON, tenentem.

De una acra et una perticata terre, cum pertinentiis, in EDIARDINTON.

Unde recognicio summonita fuit inter eos in prefata Curia, utrum predicta acra et perticata terre, cum pertinentiis, esset laicum et liberum feodum ipsius ROBERTI, an libera elemosina<sup>2</sup> pertinens ad ecclesiam Sancte Marie de EDIARDINTON, scilicet quod predictus ROBERTUS recognovit totam predictam terram, cum pertinentiis, esse jus predictae ecclesie de EDIARDINTON, et

<sup>1</sup> ? De Marci.

<sup>2</sup> “ ‘Libera elemosina,’—‘Frankalmoign,’—is a tenure whereby a religious corporation, aggregate or sole, holdeth lands of the donor to them and their successors for ever. The service which they were bound to render for these lands was not certainly defined: but only in general to pray for the souls of the donor and his heirs, dead or alive; and therefore they did no fealty (which is incident to all other services but this), because this divine service was of a higher and more exalted nature. This is the tenure by which almost all the ancient monasteries and religious houses held their lands, and by which the parochial clergy and very many ecclesiastical and eleemosynary foundations hold them at this day; the nature of the service being upon the Reformation altered, and made conformable to the purer doctrines of the Church of England. It was an old Saxon tenure, and continued under the Norman revolution, through the great respect that was shown to religion and religious men in ancient times. Which is also the reason that tenants in *frankalmoign* were discharged of all other services, except the *trinoda necessitas*, of repairing the highways, building castles, and repelling invasions: just as the Druids, among the ancient Britons, had *omnium rerum immunitatem*. And, even at present, this is a tenure of a nature very distinct from all others; being not in the least feudal, but merely spiritual. For if the service be neglected, the law gives no remedy by distress or otherwise to the lord of whom the lands are holden; but merely a complaint to the ordinary or visitor to correct it. Wherein it materially differs from what was called *tenure by divine service*: in which the tenants were obliged to do some special divine services in certain; as to sing so many masses, to distribute such a sum in alms, and the like; which, being expressly defined and prescribed, could with no kind of propriety be called *free alms*; especially as for this, if unperformed, the lord might distrein, without any complaint to the visitor. All such donations are indeed now out of use: for since the statute of *quia emptores*, 18 Edw. I., none but the King can give lands to be holden by this tenure. So that I only mention them, because *frankalmoign* is excepted by the name in statute of Charles II., and therefore subsists in many instances at this day.” (Blackstone.)

eam remisit et quietam clamavit, de se et heredibus suis, predicte ecclesie de EDIARDINTON, in perpetuum.

Et pro hac quieta clamancia et fine et concordia, idem JOHANNES concessit eidem ROBERTO partem omnium bonorum que fient in predicta ecclesia, in perpetuum.

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CLV.—(98 J.)

[13th October (?),<sup>1</sup> 1206, 8 Jo.]

(In a recognizance of Mortdauncestor, Roger Wildehog and Aluena his wife acknowledge to Jordan de Genesfeld thirty-two acres in Eshore, to him and his heirs, to hold of the said Roger and Aluena, and the heirs of the said Aluena, by the free service of four pence per annum for all service; the said Jordan to acquit the said land of the chief lord's claims; the said Alan and his heirs to hold of the said Jordan and his heirs the four acres of the said land which he before held, doing the proportionate service therefrom.)

Apud Westmonasterium, in xv . . . regni Regis Johannis octavo.

Coram Willelmo de Wrotham, etc. [ut No. 145.]

Inter ROGERUM WILDEHOG et ALUENAM uxorem suam, petentes, et JORDANUM DE GENESFELD, et ALMARUM MERCATOREM, tenentes.

De triginta duabus acris terre, cum pertinentiis, in ESHORE.

Unde recognicio de morte antecessoris summonita fuit inter eos in prefata Curia, scilicet quod predicti ROGERUS et ALUENA recognoverunt totam predictam terram, cum pertinentiis, esse jus ipsius JORDANI, tenendum sibi et heredibus suis de ipsis ROGERO et ALUENA, et heredibus ipsius ALUENE, in perpetuum, per liberum servicium quatuor denariorum per annum, reddendorum ad festum Sancti Petri ad vincula, pro omni servicio ad eos pertinente. Et idem JORDANUS et heredes sui aquietabunt totam predictam terram, cum pertinentiis, versus Capitales dominos feodi illius de omnibus serviciis que ad terram illam pertinent.

Et sciendum, quod predictus ALMARUS et heredes sui tene-

<sup>1</sup> The feast day is gone;—we supply it conjecturally from the judges who were sitting when the Fine was passed.



bunt de ipso JORDANO et heredibus suis, quatuor acras terre de predicta terra, scilicet illas quatuor quas antea tenuit, faciendo inde servicium quod ad tantam terram pertinet.

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Roger Wildehog = Aluena.  
1206.                      1206.

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CLVI.—(109 J.)

[13th October, 1206, 8 Jo.]

(In a recognizance of Mortdauncestor, Simon Fitz Richard quitclaims to Crispin Fitz Geoffrey forty acres of land in Tatlingbury, for which the said Crispin grants to the said Simon thirty acres of land in Brenchley, viz. all that he had in that ville, without any reserve, to him and his heirs, to hold of the said Crispin and his heirs, by the free service of half a pound of pepper for all service.)

Apud Westmonasterium, in xv dies post festum Sancti Michaelis, anno regni Regis Johannis octavo.

Coram Willelmo de Wrotham, etc. [ut in No. 145.]

Inter SIMONEM FILIUM RICARDI, petentem, et CRISPINUM FILIUM GAUFRIDI, tenentem.

De quadraginta acris terre, cum pertinentiis, in TETLINGEBIR.<sup>1</sup>

Unde recognicio de morte antecessoris summonita fuit inter eos in prefata Curia, scilicet quod predictus SIMON remisit et quietum clamavit de se et heredibus suis, eidem CRISPINO et heredibus suis, in perpetuum, totum jus et clamium quod habuit in predicta terra, cum pertinenciis.

Et pro hac quieta clamancia et fine et concordia, idem CRISPINUS dedit et concessit eidem SIMONI, triginta acras terre, cum pertinentiis, in BRENCHESLE;<sup>2</sup> scilicet totam terram quam habuit in eadem villa, integre, absque omni retenemento, habendum et tenendum eidem SIMONI et heredibus suis de ipso CRISPINO et heredibus suis, in perpetuum, per liberum servicium dimidie libre piperis, reddende ad Natale, pro omni servicio.

<sup>1</sup> *i.e.* Tatlingbury, a manor in Tudely.

<sup>2</sup> *i.e.* Brenchley.

## CLVII.—(96 J.)

[20th October, 1206, 8 Jo.]

(In a plea of Warranty of Charter, Simon, son of Nicholas de Selling, acknowledges to his brother, Ralph de Selling, lands in Faversham and Selling; to him and his heirs, to hold of the said Simon and his heirs, paying the said Simon sixty shillings per annum for all service, as long as Hawise, their mother, shall live; and after her death, the said Ralph and his heirs shall pay the said Simon and his heirs one hundred shillings per annum for all service, instead of the sixty shillings.)

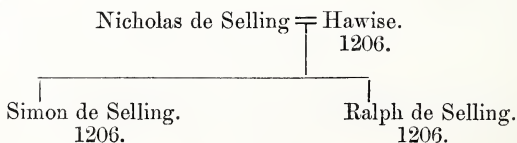
Apud Westmonasterium, in tres septimanas post festum Sancti Michaelis, anno regni Regis Johannis octavo.

Coram G. filio Petri, Simone de Pateshulle, Eustachio de Faucunberge, Henrico Archidiacono Stafford, Johanne de Gestling, Jacobo de Poterne, Waltero de Cresping, Justiciariis, etc.

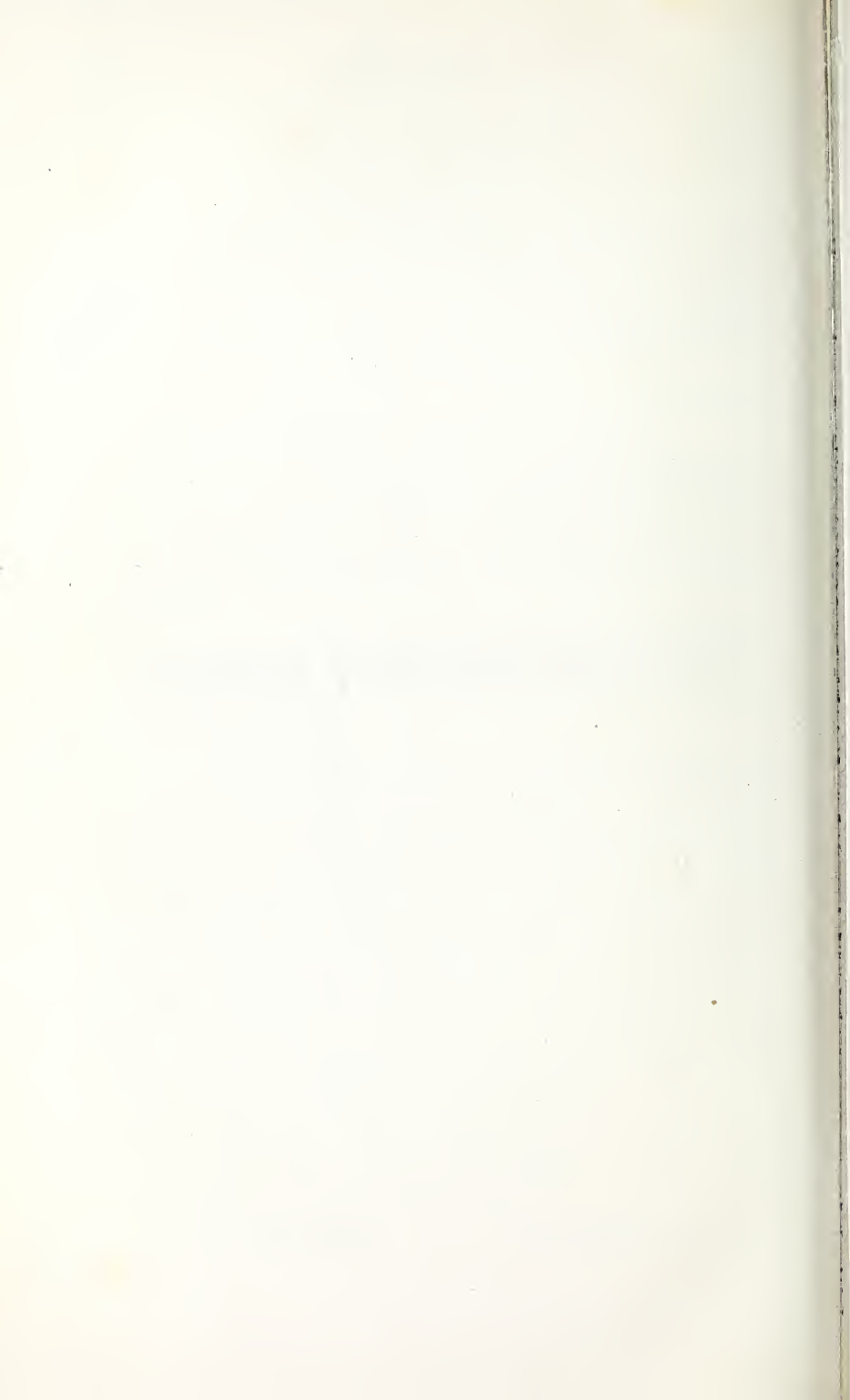
Inter RADULPHUM DE SELLING, et SIMONEM FILIUM NICHOLAI DE SELLING.

De v . . . . . a virgata et una acra terre, et uno mesuagio, cum pertinentiis, in FAUERESHAM, et una virgata terre . . . . . pertinentiis in SELLING, et de tribus jugis terre, et una virgata, cum pertinenciis, in S . . . . .

. . . . . placitum Warant . . Carte, summonitum fuit inter eos in prefata Curia; scilicet, . . . . . tota p . . . . . et mesuagium, cum pertinenciis, esse jus ipsius RADULPHI, tenenda sibi et . . . . . SIMONE . . . . . suis, in perpetuum. Reddendo inde eidem SIMONI, sexaginta solidos esterlingorum per annum, quæm diu . . . . . ter predictorum RADULPHI et SIMONIS vixerit, scilicet, ad duos terminos anni infra octabas Sancti Michaelis, triginta solidos, et infra octabas Pasche, triginta solidos, pro omni servicio. Et post decessum ipsius HAWISIE, reddet predictus RADULPHUS, et heredes sui, eidem SIMONI, et heredibus suis, centum solidos pro omni servicio, ad predictos terminos, unde antea non solebat reddere nisi sexaginta solidos.



INQUISITIONES POST MORTEM.



## XXXVII.

[Esc. No. 34 b, 47 Hen. III., 1263.]

*An extent of the manors, lands, etc., of the late RICHARD DE CLARE, EARL OF GLOUCESTER, made in obedience to the King's mandate to the guardians of the HONOUR OF CLARE.*<sup>133</sup>

Extent<sup>134</sup> of the manor of ELTHAM, in the county of Kent, made by precept of our Lord the King, on the death of RICHARD DE CLARE, formerly EARL OF GLOUCESTER AND HERTFORD, before William de Axemuth and William de Horsenden, thereto assigned. By the oath of the underwritten, viz. :—

Ralph le Lung,—Nigell Fitz-Walter,—John Neel,—William Fitz-Hugh,—Thomas Koc,—Richard at the Cross,<sup>135</sup>—Robert Payn,—Martin Horloc,—Thomas Brodeye,—Richard Fitz-Matilda,—Adam le Newecherl,—and Richard Roger.

Who say on their oath, that in demesne there are 206 acres of arable land, of which 111 acres are worth 4*d.* per acre, and sixty-five acres 3*d.* per acre, and thirty acres 2½*d.* per acre; and the amount is 59*s.* 6*d.* And they say, that there are there two acres of meadow, worth 3*s.* per acre; and the amount is 6*s.* The pasture thereof, after the hay is carried, is extended<sup>134</sup> at 4*d.* And they say, that there are there thirteen acres of pasture, and they are extended at 4*s.* 6*d.* The Court Lodge<sup>136</sup> [*curia*], and the pasture of the Court Lodge [*curia*],<sup>136</sup> and of a certain lane towards the Church, are extended at 2*s.* And there is there a certain enclosed wood containing 200 acres, and the pasture thereof is extended at 20*s.* The pannage thereof is extended at half a mark. And they say that the sale of underwood is worth 57*s.* per annum. The rent of the Free Holders is extended at 24*s.* 9*d.*<sup>137</sup> And they say that in Villenage<sup>138</sup> there are twenty-eight and a half virgates of land, and the fourth part of a virgate, and half an acre; and the virgate<sup>139</sup> contains seven acres and a half; and the rent thereof is 71*s.* and 8½*d.* And they say, that the rent of the Cotters<sup>140</sup> is 6*s.* 7¼*d.* The rent of certain tenants, who are called Ploemen,<sup>141</sup> is extended at 3*s.* 5*d.* And they say, that there are there 245¾ acres which are let to the Villains<sup>137</sup> of the new land,<sup>142</sup> at the Lord's will; and the rent thereof is four pounds and twenty-three pence, at 4*d.* per acre.

