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## Part 2

# DERBYSHIRE MISCELLANY

Volume XIII: Part 2

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## CONTENTS

	Page
<i>Arthur Mower of Barlow Woodseats, County Derby</i> (continued from Part 1) by Rosemary Milward	27
<i>A dispute and a mystery solved? The quarrel between John Mundy and Mark Hope, vicar of Mackworth, in 1663 and its consequences</i> by Rosemary Lucas	52
<i>The Red Book of Darley</i> by Ernest Paulson	56

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## ARTHUR MOWER OF BARLOW WOODSEATS, COUNTY DERBY

### A SIXTEENTH CENTURY YEOMAN

(by Rosemary Milward)

Continued from Vol X111: Part 1

Throughout the long roll are Mower's descriptions of his farms and comments on his tenants, some of which are reproduced here.

#### Gorsthouses and Carmeadow

On the back of one of the fifteenth century deeds for Gorsthouse is a note that it was sold to the Mowers in 1535. However, it appears on Robert Mower's rental of 1520 when Nicholas Bagshay was paying 17s 6d a year. After his departure, George Mower of Woodseats made it over to his brother, James, in 1534, together with Carmeadow and other land, and in 1558, when Arthur inherited, the entry on the long roll is *'mye hunkell james mower for mye messuage and land and Care meadow called Gorsthouse 17s 6d'*. James died about 1562 and his widow, Joan, continued there, joined by her son, Robert, and his wife. In this year Robert was paying 18s 9d. His mother died in 1584 leaving Robert in full possession. He was a cutler - his tools were worth £3 15s<sup>36</sup> and he left them to his son, John. They consisted of 2 stithies, 2 vices, a pair of smithy bellows, hammers, tongs, 2 grindstones, a glasing wheel<sup>37</sup> and some small tools. The house was not large and only one room was heated but there was adequate furniture, linen, cooking and brewing utensils and still painted cloths<sup>38</sup> which, by 1610 when he died, were becoming old fashioned. Robert had a small farm with 2 cows and a calf and by September had got his corn and hay into the barn. He also had a stock of coverlet yarn, as had his son when he died 8 years later. Neither father nor son had a loom but there were several weavers in the area - John Watts of Holmesfield, William Trickett of Johnnygate and Robert Hattersley of the Bank all had one or more looms and gears and two had shops, presumably workshops.

In 1610 Robert's wife was apparently dead but the family consisted of John, Joan (already married), Grace, Margery and Jane, who was executrix of his will. Her father showed some concern about her future for he desired his cousin and landlord, Arthur Mower, to be good to her *'That she may have some stays or releefe out of the messuage wherein I now dwell at his discretion'* during her life and if she lived unmarried. He left £21 to be divided between his three unmarried daughters, Joan having had her portion on marriage. It is possible that for the last five years Robert was too old or not well enough to cope with his trade and the farm for the rent was divided between father and son - Robert paying 6s 8d and John, who also had Car Meadow, 20s. Their lease ended in 1605 and after this the rent was raised to £3.

John only out-lived his father for eight years and though the contents of the house had little changed, there were some improvements. The painted cloths had been discarded, a backstone<sup>39</sup> had been installed, there was rather more wooden furniture and a clock. Outside a cart, wheelbarrow, three horses with pack saddles and panniers, geese, hens and salt flesh. There were also eight coverlets. He left the sum of £29 but the debts he owed amounted to £27, so perhaps he had laid out too much money on expanding his trade. John left no will, so we do not know what happened to his sisters or whether he had any children. His widow lived on at Gorsthouse until 1621 when Thomas Brownlay entered and occupied it till 1690. He was certainly a weaver and perhaps he had made John's eight coverlets. His entry in Arthur II's rental for 1643 - *'receved of Thomas Brownlay 30s, (paid) for weaving 6s, moore for weaving 3s 6d, making hay 10s 4d, and mowing 6d, shering 3d. Receved of Brownlay his ladie daye rent that is crossed 1644 and gave him again towards assessmentes 5s'*. A useful man, and it is an interesting glimpse of the variety of occupations country men practised.

#### Car Meadow and Car Meadow House

- 1584 *'Amy Traves for a new house I builded in Car Medow last year and she went to it June 4 1584'*
- 1583 The house was built in the year after widow Traves had, ignominiously, left the Rosefield house, owing her landlord money and pay. If these women were the one and the same she seems to have mended her ways, for she lived here until she died in 1592.
- 1593 Thomas Marten took it from Lady Day (25 March) but only went to live there on his marriage to Elizabeth Nailor on July 29th. They had a son, George, five months later. Thomas died in 1602, Elizabeth stayed on, paying a rent of 2s 6d for the house and garden, Car Meadow itself being part of Gorsthouse Farm.
- 1606 After four years as a widow she married Thomas Allen, who paid the same rent. However, in 1609 Arthur writes down with some asperity *'Thomas Allen for the Carrmedow house and garden 2s 6d, he paid me not and he had abused hym selfe agaynste me and I reassed hys rent to 3s 4d'* The quarrel was made up and he was still paying 3s 4d per year in 1613. His death is not recorded but Elizabeth, wife of Thomas Allen, died on 17th April of this year.
- Richard Kee and Richard Shepard occupied the house for one year each, and also had Car Meadow, the rent being 20s.
- 1618 For the next six years it was let to George Glover, servant to Robert Mower of Woodseats, who had helped him to get a house and close from Mr Hall in 1615. He paid 30s to begin with, but later seems to have given up the meadow, the rent being 15s for the last three years, as indeed it remained until 1642.

#### Messuage and land in Cold Aston

- |      |  |        |
|------|--|--------|
| 1520 | <i>'Fylypote of Colde Astoon for anoxe Gang<sup>40</sup> land with a messuage'</i>   | 13s 4d |
| 1558 | <i>'Francys quycsall alias fylypot for a messuage and oxgang'</i>  | 13s 4d |
| 1562 | Benet Cartwright for a house and land in Cold Aston  | 7s     |
| 1575 | Benet Cartwright for a third part of ollecar (wood) in Cold Aston  | 2s     |
| 1576 | Benet Cartwright for a tenement in 'astoone' and a third part of ollecar bought of Godfrey Woodhouse   | 16s    |
| 1590 | Benet Cartwright for a messuage and oxgang of land and two parts of ollecar wood in Aston  | 18s    |
| 1606 | <i>'Arthur Cartwright entered this day of my messuage and lands in Cold Astone and paid at this daye'</i>  | 48s    |
| 1614 | Arthur Cartwright for an oxgang and two parts of ollecar spring  | £4     |
| 1618 | Richard Smith for the farm at Cold Aston   | £4     |
| 1634 | William Kitchen for the farm at Cold Aston   | £6 10s |
| 1638 | Richard Marple for the farm at Cold Aston  | £5 10s |
| 1643 | <i>'Richard Marple brought me 18 ston of Barre Iron which he priced at 2s the ston, 30s, which made up his Lady day rent last past before the date hereof'</i> |        |

#### Leycliffe house and the Lees Field

- |       |  |    |
|-------|--|----|
| Temp  | Rental of hay tythe for Barlow - Leycliffe house   | 1d |
| Henry | <i>'The lyttill farm by ye ley cliffe house and land'</i>  | 1d |
| VIII  | <i>Jolm Gapet for ye lye clyffe house and all ye lands thereto'</i>                                      | 1d |
| 1520  | <i>'Graye for lye clyffe house and land that douthe by lounge with a doule in the lye fyld be yeare'</i> | 8d |

1530	Richard Graye for lyecliffe house and land	13s 4d
1555	'Godfrey Vycars for my messuage and land called lee clyffe and a dole of arable land laying in lees field by year'	13s 4d
1557	Jhon parkensone for leycliffe house	20s
1569	Godfrey Vicars for the leycliffe house and land	20s
1570	The leycliffe house in 'hour' hands	
1575	John Benet for the leycliffe house and lands	20s
1576	John Benet for leycliffe house and land and a dole of arable land in the lees field butting of the lees common of the west part	20s
1591	John Benet for leycliffe house and lands and a 'dole' of land lying in the lees field. 'Hys lease out'.	20s
1592	John Benet 'towe rent cappons and towe henes at crystemas and was the furst yt farne payd of sartenty' <sup>41</sup>	
1602	John Benet for leecliffe house and lands and a dole of land in the lees field butting of lees bank of west	20s
1607	Thomas Fentham for the leycliffe house and the lands and the dole of land in the lees field which he entered unto this lady day 'in consytheracon that he hathe served my aboue xxty years and nowe waxethe owld without any further Consytheracon'. Bennet ij sones flytted to ye Loodes and never asked yt of my after thear fathers deathe into I had gyven hyt to my mane and I dyd bat of ye rent xs yerly'	
1609	Thomas Fentham for the harpar croft after it was 'claussed'	
1614	Thomas Fentham for leecliffe house and lands and a dole in the lees field	30s
1616	John Cowp farm at Leycliffe and lands	£3 10s

#### The Rosefields, Rosefield House and Hagg House

- 1599 Arthur Mower, in recording his chief rents, states: '... the Roosefylde the wych I hold of the manere of dronffield by dyd and Coppy bothe but noe rent'. Mr Selyoke was lord of the manor.
- 1563 The Rosewood and the Rose hedge were fallen and sold for £50 6s 8d, and the Rosehedge was coaled. This latter wood was also known as the Rose Hagg and lies to the west of the four Rose Fields which, in 1563, would only have been one.
- 1568 Mower allowed Roger Traves to build the Rosefield house, for which he paid 12d a year. He had it for his life which ended in 1576. Afterwards 'Oxsor' Traves (presumably his wife) had the house with a yard but paid no rent. Six years later there was trouble. 'Traves wyffe left Roosefeld house on 27 July for her evyll demenuur tourdes my wyffe'. She was required to pay 4s for overdue rent for the house and the hay which grew in the croft.