The Works of the Villains are extended at 30s. 1*d.* And they say that the assised Aid of the Villains is 18s. 11*d.* per annum. The View of Franc Pledge<sup>143</sup> is extended at 10s., and the Pleas and Perquisites of Court at 10s.<sup>144</sup>

And the amount is £20. 13s. 4 $\frac{3}{4}$ *d.*

Extent of the manor of YALDING,<sup>145</sup> in the county of Kent, made by precept of our Lord the King, on the death of RICHARD DE CLARE, formerly EARL OF GLOUCESTER AND HERTFORD, before William de Axemuth, and William de Horsendenn, thereto assigned. By the oath of the underwritten, viz. :—

Quintin de Elding,—William de Horshurst,—Henry de Crou-sor<sup>?</sup>,—Roger the Reeve,—Thomas Partrich,—Daniel at the Mill,<sup>146</sup>—Ralph Turgis,—Walter Daniel,—William de la Done, John de Lodelesworth,—Roger le Bedel,—and Jordan the Tailor.<sup>147</sup>

Who say upon their oath, that in demesne there are two acres of marl land [*terre marlace*], and they are extended at 2s. And, in another part, twenty-nine acres and three-quarters, worth 8*d.* per acre; and the amount is 19s. 9*d.* [*sic*]. And in another part four score and eleven acres and three quarters, worth per acre 6*d.*; and the amount is 45s. 10 $\frac{1}{2}$ *d.* And in another part, forty acres, worth per acre 5*d.*; and the amount is 16s. 8*d.* And, in another part, eleven acres, worth per acre 4 $\frac{1}{2}$ *d.*; and the amount is 4s. 1 $\frac{1}{2}$ *d.*

Item,—There are there fifty acres and a half, worth per acre 4*d.*; and the amount is 18s. 10*d.* And, in another part, forty-nine acres, worth per acre 3*d.*; and the amount is 12s. 3*d.* And, in another part, fifty-three acres and half a rood, worth per acre 2 $\frac{1}{2}$ *d.*; and the amount is 11s. 0 $\frac{3}{4}$ *d.* And there are there six acres and two perches of meadow for mowing, worth per acre 14*d.*; and the amount is 8s. 2*d.* And in another part there are thirteen acres and four perches, worth 12*d.* per acre; and the amount is 13s. 2*d.* And in another part there are twenty-eight acres and one quarter, worth 10*d.* per acre; and the amount is 23s. 6*d.* And in another part there are six acres and a half, and one rood and a half, worth per acre 8*d.*; and the amount is 4s. 7*d.*

And there is there a certain Ham<sup>148</sup> of meadow, and it is extended at 15*d.* And there are there four score and eleven

acres and a half, and one rood of pasture not mown, and they are extended at 43s. 7d. And eighteen acres of wood, and the pannage thereof, with the herbage, is extended at half a mark. The Court Lodge [*curia*], with the gardens, contains seven acres; and the produce [*fructus*] thereof, with the herbage, is extended at two marks. There is there a certain dovecote, which is extended at 2s. And the pasture of horses, oxen, cows, and sheep<sup>149</sup> on the demesne is extended at 64s. 7d. And there are there three water mills, and they are extended at £9. 4s. And there is there a certain fishery over the pool [*stagnum*], and it is extended at 4s. And there is a tenant's rent of £20. 8s. 9½d. The works and customs of the same, which they ought to do over and above their rent, are extended at 58s. 6½d. The aid of St. Andrew<sup>150</sup> is extended at 74s. The license to marry,<sup>151</sup> with average,<sup>152</sup> and the carriage of writs,<sup>153</sup> is extended at 12s. The rent of hens and eggs is extended at 7s. 8d. And the great Bind-day,<sup>154</sup> in autumn, is extended at 12s. 6d. And there is there a certain market which is called Brenchelse,<sup>155</sup> and the assised rent thereof is 21s. 9½d. The stallages and shops are extended at 24s. The pleas and perquisites of court are extended at £6. The Prior of Tunbridge has the church of this manor to his own uses.

And the amount is £62. 12s. 0¼d.

Extent of the manorett<sup>156</sup> of LOKESDALE, in the county of Kent, made by precept of our Lord the King, on the death of RICHARD DE CLARE, formerly EARL OF GLOUCESTER AND HERTFORD, before William de Axemuth and William de Horsenden, thereto assigned. By the oath of the underwritten, viz. :—

Ralph de Garewinthon,—Luke de Hecham,—Roger de Greinfeld,—Philip de la Bruere,—Henry le Noble,—William Paie,—Gilbert de Donham,—Henry de Donham,—Henry le Moyne,—Richard de Alspade,—John de Wingate,—and Robert le Mouer.

Who say, upon their oath, that there are there in demesne, in one part, forty-eight acres and a half of arable land, worth 2s. per acre; and the amount is £4. 17s. And in another part there are forty-three acres and a half, worth 18d. per acre; and the amount is 65s. 3d.

And there is there, one acre and a half of pasture, and it is extended at 18d.

And there are there, five acres and a half of meadow for mowing, and it is poor [*debile*], worth 18*d.* per acre; and the amount is 8*s.* 3*d.* And the rent of the free holders is 8½*d.* And there is a certain well-built Court Lodge [*curia*] there, and the produce [*fructus*] of the garden, with the herbage, is extended at 3*d.* And the Earl bought that land of Ranulph London. And he renders from it 11*s.* 1*d.* per annum.

And the amount, in clear, is £8. 1*s.* 10½*d.*

Inquisition taken by precept of our Lord the King, on the death of RICHARD DE CLARE, formerly EARL OF GLOUCESTER AND HERTFORD, in the county of Kent, before William de Axemuth, and William de Horsenden, thereto assigned, by the oath of the underwritten, as to what lands, what tenements, how many Views of Frank Pledge, and how much Rent, the said Earl had in the foresaid county, with the knight's-fees, and advowsons of churches, and their value, viz. by the oath of—

Robert de Hardres,—Walter de Letton,<sup>157</sup>—Fulco de Sserstede,—Ralph de Diton,—John le Hore,—John Potin,—John de Selling,—Richard de Suanton,—Thomas de Chiche,—John de Hardres,—William de la Kerston,—Richard [*sic*] de Haulo,—and William Stupesdon.<sup>158</sup>

Who say upon their oath, that the Earl had in the foresaid county,—Of J. DE KIRIOL, one mark of rent; and of HOLEFORD, 2*s.* 1*d.*; and of HAMO DE VIELESTON, one esperver,<sup>159</sup> or 2*s.*; and of the PRIOR OF TONBRIDGE, 1*d.*

And they say that he had of View,<sup>143</sup> from the ville of HARDRES, 4*s.*; from NATINDON, 2*s.*; from BLEN, 4*s.*; from TREMEWORTH,<sup>160</sup> half a mark; from SELDWICH, 2*s.*; from DITTON and SLIFTON,<sup>161</sup> 4*s.*; from NETLESTEDE, 4*s.*; from CHEKESOL,<sup>162</sup> 4*s.*; from MEREWORTH, half a mark; from DODEHURST<sup>163</sup> and PEPINGEBURY,<sup>164</sup> one mark. And they say that the Earl held the hundreds of WECEHELESTON<sup>165</sup> and of LITLFOLD<sup>166</sup> in fee-farm [*ad feodi firman*],<sup>167</sup> of our Lord the King, for 40*s.* per annum; and they are worth 10 marks; and after the death of the Earl, the Archbishop took<sup>168</sup> the foresaid hundreds to himself. And they say, that the heirs of WILLIAM DE MEREWORTH hold two fees in MEREWORTH, and they are worth £20. FULCO DE SERSTED holds the third part of one fee in MEREWORTH, and it is worth 20*s.* ROBERT DE BLEN holds one fee in BLEN, in NATIN-



DON,<sup>169</sup> and they are worth £10. WALTER DE LETTON<sup>157</sup> holds one fee and a half in TREMEWORTH and DODINDALE,<sup>170</sup> and it is worth £30. BARTHOLOMEW TYSON holds half a fee in HOLEFORD, and it is worth five marks. NICHOLAS DE HAULO holds one fee in CRUNDALE, and it is worth £10. ROBERT DE HARDRES holds one fee in HARDRES, and it is worth £30. RALPH DE DITTON holds three fees and a half in DITTON, WIGEBEREH,<sup>171</sup> and SIFLETON, and they are worth £20. WALTER DE WAHULL holds one fee and a half in NETTLESTEDE and PEPINGEBURI, and it is worth £20. HUGO DE SANFORD holds two fees in PETTES, and CHEKESHULL, and HORSMONDEN, and they are worth £15. RICHARD DE SUANTHON holds half a fee in SUANTHON,<sup>172</sup> and it is worth five marks. NICHOLAS DE LEUEKENORE holds the fourth part of one fee in ELTHEHAM, and it is worth £5. MARGERY DE RIVERS holds half a fee in ELTHEHAM, and it is worth £5. ROBERT DE SEVANS holds one fee in MELETON,<sup>173</sup> and it is worth £15. The Archbishop has a moiety. HENRY MALEMAYS holds a fourth part of one fee in SELDWICH, and it is worth £2. HAMO DE VIELESTON holds one fee in VIELESTON,<sup>174</sup> and it is worth £15. They say also, that the tenants of YALDING [*Elding*] owe no other tallage except the aid of St. Andrew. They say also, that the Earl is the patron [*advocatus*] of the Priory of Tunbridge [*Tonebrug*]. And they say that the Earl had the above-named Views<sup>175</sup> of Frank Pledge that are out of his lordship, by violence and arbitrary will, and not by just right [*per vim et voluntatem, et non per Justiciam*].

The amount of the fees of the Honour of CLARE, in KENT, 17 fees and a half.

And the amount of rent is 17s. 6d.

And the amount of View £2. 10s. 8d.<sup>176</sup>

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## APPENDIX.

(133.) This is not properly an "Inquisitio post mortem." There is no writ; but it is a bundle of Extents, made in obedience to the King's Writ to the Guardians of the Honour of Clare, to secure the revenues of the current and following years

(with certain reservations) to Gilbert de Clare, son and heir of Richard de Clare, late Earl of Gloucester, as appears by the following entry on the Fine Roll:—

“For GILBERT DE CLARE }—The King to the Guardians of the Honor of Clare,—Greeting.

“Know ye, that of our special grace, we have granted to GILBERT DE CLARE, son and heir of RICHARD DE CLARE, formerly EARL OF GLOUCESTER, all the produce of the autumn of this instant year, viz. the 47th of our reign, arising out of all the lands and tenements, which were his father's, the foresaid Earl, in your bailiwick, by reasonable extent and appraisement which ye shall have made thereof by good and lawful men; so that the said GILBERT, of the value of the said produce and appraisement, may answer us at our Exchequer, there being reserved to WILLIAM DE VALENCE, our brother, £500 of the foresaid produce of this instant autumn aforesaid, viz. out of the lands which belonged to the foresaid Earl, and which we have caused to be tilled at our own proper expense, and also out of the issues of the manors of RETHERFEUD, BLESCINGEL, BERDEFEUD, SUTBIË, DESENINGE, LAKINGEHITH, WALSINGHAM, WELLES, and WARHAM; and also reserved to MATILDA, widow of the foresaid Earl, the produce of the lands which in the foresaid manors, viz. DESENINGES, WALSINGHAM, WELLES, and WARHAM, she caused to be tilled at her own proper expense, before the assignment of her dower.

“We have also granted to the said GILBERT, by the fine of one thousand pounds, which he has made with us, all the issues and produce arising out of all the lands and tenements which belonged to the foresaid Earl in England, in the year ensuing,—reserved to our said brother other £500 from the issues of the foresaid manors, if we be bound to him in a debt of that amount of money,—and if we be not bound to him in so large a debt, we will that all the residue which shall exceed the sum in which we are bound to him shall remain to us. Of which thousand pounds the said GILBERT shall pay to us, on this side the feast of St. Michael next to come 500 marks, and on the feast of Easter next following 500 marks, and on the feast of St. Peter ad Vincula next following 500 marks, for the last payment. And so we command you that you cause the said GILBERT to have full seisin of all the lands and tenements which belonged to the said Earl in your bailiwick, in form aforesaid.

“Witness, the King at Westminster, the 8th day of July.”

(134.) “Extenta,” *i. e.* a valuation, an estimate of lands, etc., at their full value; hence, in these returns, the term “extendi-

tur," (which we render technically "extended,") signifies, estimated at the full extent of its value.

(135.) "Ricardi ad crucem."

(136.) "Curia,"—the Manor House,—in Kent still commonly called "the Court Lodge." There was generally in front of the Manor House a piece of pasture, called "the Forestal," used for the pasturage of the animals employed in tillage of the farm.

(137.) "Rent of the Freeholders,"—*i. e.* "Quit Rents," as they are now called, and still paid by the freeholders of a manor to the Lord.

(138.) "Villenage,"—Villani,—*i. e.* that part of the Lord's land not retained in demesne; but let to tenants, called "villani," whose rent was paid partly in work performed on the Lord's land, at specified seasons, and partly in money. They were called "villani," as the tenantry of the Lord's "ville."

(139.) The fact that the surveyors here state specifically the quantity of land contained in the virgate of their return, is another proof—were such necessary—that the virgate was no definite measure, that it varied in different places: otherwise, the use of the term "virgate" would have sufficed, without any further specification of the quantity of land which it represented, all men would at once have known what the acreage was: but, inasmuch as it was no fixed measure of quantity, it was necessary to subjoin, "The virgate here consists of seven acres and a half."

(140.) "Cotters."—Tenants of small parcels. There is much uncertainty as to the nature of their tenure. They owed certain small customary services, and paid a fixed rent; but their tenure seems to have been in free socage.

(141.) "Ploemen."—Tenants who owed the service of ploughing the Lord's land.

(142.) "The new land."—Probably waste land recently brought into cultivation.