About this time another house appears - the Hagg house. Arthur Mower gave Ales and Joon Bothom a housestead in the Hagg Head at Rosehill, for Ales had another daughter, Elizabeth, the 'Idyote or foull'. He found them timber of all sorts and they built it of their own cost. This generosity was probably because Arthur's wife was godmother to the fool and they had been homeless for three months, living in a shelter of alder boughs on Millthorpe Green. In the present age it is difficult to appreciate the simplicity of the dwellings of the poor, but charcoal burners' huts, for instance, were constructed of poles covered with sacking or turves in the form of a tent and it is likely that the Hagg house was similar. If there was a fire in front of the door and several people, who seldom, if ever, removed their clothes, were within, the interior would not have been cold, even in winter.

Another family connection is revealed in the will of Richard Hewitt of Millthorpe who had married the sister of Arthur's wife. He left £3 6s 8d to 'Joon Botherame who I take to be my daughtere'.



- 1594 The mother's death is not known, but in this year Elizabeth, the idiot, died and Joan flitted from the Hagg house 'of her hounne mynd' to William Taliors at Riddings. She died four years later. They do not seem to have paid rent at any time.
- 1582 To return to the Rosefield house - after widow Traves left, George Armfield was there until 1589, paying 5s a year, and then it was unlet for a year. A tenant was found, Thomas Lawe, but there were difficulties for in 1591 the rental states 'no rent set doune as yet' and in 'wysson wyke' he left. Five days later, 'of cobes crystye'<sup>42</sup> Richard Stenrood came to it, paying a yearly rent of 8s for the house and yard. He also rented the Hagg Wood for an extra 2s a year. Three years later he paid 3s 4d for house and yard but moved to Rose Hagg house on 8th December. After this the Rosefield house disappears. Being built of light materials no doubt twenty years saw the end of its usefulness.

#### Hagg House

- 1597 On April 29th of this year Stenrood went into the yard where he 'dayed'. Elizabeth, wife of Laurence Whythead, was the next occupant and her name is on the rental from 1598 to 1604, though no rent is entered. In this last year the entry is 'Laurence Whythead is discharged' - might he have been in jail for the previous years.
- 1606 April 1606 finds Laurence Whythead leaving the Hagg house owing eight years rent and to ensure he didn't return there Arthur bought an old lock and a key for the door and the gate at a cost of 8d. A few years later the Barlow overseers of the poor were paying Laurence 9d a week. The Hagg house was empty for the next seven months before a satisfactory tenant was found. This was Richard Barton, who not only rented the house and yard, but son, George Mower, let him have the Far Meadow, which he paid for but the sum is not entered. He also took in a little yard from the wood but apparently he didn't prosper for he was gone by 1607, when Arthur let Hagg house to the miller of Holmesfield Mill to bring his wife to. She was a Retford girl and they lived there from October to May when George Stacey took it at a reduced rent of 2s 6d. The next three tenants paid 3s 4d but 1614 is the last year that the house is down on the rental.

#### Hugate Estate

##### Tenement in Soutergate

- 1443 Thomas Hugate paid 14d to the Gild of the Holy Cross for his tenement in Soutergate, which was let to Thomas Jefcoke.<sup>43</sup> In the next year the Alderman and Brethren of the same gild demised to Richard Hawson half an acre between a road leading to Calow on the north, Soutergate on the west and the land of Thomas Hugate on the south.<sup>44</sup>
- 1451 By Hugate's own rental he had let it to Barlow for 5s a year, when it is described as a tenement in Soutergate with a garden and yard, butting of the water of Hipper to the east.<sup>45</sup> With it there was also land in the Spital and Hasland areas, adjoining that belonging to the Old Hall.
- 1520 After it became Mower property it was let to several members of the Ashe family - John Ashe had it for 16s annually in the 1520s and 30s; Henry was there in 1558 when the rent had risen to 25s. Fifteen years later another John was paying the same on Henry's behalf. He presumably died soon after as George Ashe was the next tenant.
- 1577 At this time Arthur Mower wished to re-enter the Little Pease Croft but found that old Henry Ashe had let it to Mr Nicholas Clarke, contrary to his lease. The outcome was that George and his father, John, agreed with Arthur that George should have it to his house again, paying an annual rent of 10s as long as Henry's lease lasted. He also had to pay his father 6s 8d yearly towards the payment of Mr Clarke 'of that deal that he was behind for John Ashe was bound that he should enjoye the close, or else a mark yerly'.
- 1580 George only lived for 2 or 3 more years. Peter Needham married his widow and took over the tenancy, together with the Little Pease Croft and a close in the Highfield under Spital. He paid Mower £6 13s 4d on condition that if he enjoyed the farm for 21 years his landlord was to have this sum, but if Mower had any misliking of him at any time during the tenancy, upon one year's warning, Arthur was to pay him

back as many 6s 8d as there were unexpired years at his departing from the farm. He was still there in 1590 but there is no further entry in the rentals. It remained in the Mower family, however, until 1697 when it was sold by Robert Mower of Barlow Woodseats for £100 to the Unitarians for a house to be built for their minister.

#### The Old Hall in Chesterfield

1485 When Elizabeth Mower inherited it was described as a hall place with a garden, yard and croft butting on the water of Hipper, with a little close beyond the water called Kirkcroft and a meadow in Boythorpe. There was also detached land in the Hasland area - the Great Pease Croft in the fee of Dronfield, butting on Fulbrook on the north and Penemore and the highway on the west.

1520 From 1520 to 1524 John Becke was tenant, paying 5s, after which 'doughtur Blythe' had it for 9s. Arthur Mower's mother was a Blythe so perhaps this was a relative.

1557 Ralphe Ashe was there until 1580 when he and Arthur agreed to let it for one year to James Bretland.

1584 Richard Woodward paid £5 6s 8d for the Hall and all the lands and some at Brampton Bridge 'at the request of Thomas bolssere halderman'

At the same time John Lyngard had a shop (workshop) and a bay of the house next to the garden for a workhouse, with a place for his tenters in the yard, for which he paid 11s a year. Three years later he paid a peppercorn rent for which there is no explanation.

It is possible that the Old Hall remained divided, part still being domestic and part given over to trade, as Robert Mower of Woodseats, 'the great lead merchant', is said to have died there in the eighteenth century.

1590 Arthur Mower was at the Chesterfield leet on April 27th 'and was called there before he came the same day for great court for the Old Hall, which I hold of the manor of Chesterfield, and John Lyngard, my tenant of old hall serveth at leet of the town for his recienes because he is dwelling there within the same town leet, so I moved Mr Lenard Baniford, being head steward, that my appearances for the Town Court might be recorded, and he said it should be and bade Mr Bagshawe to record it and he said he ad, who sat at this leet as bailiff of Chesterfield, for bailiff Latham was is displeasure with my lord of Shrewsbury, and was the first leet that bailiff Bagshawe has to do in this leet, but was bailiff of Bolsover a long time afore'

1601 Mower makes an interesting 'nootte' for the protection of his descendants - 'The shoing of my discharg for sut of Court of old haule. I was called thys daye to have appeared for the olde haule in the great Courtt holden thys daye for the Towne and manner of Chesterfeild. I denyed to appeare and shoed a deed to Mr William flechare, head steward and a councellar learned, that dyd descharg my of all Sarvicees Customes and demaundes, paying xijd yerly which I do as afore appeard in thys noott. Nowe ye maye saye wy have ever appeard when wy was called Aunswer thys 43 yeares I have sarved thear and as yeatt I never was Called to do no servees of no Jury, No other sarvees exsept I aunswared when I was called Knowing not for whatt I was called but for my Recienes to leett as afor ys in thys Noott, for most Comenly ye leet and great Court and leett for towne of Chasterfeild are kept all of on daye and All suttters bothe for Counttry and towne ys Called to gether so that on mey aunswar the do not know to which court the are Called two, for some Court dayes the call is suttters two tymes over for our Recienes so that wy aunswar when wy are Called and aynswar we do not know for what, but I will do no mor so and I wret thys for a warnyng for my heires hear after'. Chief rent was paid for the Old Hall until 1610 but the tenants and their rents were not recorded after 1590.

#### Lands in Hasland

1558 Ralph Leeke of Hasland for 3 acres in Wynwell Sycke

3s 4d

1576 Mr Raffe Leeke of Hasland died before Martelmas last past and Mr Thomas Leeke is his son and heir, and Mr Thomas Leeke and I Arthur Mower, did exchange lands; he had my three acres lying in a close called Wynwell Sycke all together in 18 lands,<sup>46</sup> as it lyeth between one close called the Connyngry of the east part, and the lands of the said Mr Leeke of the west part, and butteth of the way leading from Hasland Green towards

Walton of the north part to him and his heirs.

I had an oxgang to me and my heirs for the three acres aforesaid of Mr Thomas Leeke, one close called Penmore close lying between a close called the Lawe of the west part, and a waste piece of ground called Penmore, and a close of Godfrey Foljambe of Walton Esq, of the east, and butteth of the foresaid close called the Lawe of the west, and of the south one Raung<sup>47</sup> of land being parcel of Penmore close as the said raung lyeth between the land of the foresaid Mr Foljambe of Walton of the west and the land of Mr Ratclyffe of Ardsowe 'nyght Manechaster' of the east, butteth on Penmore close north - two acres. Also a pingle called Brampton Bridge Pingle between the way from Chesterfield to Brampton north and Cot Close of Mr Jarves Eyre south, and butteth on Brampton Bridge west, and a 'wattering place' of Mr Jarves Eyre belonging to the forsaid Cot close of east, one acre.