(143.) "View of Frankpledge," *i. e.* the right of holding Courts-Leet, granted by charter to the Lords of Manors. The word Frankpledge is, after all, only a translation of the Saxon "Frithborh," *i. e.* the pledge or guarantee of peace; from "frith,"—"peace," and "borh,"—"a pledge." By the Anglo-Saxon laws, every hundred was divided into tithings, or families of ten, over whom one principal individual, called the "Tithing-

Man," was annually elected to preside. Each of these ten was bound or pledged for the good behaviour of the other. Every freeborn man, at the age of fourteen, was to be enrolled and pledged to the peace in some tithing; so that in fact every free man in the kingdom was under pledge to obey the laws. The tithings were answerable for crimes committed within their respective districts. They were bound to produce the offender, if possible; but, if unable to effect this, they were to compurgate themselves from any participation in the crime, and to make compensation out of the goods of the delinquent. On failure of these, it was to be done by the tithing at large. They were further to pledge themselves to bring the offender to justice, should it ever be in their power to do so. The nature of the institution will be best understood by a reference to the following extract from the Laws of Edward the Confessor:—

"Another peace, the greatest of all, there is, whereby all are maintained in firmer state, to wit, in the establishment of a guarantee, which the English call FRITHBORGAS, with the exception of the men of York, who call it TENMANNETALE, that is, the number of ten men. And it consists in this, that in all the vills throughout the kingdom, all men are bound to be in guarantee by tens, so that if one of the ten men offend, the other nine may hold him to right. But if he should flee, and they allege that they could not have him to right, then should he give them by the King's justice a space of at least thirty days and one: and if they could find him, they might bring him to justice. But, for himself, let him out of his own restore the damage he had done, or if the offence be so grave, let justice be done upon his body. But if within the aforesaid term he could not be found, since in every frithborh there was one headman, whom they called frithborgheved, then this headman should take two of the best men of his frithborh, and the headman of each of the three frithborgs most nearly neighbouring to his own, and likewise two of the best in each, if he can have them; and so, with the eleven others, he shall, if he can, clear both himself and his frithborh, both of the offence and flight of the aforesaid malefactor, which, if he cannot do, he shall restore the damage done out of the property of the doer, so long as this shall last, and out of his own and that of his frithborh: and they shall make amends to the justice, according as it shall be by law adjudged them. And, moreover, the oath which they could not complete with the *venue*, the nine themselves shall make, viz. that they had no part in the offence. And if at any time they can recover him, they shall bring him to the justice, if they can, or tell

the justice where he is." (See Thorpe, 'Ancient Laws and Institutes of England,' vol. i.—'Leges Regis Edwardi Confessoris,' xx, 'De Frithborgis,' etc.—And Kemble's 'Saxons in England,' vol. i. p. 249.)

This institution was the origin of the "Court Leet," or "View of Frankpledge," which is a Court of Record held once in a year within a hundred 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 frankpledges, that is, the freemen within the liberty, who, as is explained above, 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. All freeholders within the precinct are obliged to attend them, and all persons commorant therein. It was also anciently the custom to summon all the King's subjects, as they respectively grew to years of discretion, to come to the Court Leet, and there take the oath of allegiance to the King, in conformity with the ancient practice of pledging to the peace in the Tithing Court, as related above.

The other general business of the Leet was to present by jury all crimes whatsoever that happened within their jurisdiction; and not only to present, but also to punish, all trivial misdemeanours, as all trivial debts were recoverable in the Court Baron and County Court; justice, in these minuter matters, being brought home to the doors of every man by our ancient constitution. The jurisdiction of these courts, therefore, necessarily embraced very numerous objects, being such as in some degree, either less or more, affect the public weal, or good governance of the district in which they arise; from common nuisances and other material offences against the King's peace and public trade, down to eaves-dropping, waifs, and irregularities in public commons. In fact, at these courts, inquiry could be made into all offences under high treason, but capital offences were only inquirable and presentable here, and to be certified over to the Justices of Assize. (See Blackstonc.)

(144.) See note 29, Vol. II., Appendix.

(145.) In the original it is written "ELDING."

(146.) "Danielis ad molendinum."

(147.) "Jordani Cissoris."

(148.) "Hamma prati,"—a strip of meadow, probably a detached piece—*quasi* a home-close.

(149.) "Bidentium,"—properly and literally "Two-Tooths," *i. e.* sheep of one year old,—“Hoggets,” as they are called in Kent, or “Hoggerels,” “Store Sheep.” We deem it best, however, to render it by the more general term “Sheep.”

(150.) Probably aid due to the Priory of St. Andrew, Rochester.

(151.) “Licencia maritandi.” See Vol. II., Preface to Inquisitiones post mortem, p. 285.

(152.) “Averagium.”—See note 18, Appendix, *supra*, Vol. II. p. 317.

(153.) The service of carrying the Lord’s writs, due from some of the tenants.

(154.) In the original, “Magna Precaria.” They were the day-works that tenants of manors were bound to give the Lord in harvest,—“Bind-days.”

(155.) *i. e.* Brenchley. Anciently the Church of Brenchley was a chapelry of Yalding.

(156.) “Maneretti.”—We do not remember to have met with this word in any other instance. It is probably used as a diminutive of “Manerium,” to signify a small dependent manor. We conjecture this to be Lukedale, a dependency upon Well in Ickham. It contained a chantry, which was alienated by Thomas de Garwinton, to the Hospital of St. John’s, Northgate, Canterbury, 38 Ed. III.

The names of two of the jury, viz. Ralph de Garwinton, and Luke de Hecham (*i. e.* Ickham) corroborate the supposition that this “Manerett” is Lukedale.

(157.) ? de Lecton.

(158.) Apparently all these jurors were knights or tenants *in capite*, and some of them, it seems, held knights’-fees of the honour of Clare.

(159.) “Esperver,” *i. e.* a Sparrow Hawk.

(160.) Tremworth,—a manor in Crundal.

(161.) *i. e.* Sifletone, a manor in Ditton.

(162.) *i. e.* Chekeswell, a manor in Brenchley.

(163.) We are unable to identify this manor with certainty.

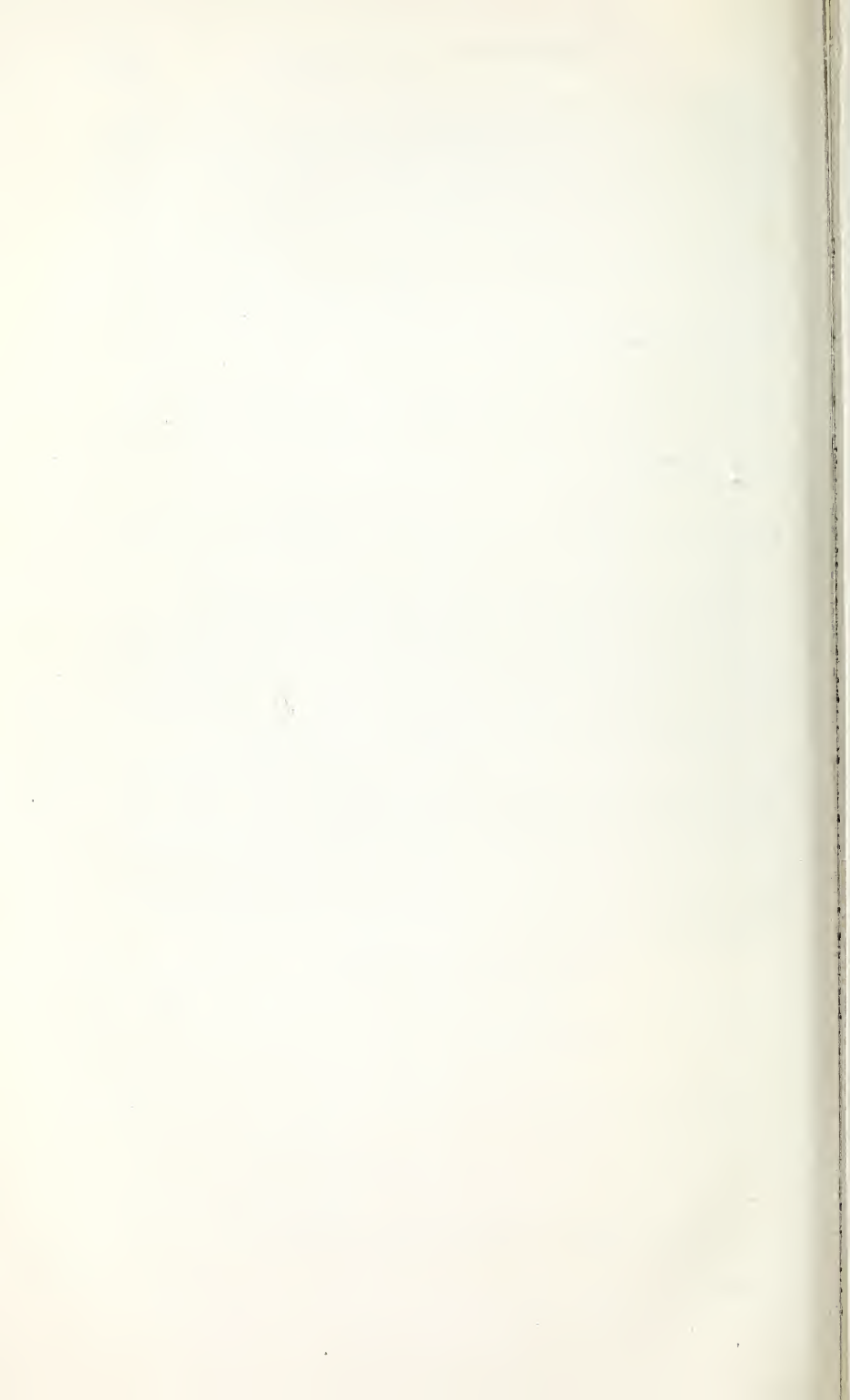
(164.) *i. e.* Pembury.

(165.) *i. e.* Watchlingstone.

(166.) *i. e.* Littlefield.

(167.) “Fee Farm,”—see foot-note to “Pedes Finium,” No. 136, *supra*.







## GENERAL INDEX.

- W.* signifies that the party is witness to a deed.  
*T.* signifies that the place or party is connected with the Wat Tyler riots.  
*N.B.* The full Indices to the "*Pedes Finium*" and "*Inquisitiones Post Mortem*" are deferred till the completion of the reigns of John and Henry III. respectively.
- Abbey of SS. Peter, Paul, and Augustine, Canterbury, 57.  
 Abel, Alderman, case of, 172.  
 Addington, extracts from the parish registers of, 258.  
 Adelis, mother of Hugo de Chilham, 205.  
 Adrian of Africa, the abbot, 95.  
 Adrian IV., pope, deprives St. Augustine's of its rank as the first of English abbeys, in favour of St. Alban's, 57; confirms grants of the churches of Throwley and Chilham to the abbey of St. Bertin, 207.  
 Æstur, *i. e.* Stour, the river, *q. v.*  
 Ailgar, abbot of Faversham, Bosenden, 286.  
 Ailmerstone, Hamo de, Elmstone, 274.  
 Aketon, William de, Charing, 300.  
 Aleuin, his Pastoral Calendar, 90; extract from, 95; names of the months, 94.  
 Alding, *i. e.* Elding, *q. v.*  
 Alexander III., pope, bull of, forbidding Sir Nathanael de Leveland to molest the monks of St. Bertin in their possession of the chapel of Leveland, 215.  
 Alexander, son of Gunilda, Dartford, 277.  
 Alexander of Wales, W., 209.  
 Alien cells, their usual constitution, 208 *n.*  
 All Hallows Barking, London, brass in, 243; extracts from registers of, *ib.*  
 Allington Castle, visit to, xlv; extracts from the parish registers, 268.  
 Amicius, clerk, W., 211.  
 Amiens Cathedral, 25.  
 Amsterdam, its pile foundations, 41.  
 Anastasius IV., pope, confirms grants of the churches of Throwley and Chilham to the Abbey of St. Bertin, 207.  
 Ancient carving at Maidstone, 113; its probable design, 115.  
 Anglo-Saxon names of months, 94.  
 Anne, the Lady, future consort of Richard II., pardon granted to insurgents at her request, T., 70 *n.*  
 Anne, daughter of Sir Thomas Wyatt, 197.  
 Anselm, Archbishop, builds Trinity Chapel in Canterbury Cathedral, 12.  
 Apoldre, Philip de, T., 75.  
 Appeals of treason, T., 74, 75.  
 Appledore [Apoldre], T., 75.  
 Approver, pardon to, T., 81 *n.*  
 Archæologia, vol. xxv., grants of Kentish churches printed in, 203.  
 Architectural Notes on St. Augustine's College, Canterbury, 57.  
 Ardres, in Picardy, 45.  
 Arms, grants and confirmations of, 242, 250, 252, 253, 259, 261, 267.  
 Arnald of Boulogne, W., 205.  
 Arnold, arms of, 258.  
 Arundel Tower, Canterbury Cathedral, discovery of animal remains in digging a new foundation, 39.  
 Asceline, first prior of Dover, 6.  
 Ash, near Sandwich, glass vase within an amphora discovered at, 33.  
 Ash, Mr. John, the chairman of a committee at Goldsmiths' Hall, 146; allows that Sir Roger Twysden had had very hard measure, 147; refuses him any relief, 181; his declaration that Sir Roger is not liable to the imposition of the fifth and the twentieth parts, 188; explains his speech away, 189.  
 Ashford, Roman camp near, 27; extracts from the parish register of, 267.  
 Aucher, Sir Anthony, Lyminge granted to, by Henry VIII., 48 *n.*

- Aucher, Sir Anthony (his grandson), flees from England to avoid his creditors, 54; his lands sold by Act of Parliament, A.D. 1604, 53.  
 Auda de Lymings, 125.  
 Austin, Mr., Sir Roger Twysden lives in the house of a, in Westminster, 180.  
 Axemuth, William de, 311, 314.  
 Ayers, Mr., takes notes and measurements of the Priory Church, Dover, 3, 11, 12.  
 Aylesford, extracts from the parish register, 265; inscription in the church, *ib.*; visit to, xlvii.  
  
 Baddechese, Asketine, Lewisham, 273.  
 Badlesmere, Bartholomew de, 211.  
 Badlesmere, Peter de, 211.  
 Badlesmere, [Badalesmere], Sir William, W., 218.  
 Baker, John, T., 71.  
 Baldwin, archbishop of Canterbury, c. 1186, confirms the confirmation of his predecessor Richard of the church of Throwley to the Abbey of St. Bertin, 216.  
 Baldwin of Boulogne, W., 209.  
 Baldwin of Sturry, W., 205.  
 Balebroc, 273.  
 Bamme, arms of, 258.  
 Baptisms, Index to Register of, at Newenden, 1552-1820, 107; at Warehorne, 1727-1820, 103.  
 Barbour, John, T., 75.  
 Barden, co. York, sale of, 53.  
 Bargrave, arms and pedigree of, 252.  
 Barnham, arms of, 254.  
 Barnham, Sir Francis, anecdote related by, 185.  
 Barnham, Mr. Robert, his imprisonment by the Kentish Committee, 185.  
 Barre, in Normandy, 118.  
 Barre, Alice, 121.  
 Barre, Edward, 121 *bis*.  
 Barre, Juliane, 121 *bis*.  
 Barre, Richard, 121.  
 Barre, Thomas, 121.  
 Barre, Sir William, 121.  
 Barre, William, 121 *bis*.  
 Barre More, or the Great, 120.  
 Barrow, arms of, 268.  
 Barry, Audrian, 118.  
 Barry, Sir Edward, 119, 120.  
 Barry, Isabella, Joan, and Margaret, brasses of, at Sevington, 119.  
 Barry, Sir John, brass of, at Sevington, 118.  
 Barry, Robert, his settlement in Ireland, 120; his family ennobled, *ib.*  
 Barry, Umfridus, brass of, at Sevington, 120.  
  
 Barry, Sir William, brass of, at Sevington, 119.  
 Barry Court, 120.  
 Barton Court, portrait of Sir William Hardes at, 54.  
 Barun, Hugh de, grant and seal of, 208.  
 Battely on ancient pilework foundations in Canterbury, 41.  
 Battle, wager of, in Tothill Fields, T., 69, 77, 78.  
 Baxon, or Bexon, in Bredgar, 234.  
 Bayeux Cathedral, 25.  
 Beatrice, widow of Hamo de Gatton, 210 *n*.  
 Becco, William de, Livingsborne, 279, 280, 299.  
 Beche, Robert, T., 86.  
 Beckingham, Mr., 52.  
 Bedgbury [Begeburie], 236.  
 Beer, a brewer, his vat in the great gate of St. Augustine's Abbey, 58.  
 Bekehurst, manor, sale of, 53.  
 Bekesbourne, the shaft at, 33. See also vol. ii. 43-48.  
 Belknap, Alice, an ancestress of Lord Keeper Finch, 196.  
 Belknap, Philip, of the Mote, near Canterbury, 196.  
 Bellard, John, T., 75.  
 Bendour, Richard, T., 71, 72, 73, 74.  
 Benedict, abbot of Peterborough, W., 212.  
 Benedict, abbot of Stratford, Lewisham, 281.  
 Benedictine Order, hospitality enjoined by the rules of the, 20; established in Dover Priory instead of the Augustine, 6.  
*Beneficia*, *Benefacta*, 290.  
 Benestede, John de, Elmstone, 274.  
 Bere, arms and pedigree of, 250.  
 Berham, Robert de, Ham, 276.  
 Berners, J., a Parliamentary committeeman, 188, 191.  
 Besbecch, Mr., suit of, against Sir Roger Twysden, 175.  
 Besevill, John de, Higham, 278.  
 Besevill, Petronilla, wife of John, 278.  
 Best, arms and pedigree of, 268.  
 Best, Mr. George, 234.  
 Betenham, Stephen de, T., 72.  
 Beverley, T., 70 *n*.  
 Bexon, in Bredgar, 234.  
 Biddenden [Bedyndenn], T., 71.  
 Bigberry Hill, near Harbledown, Roman antiquities discovered at, 33.  
 Biondi, Gio. Franc., letter of, to Sir Roger Twysden, 240.  
 Bircholt [Biricholt], fine of lands in, 287.

- Bircholt, Johu de, Bircholt, 286.  
 Bircholt, Roger de, 286.  
 Bishop family, of Newenden, 108 *n.*; of Hawkhurst, *ib.*; arms, *ib.*  
 Bishop, Elizabeth and Thankful, 108 *n.*  
 Black Prince, knighting of the, 118.  
 Blankney, in Lincolnshire, 239.  
 Blois, Peter of, W., 211.  
 Bocher, William, T., 71.  
 Boidinus, son of Sawin, Dartford, 277.  
 Bordefeld [Berdefeld], Thomas, T., 69, 75; his pardon, 81, 82.  
 Borden registers, referred to, 269.  
 Bordoun, John, T., 71.  
 Bosenden, fine of lands in, 286, and *n.*  
 Bosenden, Solomon de, Bosenden, 286.  
 Boteler, Thomas, T., 86.  
 Botfield, Mr., his Catalogue of Monastic Libraries, 17.  
 Boughton Hegh, T., 68, 75, 84.  
 Boulogne, capture of, by King Henry VIII., 44, 49; the Gates of the town given to Sir Thomas Hardres, and by him set up at Hardres Court, 44, 47, 48; sketch of the Gates, 52; their destruction, *ib.*  
 Boxley, abbot of, an arbitrator between Sir Nathanael de Leveland and the monks of St. Bertin, 215.  
 Boys, Thomas, of Willesborough, 120, 121.  
 Bramfeld, Gunilda, Ore, 302.  
 Bramfeld, Roger de, 301.  
 Brasses formerly in Sevington Church, account of, 117.  
 Brasses, indents of, in Warehorne church, 101.  
 Braybrok, T., 86.  
 Brenchesle, William, T., 82.  
 Brencley [Brenchelse], 315, 320.  
 Brent, John, jun., on Roman Cemeteries in Canterbury, with some Conjectures concerning its earliest Inhabitants, 27.  
 Bret, a companion of Sir T. Wyatt, execution of, 221.  
 Bridge, extract from the parish register, 252.  
 Bridgewater, T., 70 *n.*  
 Brockhul family, its present representative, 123.  
 Bromley, arms of, 253.  
 Brooke, Mr., his account of a Parliamentary committeeman, 173.  
 Brookland church, leaden font in, 87; belfry, 88.  
 Broomsdown, near Canterbury, alleged finding of an anchor at, 41.  
 Brouston, John, T., 82.  
 Brown, John, T., 75.  
 Brown, Mr. Serjeant, inclined to be favourable to Sir Roger Twysden, 131, 137; his advice to him, 181.  
 Brunstun, Benedict, Gillingham, 299.  
 Bryan, arms and pedigree of, 244.  
 Bryght, Thomas, T., 71, 72, 73, 74, 75.  
 Bull's Stake, in the centre of Canterbury, a branch of the Stour once flowed near the, 42.  
 Bunckly, Sir George, his death at Lambeth, 201.  
 Burham, advowson of, 290 and *n.*  
 Burn, Alan de, Livingsborn, 298.  
 Burnes, Warin de, Ore, 301.  
 Burraston, Mrs., cousin of Sir Roger Twysden, present at his wife's death, 200.  
 Bury St. Edmund's, T., 70 *n.*  
 Butiphont, Viscount, 120.  
 Butterfield, Mr., his reconstruction of St. Augustine's Abbey as a Missionary College, 59.  
 Butter Market, Canterbury, a branch of the Stour once flowed near the, 42.  
 Buxhill, Alan de, Constable of the Tower of London, T., 68, 73, 74, 77.  
 Byngesvode, Reginald, 208.  
 Byngesvode, Stephen, W., 208.  
 Byngesvode, William, W., 208.  
 Cade, William, præpositus at Dover, *temp.* Hen. II., W., 205 *n.*  
 Calais, 47.  
 Cambridge, T., 70 *n.*  
 Camden, William (Clarenceux), confirmation of arms by, 242; grants, 252, 261.  
 Camera de Lynings, 125.  
 Canterbury, an important station in Roman times, 37, 38; the earliest habitations probably insular, or like the erranogues of Ireland, 39, 40; Celtic antiquities, 40; ancient pilework foundations, 41.  
 Canterbury, Roman cemeteries, three lately laid open at, 27; articles found, 28 *et seq.*  
 Canterbury, visit of Northern strangers to, T., 69, 76, 85.  
 Canterbury, see of, St. Martin-le-Grand, and the Priory at Dover, granted to the, 6; survey of its manors, *temp.* Lanfranc, 44.  
 Canterbury Cathedral, 12, 13, 25, 39.  
 Canterbury, Archbishops of, St. Augustine's Abbey designed as their burial-place, 57.  
 Canterbury, Arehdeacon of, Hamo de Mortimer, petition of the inhabitants of Throwley to, 216 and *n.*  
 Canterbury, Priory of Christ Church, dissensions of the, with the Arch-

- bishops on account of Dover Priory, 6; benefactions of the Hardres family, 46.
- Canterbury Castle, antiquities found in or near, 28, 37, 38.
- Canterbury, church of St. Mary, 213.
- Canterbury churches, Roman bricks and tiles found largely in the old, 37.
- Canterbury, Strangers' Hall, its position, 20.
- Capel, John, Preston, 287.
- Castille and Leon, King of: see John of Gaunt.
- Castor, in Northamptonshire, Roman pottery of the kind manufactured at, found at Canterbury, 34.
- Cavendish, Sir John, Lord Chief Justice, his murderers excluded from pardon, T., 79.
- Cawne, Sir Thomas, his marriage to the heiress of Sir Thomas Morant, 100 *n.*
- Cawne, Sir William, *temp.* Edw. III., will of, 221.
- Cawne, Lora, relict of Sir William, 222.
- Celtic antiquities found in Canterbury, 40.
- Cemeteries, Roman, in Canterbury, 27.
- Cepus*, 281 *n.*
- Chantry chapels, different arrangement of, in England and in France, 25.
- Charing [Cherring], fine of lands in, 300.
- Charlemagne, the pupil of Alcuin, 94.
- Charles I. first meets Henrietta Maria at St. Augustine's Abbey, Canterbury, 58.
- Charles V., Emperor of Germany, 47.
- Charney [Charneye], John, coroner of the city of London, T., 75, 84.
- Charred wheat discovered at Canterbury, 36.
- Charter of Philip Augustus, King of France, A.D. 1180, 127; grants one hundred muids of wine to the monks of Holy Trinity, Canterbury, 129.
- Chartham, discovery of fossil remains at, 41.
- Chartham to Sandwich, character of the whole district from, 39.
- Chartulary of the Abbey of St. Bertin, Notes from the, 203.
- Chelmington, in Great Chart, 137.
- Chesshyre, the Rev. W. J., 54.
- Chervilles*, what, 220.
- Chilham, 39.
- Chilham [Chileham], grant of the church of, printed by Sir Thomas Phillipps, 203; other documents relating to, 205, 206, 207, 209, 212, 215, 219; honour of, 205 *n.*
- Chilham [Chilcham], Hugo de, grants the church of Chilham to the church of St. Bertin, 205; his seal, 206.
- Chistlet [Cistelet], fine of lands in, 283, 284.
- Christ Church Priory, Canterbury, 46, 130; Dover Priory, a cell of, 6.
- Church Notes of Sir Edward Dering, plates of brasses from the, 117.
- Churches, Canterbury: see Canterbury Churches.
- Clare, Gilbert de, Earl of Gloucester, does homage at Lyminge to Archbishop Peckham, 125.
- Clare, Richard de, Earl of Gloucester, extent of the manors, lands, etc. of, A.D. 1263, 311; *Appendix*, 315.
- Clarencbald, abbot of Faversham, W., 210.
- Clarence, Thomas, Duke of, makes a list of fees of the serjeant-at-arms, A.D. 1417, 158.
- Clarke, Mr., of Ford, in Wrotham, 336.
- "Clemens," potter's mark on a patena discovered at Canterbury, 36.
- Clement of Serinlinge, W., 211.
- Clerke, arms and pedigree of, 246.
- Cobeham, Sir John de, dead, 1300; conduct of his executors, 235.
- Cobham [Cobeham], Sir Thomas, T., 68, 72.
- Cocus, Poger, Ospringe, 292.
- Cocus, Lasilia, wife of Roger, 292.
- Cognovit actionem*, T., 75.
- Colekin, Ralph, W., 218.
- Coleman, Mr., gives permission to trace the foundations of Dover Priory in his farm, 3.
- Coleridge, Edward, his exertions on behalf of the Colonial Church, 59.
- Combwell Priory, seal of, 93.
- Commoner's Liberty, The, tract published by Sir Roger Twysden in 1648, 201.
- Conscience, false plea of, used by the Parliamentary committees to justify their violation of their own rules, 194.
- Consideratum est*, T., 73 *n.*
- Conspiracy, legal definition of, set aside by the Long Parliament, 132, 133.
- Constantine, coin of, found at Canterbury, 34.
- Convent Garden, Dover, probably the site of the garden of the Priory, 9.
- Cook [P Rook], Ralph, T., 72, 73.
- Cooke, Robert (Clarenceux), confirmation of arms by, 253; grants, 259, 267.
- Cor, Richard le, Ospringe, 292.
- Cor, Custance, wife of Richard, 292.
- Corboil, Archbishop, displaces the canons of St. Martin-le-Grand, Dover,