1576 James Bretland for these lands I have in exchange of Mr Leeke the first year 26s 8d

#### Dronfield Woodhouse

1520	Sir Peter Frechville for a tenement in Dronfield Woodhouse that one, Masone, dwelt in	18½d
1530	Sir Peter Frechville of Staveley for a messuage that Thomas Parker hath	18½d
1563	'Mayster Peter Frechville for a house in wuddus that Thomas Parker sometime dwelled in'	18½d
1590	Peter Parker for his landlord Mr Peter Frechville	9d
1614	Peter Parker for his landlord Mr Peter Frechville	9d
1649	Mr Wood for Parker's farm in Woodhouse	10d

#### Dronfield Woodhouse, the Northside Gate

1520	Mr Thomas Barley of Dronfield Woodhouse for the north side gate that Eodworthe 'dewles' in and pays by year	2s
1557	Thomas Barley for a tenement on the north side gate	2s
1558	Robert Barley for a tenement at the north side gate	2s
1589	Mr Robert Barley of Woodhouse died 4 November and Mr Anthonie Barley, his brother, entered and paid Arthur Mower for his messuage at the north side gate	(no rent down)
1591	Anthony Barley of Woodhouse, gentleman, forth of his 'newe Byged' <sup>48</sup> hall of the north side gate in Woodhouse and lands to the same	12d
1594	Anthony Barley of Dronfield Woodhouse, gen, died 2 August, and friday, and was buried of saturday, and his funeral day was not until 26 September. Elizabeth Warburton, daughter of Sergeant Warburton, whose mother was the daughter of George Barley, brother to Robert and Anthony Barley, inherited. 'Mr Seargeant appointed Mr Richard Cooke, the attorney, to receive all their rents in this country, and to bring it to him in London at next michaelmas term, and to pay me, Arthur Mower, my rent of 12d and all other rents due, and so he did when he came home from term'. Arthur notes that he would have demanded it from the tenant, but Cooke asked him to stay till he came home.	
1594	3 September. Peter Warburton wrote to the Earl of Shrewsbury from Dronfield, stating that he had refused the request of Anthony Barley, his uncle, to give £100 to needy kinsfolk in return for a promise to bequeath a house to Warburton's daughter, a descendant of Barley's elder brother, and had never promised to give him £100 as the Earl had been informed. <sup>49</sup>	
1595	Peter Frechville and Warburton for the new hall of the north side gate in Woodhouse, and the lands that James Barley dwells in. 'James Barley is the tenant of Peter Warburton,	12d



*sergeant-at-law, and his daughter, Elizabeth, of the new Hall at Woodhouse'.*

1598	James Barley, gen, for his landlord, Mr Standley Thomas Standley, esq, entered of the hall and land at Woodhouse at michaelmas, in the right of his wife, Elizabeth, who was the daughter of Elizabeth, wife of Peter Warburton, sergeant-at-law, which Elizabeth was the daughter of George Barley, and James Barley was but tenant of the hall and lands, and paid me my rent on 23rd October.	2s
1602	Mr Thomas Standley paid the rent for the hall, but Mr Eltoste entered it at Lady day	2s
1603	Thomas Standley esq, paid the rent for the Hall, which he sold soon after to Henry Hancock of Stubble, Mr Eltoste tenant, paid the rent Henry, Ralph and widow Hancock were paying 12d till 1644.	12d

#### Dronfield Woodhouse, the Over End

1451	<i>'A place that John Mason holds and yeves by year'</i>	10d
1520	<i>'on Robert masson of hoverend of Dranfeild Wodus for a tenement I dewles in and lands therto beloungyng</i>	10d
1530	John Owtram of Dronfield Woodhouse for a messuage he dwells in in right of his wife the which was Mason's daughter	10d
1558	John Owtram for a tenement in the over end in right of his wife	10d
1585	Robert Pointon for a house in over end that came to him after the death of his mother, Ellen Woodhouse, John Owtram's wife, who was the daughter of Robert Woodhouse, otherwise called Mason	5d
1614	Robert Pointon for the over end in Dronfield Woodhouse	5d

#### Cowley

1451	the heirs of William Coak of Colley	12d
1520	<i>'Mr Barley of Barley for sartenn landes in Colley caled blake care with mee hother landes alle byloungyng to Great John Coak farne and payse by yeare'</i>	12d
1530	Mr George Barley for a tenement in Colley	12d
1557	Mr George Barley for a tenement in Colley that lorance mylward dwelled in	12d
1558	Robert Coke of Colley for certain lands in Colley, pays by year	2s
1575	<i>'Robert Coke of Colley hys deayd and Robert Coke, his sonne hys hys heyre and payse as hys father dyd by yer'</i>	2s
1590	Robert Cook of Cowley, yeoman, for his house and lands	12d
1614	Robert Allen for a house and lands in Cowley	12d

#### Wigley

The holding of the Wigley property was more complicated than most, as the Mowers owned a quarter of it and the Calton family had had the other three quarters for several generations, a Thomas Calton being down on Hugate's rental of 1451, paying 2s for the 'mease'. Their representatives in 1558 were Syssylve Calton and her son, Thomas, who had the messuage, barn of three bays and land for 8s from the Mowers. As with all parts of his estate, Arthur, when he inherited, was determined to write down what was expected of him from the lords of the manors and his tenants 'for avoyding of Trobell hereafter' and he was not afraid to recourse to the law. In the case of the Wigley farm he describes, at some length, that Thomas, because he held the greater part 'had donne all the Sutttes and Sarvesses

*bylounyng to the forsayd messuaghe or teneente wyth in Wigley, and hys aunsetours afour hym tyme out memory of any man wythe out any fourssyng of my or off my Aunsetours audur by lease or other wyse that ever I cold heare of prowfe, and also payd all the Chyffe Renttes to the Chyffe Lord of the fee'.*

Perhaps the Caltons were being difficult, or resented Arthur's manner, but he demanded a partition of the Caltons' and his land in Wigley and threatened to go to law before they agreed, though they complained that he had forced them to do this. Four men were appointed to decide on the boundaries of the two holdings 'by mear and by balke'. For the Caltons old Bradshawe of Wadshalf and Richard Colley of Brampton; for Mower, William Fox of Barlow Lees and William Knyfesmith of Dunston, and there were also 'Frynds that was baye and pryvy to the Dowyng' who were John Fanshawe of Fanshawgate, Oliver Creswell and Edward Bramall, both of Brampton.

A document, referred to in subsequent rentals as a 'Boundary made and sealed', was drawn up and the fact that the Wigley tenement was held in socage tenure by deed only and red rose for all suits and services was included. Syslye's husband, Thomas, had had as the supervisors of his will in 1554 Henry Fanshawe and Christopher Kyng (Arthur's father-in-law). He was a substantial farmer with a second farm at Wadshalf and the combined land supported 18 head of cattle, 80 sheep, pigs, horses and poultry. His house had all the things for a comfortable life. When his wife died at Wigley in 1570 she had only enough possessions for one person, having moved into one or two rooms while her son and his family had the rest of the dwelling house. Son Thomas may have died before 1562 when Christopher Calton paid the rent. Then came another Thomas, followed by Agnes, who departed in 1589 when her children paid the customary 8s, before Oliver Creswell took over the farm. However, almost at once he let it to the lord of the manor, Christopher Selioke, for his sisters, Mistress Joyes and Mistress Elizabeth. Perhaps this was only a temporary measure for Creswell paid his 8s in 1509 for the barn of three bays and lands 'and James Calton entered to them last Spryng'. We hear no more of the Selioke sisters.

James Calton was still there in 1605 and Thomas in 1610 but they disappeared from Wigley about 1640 after at least two centuries.

#### Lound Hill in Brampton

Land on the Lound Hill has been popular, and in many hands, since the fifteenth century, but it is not clear where exactly this was. However, the fact that Loundslack Close is more than once associated with Lound Hill and also that Mr Eyre of Holme (Hall) rented Mower's two acres suggests it is likely to have been in what is now the Loundsley Green area.

1451	'Two acres of land that Nicolas Kasqwyne held of lound hill on the west side of the dike toward Brampton' by year	8d
1520	'Mr Edward Eyre of Home for 2 acres of land lying upon the lound hill in Brampton'	12d
1558	Two acres of land in lound hill in the holding of Mr Eyre of Holme formerly belonging to the Old Hall in Chesterfield, and 'holden in socage tenure has hold hall hys'.	12d
1575	John Skinar for my two acres at lound hill	10s
1576	Richard Marche house and two acres at lound hill	13s 4d
1590	Richard Marche for lound hill house and land	11s 8d
1593	Richard Marsh paid a rent henn at Christmas	
1603	Richard Marsh for my messuage and lands at lound hill 'I never had no suit demanded nor renttes asked for my messuage and landes att the Loundhill in Time the memory nor to the contrary for posterity'.	3s 4d
1624	Widow Marsh for lound hill and crofts	10s

### Moorhall, the Cotefield and the Old Field

1558	John Mower of Morehouses for cotefield and three doles in old field	3s 4d
1562	James Mower for the cotefields and a dole in old field	20d
1571	James Mower for the cotefields and a dole in the old field	4s 4d
1575	<i>'Godfrey Foljambe of more houses esquier dew for cote fyldes or butts of land the whych landes he had in exchaung of James mower of more housses afour thys ladye daye and payethe fourthe of the sayd landes yearly as the sayd James mower dyd afour and hys Aunsetours tyme out of mynd'</i>	3s 4d
1592	Godfrey Foljambe of Moorhall esq, departed this life on monday at morn being 15 November, and Arcules Foljambe, his brother, entered .... and payeth yearly as his brother did, for cotefield and for certain doles or butts in the old fields	3s 4d
1593	Thomas Rolenson of Chesterfield paid Hercules' rent for two years past	6s 8d
1597	<i>'Robert Mower, my son and heir, did receive of Godfrey Platts of Whittington by the commandment of Arcules Foljambe esq, about May day last past, when he went into Ireland, that he should, amongst other debts, discharge the rents that he was behind with me at michaelmas, for 4 years past, 3s 4d a year due for Cotefield and old field in the more house which he did pay him in Chesterfield when I was at Wolthwayt on 15th day of October 1597'</i>	13s 4d
1601	Elizabeth, Countess of Shrewsbury, and William Cavendish esq, for the cotefield and old field which they purchased of Arcules Foljambe, and the Moor hall and all thereto, <sup>50</sup> and took possession about the 8th day of February last past, and payeth yearly, as he did before. Humphrey Edmanson tenant.	3s 4d
1614	Lord Cavendish for Moor hall, the cote field and old field	20d

### Holmesfield

The Kyng family, from whom the Holmesfield property descended to Arthur Mower's wife, Joan, had been long established in the parish and there were several branches whose members feature in the court rolls of Holmesfield from 1486, and probably before. Christopher Kyng's father, William, made a terrier of his lands in 1509 and there were exactly the same as those left by Christopher to his daughter in 1579/80. The Millthorpe house is described as *'a messuage in mylnthorpe with a garden and A Horcharde with 14 closes therto'*. As it was occupied by the Mowers till 1644 it never appears in the rental.

### Layne Tournes, Lane Thornes

1509	one dole in layne tournes.	
1579	James Harry for lane thornes house and a dole of land it stands on, and two doles in a close called old field, and one dole in a close called the holmes, and a dole in benylands, and one close called new close, except one dole of the west side of the close of Robert Haslam and but tenant-at-will from year to year	12s 8d
1583	James Harry for lane thornes house and land, and Michael Mosley married Margaret Harry and <i>'cam into house and hys tenant-at-will'</i> .	
1584	Michael Mosley was tenant of lane thornes house as James Harry died 15th March	12s 8d
1614	Michael Mosley for my tenement at lane tornes	16s 4d

### High Town House

From its name this was most likely to have been in the village of Holmesfield, on the hill near the church.

- |      |   |     |
|------|---|-----|
| 1509 | One messuage in Holmesfield with one garden, two yards and two crofts.  |     |
| 1579 | <i>'John Hybard flytted from huntbanks to Hyghe toune house the 25th May and monday in the crosse wyke', for the houses and yards, and two crofts, my house of three bays, and the closes called the Riddings that it standeth in, and one close called the Grymsells, and but tenant-at-will</i> | 40s |
| 1589 | John Hybard for the high town house and land  | 40s |
| 1594 | Robert, my son, for <i>'hygh tun'</i> house and lands to it   | 40s |

### Riddings

This is a fairly common name in wooded country and this place is a different one from that attached to the High Town house.

- |      |  |       |
|------|--|-------|
| 1575 | William Talyer for a house and yard <i>'hyt came to me at deathe of my Modare Southe'</i> (his step-mother)  | 3s 4d |
| 1594 | William Talyar was still tenant when he had a visitor <i>'Joane Bothum dud flyt from Hagg house (after the death of her idiot sister) of her houne mynd toWilliam Talors of tuesday 2nd of June'</i><br>Seven years later William Taylor was in trouble, and probably too old to cope with a farm, for he went from Riddings house to his son, Arthur, with all his goods, as he had no fodder for his cows. Arthur Mower complained that William had left the Riddings without his knowledge or consent but he entered the yard and, after a general discussion between the parents, children and their landlord, it was agreed amicably that the old people should take £4, the value of their goods and go <i>'Clean away'</i> leaving the cows to be fed by the son. |       |
| 1602 | Robert Talyar was tenant of Riddings house, backside and yard. He made improvements to the house which were finished in the spring. James North was paid for walling and making an oven at the back of the chimney, the mortar being found by the Talyars, North slating over both ends of the oven and chimney. Five years later Robert was also improving the farm by enlarging the croft and making ditches. His last rent was paid in 1614.  | 5s    |

### A cottage in Holmesfield

- |      |   |      |
|------|---|------|
| 1579 | Robert Oxley for a cottage in Holmesfield <i>'I and my wyffe gave it rent free'</i> .   |      |
| 1580 | Richard Fox for a cottage in Holmesfield that Margaret Oxley <i>'whent awaye'</i> 14th February being thursday in the <i>'clansyng dayes'</i> . |      |
| 1587 | Joone and Ane yeloot for a cottage in Holmesfield   | xijd |

## The Manor Courts

### Lords of the Manor to who Arthur Mower paid chief rents

#### Barlow

1558-1589	George, Peter and James Barley	for	Barlow Woodseats, Gorsthouse and Car Meadow, Leycliffe
1589-1613	The Earls of Shrewsbury		

#### Holmesfield

1558-1586	Sir John Savage	for	Holmesfield property inherited through his wife from Christopher Kyng.
1586-1613	Mr John Manners Sir John Manners		

#### Dronfield

1558	Mr Selioke; sold the same year to George Barley	for	the Rosefields, Pease Crofts, Spital and Hasland
1588	The Earls of Shrewsbury		

#### Staveley

1558-1610	Sir Peter Frechville and heirs	for	Coal Aston
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#### Boythorpe

1558-1613	The manor was bought in 1538 by Sir Godfrey Foljambe of Walton from Sir Ralph Longford	for	Kirkcroft
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#### Brampton

1558-c1598	Christopher Selioke	for	Wigley
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#### Chesterfield

1558-1613	The Earls of Shrewsbury	for	Old Hall and lands in Spital, Hasland and Loundhill
1558	Mr Beresford, tenant of the Dean of Lincoln	for	a messuage in Soutergate and lands in Spital and Hasland

### Paying of the Chief Rents

The paying of chief rents, though sometimes fraught with ill-feeling if the procedure deviated from that which had happened for generations, or for personal reasons, was usually a sociable occasion, taking place sometimes in the church or churchyard after morning or evening prayers when friends and neighbours were there; in the parlours (at times by the windows if the light was fading) at Barlow Hall, widow Swift's or other alehouses. On one day Arthur Mower met Robert Colyer, bailiff to Peter Barley, in the lane at Conygray head, where he paid him for Woodseats. Later, when the Earl had the lordship of Barlow he paid Arthur Barker, the bailiff, on the way from the lead mill at Cobnar Spring. In this case Barker was with some friends - Arthur was always careful to hand over money before witnesses. In 1604 Mr Thomas Hall of Barlow Lees was the collector and, after the money was paid, he and Mower dined together at Robert Colyar's inn.



For his Chesterfield property - the Old Hall and the house in Soutergate and their lands - the rents were paid to the appropriate men when Arthur attended the leets. Late in his life the money was taken to Sheffield Manor where a Mower cousin, William Lee, was the bailiff.

On the other hand there were times when all was not well. Edmund Harrup, the parson at Barlow and acting for the Earl, had the temerity to say that whosoever was behind with their chief rents must bring them to him or he would distrain. This was in the chapel at Barlow before all the churchfolks. Arthur was there, took great offence, and reproached the parson, saying that he had been in his company on several occasions when he might as well have asked for it instead of '*making a prattell of it in the church*'. Thoroughly put out he said he would take the rent where ever his lordship commanded, but that Harrup should fetch it from where ever it was due. The parson compromised; he would not collect it himself but sent Thomas Drabble for it to Woodseats, where Mower had left it with his daughter, Jane, and she gave it to him on 23 May 1592.

#### **Barlow Manor Court**

As soon as Arthur Mower inherited his lands in 1558 he had trouble with George Barley, lord of the manor, to whom chief rents for Woodseats, Gorsthouse and Lyecliffe were due. Barley claimed that these lands were held by knight service; Arthur asserted that he held them by socage tenure and suit of court.<sup>51</sup> He was firm about this interference '*soe I and my fryndes Aunsward hym that yff yt was hys Ryght to have my ward*<sup>52</sup> *and that he cold prowfe my to be hys ward by learned men in the lawe I wold yeld to hym with out any furdar adoo so upon thys Reasonabell aunswer hy was content*'. They agreed to appoint Mr Thomas Sutton on Over Haddon, who was learned in the law and receiver to Francis, Earl of Shrewsbury, to give his opinion. '*Wy bothe went unto mester Sutton and dessyred hym that he wold speake hys appynyon upon the hearyng of bothe our Ryghtes and hy dyd apoynt hus to weat upon hym at Shefeld manor Afor newyars day in Crystenmas and to bryng our Evydances with hus and so dyd, and upon sight of my Evydance ther showed, mester Sutton hoppynyon was that I held not by knyght Sarves but by Soccage Tenure and Suitt of Corte and paying a years Rent Immedyaty after the deathe of every Aunsitoure daying in possission yff yt by demandyd by the lord or hys debyty, and doynge off fualy in the Cort, that is to take a nothe in the Court yff yt by demandyd or Elyse so not, thus I was dysspaced*<sup>53</sup> *and had no more to doe Afour Mr Sutton, and Mr Georg Barley bying ther hys selfe and Jemond Stevensonne hys atourney and the kyphare of hys Courttes And Thomas Swyft hys mane; ther was with my Arthur mower my hunkell Thomas parkare my hunkell James mower, thus I was discharged as aboufe ys sayd for the lordshype of barley the day afour newyers even at Shefeld maner in the Regne of Elysabethe ij anno domini 1559*'.