- and lays the foundations of the Priory for a new community, 6.
- Cork, 120.
- Corpus Christi, ancient brotherhood in Maidstone, 115; its scope and design, 116.
- Cote, John, T., 68, 69, 70, 72, 74, 75, 76, 77, 78, 81, 82, 83; his confession, 68, 75; vanquishes William de Delton in wager of battle, 69, 78; accuses other persons of treason, who are acquitted, 70, 78; receives a pardon, 70, 83.
- Couen, *i. e.* Cawne, *q. v.*
- Court-Lodge Green, at Lyminge, foundations of a building at, 125.
- Covenant, refusal to take the, a bar to composition with the Long Parliament, 181.
- Coventre, Geoffrey, T., 71.
- Coventry, Rev. John, arms, 102.
- Cranbrook [Cranebrook], T., 71.
- Cranmer, Archbishop, cedes Lyminge to Henry VIII., 48; sends the translation of certain offices to him on occasion of the capture of Boulogne, 49; accusation against, 114.
- Crannoges, or lake-dwellings, 39, 40; such, probably, once existing in the Stour, 40.
- Criol family, its present representative, 123.
- Cromer, Elizabeth, 196.
- Cromer, Sir John, of Tunstall, 196.
- Cromwell, Oliver, 183 *n.*
- Cromwell, Thomas, letter of Jane Roper to, 237 *and n.*
- Crondon, 235.
- Crothole [Crothole], John, T., 71-75.
- Crothole [Crothole], Robert, T., 71-75.
- Culpeper, arms and pedigree of, 264.
- Culpeper, Thomas, of Bedgbury, spreads false reports concerning Wyatt's rebellion, 236.
- Curates of Warehorne, list of, 1727-1861, 102.
- Dallison, M., secretary to the Haberdashers' Hall commissioners, 191.
- Dalton [Delton], William, T., 72, 75, 77; vanquished in wager of battle, 78.
- Daniel of Shillingheld [Sillingehall], W., 211 *and n.*
- Dartford [Derteford], fine of lands in, 277.
- Dauson, George, treasurer of the Kentish Committee, 193.
- Dean's Yard, Westminster, residence of Sir Roger Twysden in, 199; death of his wife there, *ib.*
- Deggessell, Michael, T., 75.
- Delton, *i. e.* Dalton, *q. v.*
- Dendy, Sergeant, a friend of Sir Roger Twysden, 158.
- Dene, arms of, 258.
- Deptford, [Depford], T., 67.
- Dering, Sir Edward, plates of brasses from his Church Notes, 117; copy of Philipot's Visitation of Kent, A.D. 1619, by, 241.
- Dethick, Sir Gilbert (Garter), grants of arms by, 259, 261.
- Detling, arms of, 258.
- Dewes [Dieux], Sir Simonds, a constant friend of Sir Roger Twysden, 131, 133, 165, 166; endeavours to save his woods from waste, 163; letter from Sir Roger to, 198.
- Diggs, John, a bailiff of Canterbury, A.D. 1273, 41.
- Distrabantur*, T., 73 *n.*
- Dover, Church of St. Martin-le-Grand, 1; founded by Wictred, King of Kent, 5, 22; privileges of its canons, 5; probably rebuilt *temp.* William I. 23; granted to the see of Canterbury and the canons expelled, 6; the church becomes parochial, 25; desecrated and almost entirely pulled down, 26; present state of its remains, 14, 22.
- Dover, remains of the Priory: see Priory of St. Martin, Dover.
- Dover, barons of, certificate of, that the convent of St. Bertin have land within the Liberty, for which they do full service to the King, 214; seal, *ib.*
- Dover, the mayor of, A.D. 1554, his activity against Wyatt, 236.
- Dover Castle, college of secular canons, 4; barony of, 205 *n.*
- Dover, Fobert or Fulbert de, pedigree, 214; seal, *ib.*; mentioned, 235; confirms the grant of Hugh de Dover of the church of Chilham to the abbey of St. Bertin, 213.
- Dover, Hugh de, sheriff of Kent, *temp.* Hen. II., W., 210 *and n.*
- Dover, John of, W., 211.
- Drainage works at Canterbury, many remains of the Roman city laid open by, 35.
- Durdent, Walter, 218.
- Durolenum, Roman camp, 27.
- Dyke, sequestrator general in Kent, 140.
- Eadbald, King of Kent, founds a college for secular canons within Dover Castle, 4.
- East Malling church, inscription in, 255.
- Easter controversy, the, 94.
- Easterlings, the, 277 *n.*
- Eastry Court, 120.

- Eastwell, in Kent, 121, 196.  
 Edgroue (?), T., 80.  
 Edmund, priest of Chilham, W., 210.  
 Edward the Confessor, state of the canons of St. Martin-le-Grand, Dover, in the time of, 5.  
 Edward II., expedition to Ireland ascribed to, 120.  
 Edward, Prince (afterwards Edward I.), 118.  
 Edwards, arms of, 269.  
 Eflingham Street, Dover, made across the nave and transepts of the Priory church, 3; also over the domestic buildings of the establishment, 8.  
 Egerton [Ediardington], fine of lands in, 304.  
 Elding, William de, Livingsborn, 298, 299.  
 Elding, Avicia, wife of William, 289, 299.  
 Elias [Helya] of Chilham, W., 205.  
 Elizabeth, the Lady, (afterwards Queen), compromised by Wyatt's rebellion, 236.  
 Ellis, arms of, 246.  
 Elmstedec, Robert, T., 71-75.  
 Elmstone [Ailmerstone], fine of lands in, 274.  
 Eltham, extent of the manor of, A.D. 1263, 311.  
 Elyas the clerk, Eynsford, 297.  
 Ernulf, Master, W., 209.  
 Escotland, Thomas, Farningham, 296.  
 Eshore, fine of lands in, 306.  
 Estangrave family allied to the Hardres, 46.  
 Estling [Estlane], T., 71.  
 Esturia, Estursete, *i. e.* Sturry, *q. v.*  
 Ethelbert, King of Kent, 4.  
 Ethelbert's Tower, St. Augustine's, ruins of, 58, 60.  
 Everard, vice-archdeacon, W., 213.  
 Ewell, in Surrey, 199.  
*Exigent*, writ of, T., 82 *n.*  
*Extentia*, explained, 316.  
 Eynsford [Einesford], fines of lands in, 282, 297.  
 Farleigh [Farlegh], T., 71, 72.  
 Farningham [Freningham], fine of lands in, 296.  
 Faussett, Dr., 44; unfortunately fails to preserve the Gates of Boulogne from destruction, 52.  
 Faussett, G. T., Esq., furnishes a pedigree of the Hardres family, 46, 53; his account of the Gates of Boulogne at Hardres Court, 50, 51.  
 Faversham [Faueresham], fine of land in, 294.  
 Faversham, abbot of, an arbitrator between Sir Nathanael de Levcland and the monks of St. Bertin, 215.  
 Fee farm, explained, 289 *n.*  
 Fengesham, Finglesham, Henry de, 302.  
 Fengesham, Martin de, 302.  
 Fengesham, Agnes, wife of Martin, 302.  
 Fenwick, Mr. George, a friend of Sir Roger Twysden, 183.  
 Finch, assumption of the name, *t. Hen.* III., 121.  
 Finch, Lady, of Fordwich, allowed to become tenant of her husband's estate by the Long Parliament, 135, 196; the like indulgence to Lady Twysden opposed by the Kentish Committee, *ib.*  
 Finch, Lady Anne, mother of Sir Roger Twysden, 197.  
 Finch, Lord, of Fordwich, his character, 196; pedigree, *ib.*  
 Finch, Sir Moyle, of Eastwell, 196.  
 Finch, Sir William, 196.  
 Fire, the walls of the refectory of Dover Priory discoloured by, 17 *and n.*  
 Fitz Aluered, Emma, Rainham, 295.  
 Fitz Amfrid, William, Faversham, 294.  
 Fitzbernard family allied to the Hardres, 46.  
 Fitz Eilric, Osbert, Finglesham, 302.  
 Fitz Geoffrey, Crispin, Tatlingbury, 307.  
 Fitz Henry, Alan, Losenham, 291.  
 Fitz Henry, Orabilla, wife of Alan, 291.  
 Fitz Lambert, Robert, Higham, 278.  
 Fitz Osbert, Walter, Faversham, 294.  
 Fitz Ralph, Sibilla, Eynsford, 282, 297.  
 Fitz Richard, Guncelin, Ospringe, 292.  
 Fitz Richard, Simon, Tatlingbury, 307.  
 Fitz Robert, Arnulf, Gillingham, 299.  
 Fitz Robert, Aldina (Aldiua or Aldiva?), wife of Robert, 299.  
 Fitz Thomas, Walter, Lewisham, 281.  
 Fitz William, Robert, Wickham, 291.  
 Flaherty, W. E., Sequel to the Great Rebellion in Kent in 1381, 67.  
 Fletcher, Thomas, 115.  
 Flower, William (Norroy), grant of arms by, 259.  
 Folquin, an archivist of St. Bertin, 240.  
 Font, leaden, in Brookland church, 87.  
 Fordwich, 39.  
*Forisgabulum*, what, 208 *n.*  
 Forster, arms and pedigree of, 269.  
 Fotherby, Mabella, Lady Finch, 196.  
 Francis I. of France, 47.  
 Frankalmoign, explained, 305 *n.*  
 Frankpledge, view of, 317.  
 Fremlin, Mr., 115.  
 Fremling, arms of, 256.  
 Frenyngham [Frennyngham], John de, T., 70, 72, 81; becomes a surety for Thomas Borefeld, an informer, 82.

- Friars, the, at Aylesford, occupied by the Kentish Committee, 139; visit to, *xlvii*.
- Frittenden [Fritthenden], T., 71.
- Fulk, Prior of Leeds, Losenham, 291.
- Fullere, Colkin, T., 72.
- Fynche, John, inscription to, at Sevington, 121.
- Fyneux, Sir John, chief justice of the King's Bench, 238.
- Galfrid, prior of Canterbury, W., 213.
- Galfrid, brother of Simon, clerk of Wendon [Wendene], W., 214.
- Galfrid fotti (?) W., 216.
- Gatle, Simon de, Higham, 278.
- Gatton, Hamo de, 210 *n.*; his widow Beatrice, *ib.*
- Gatton, Robert de, lord of Throwley, 216 *n.*
- Gatton, arms of, 258.
- Gavelkund, the law of, not the main cause of the decay of ancient Kentish families, 53.
- Gaveston, his expedition to Ireland, 120.
- Gawles, an insurgent, A.D. 1554, 236.
- Genesfeld, Jordan de, Eshore, 306.
- Gerald, Peter, T. 71.
- Gibbon, arms of, 257.
- Gilbert, the sheriff's chamberlain, W., 211.
- Gilbert of Wilrington [Wilrintuna], W., 218.
- Glass, ancient stained, in Warehorne church, 99.
- Gloucester Cathedral, 25.
- Gloucester, Gilbert de Clare, earl of, does homage to Archbishop Peckham at Lyminge, 125.
- Gloucester, Richard de Clare, earl of, extent of the manors, lands, etc., of, A.D. 1263, 311; *Appendix*, 315.
- Goddescale, abbot of St. Bertin, 210.
- Godfrey of Tichesey, W., 205.
- Godfry, Lambert, a sequestrator, 140, 165, 193.
- Golding, Elizabeth, Lady, letter to, 238; notice of, 239 *n.*
- Golding, Sir Thomas, 239.
- Goldings, the, of Leyborne Castle, 247.
- Goldsmiths' Hall, the committee at, 146; Sir Roger Twysden appears before them, *ib.*; his treatment, 180, 183, 185.
- Good abearance, recognizances for, 80 *n.*
- Grandon, William, T., 86.
- Grants of Kentish churches, printed in 'Archæologia,' vol. xxv., 203.
- Gravesend, Richard de, Bishop of London, letter from, respecting Rochester Castle, A.D. 1300, 234.
- Gravesend and Milton, arms of, 245; portreve and jurats, *ib.*
- Graveshende, John T., 71.
- Great Woodlands, fragments of Norman building recently discovered at, 123.
- Grenewic, Simon de, Lewisham, 273.
- Guesten Chapel, St. Augustine's Abbey, 62.
- Guesten Hall, Canterbury, 20; Dover, 18; Worcester, 17, 20, 62.
- Gumphæ*, 220.
- Gunter, W., 209.
- Guy the Butler witnesses a charter of Philip Augustus, King of France, 130.
- Gyles, Thomas, T., 72.
- Haberdashers' Hall, the committee at, their usage of Sir Roger Twysden, 189.
- Hales, Sir Robert, the Treasurer, and Lord-Prior of the Knights Hospitallers, his murderers excluded from pardon, T., 79.
- Hales family once possessed of the Palace, Canterbury, 58.
- Hall, arms and pedigree of, 267.
- Hall, Arthur, case of, 157, 160.
- Ham [Hamme], fine of lands in, 276.
- Hamme, Robert de, Ham, 276.
- Hamo [Hamundus], son of Herefred, his grant of the church of Throwley, 210; seal of, 211.
- Hamo, priest of Throwley, W., 210.
- Hamo, Sir, of Throwley, and others, their petition to the Archdeacon of Canterbury, 216.
- Hamo of Gatton grants the church of Throwley [Trulega] to the monks of St. Bertin, 218; seal of, 219.
- Hamo de Mortimer, Archdeacon of Canterbury, petition of the inhabitants of Throwley to, 216 *and n.*
- Hamo of Throwley, letters-patent to, *temp.* Hen. II., 209.
- Harding, Thomas, T., 68, 70-76, 85, 86.
- Hardres, the family of, its ancient grandeur, 43, 44, 46, first known mention, *temp.* Lanfranc, 44; armorial bearings, 46; probably of Saxon or Celtic origin, *ib.*; its decay, 53; still existing in Kent in much humbler life, 56.
- Hardres, Robert de, a tenant under Archbishop Lanfranc, 45.
- Hardres, Robert de, his descendant, appoints his kinsman, John de Hardres, to the church of Upper Hardres, A.D. 1282, 46.
- Hardres, John de, appointed to the church of Upper Hardres, 46.

- Hardres, Henry, 46.
- Hardres, Thomas, 47; accompanies Henry VIII. to France, 48; is knighted, *ib.*; resisted by the king at Hardres Court, *ib.*; receives from him the gift of his own dagger, 49; and also the Gates of Boulogne, which he sets up in his garden wall, 44, 47, 48.
- Hardres, Sir Thomas (his son) marries the heiress of Thoresby of Thoresby, 47.
- Hardres, Sir Thomas (his son), flees from England to avoid his creditors, 54; part of his estates sold by Act of Parliament, A.D. 1604, 53.
- Hardres, Sir William, painful story of, 54; his portrait, *ib.*
- Hardres Court, its decay, 43; the house described, 50; ground plan, 51.
- Hardres, Great, manor, sale of, 53.
- Hardres, Upper, church, its ruinous state, 43; its monuments and brasses, 43, 45.
- Hardwick, Archdeacon, his edition of Thomas of Elmham, 64.
- Hargest, in Wales, 239 *n.*
- Harlstone, arms and pedigree of, 257.
- Harthergge, Thomas, T., 72.
- Hasted, view given by, as of ruins of the Priory, Dover, really of the church of St. Martin-le-Grand, 13; on antiquities found in Canterbury, 38; contradictory statements of, regarding the place of Sir Henry Isley's execution, 221.
- Haselrig, Sir Arthur, his assistance to Sir Roger Twysden, 183, 184; his character, 183 *n.*
- Hasling, arms and pedigree of, 254.
- Hatton, arms of, 253.
- Hawkhurst, 108 *n.*
- Headcorn, T., 80 *n.*
- Headenne, Richard, T., 71, 72, 73, 74.
- Heathorne, Mr., 115.
- Helmestede, *i. e.* Elmestende, *q. v.*
- Helto, "faucill," W., 214.
- Helya of Chilham, W., 205.
- Hende, John, sheriff of London, T., 75, 84.
- Heneage, Sir Thomas, 196.
- Henrico filio Samclin, W., 208.
- Henricetta Maria first meets Charles I. at St. Augustine's Abbey, Canterbury, 58.
- Henry I. grants the collegiate church of Dover to Archbishop Corboil, 5; grants a quarry in Normandy towards the building of Dover Priory; Herbert, his chamberlain, the ancestor of the Finches, 121.
- Henry II., letters-patent of, in favour of the abbot of St. Bertin, 209; great seal of, *ib.*
- Henry III., 121.
- Henry VIII. grants Dover Priory to the See of Canterbury, 7; gives the Gates of Boulogne to Sir Thomas Hardres, 44, 47; visits him at Hardres Court, 48; presents him with his own dagger, 49; approximate date of his visit, 49.
- Henry, canon of Baieux, W., 211.
- Henry of Cornhull, sheriff of Kent, W., 218.
- Henry de Insula. See *Insula, Henry de.*
- Henry of Norlant, W., 216.
- Herbert family, their ancestor, 121.
- Herbert, Archdeacon of Canterbury, 212.
- Hercfred, father of Hamo, 210.
- Heringod family allied to the Hardres, 46.
- Herodotus on the lake-dwellings of the Pæonians, 40.
- Herste, John of, W., 214.
- Heteron, *i. e.* Headeorn, T., 80.
- Hide, Hug de la, Stoke, 274.
- Hide, Matilda, widow of Hugh, 274.
- Higham [Hegham], fine of lands in, 278.
- Hillaria, daughter of Helliard, Livingborne, 279.
- Hodges' arms, 105 *n.*
- Hodges, Mr., 115.
- Holy Sepulchre Nunnery, Canterbury, Roman cemetery near, 27; two distinct graveyards, 28; general excavation in April, 1861, and its results, 29; traces of a third layer of interments, 33.
- Holy Trinity, Canterbury, Prior of, Loose, 288.
- Homewood, E., Esq., his care for an old timber-built house at Baxon, 234.
- Hope, A. J. B. Beresford, Architectural Notes on St. Augustine's College, Canterbury, 57; Lecture on All Saints church, Maidstone, xxxviii.
- Hornden, of Sittingborne, assists the Sheriff of Kent against Wyatt, 236.
- Horsenden, William de, 311, 314.
- Hospitaliers, Prior of the, 290.
- Hosyere, John, T., 75, 78, 83.
- Hougham [Hucham], 211, 214.
- Howden Collegiate Church, windows of, copied in St. Augustine's Missionary College, 63.
- Howlands, memorials of the, in Warehorne churchyard, 105 *n.*
- Howley, Archbishop, his interest in the