Again there was disagreement in 1575 when Edward More was bailiff to Mr Talbot, who was managing the affairs of his ward and son-in-law, Peter Barley, after the death of Peter's father, George. Mower offered his chief rent of 18d to the bailiff for Leycliffe house and land but was told that it should be 22d. The matter was left until either Mr Talbot or Peter had convenient leisure to come from Salesbury in Lancashire to discuss it. In due course Peter came. Arthur showed him his deed, saying that in truth he ought to pay no more, and indeed would not, and he supposed that the increased sum had been wrongfully set down by some negligent man. The lower rent was accepted but a year later Peter came into his estate and held his first rent day, Robert Colyar, the innkeeper, being his bailiff. Again the Lyecliffe rent was refused. Arthur desired his worship to demand no more but Barley said he would take counsel before accepting it. Arthur writes '*so I thought to give the due rent to John Benet, my tenant at house (Lyecliffe) that it might be ready if they took mind to call for it of a sudden ... and if they would not I would answer them at law if there was no other remedy, and if they would strive for more*'. At the next rent day Arthur again showed his deed and Colyar was advised to take the 18d and be content. He also promised to alter his rental according to right and this took place in the little parlour at Barlow Hall with Mistress Barlow, his mother, and Anthony Potter as witnesses.

#### **Peter Barley's first court**

This was held, after Peter Barley came into his lands, on 23 October 1577, when a dispute between the lord of the manor and the freeholders took pace about the lanes, their 'vacant nooks' and corners of waste ground. Lanes then had a good deal of land on either side of the track, with wider places here and there; place names such as Wilday Green and Millthorpe Green bear this out and the enclosure maps show the extent of the waste places. Barley maintained that these were part of the lord's commons and waste; the freeholders held that if this was so the soil was the lords and the freeholders could get no stone or other necessities, including 'bite of mouth' (casual grazing for their cattle). The jury, of which Arthur was a member, ruled that, as the owners of the land on either side of the

ways paid their chief rents to the lord and had old charters, they were entitled to use the lanes thus. In fact this had been the practice for generations, *'the time out of mind of any man', estimated at three score years'*. Mower did think, however, that some of the vacant ground lying on the sides of the tracks had been leased out by the owners of the land a long time ago, so that those who had had bite of mouth there expected to have it still.

Yet the jury maintained that soil was not the lords but belonged to the owners of the adjoining land because they paid their chief rent for it and had done their services according to their former grants and they saw no cause to transfer them to the lord because of the negligence of some *'uncarfull'* man.

At the same court the jury found that Godfrey Foljambe of Moorhouses had encroached on part of the common called Moorhouse Green and had got a thousand loads of stone *'bye extymacon'* for his barn, stable and oxhouse from above the Ridding heads; but for the getting of more stone in the Waterfall Lane, where his own ground joined it, they found him no trespasser to the lord's common.

As a result of the Barley misfortunes there was strife in 1588 when Roland Eyre of Hassop sent his man to the tenant's houses at morn for the Barley chief rents. Arthur was not at home but said that in any case he wouldn't pay the bill till he had heard further. About the same time Peter Barley's man tried to collect the same rent on behalf of his master. Cautiously Mower decided to pay no one until it was known what agreement Eyre and Barley had come to but the matter was settled by the death of Peter Barley at his uncle Blounts' in Eckington. His brother, James, came into the heavily mortgaged estate in 1589, selling what he had left to the Earl of Shrewsbury. On Sunday, 19 October, of that year, the *'pryste'* gave warning in the church that the chief rents were to be taken to Barlow Hall the following Friday, which Arthur did, paying it to John Bouthe, the Earl's servant, who set his name in his book and what he had received.

#### **Holmesfield Manor Court**

The bailiff to the lord of Holmesfield, Sir John Savage, was Robert Fanshawe. This family, of Fanshawegate in Holmesfield, had become superior to their local neighbours by sending at least two of their sons to London in the early sixteenth century and Arthur's mother-in-law, born Helen Fanshawe, had a brother, Henry, who had been placed with his uncle Thomas at the Exchequer. At Thomas's death Henry became the first of six Fanshawes to be given the offices of Queen's Remembrancer. Enriched by these offices these Fanshawes settled themselves in London, at Ware Park in Hertfordshire, and bought other estates near the capital where they brought up large families and flourished into recent times. Fanshawegate continued to be the home of Henry's brother John and it was his third son, Robert (first cousin to Arthur's wife, Joan) who was bailiff to the Savages. He seems to have been a difficult man and his relations with the copyholders and people of Holmesfield were far from amicable. Arthur, in particular, resented his autocratic manner, though at times he seems to have provoked him.

The Holmesfield chief rent was due on Whit Monday 1581 but the bailiff would not receive it because Mower refused to take it to the chapel, saying that it was due to be demanded - and then in good will - in no other place but the tenant's house. Both men being stubborn it was still unpaid at Martelmas (November). Aware of the situation, Sir John Savage, more diplomatic than Fanshawe, requested the tenants to take their rents to his house at Rock Savage in Cheshire so that the matter could be discussed. Despite the long journey they agreed to go, saying that they would do it to please him but that Fanshawe *'had gonne about to dyspleasure his dyvers wayes and be all means he could'*. This was something of an understatement, for in the year 1581 a case heard in the Star Chamber throws more light on the troubled situation. Fanshawe affirmed that he had summoned some of the copyholders to meet him in the Chapel on manorial business and that they had arrived armed with staves, swords and other weapons, assembled in the churchyard and, after a long and secret conference, entered the church where he was peaceably sitting in a stall and laid violent hands on him. The copyholders side of the story was that the conference was friendly and that the only man who was weaponed was Fanshawe himself. He was walking up and down the church armed with a pikestaff with which he thrust John Kyng out of his seat.<sup>54</sup>

At the Martelmas rent day Sir John Savage's son, John, should have been at the court but got no further than Haddon where he stayed the night. He may have had other business with John Manners, as will be seen later, or he may have been apprehensive about the copyholders' reaction to the proposal he was to put to them. Fanshawe

arranged a meeting at Heath, to the east of Chesterfield, and, aware of his unpopularity, asked My Foljambe of Moorhall to be there to ask all the tenants to pay at least two years' rent at the next Christmas towards John Savage's building and setting up of his new house. Rather surprisingly they were content to do this, though they argued cautiously about their rights. When the time came Arthur sent his money by his son, Robert, to Holmesfield chapel and bade him tell Fanshawe that he sent it thither not to please him, because he could not prove himself friendly in his dealings, but at the request of Sir John when he talked to him at 'Rooke' Savage.

A further annoyance was when Mower went to the next court, held in April 1584, arriving at 3 o'clock to find that the steward was not there, nor was there any word to the contrary, so they all departed. Later, Arthur sent the chief rent to the Holmesfield miller, who carried it to Fanshawe, as usual avoiding a meeting with him if possible.

### Cope Hens

An ancient custom which, by 1579, had turned into a money payment, was explained by Mower after he had paid his rent to Fanshawe. This was for his Holmesfield lands and consisted of 7s 6d for them and 7½d for cope hens. In former times when the lord of the manor lived within the lordship every toftstead gave him one hen at Christmas. However, the lord 'touke mynde' to move away and the unfortunate copyholders had to send him the hens as before, paying those who carried them a penny for every hen. After protests it was agreed that they should pay 2d for each hen and 1½d for the carriage, which was what Mower paid on his three toftsteads at Martelmas.

### Sale of the manor of Holmesfield

In 1586 Arthur Mower describes the ceremony which ended the Savages' reign as lords of the manor of Holmesfield. Sir John and his sons, John and Edward, '*did by their deed alienate and sell the lordship to Mr John Manners of Nether Haddon in Michaelmas term*'. He met the vendors and they went into the park at Holmesfield where the manor house had been, called '*Parke walles*', and there '*amongste the walles whear the sayd halle had byne Mr Manners touke possessyon. Fyrste ys worship Read the dayd*' of purchase which recorded that Anthony Garse was the attorney for the Savages, and John Slyghe for Manners. Sir John then took up a piece of earth from where the manor house had been, and delivered them both to Mr Manners with a little speech. The ceremony was witnessed by Godfrey Foljambe of Moorhouses, Roger Columbell and his eldest son, Roland Eyre of Hassop, Robert Eyre of Bubnell, and most of the copyholders of Holmesfield.

The company then adjourned to the chapel there, where the chief rents were paid to the new lord's man, James Slyghe, '*and Robert Fanshawe dalt not with them*'. A pottell<sup>55</sup> of wine, ales and cakes had been prepared and his worship drank, and all the company. The wine was of Fanshawe's charges and the ale and cakes of the copyholders, nine or ten of them. '*Hys worship touk hyt thankfully, so I, Arthur Mower, was at doing of all thys syrkeumataunces and wrot me name of backe syd of dyad of purchase and thys Remembraunces I set doune yff hyt sould fortten to be examyned of hyt her after*'. Anthony Garse, the other attorney, was not there and Thomas Mortten, his worship's man, was butler in the chapel for ale.

Robert Fanshawe remained steward to Mr Manners till he died in 1613 but the tension between him and Mower appears to have lessened after the lord changed and Mower makes no more complaints.