- Missionary College of St. Augustine, 59.
- Hugh, Brother, of St. Bertin, procurator of Throwley, 208 and *n.*
- Hugh, son of Reginald de Byngesvode, his release to the Convent of St. Bertin, 208.
- Humets, Richard de, W., 219.
- Hunter, arms of, 248.
- Hunton, T., 71, 81.
- Ightham, 100 *n.*; entries in the parish register of, 243, 256; effigy of Sir Thomas Cawne in the church of, 221, 223 *n.*
- Inquisitions post mortem, 309.
- Insula, Henry de, his controversy with the Abbey of St. Bertin, 212; his submission, *ib.*; his seal, 213.
- Interment without coffins, apparently not uncommon a few centuries since, 29.
- Ipra, William de, grants the churches of Chilham and Throwley to the Abbey of St. Bertin, 206, 209; seal, 206; notice of his career, 206 *n.*
- Irby, Sir Anthony, a committee-man at Goldsmiths' Hall, 146.
- Iryssh, John, T., 71-75.
- Islands not now found mentioned as existing in the Stour, 40.
- Isley [Isseley], Sir Henry, makes a proclamation at Tunbridge, 236; place of his execution doubtful, 221.
- Isley, Thomas, brother of Sir Henry, 221.
- Isli, John de, seal of, 220.
- Jacobo filio Fabri, W., 208.
- James, arms and pedigree of, 212.
- James, Mr., of Ightham, a sequestrator, 138; his friendly assistance to Sir Roger Twysden, 192, 193.
- Jenkins, Rev. Robert C., on the Gates of Boulogne at Hardres Court, in the parish of Upper Hardres, 43; on fragments of Norman building recently discovered at Great Woodlands, in the parish of Lyminge, 123.
- Jenkinson, arms of, 251.
- Jewry Lane, Canterbury, mosaic pavement found in, 38.
- Johanne de Cruce, W., 208.
- John, King, years of his reign, whence dated, 295 *n.*
- John . . . , T., 75.
- John, nephew of Hugo de Chilham, W., 205.
- John of Dover, W., 211.
- John of Gaunt, Duke of Lancaster, question of his connection with the Kentish insurgents, T., 69, 71, 76, 85.
- John of Herste, W., 214.
- John of Shillinghelde [Sulinghoude], W., 213 and *n.*
- Jolly Waterman, sign of a public-house at Maidstone, 115.
- Jones, Col., of Ightham Court, old plan of the manor of Wrotham belonging to, 244.
- Kelysham, John, T., 80.
- Kemble, John Mitchell, his biography of Sir Roger Twysden referred to, 199.
- Kennington, extract from the parish register of, 267.
- Kent, T., *passim.*
- Kent, Sequel to the Great Rebellion in, in 1381, 67.
- Kentish Committee, their tyrannous usage of Sir Roger and Lady Twysden, 131, 135, 138, 139; deprived of their power, 192; letters from, 135, 192.
- Kentish Petition, the, made the ground for sequestrating Sir Roger Twysden, 132.
- Kenward, Richard, sells some land to Sir Roger Twysden, 174; troubles of the latter in consequence, *ib.*
- Kidbrook [Ketebroc], fine of lands in, 275.
- Kiffin, arms of, 269.
- King's Bridge, Canterbury, remains of Roman Canterbury laid open near, 35.
- King's evidence, 81 *n.*
- Kings of Kent and Archbishops of Canterbury, St. Augustine's Abbey designed for their burial-place, 57.
- Knevet, Antony, present at Tunbridge when Wyatt's proclamation was made, 236; execution of, 221.
- Knight's-fee, question as to its extent, 292 *n.*
- Knightly, Mr., his civility to Sir Roger Twysden whilst a prisoner in Lambeth House, 177, 178, 179.
- Lachedaches, read Lagedayes, 221.
- Lacustrine dwellings among the branches of the river Stour, 39.
- Ladane, probably La Dene, *q.v.*
- La Dene, William de, 208 and *n.*
- Lady Chapel (probable) of Dover Priory, 12.
- Lady Wotton's Green, Canterbury, 58.
- Lambeth House, rent of rooms in, when used as a prison for the royalists, 177.
- Lambeth Library, survey of the manor of Maidstone in the, 115.

- La Milende, T., 85.  
 Lancaster, Duke of: see John of Gaunt.  
 Lanfranc, Archbishop, Lyminge an archiepiscopal residence in his time, 125.  
 Langton, Sir John de, Chanecllor, A.D. 1300, letter to, concerning Rochester Castle, 235.  
 "Lara," quoted, 71.  
 Larking, Rev. L. B., note on the arms of Morant by, 100 *n.*; on a charter of Philip Augustus, King of France, in the Surrenden collection, 127; Notes from the Chartulary of St. Bertin, 203; resigns the Secretaryship of the Society, xxxvi.; is elected a Vice-President, xxxviii.  
 Laud, Archbishop, complaint of the Kentish Committee regarding his sequestered estate, 135.  
 Laws of Henry I., published by Sir Roger Twysden, whilst a prisoner at Lambeth, 145, 197; letter in relation to, to Sir Simon Dewes, 198.  
 Leaden font in Brookland Church, 87; signs of the Zodiac and other representations thereon, 89; names of the months, 94; age of the work, 93; style of execution, 95.  
 Lecon, the, in Warehorne, 105 *n.*  
 Leeds Castle, visit to, xlvii.  
 Leighton, Dr., made keeper of Lambeth House when used as a prison for the royalists, 175; his character, *ib.*, 178; wrong date usually given for his death, 202.  
 Leighton, Archbishop, 202.  
 Lelande, Aldulf de, Stoke, 274.  
 Leland, his verses on the capture of Boulogne by Henry VIII., 48.  
 Le Mylende, T., 76, 85.  
 Lenham, extracts from the parish register of, 261; inscriptions in the church, 263.  
 Leonius, Abbot of St. Bertin, 205, 207.  
 Leuyssheth, William, T., 80.  
 Levelande, 211.  
 Lewes, battle of, 118.  
 Lewisham [Leueseham], fines of lands in, 273, 280.  
 Leyborne register, extracts from, 247.  
*Libera elemosina* explained, 305 *n.*  
 Lightfoot, W. J., Notes on Warehorne Church and its ancient stained glass, with Indices to the Parochial Registers of Warehorne and Newenden, 97.  
 Lilly [Lille], William, ancient carving at Maidstone probably set up by him, 115, 116.  
 Linton [Lynton, Lyntoun], T., 68, 71, 72, 75.  
 Lisiens, 209.  
 Livesay, Sir Michael, the regieide, his treacherous conduct to Sir Roger Twysden, 189, 190.  
 Livingsborne [Livingelburn], fines of lands in, 279, 280, 298.  
 Lokesdale, extent of the manor of, 313.  
 Lombard, Master, W., 209.  
 Long, Sir Lislebon, befriends Sir Roger Twysden, 183.  
 Lougag, fragments of early masonry at, 124.  
 Longehamp, Stephen, W., 219.  
 Longshots, an estate of Sir Roger Twysden, 184.  
 Loose [Lose], T., 71, 72, 75, 84; fine of lands in, 288.  
 Lora, daughter and heiress of Sir Thomas Morant, her two marriages, 100 *n.*  
 Lose, Emma de, Loose, 288; William de, 288.  
 Lossenham, in Newenden, 108 *n.*; fine of lands in, 291.  
 Louis VII., King of France, his dream, and visit in consequence to the tomb of St. Thomas of Canterbury, 128; his grant to the monks of Holy Trinity, 129.  
 Lukedale, in Ickham, 313, 320.  
 Lumsdaine, Rev. Sandys, 53.  
 Lundenessh [Lundenyssh], Roger, T., 70 and *n.*, 72, 74; his pardon, 79, 80.  
 Lydden [Ledene], advowson of, 293.  
 Lyminge, manor and parish of, connection of the Hardres family with the, 45; ceded to the Crown by Archbishop Cranmer, 48; granted to Sir Anthony Aucher, *ib.* *n.*  
 Lyminge, fragments of Norman building discovered at Great Woodlands, in the parish of, 123; other fragments near the Rectory, 124; foundations of the Camera, 125; an archiepiscopal residence from the time of Lanfranc, *ib.*  
 Lyminge, North, fragments of early masonry at, 124.  
 Lymings, Camera de, the Earl of Gloucester does homage to Archbishop Peckham there, 125.  
 Mabile, wife of Hamo, 210 *n.*, 211.  
 Mabile, wife of Robert, son of Hamo of Throwley [Thrulega], 217.  
 Macherou, Thomas, T., 71.  
 Mackeson, H. B., Esq., of Hythe, 88 *n.*  
 Madunt., *i. e.* Mantes, *q. v.*  
 Maidstone [Maydeston], T., 72, 75, 78, 84; conspiracy to burn the town of, T., 72; ancient carving in Earl Street, 113; the Society's Museum, 33.  
 Maidstone Church, Lecture on, by Mr.

- Beresford Hope, xxxviii.; sockets for tapers in, 116.
- Maidstone Manor Surveys, 115.
- Mammoth (*Elephas primigenius*), bones of the, found at Chartham, 41.
- Manasses of Hastings, W., 213.
- Maneretti*, 315, 320.
- Manor House of Lyminge, its site, 125.
- Mantel, Walter, execution of, 221.
- Mantes, 129.
- Manwayring, Col. Robert, a friend and kinsman of Sir Roger Twysden, 188, 189, 193.
- Marden [Merden, Merdenne], T., 72, 80.
- Margaret, wife of Henry de Insula, 212, 213.
- Marsilius, a monk of St. Bertin, 210.
- Marti [Marei (?)], Robert de, Egerton, 304.
- Martin T. . . ., Strood, 304.
- Master, arms and pedigree of, 259, 266.
- Matilda, wife of Hamo, joins in his grant of Throwley, 210 and *n.*
- Matilda, wife of Hugo de Chillam, W., 205.
- Mayer, Mr., a member of the Goldsmiths' Hall Committee, 187; its chairman, 194.
- Mayfield, archiepiscopal palæe of, its windows copied in St. Augustine's Missionary College, 63.
- Maylams, memorials of the, in Warehorne churchyard, 105 *n.*
- Maynard, Sergeant, candid declaration of, 185.
- Mayster, William, T., 71.
- Melkhous, T., 75.
- Meopham, extracts from the parish register of, 254.
- Merden, Merdenne, *i. e.* Marden, *q. v.*
- Mereworth [Merewood], 237.
- Middlesex, T., 76, 85.
- Mile End [La Mylende], T., 68, 76.
- Milkhous, T., 84.
- Miller, Sir Nicholas, a sequestrator in Kent, 138, 141.
- Milton: see Gravesend.
- Minton, Mr., reproduces an encaustic tile pavement for the Missionary College of St. Augustine, 63.
- Miscellanea, 220.
- Missionary College: see St. Augustine's College, Canterbury.
- Modius, question as to its quantity in the grant of Louis VII. of France to the monks of Holy Trinity, Canterbury, 128 *n.*
- Monselowe, *i. e.* Monselowe, *q. v.*
- Monins [Monyns], Sir Edward, of Waldershare, 138, 197.
- Monins, Sir William, 197.
- Mons Cathedral, widows of, 93.
- Monsclowe [Munselowe], Robert, T., 68, 71, 72, 73, 74, 77.
- Months, table of names of the, according to various authorities, 94.
- Montesquieu, the Baron de, a sharer in the property of the Hardres family, 55.
- Monyns, Sir Edward, 138.
- Moore, Richard, a Parliamentary committee man, 188, 191.
- Morant, Sir Thomas, his armorial bearings, 100 *n.*
- Morskin, arms of, 242.
- Mortimer, Hamo de, 216.
- Mortimer, Hugh de, 216 *n.*
- Mot, John, a servant of Sir Roger Twysden, 141.
- Mote, near Canterbury, its present owner, 196.
- Moulins [Molyns], W., a Parliamentary committee man, 188, 191.
- Moyle, Sir Thomas, of Eastwell, 196.
- Moys, Thomas, questioned about Sir Roger Twysden's goods, 141.
- Muids, *i. e.* Modius, *q. v.*
- Munde, John, T., 71-75.
- Natives, what, in the feudal system, 69 *n.*
- Nativity, controversy as to the time of the, 94; extract from Aleuin's Pastoral Calendar, 95.
- Newenden, index to register of baptisms, 1552-1820, 107; list of rectors, 1523-1773, 112.
- New Work, the, of Archbishop Corboil, *i. e.* Priory of St. Martin, Dover, *q. v.*
- Nicholas Breakspeare, *i. e.* Adrian IV., Pope, *q. v.*
- Nicholas the Dean, W., 210.
- Nicholas de Ecclesia, W., 208.
- Nicholas of Exeter, W., 216.
- Nonsuch [Nonesuch], in Surrey, 199.
- Norburn, Anselm de, Finglesham, 302.
- Norman, monk of Faversham, W., 210.
- Norman building, fragments of, recently discovered at Great Woodlands, in the parish of Lyminge, 123.
- Norman scribes, blunders of, in relation to patronymies, 46 *n.*
- Northfleet, extracts from parish registers of, 270.
- Northwood, Dieringus de, Livingsborne, 280.
- Northwood, Juliana, wife of Dieringus, 280.
- Norwich, Bishop of (Henry Spenser), T., 84 and *n.*, 85.
- Norwich Cathedral, 13, 25.