At Manner's court held in September 1588 it was demanded that the copyholders should set down in writing their customs and demands, that the lord might improve their '*tak*' in of commons and that they should have it by lease for 20 years. This was to be considered before the next court and although Arthur does not refer to it again it is known from another source<sup>56</sup> that in November of that year John Manners wrote to Roland Eyre and Robert Fanshawe. He said that he wished the copyholders to set down exactly the Customary of the lordship so that he would know what to demand and they would know what they were due to do. He suggested they took counsel and that he would hold a court, either before Christmas or after the twelfth day, when a jury should deliver the customs as they had been, time out of mind. Accordingly, Arthur Mower and Michael Harrye first went to Darley Abbey, near Derby, to secure the services of '*Mr Bullocke the Counsellar*'; then, later, Arthur and John Kyng the elder went to London where they met their counsel and Mr Manner's counsel and his steward. These meetings



resulted in a detailed document which they styled 'A Breviate of the Customs of the Manor of Holmesfield drawn up by the Copyholders at the request of the Lord'.

When Mower and Harrye travelled to Darley Abbey they had to stay the night between stating their case to Mr Bullock on the Friday (9 January 1589/90) and receiving his opinion on the Saturday. With the care one has come to expect, Mower gives the prices of their two suppers, two breakfasts, the horse meat, hay and provender, and, on their return, a new horse shoe fitted at Belper, all of which came to 3s 6d. Mr Bullock's fee was 10s.<sup>57</sup> Their expenses to London are not recorded.

### **Dronfield Manor Court**

The following account is in Arthur's words, but not his spelling -

*'Ancient demesne lands and freehold lands all.*

1559 To the lord of Dronfield for my lands holden of him, that is to say, the Roosefeldes, paying no chief rent but suit of court, and also great Paysse croft paying yearly at Michaelmas 5d to Mr George Seliok, being lord of Dronfield, and also little Paysse croft and my land in Hasland, and in the High field; after the death of my father, within a year and a day I was bound to come into the court by one Customary, or else the lord may 'seasse<sup>58</sup> our lands for (a year) and day, and so hold them until we come into the court and do according to our custom; and so at next court after my father died I came into the court and bade God save the lord and steward of the court, and bade good morrow to them that was by, as was orderly to do in all courts for all men; and when the steward had any leisure I desired him that I might be found heir, and so was, and paid to the lord for a fine 4d, and to the bailiff 1d, and the clerk 1d; and I hold of this manor all the lands above said as well by deed as by copy. For if we of the manor do convey our lands by deed as we may, yet we must come into the court and make acknowledge of the deed as above is said by the attorney as our customary do appoint.

Mr Seliok was lord of all the lordship of Dronfield when I was found there, then he sold all that is part of the manor of Dronfield, about Chesterfield, Hasland and Tapton to the Earl of Shrewsbury; so when my lord had bought this parcel of the manor of Dronfield my lord kept a court and gave summons to those that had lands within that part that my lord had bought to come to the court and do their suit, so our counsel said that we need not appear for because we that had lands within was but bound to two leets in that year, where the leets must remain at Dronfield, for the leet cannot be desevered nor parted, and further, no man, as my counsel let me understand, may make no manors nor lordships than hath been heretofore accustomed, as it is against the statute.

Mr Seliok sold to Mr George Barley all his common called Hilltop, and all his part of his manor lying within the lordship of Barlow, and Mr Barley bound him in obligation that he should not call no tenant within the lordship of Barlow in the court at Dronfield; and my lord hath bound him likewise for that part about Chesterfield. Now Mr Barley hath given it to his three younger sons, Mr Arthur Barley, Mr James Barley and Mr John, and a court was kept at Hilltop in their names. My learned counsel said that I need not, but if I would to show their courts, for they cannot make no new lordships at this day, so their counsel was if we stood needful to convey our lands, to go to head manor at Dronfield, and there remains the whole leets, for they cannot be parted, and the tenures of all these lands is ancient demesne and freehold lands all, and these cannot be altered to copyhold lands which was free lands because copyhold is ... tenure than freehold.'

### **The Chesterfield Courts** (see Appendix 1)

Throughout the long rental Arthur records his attendance at the Chesterfield courts, usually in April and October, from the time of his father's death, and possibly before, until shortly before he died - more than fifty years. There are certain gaps between 1559 and 1575, but as the manor court rolls for Chesterfield are missing, this Mower source contains much of interest, both official and personal.

It is a little surprising that Arthur never commented on the turbulent events taking place in Chesterfield, for instance the bitter conflict which dominated the town from the 1560s to the 1590s<sup>59</sup> between George, Earl of Shrewsbury, and the burgesses of the town over their rights and the disposal of the gild lands; and the antics of Nicholas Clarke and his sons acting, at different times, for both sides and for themselves. Earl George was rich, powerful, autocratic and feared by his inferiors which perhaps explains why, on the one hand Mower sets down

his rights and the true procedure at the courts as a record and protection of his heirs. On the other hand he is not anxious to become involved in any way which may be why he never writes down any facts, or his opinion, about the misfortunes of the burgesses, in case it should be communicated to the Earl, whose servants are known to have written to him reporting on such matters. The only tentative link is when Arthur notes, in 1576, that Nicholas Clarke has ended his *'beylyshype'* of Chesterfield. This may have been Clarke's own wish or it may have been that trouble was beginning between him and the Earl as by the 1580s he was working for the burgesses.

In 1587 and 1609 the plague visited Chesterfield and is mentioned briefly but little else that was happening in the town is described.

For the last two years of his life Arthur appears to have been too infirm to travel to Chesterfield - *'I was not able to ride'*, and he died in 1613. Robert, his heir, attended the courts spasmodically, but after 1615 they are not mentioned in the rentals. An abbreviated version of Mower's experiences there will be found in Appendix 1.

### **After Arthur**

With Arthur's death the pattern of life of the Woodseats family changed in many ways. Arthur's world was centred on Barlow, Holmesfield and Chesterfield, with excursions to other parts of Derbyshire and the adjoining counties when he had family or parish business to see to or during his steward duties with the Barleys. Derby, Nottingham and Cheshire were within his range and once, at least, he went to London. His estate was local, the farthest parts lying only 10 or 12 miles away and the products of his lands were probably disposed of locally. His home has been little altered for generations.

After Robert inherited new rents appear - a farm at Taddington and, oddly, the churchyard there, land at Priestcliffe, the next village, and a farm at Hognaston. Soon young Arthur the second seems to have been taking charge and was in full command by 1624 - his father, Robert, had died in 1620 aged 58 - the new Woodseats was finished and he had a wife and a year-old heir, yet another Robert. He was amassing property, his business interests brought him in association with lead and other merchants and later he was apparently extending his trade to the continent for one of his younger sons died in Norway. A surprising number of the younger sons of Chesterfield and Derbyshire men were sent abroad to further their father's businesses but we do not know why Norway was chosen for young Arthur III or what he was doing there, unless perhaps his father was dealing in timber?

The Petition of 1641 to the King to be reconciled to his Parliament contains his signature amongst the baronies, knights, esquires and gentlemen - the Woodseats Mowers were moving from the yeomanry to the gentry.

## **APPENDIX 1**

### **The Chesterfield Courts**

That follows is an abbreviated version of Arthur Mower's record of his attendances at the Chesterfield court, by what means he held his lands and his views on some of the events. Routine items have been omitted.

1558 *'I hold the old hall in Chesterfield, with garden and yard, of the manor of Chesterfield, of the Earl of Shrewsbury' in socage tenure and payment of 12d of chief rent at our lady day and Michaelmas, and suit at Great Court of Chesterfield.'*

*'I hold my tenement in Soutergate in Chesterfield of 'dayne of lynconne' by charter in socage, and payment of 12d chief rent and suit at his court when Mr Beresfort, being tenant to the dean of all his lands thereabout Chesterfield, doth keep his court in right of dean.'*

*'I hold Kirkcroft, lying of the south side of the water of Hipper, of the manor of Boythorpe in socage tenure, and I have a charter that doth discharge me of suit of court within Boythorpe, and no chief rent.'*



- 1569 Arthur Mower was at the Great Court on 5th April.  
*'I was at the Great Leet at Chesterfield the first day of October, but I came not until the jury was sworn, for I came from Derby that morning from a 'estreat quest'.<sup>60</sup> Also I was essoined<sup>61</sup> at the Great Leet by George Hethcot, and on the Town leet day I was at Ashover of the 'Quines byssenes' of a jury.'*
- 1575 *'This year I was at no courts in no place.'*
- 1576 *'I was at Great Leet at Chesterfield, being the 7th day of October and friday, and 'had moche a doe with on, Mr Gregsonne, steward, for newe houndars that he wold have broght upe, but wy wold yeald to nonne as a noot douthe mor plenyar apear.'*
- 1577 *'William Mower did assoine me at both country leet and town leet after Easter last past, 2d.'*  
*'Paid to William Dychensonne, bailiff to the Earl of Shrewsbury, for the Old Hall and Peasecroft, 'for a wholl yer chyffe Rentt, and thys hys the fyrst Rentt daye that the gathered after that nycoles clark whent forthe of beyly-shyppe of Chasterfeld.'*  
*'I made my appearance at Country Leet at Chesterfeld for my Reciancie that hys be casse I dwell within the presynke of leet of Scarsdall for Woodsettes house hys within that leet, for every house mist nydes be within the same after Ester laste paste, also I gave Rathebound bayly 2d to assoyne my at bothe leettes at mychmas in the yer above sayd.'*
- 1578 Mower was at the Great Leet and of the jury on April 8th. 'Mester' William West was steward for the first time. He promised Arthur that he would record his appearance at the town leet 'of other day'.  
 Arthur was foreman of the jury at the October Great leet and William Mower answered for him at the Town Leet 'for nonne hys of jury but thoose that are dwelars in Towne and Recidentte in Chasterfeld'.  
*'Paid to William Dycensone, being bailiff to the Earl of Shrewsbury, for the Old Hall for a whole year 12d.'*
- 1581 *'I was at Great leet at Chesterfield for my house Barley Woodseats, which is no Leet but a Court Baron, so that all that dwell within a Court Baron must appear in one Leet, which Leet is known by having bloods and frays and felons goods, and by making of three noises or proclamations at the beginning of Leet, for every Leet is in the right of princes, therefore Leet hath three proclamations and a Court Baron but one proclamation.'*
- 1582 Mower was at both leets in October and was pardoned of jury service because he was headborough of Millthorpe.
- 1584 9th October, Arthur served on the jury. When the jury had agreed on their verdict, the steward, William West, did not like the amercements they had set down and would have had them reconsidered, but the jury would not alter their verdict, but stood by it. The steward then forced four members in sympathy with himself to appear<sup>62</sup> the amercements, and called then affearors. Arthur writes that if those four had been wise they need not have yielded to the steward, then the whole jury would have agreed to the first verdict and the steward could have done nothing but with their consent.
- 1585 Mower was at the leets in October and the same day they showed their town armour before Mr Manners.  
 On the 29th October the chief rent was paid to Edward Bridges for the Old Hall.
- 1587 The leets at Chesterfield were summoned 'at crosse' but Mr West did not come because he did not know how the town stood because 'ther was foure chylðren of Thomas Fordes dayed very shortly<sup>63</sup> and was doutted to be plage because the town stoud in dannjar at fayre afour, so there was no leettes. Thys Estar kypt I went to towne and hard that steward wold not com, and come wome agayne'.  
 Item. 'there was no leettes not great courtes kept at Chesterfeld for hundrethe of Scarsdall not at no other place at thys mychelmas A.D. 1587 because the Towne of Chasterfeld was visited with plage'.
- 1588 The first leet kept by Lenard Bamford, the attorney, in Easter week. Arthur was pardoned of jury service as he was to appear before the commissioners for a general muster in the town the same day. He was essoined by Robert Swift, the headborough of Barlow, at the leets in Chesterfield in October. He was not able to travel as he had been troubled with 'acke in me lims aloung tym afore' and was still.

- 1590 Mower was at the Chesterfield leet on 27th April. He was called before he came the same day for the great court, for the Old Hall *'whych I hould of the manor of Chasterfeld and John Lyngard my tenant of old hall serveth at leett of the towne for hys Recienes because he hys dwellyng ther within the same towne leet ...'*
- William West succeeded bailiff Latham, who was in *'dyspleasure'* with Gilbert, Earl of Shrewsbury. At Earl Gilbert's first leet after the death of his father, Mr Lenard Bamfort, steward, and bailiff Bagshawe were both discharged of *'ther affeeses'*<sup>64</sup> and Lorange Halsope was appointed bailiff of Scarsdale and Robert Swift, headborough for Barlow, essoined Mower at this leet. He served at Michaelmas.
- 1592 *'I was not of jury, wytnes to Thomas Saxton, constable of Staveley. I made ther bill'.*
- 1593 *'I was sick and made not my appearance at great leet 5th October'.*
- 1596 Arthur was not at the great leet on 9th October as *'I hard it was for I was with my sonne in lawe Thomas Wilson at Tyckhyll gathering the queenes maties Rentts, and Ryc More, thyrdborowe for Barley myln dyd as sayne my with a pany, and I payd it hym a gayne of sounday in barley churche yeard 12 december 1596'.*
- 1597 Arthur was sick and missed the Easter leet. Also that at Michaelmas as he was at Wolthwayte with son-in-law, Thomas Wilson.
- 1598 He was at the great leet on 26th April, but not at that of 5th October as he was at Wolthwayte *'upon great occasions'*. His son, George, essoined him. William Fletchare entered as steward after the death of Mr William West. Son, George, paid all the chief rents due at Michaelmas in his absence from Barlow.
- 1599 At the Chesterfield leet of 17th April Mower made a presentment against William Lorange for not suffering a way through his close called the Ormsfield to a close of Arthur Mower called the *'hyghfeild scar'*, according to a pain set of 40s at the Easter leet *'was twele mounthes'*.
- Arthur Mower was essoined at the great leet by Roger Bagshawe on Wednesday 3rd October and got him to pay his chief rent the same day to Mr Haleshaw, who was appointed bailiff at Michaelmas *'in beyliff Dyckensons roome'*.
- 1600 Arthur Mower was at the Chesterfield leet for the hundred of Scarsdale on 28th March and at that of 2nd October, when he was foreman of the jury. He paid bailiff Alsop for amerciment for default of appearance at the leet of 20th December.
- 1602 At the Great Court of 9th April, Mr Bailiff Alsopp, after Arthur arrived, promised to see that his appearances were recorded *'for I had byssynes with steward about asayne that Thomas Cowp denyed to Joyne in with James Cowp. I was assoyned at great leyth houlden for the hundrethe of Scarsdell for my Recencie by William Mower and my sonne in lawe James Cowp the seterday the second daye of october A.D. 1602'.*
- 1603 Leet of 29th April. *'I gat Mr Hyghesteward that he wold record my appearances, and he sayd hy wold, for I went to the buryall of my Cossen Jo. Kyng wyffe of Holmesfield stryght from Chasterfeld to dronfeild and meet them or ye Came to ye Churche at Goorsforthe brydge'.*
- Arthur was essoined at the Chesterfield leet on 3rd October *'in the first year of King James'* by Robert Swift, thirdborough, and his brother, Richard Stobing, was a witness *'for I was gonne about a Comission betwyne Jo. Slymand and my sonne holland about Chauntry land'*. He did not appear at the great court of 3rd December because his deed discharged him from paying 12d yearly for all services, suits customs and demands. Son, George, paid to Roger Bagshawe for Mr bailiff Alshawe for the Old Hall 7d and his lands in the fee of Dronfield 5d. For the whole year 17d.
- 1604 Mower did not attend the great leet on 13th April for *'I had a poore hande and was not able to travel; so mayd defalt of Appearance for my Recienes'*. He was not at the court at Michaelmas as his deed discharged him for the Old Hall. He went to the leet in October and was called to the great court on the same day but didn't appear because of his deed. Chief rents for the Old Hall and Dronfield were paid in Mr Lawrence's parlour.

- 1605 On 4th October he paid to his cousin, William Ley, bailiff of Sheffield, his chief rents for the Old Hall and Dronfield fee in the maze chamber in the hall.
- 1606 William Outram essoined him at the Easter leet and he gave him one penny on 4th May.  
*'I gat Edward Bromhead of the morsyd to assoyne my at the great leet at Chesterfeld on fryst october being heydborow for Homsfeld and his son, George, paid the chief rents to Godfrey Bolsover, being 'debity' to cousin, William Lee, bailiff of Sheffield on 3rd October.'*
- 1607 Leet in Easter week. *'I was sycke and mayd not my aperance and so my sonne Robert dyd assoyne my to Francis West, unthier steward afour the court begane the same daye.'*  
  
Arthur was at the court on 2nd October. *'Be the same token I was in the haule and but thrye others when Mr Howard Came and bothe mester Alsoppe wythe hym and the promised my that yff thear was appearances I should not be of Jury nor was not.'*  
  
Francis West, the under steward, *'had mayd a newe booke of the sut Roole and had layste forthe the freyhoulders names within the Towne of Chasterfeld and the was not Called at thys Court'*.
- 1608 Richard Swift, headborough, essoined him at the April leet. William Owtrem and William Witterance gave 2d and at the October leet Arthur was absent *'for I had a soor foott'*. He gave Richard Swift a penny for his essoine and spoke about it to William Owtrem to make sure of his essoine.
- 1609 The leet for the hundred of Scarsdale was kept at Jarves Somersall's house at Whittington townes by Mr Thomas Alsoppe, under steward, because the town of Chesterfield was visited with the plague the Friday in Easter week, 21st April. The thirdborough of Barlow, Richard Stansowe, essoined Arthur Mower and William Owtrem, for they could not appear.
- 1610 Arthur Mower missed the court of 13th April. Humphrey Wood, constable of Holmesfield, and Thomas Ragge essoined him. He was also absent from the court of October when Peter Calton *'our thyrdborough'* essoined him and Arthur gave it to Robert, his son, who paid it *'and they was thear afour the jury roos about aelhous by Pares'*.
- 1611 Arthur missed the October leet as he was not able to ride.
- 1613 Arthur died. Robert, his heir, continued the rental - *'the Great leet at Chesterfield was held on the second day of October, but I knew not of it'*.
- 1615 Robert attended the leet of 6 October and was called of the Jury, but was pardoned and did not serve.
- After this year there is no further mention of the Chesterfield courts.