- Note on the Preservation of Old Buildings, etc., 233.
- Notes from the Chartulary of the Abbey of St. Bertin, 203.
- Oak timber, vast amount of, felled on the Hardres Court estate, 55.
- Odo, Bishop of Baieux, and Governor of Dover Castle, benefits the canons of St. Martin-le-Grand, 5, 23; probably procures therebuilding of their church, 23; his forfeiture of Chilham, 205 *n.*
- Officers of the Parliamentary army, their honourable conduct in seeing capitulations observed, 185.
- Old Buildings, etc., Note on the Preservation of, 233.
- Old Market, Canterbury, a branch of the Stour once flowed near the, 42.
- Orc, fines of lands in, 301, 302.
- Osbert, Master, W., 210.
- Osbert of Hougham [Hucham], W., 211.
- Ospringe Church, inscription in, 269; extracts from the parish registers, 273.
- Ospringe, the chapter of, 212.
- Ottinge, fragments of early masonry at, 124.
- Oxenbridge family, 120.
- Oxenden, Mr., 138.
- Pacehurst, John, T., 80.
- Pæonians, the, their lake-dwellings, as described by Herodotus, 40.
- Palace, the, at Canterbury, constructed from the remains of St. Augustine's Abbey, 58; once possessed by the Hales family, *ib.*
- Pardons to the Kentish and other insurgents, T., 70 and *n.*, 79, 83; wide spread of the disturbances shown thereby, 70 *n.*
- Paris massacre of 1572, alluded to, 186.
- Parliament, the Long, its severity in dealing with the royalists, 184 *n.*
- Parliamentary committee men, their corruption and tyranny, 173; their trickery, 189; their plea of conscience, 194.
- Parmentar, Robert, Kidbrook, 274.
- Parmentar, Gunilda, wife of Robert, 274.
- Patricxbourne, extracts from the parish register of, 252.
- Paul III., Pope, alarmed at the alliance of Henry VIII. and Charles V., 47.
- Peckham, Archbishop, his register cited, 46, 125.
- Peckham, James, of Yaldham, 100 *n.*; arms, *ib.*
- Pedes Finium, 271.
- Pedigree of the Hardres family, 46.
- Peires, John, T. 71.
- Peregrini*, 69 *n.*, 76.
- Peter of Blois, W., 211.
- Peter of Chillham [Chilleham], W., 214.
- Peter, canon of Therouenne, W., 205.
- Peverel, William de, Throwley granted to, 210 *n.*
- Philip, Precentor of Canterbury, W., 207.
- Philip Augustus, King of France, charter of, confirming a grant of his father to the monks of Holy Trinity, Canterbury, 127, 129.
- Philipot, John (Rouge Dragon), Visitation of Kent by, A.D. 1619, 241; imperfect pedigree of the Barry family by, 120.
- Phillipps, Sir Thomas, prints documents relating to the churches of Throwley and Chilham, 203.
- Pilborough, John, letter in favour of, 237.
- Pinner, arms of, 264.
- Plumptre, Rev. F. C., On the Remains of the Priory of St. Martin, and the Church of St. Martin-le-Grand, Dover, 1; traces the foundations of the Priory, 2, 3; makes a ground-plan of the same, 4; also of the Church of St. Martin-le-Grand, 23; recommends the restoration of the refectory of the Priory, 21.
- Plunder of Sir Roger Twysden's house at East Peckham, 197.
- Ponton, Stephen de, Lydden, 293.
- Poste, Rev. Beale, on Symbolism of the Blessed Virgin in former ages, as represented by an ancient carving at Maidstone, 113.
- Pratelles, Roger de, W., 219.
- Preston, advowson of, 287.
- Pretty, E., Esq., on an ancient carving at Maidstone, 114.
- Priory of St. Martin, Dover, 1; its remains, 2; its history, 6; made a cell to the Priory of Christ Church, Canterbury, *ib.*; suppressed, 7; dates of the various buildings, *ib.*; account of the remains, 8; gateway, *ib.*; the church, 9; transepts, 10; apsidal chapels, *ib.*; choir, 11; Lady chapel, 12; chapter-house, 13; large size and imposing appearance of the church, *ib.*; refectory, 14; traces of painting, 16; dormitory and library, 17; buttery, *ib.*; cloisters, 18; strangers' hall, *ib.*; poverty of the house, 21; its revenues at the Dissolution, *ib.*; its materials partly used for the repair of

- the town walls and gates, *ib.*; proposed restoration of the refectory, *ib.*
- Proctor, the Tunbridge schoolmaster, 235; his History of Wyatt's Rebellion, 221, 236 *n.*
- Quarry of St. Martin, near Caen, 7.  
*Quia emptores*, statute of, 305 *n.*
- Radefam, Ailman de, Kidbrook, 275.
- Rainham [Renham], fine of lands in, 295.
- Ralph, Ivo, Jordan, and Robert, sons of, Charing, 300.
- Ralph, son of William, W., 205.
- Ralph the Constable witnesses a charter of Philip Augustus, King of France, 130.
- Ralph of St. Martin's [Dover?], W., 211.
- Ralph of Wingham [Wingeham], W., 211.
- Reading, Mr., his reply to Sir Roger Twysden, 185; consulted on his case by the Goldsmiths' Hall committee, 187.
- Rectors of Newenden, list of, 1523-1773, 112; Warehorne, list of, 1438-1861, 101.
- Reculver, 37.
- Ree, John, T., 80.
- Reginald the Chamberlain witnesses a charter of Philip Augustus, King of France, 130.
- Reginald, son of Hamo of Throwley [Thrulege], W., 218.
- Reginald of Cornhull, Constable of Chilleham [Chilleham], W., 218.
- Renham, James de, Rainham, 295.
- Reve, William, T., 75, 83.
- "Rhogeni," potter's mark on Samian ware discovered at Canterbury, 30.
- Ricardo, Juvenc, W., 214.
- Ricardo de Vanella, W., 208.
- Richard I., confirmation charter of, to the Abbey of St. Bertin, 219.
- Richard II., T., 68; his charter of pardon, 70 *n.*; his pardon to Roger Lundenyssh, 79; to Thomas Bordenfeld, 81; and to John Cote, 83 and *n.*
- Richard, Archbishop of Canterbury, (*c.* 1175,) confirms the confirmation charters of Theobald and Becket, of the grant of the church of Throwley to the abbey of St. Bertin, 211; confirms the grant of the church of Chilleham, 212.
- Richard, Bishop of London, *c.* 1153, W., 206, 207.
- Richard, son of Ralph, W., 213.
- Richard of Hunfranvill, W., 216.
- Richard de Sar', W., 209.
- Richborough, 37.
- Rides, a provincialism, explained, 220.
- Robert, Bishop of Lincoln, *c.* 1153, W., 206.
- Robert, canon of Merton, W., 209.
- Robert, chaplain of Chilham [Chilleham], W., 218.
- Robert, son of Hamo of Throwley [Thrulege], confirms his father's grant of the church of Throwley [Thrulega] to the monks of St. Bertin, 217; pedigree, 218.
- Robert, the treasurer of the Hospitallers, Burham, 290.
- Robert of Barent, W., 211.
- Robert of Inglessham, W., 212.
- Roberto de Thalano, W., 208.
- Robinson, arms and pedigree of, 251.
- Rochester Castle, Collections for, 234.
- Rogbert, archdeacon of Canterbury, *c.* 1153, W., 207.
- Roger, abbot of St. Augustine's, Canterbury, Chistlet, 283, 284; Preston, 287.
- Roger the eleemosynary, W., 211.
- Roger of Norwich, W., 212.
- Roger, parson of Dartford, Dartford, 277.
- Roman bricks and tiles found largely in the old churches of Canterbury, 37.
- Roman Cemeteries in Canterbury, 27.
- Roman Pharos, at Dover, early Christian church adjoining the, 4.
- Roman ways discovered eight or nine feet below the present streets in Canterbury, 35.
- Romsey church, Hants, 12.
- Rook, Ralph, T., 72, 74.
- Rook, Thomas, T., 68.
- Roper, Elizabeth, 238 *n.*
- Roper, Jane, her letter to Lord Privy Seal Cromwell, 237; notice of the writer, 238 *n.*
- Roper, John, 238 *n.*
- Roper, Margaret, her burial-place, 238 *n.*
- Roper, William, son-in-law of Sir Thomas More, 238 *n.*
- Rote, John, sheriff of London, T., 75, 84.
- Rouen, church of St. Ouen at, 25.
- Rouge Dragon (John Philipot), Visitation of Kent by, A.D. 1619, 241.
- Roydon, Thomas, of Roydon Hall, 239 *n.*
- Roydon Hall plundered by the Parliamentary troopers, 197.
- Ruhoalt, 219.
- Rutland, a servant of Sir Roger Twysden, 141.

- Rycaut [Riehauf], Sir Peter, his treatment by the Parliament, 139 *n.*
- St. Albans made the first in rank of English abbeys by Pope Adrian IV., 57.
- St. Alphage, Canterbury, foundation of Roman bricks discovered, 38.
- St. Augustine, foundation of an abbey at Canterbury by, 57.
- St. Augustine's Abbey, Canterbury, Roman bricks and tiles found, 37; benefactions of the Hardres family, 46.
- St. Augustine's College, Canterbury, Architectural Notes on, 57; object of the paper, 57, 65; basis of operations, 57; history of the foundation of the Missionary College, 59; present aspect of the building, *ib.*; ambulatory and students' rooms, 60; library, *ib.*, 63; gateway, *ib.*; hall and chapel, 61; warden's lodge, etc. 62; the college court and conduit, 63; ruins of the abbey church, 64; St. Pancras chapel, *ib.*; projected restoration of the choir of the church, 66.
- St. Bertin, Notes from the Chartulary of the Abbey of, 203.
- St. Dunstan's, Canterbury, Roman cemetery at, 27; antiquities found, 28, 33.
- St. George's, Canterbury, morass or watercourse traversing the city there in Roman times, 35.
- St. George's Gate, Canterbury, probably the boundary of the Roman city, 36.
- St. Gregory, Canterbury, Roman bricks and tiles found, 37.
- St. James's, Canterbury, Roman bricks and tiles found, 37.
- St. Jesse, Abbey of, discovery of muniments under the walls of, 203.
- St. John, Canterbury, Roman bricks and tiles found, 37.
- St. Margaret, Canterbury, antiquities found in, 28, 37.
- St. Margaret at Cliffe, Norman capitals in the church of, 19.
- St. Martin, Canterbury, Roman bricks and tiles found, 37; Roman pavement, 38.
- SS. Mary and Martin, Dover Priory dedicated to, 6.
- St. Michael, Throwley, church of, 212.
- St. Omer, Abbey of St. Bertin at, 203.
- St. Ouen, Church of, at Rouen, 25.
- St. Pancras Chapel, Canterbury, traditionally supposed to stand on the site of Queen Bertha's British Church, 64.
- SS. Peter, Paul, and Augustine, Abbey of, Canterbury, 57.
- St. Sepulchre, *i. e.* Holy Sepulchre Nunnery, Canterbury, *q. v.*
- Saltwood Castle, rebuilding of, by Archbishop Courtenay, 125.
- Sarcophagus of uncemented brick and tile, discovered at Canterbury, 35.
- Saunder, Isabella, wife of Sir Roger Twysden: see Twysden, Lady.
- Saunder, Sir Nicholas, of Ewell, father-in-law of Sir Roger Twysden, 199.
- Savoy, palace of the, T., 71.
- Saxon Street, Dover, part of the foundations of the Priory Church laid open in building houses in, 4.
- Say, Geoffrey de, Burham, 290.
- Say, Mr., his speech of the House of Commons, 173.
- Scarborough, T., 70 *n.*
- Scereday in Higham, 278.
- Scoford, Agemund de, Losenham, 292.
- Scot, Sir Edward, 136.
- Scot, William, c. 1160, 208.
- Seal of the Portreve of Gravesend and Milton, 245.
- Sectam pacis*, T., 79 *n.*
- Selden, Mr., his friendship for Sir Roger Twysden, 133, 180 and *n.*
- Selling, Nicholas de, Faversham and Selling, 308.
- Selling, Hawise, wife of Nicholas, 308.
- Selling, Ralph and Simon, their sons, 308.
- Selling family, its present representative, 123.
- Selyng, John, T., 75.
- Selyng, John, jun., T., 75.
- Septvans family allied to the Hardres, 46.
- Septvans, Sir William, Sheriff of Kent, T., 68, 72.
- Serjeants-at-arms' fees, roll of, *temp.* Hen. V., 158.
- Serres, Jordan de, Chistlet, 283.
- Serres, Lambinus de, 285.
- Serres, Solomon de, 284.
- Sevenoaks [Sevenocke], 236.
- Sevington, Account of Brasses formerly in the church of, 117; descent of the manor, 118, 120; inscriptions, 118-121.
- Sevington, Sir John de, 118.
- Sharpe, Mr. J. C., his contribution to the Missionary College of St. Augustine, 63.
- Shelvynk, arms of, 258.
- Shene, T., 84.
- Shepere, William, T., 75, 83.
- Shillingheld [Sillingehall], a manor in the honour of Chilham, 211.

- Shyuill, what, 224.
- Sibbald, David, a coadjutor and amanuensis to Sir Roger Twysden, 198 and *n.*
- Sidney, Sir Philip, 238.
- Silvester, Abbot of St. Augustine's, Canterbury, *W.*, 205.
- Silvester, treasurer of Lisieux, *W.*, 209.
- Silvester "Regiū de Oly," *W.*, 216.
- Simon, Earl, *c.* 1153, *W.*, 206.
- Simon, an archivist of St. Bertin, 204.
- Simon, chaplain of Throwley [Trulega], *W.*, 218.
- Simon, clerk of Wendon [Wendene], *W.*, 214.
- Simon of Sudbury, Archbishop, his death alluded to, *T.*, 67; his murderers excluded from pardon, 79.
- Simon de Torrentes, *W.*, 219.
- Skinner, Captain Augustine, favours Sir Roger Twysden, 147, 189, 193.
- Skipmore, John, *T.*, 71.
- Skyuill, what, 224.
- Smalley, Edward, ease of, 157, 160.
- Smith, Herbert L., Some Observations on the Leadon Font of Brookland Church, 87; On Brasses formerly in Sevington Church, 117.
- Smyth, Adam, *T.*, 71.
- Smyth, William, *T.*, 75.
- Snargate and Snave churches destitute of a chancel arch, 100.
- Snayth, arms of, 258.
- Somner on Roman antiquities found in Canterbury, 37; on ancient pile foundations in the centre of the city, 41.
- Sonds, Sir George, his usage by the Parliament, 135.
- Southwark, the Compter in, Lady Twysden shares her husband's confinement there, 200.
- Southwell, Sir Robert, Sheriff of Kent, letter of, to the Council, concerning Wyatt's rebellion, 235.
- Sparks, William, 197.
- Spenser, Henry, Bishop of Norwich, *T.*, 84 and *n.*, 85.
- Squibb, Arthur, a Parliamentary committee man, 188, 191.
- Staplehurst [Stapelherst, Stapilhurst], *T.*, 71.
- Star Chamber, "censure" of the, 175, 202.
- Startout [Stertout], John, *T.*, 68, 69, 70, 72, 73, 74, 77, 83.
- Startout [Stertout], John, jun., *T.*, 75.
- Stelling manor, sale of, 53.
- Stemyngden, Richard, *T.*, 75.
- Stephen, King of England, confirms a charter of William de Ipra, 206.
- Stephen, clerk of Chelsfield, 296.
- Stephen de Ultrastura, *W.*, 214.
- Sterling money, 277 *n.*
- Stoke, fines of lands in, 274.
- Stone, George, a tenant of Sir Roger Twysden, boards his children, 142; harassed in consequence by the sequestrators, 141, 143, 163; conducts Lady Twysden into Kent, 146.
- Stone Street, 123.
- Strodes, Aluina de, Strood, 304.
- Strood [Strodes], fine of lands in, 304
- Stour [Æstur], the river, had formerly many more streams than at present, 40, 42; the "With," and other islands, mentioned in records, not now to be distinguished, 40, 41; once navigable up to Canterbury for small craft, 42.
- Strangers from the North country, their reported visit to Canterbury, *T.*, 69 *n.*, 76, 85.
- Strangers' Hall, Canterbury, 20.
- Sturry [Esturia, Estursete], 41, 205.
- Suilinghoude, *i. e.* Shillingheld, *q. v.*
- Sumerfeld, 279, 280, 298.
- Sumner, Archbishop, the chapel of St. Augustine's Missionary College consecrated by, 59.
- Surrenden Collection, charter of Philip Augustus, King of France, from the, 127; Philipot's Visitation of Kent, A.D. 1619, from a copy in, 241; seal with the coat of Morant in the, 100 *n.*
- Surveys of the manor of Maidstone, various, 115.
- Swan, arms of, 263.
- Swiss lakes, Celtic antiquities found in the, 40; similar remains discovered in the neighbourhood of Canterbury, *ib.*
- Symbolism of the Blessed Virgin in former ages, 113.
- Symon, Abbot of St. Bertin, his controversy and subsequent agreement with Henry de Insula, 212.
- Taruauense, *i. e.* Therouenne, *q. v.*
- Tassart, an archivist of St. Bertin, 204.
- Tatesham, arms of, 246.
- Tatlingbury [Tetlingebir], fine of lands in, 307.
- Taylor, Mrs., of Bifrons, 44; possesses a dagger given by Henry VIII. to Sir Thomas Hardres, 49; her account of the Gates of Boulogne at Hardres Court, 51; her sketch of the same, 52.
- Tendelok, John, *T.*, 75, 83.
- Theobald, Archbishop, finishes the Priory at Dover, 6; confirms a grant of William of Ipra, 207.
- Theobald, Count, witnesses a charter of

- Philip Augustus, King of France, 130.
- Theodore of Tarsus, Archbishop of Canterbury, 95.
- Theoldo, canon of St. Martin (Dover?), W., 209.
- Theronemic, 205 *n.*
- Thomas (Becket), Archbishop of Canterbury, confirms the grants of the churches of Throwley and Chilham to the Abbey of St. Bertin, 209; seal of, *ib.*
- Thomas, Clerk, W., 210.
- Thomas of Elmham, Archdeacon Hardwick's edition of, 64.
- Thomas of London, seal of, 209.
- Thomson, arms and pedigree of, 261, 263.
- Thomson's 'Seasons' quoted, 96.
- Thoresby, eo. York, sale of, 53.
- Thoresby of Thoresby, the heiress of, marries Sir Thomas Hardres, 47.
- Throwley [Trulea, Trulega, Trullega], alien Priory of, a cell of St. Bertin, 203; grant of the church of, printed by Sir Thomas Phillipps, *ib.*; other documents relating to, 206, 207, 208, 209, 210 and *n.*, 211, 212, 216, 217, 218.
- Tillard, Mr., his dealing with the Gates of Boulogne at Hardres Court, 52.
- Timber, wanton destruction of, by the Kentish sequestrators, 144, 161 *et seq.*; their proceedings justified by the Parliamentary Committee, 170.
- Tinemuc, John de, Egerton, 304.
- Topcleve, William, land-steward of Archbishop Courtenay, 125.
- Topclyve, William, T., 72.
- Tothill Fields, wager of battle in, T., 69, 77, 78.
- Tournay, Miss, of Broekhul, in Saltwood, 123.
- Tower of London, T., 68, 74.
- Towne, arms of, 258.
- Trickery of the Parliamentary Committees, 189; their contempt of their own rules, under the plea of conscience, 194.
- Trinity Chapel, Canterbury Cathedral, 12.
- Trinoda necessitas*, explained, 305 *n.*
- Trulea, Trulega, Truliega, *i. e.* Throwley, *q. v.*
- Tueker, arms and pedigree of, 248, 263.
- Tunbridge, proclamation made at, by Sir Henry Isley and others, 236.
- Tundu, Alard, and sons, Eynsford, 282.
- Tunstall, in Kent, 196.
- Twidsen, *i. e.* Twysden, *q. v.*
- Twysden, Sir Roger, his Journal, 131; inveteracy of the Kentish Committee against him, *ib.*; avowed cause of his sequestration, 132; his remarks thereon, *ib.*; his goods at Chelmington seized, 137; publishes the Laws of Henry I., 145, 197; a fine of £3000 laid on him, 146; consults Sir C. Yelverton, 147; considerations on the power and privileges of the two Houses of Parliament, 148; serjeants-at-arms' fees, 158; destruction of his timber, 144, 161 *et seq.*; petitions the House of Commons, and is allowed to be bailed, 174; dispute with Dr. Leighton, the Keeper of Lambeth House, 176; released after a two years' imprisonment, 180; continued difficulties with the sequestrators, *ib.*; his estate wastes away, as he is not allowed to compound, 181; makes further application to the Parliament after the death of the King, 182; order made in his favour, 184; pays a composition, 185; procures a slight abatement, 187; subjected to fresh exactions, 188; pays further sums, 192, 193; death of his wife, 199; memorandum from his private diary, 197; letter of Gio. Franc. Biondi to, 240.
- Twysden, Lady, her barbarous usage by the Kentish Committee, 135, 138, 142, 145; pity expressed for her by a colonel of the army, 133; also in Parliament, 137; her fruitless journeys into Kent, *ib.*, 139, 143, 145; her illness, 146; petitions the Parliament concerning the felling of the timber on her husband's estate, but obtains no redress, 162, 166, 170; her insolent treatment by the men employed there, 171; her death and character, 199.
- Twysden, Francis, brother of Sir Roger, expostulates with young Sir Henry Vane on Sir Roger's treatment, 131; committed to prison, 137; falsely accused of being concerned in a rising in Kent, 169.
- Twysden, Anne, married to Sir Christopher Yelverton, 147; brings to Sir Roger an order allowing him to be bailed, 174.
- Twysden, Jane, wife of Sir William Moinns, 197.
- Twysden, William, 239.
- Tyler, Wat, his death alluded to, T., 67.
- Ultrastura, 214.
- Uppedun, Walter de, Finglesham, 302.
- UpperHardres Church, its ruinous state, 43; monuments and brasses, 43, 45.



- Vane, Sir Henry, senior, speaks in Parliament in favour of Sir Roger Twysden, 183; anecdote related by, 186.
- Vane, Sir Henry, junior, his shameless declaration against Sir Roger Twysden, 131; afterwards presents a petition for him, 183.
- Vanella, Richard de, W., 208.
- Vaughan, Cuthbert, his two-handed sword, 497; married the relict of William Twysden, 239 *n.*
- Vaughan, Richard, his explanation of the cause of the sequestration of Sir Roger Twysden, 132.
- Venice, its pile foundations, 41.
- Vincent, an officer of the House of Lords, 187.
- Virgilio Mercatore, W., 208.
- Visitation of the County of Kent, A.D. 1619, taken by John Philipot, Rouge Dragon, 241.
- “W. Martt,” c. 1153, W., 206.
- Waite, John, T., 72.
- Waldershare, in Kent, 197.
- Wall-field, near the Dane John, Canterbury, Roman cemetery at, 34; antiquities found, *ib.*
- Waller, Sir Hardress, a scion of the Hardres family, 56.
- Walter [Water], Archdeacon of Baieux, W., 211.
- Walter, Bishop of Rochester, c. 1153, W., 207.
- Walter Parvus, 219 *n.*
- Walter, the prior, 219 *n.*
- Walter, Prior of Holy Trinity, W., 218.
- Walworth, arms of, 253.
- Ward, Hamnet, tutor to Sir Roger Twysden's son, 141, 197.
- Warehorne church, 97; windows, 98; their ancient stained glass, 99, 100; chancel, 100: east window and remains of escutcheons, *ib.*; indents of brasses, 101; roofs, *ib.*; tower, *ib.*; list of rectors, *ib.*; list of curates mentioned in the registers, 102; index to the register of baptisms, 1727-1820, 103.
- Watermills, numerous, in the Norman period, between Fordwich and Chilham, 39.
- Watkins, Sir David, a committee-man at Goldsmiths' Hall, 146.
- Watte, John, T., 75.
- Watson, arms of, 244.
- Watton, arms and pedigree of, 258.
- Weever, his ascription of the brasses at Sevington, 119.
- Weldon, Sir Anthony, chairman of the Kentish Committee, 138, 140; his search for Sir Roger Twysden's goods, 142, 197; his violent language, 142; his death alluded to, 184.
- Welle, William atte, T., 70, 75, 82, 83.
- Wenmok, Simon, T., 82.
- Westbury, case of the corporation of, A.D. 1571, 159.
- Westminster, T., 68, 73, 74, 77, 78, 79, 81, 82, 86.
- Westminster Abbey, 25.
- Westwode, Giles, T., 71.
- Wheat, charred, discovered at Canterbury, 36.
- Wickham [Wicham], fine of lands in, 290.
- Wictred, King of Kent, builds the church of St. Martin-le-Grand, at Dover, 5.
- Wildehog, Roger, Eshore, 306.
- Wildehog, Aluena, wife of Roger, 306.
- Wilks, Miss, presents some Roman vessels to the Museum at Canterbury, 29.
- Willesborough, extracts from the parish register of, 260; memorials of the Barres in the church of, 121.
- Willis, Rev. Professor, his description of Canterbury Cathedral, 12.
- William, clerk of Chilham, W., 210.
- William, nephew of Hugo de Chilham, W., 205.
- William, Prior of St. Augustine's, Canterbury, W., 205.
- William, son of Ralph of Eslinges [Haslinges], W., 214.
- William of Beiuino (?), W., 211.
- William de la Dene [de Ladane], W., 208.
- William of Doddington [Dudintun], W., 214.
- William [Longchamp], elect of Ely, 219.
- William of Eslinges, W., 205.
- William of Flanders, W., 208.
- William of Hougham [Hucham], W., 214.
- William of Norhast, W., 211.
- William of St. Faith, a party to the concord between the Abbey of St. Bertin and Henry de Insula, 212.
- William de Sconheld, W., 208.
- William of Sotindon, W., 211.
- William de Vallibus, W., 212.
- Willoughby, arms and pedigree of, 256.
- Will of Sir Thomas Cawne, 221; of John Wotton, A.D. 1417, 225.
- Wills of the Twysdens of Newenden, 112; pedigree, *ib.*
- Wincheap, Canterbury, Roman cemetery near, 27, 34.—See Wall-field.
- Winchelsea, Earls of, extract from the pedigree of the, 196.

- Winchilsea, Elizabeth, Countess of, 196, 197.
- Winchilsea, Heneage Finch, second Earl of, A.D. 1650, Maidstone manor survey made for him, 115.
- Wingfield, Anthony, letter and bond of, 238, 239.
- Wingham, Ralph of, W., 211.
- Wise, Mr., of Borden, 234.
- With, an island in the Stour, not now to be distinguished, 41.
- Withred, *i. e.* Wietred, *q. v.*
- Wolf, a sequestrator, 141; not severe enough to please Sir Anthony Weldon, 142.
- Wombwell, arms and pedigree of, 253.
- Worcester, Guesten Hall, 17, 20.
- Wotton family, once possessed of the Palace, Canterbury, 58.
- Wotton, John, master of the collegiate church of All Saints, Maidstone, testament of, 225.
- Wray, Captain, R.E., 88 *n.*
- Writ of right, 293 *n.*
- Wrotham, 100 *n.*; plan of the manor of, 244; extracts from registers, 246.
- Wyatt's rebellion, notes illustrative of, 221, 235.
- Wye, extracts from the parish register of, 263.
- Wyld, Sergeant John, signs an order to proceed against Sir Roger Twysden, 132; signs an order to inquire into the felling of his timber, 169; and another order justifying the spoil, 170.
- Wylie, Mr., on the lake-islets called Crannoges, 40.
- Yaldham, in Wrotham, 100 *n.*
- Yalding, extent of the manor of, A.D. 1263, 312.
- Yelverton, Sir Christopher, his advice to Sir Roger Twysden, 147, 172; gets a petition from him presented to the House of Commons, 173.
- Yelverton, Lady, (Anne Twysden), 147, 174.
- York Minster, 11.
- Zodiac, signs of the, represented on the leaden font of Brookland church, 89.

END OF VOL. IV.