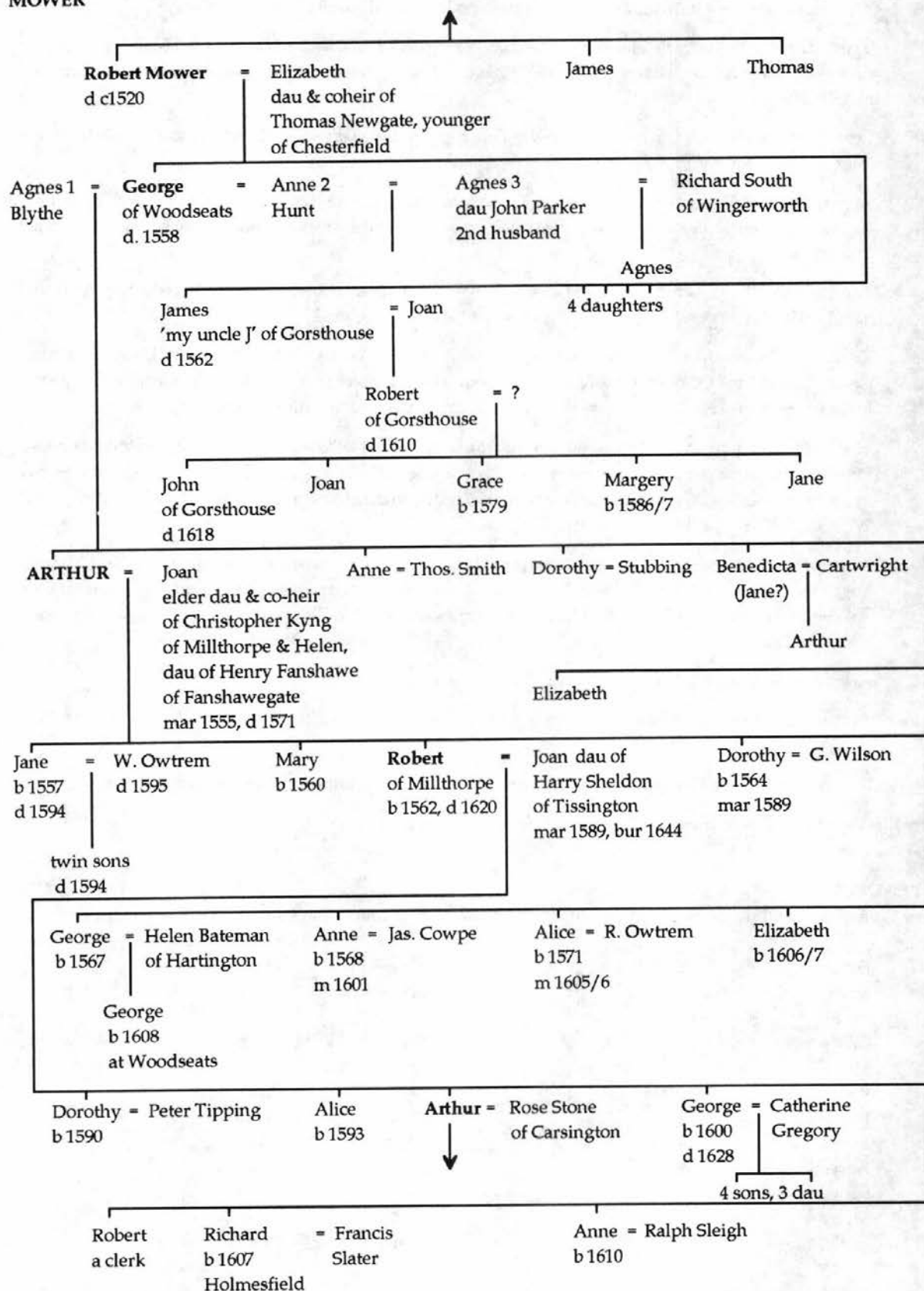
## APPENDIX 2

Some examples of Arthur Mower's pronunciation, some of which, of course, have survived to the present time.

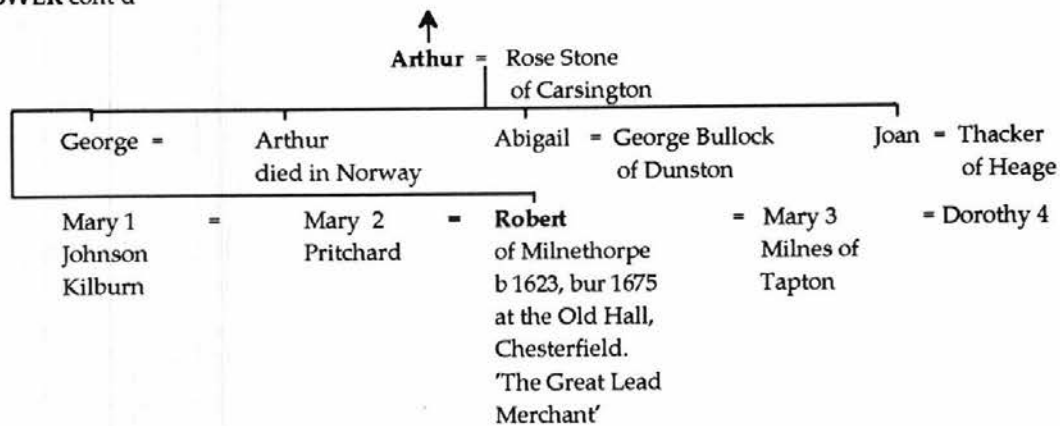
Denayd	- denied	Roosefelds	- Rosefields
Dayd	- died	Goorsforth	- Gosforth
Baye	- by	Thoose	- those
Fayne	- fine	Nootte	- note
My	- me	Gat	- got
Wy	- we	Fayrst	- first
Thyre	- three	Dryd	- dread
Bryther	- brother	Dayne	- dean
Agryed	- agreed	The	- they
Betwyne	- between	Mester	- mister, master
Sarvesses	- services	Annsetoure	- ancestor
Sarten	- certain	Remembraunce	- remembrance

# APPENDIX III: Mower, Foljambe, Barley and Fanshawe pedigrees

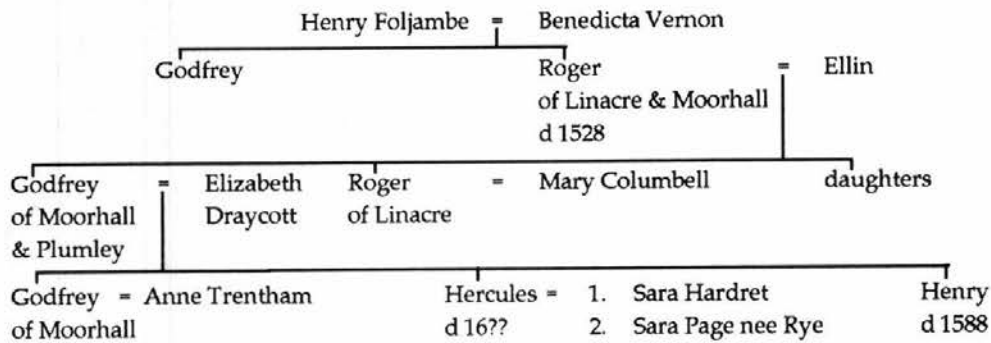
## MOWER



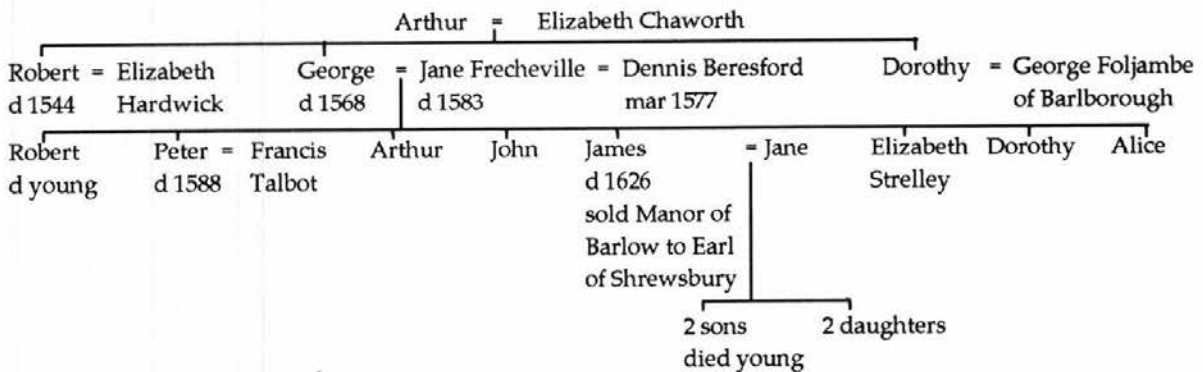
# MOWER cont'd



# FOLJAMBE

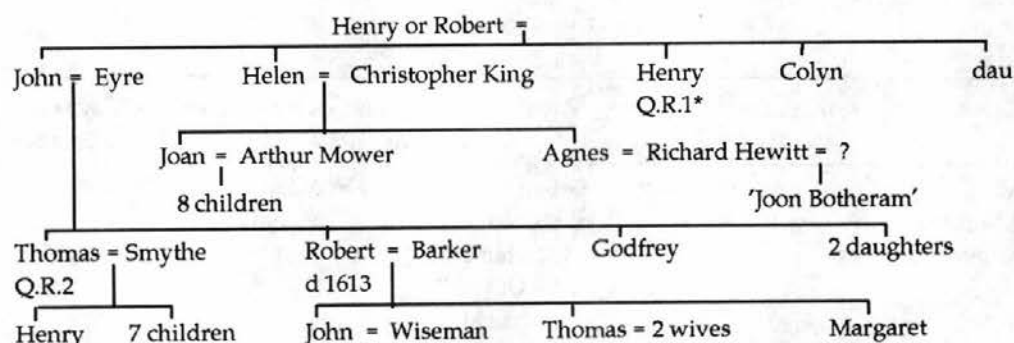


# BARLEY





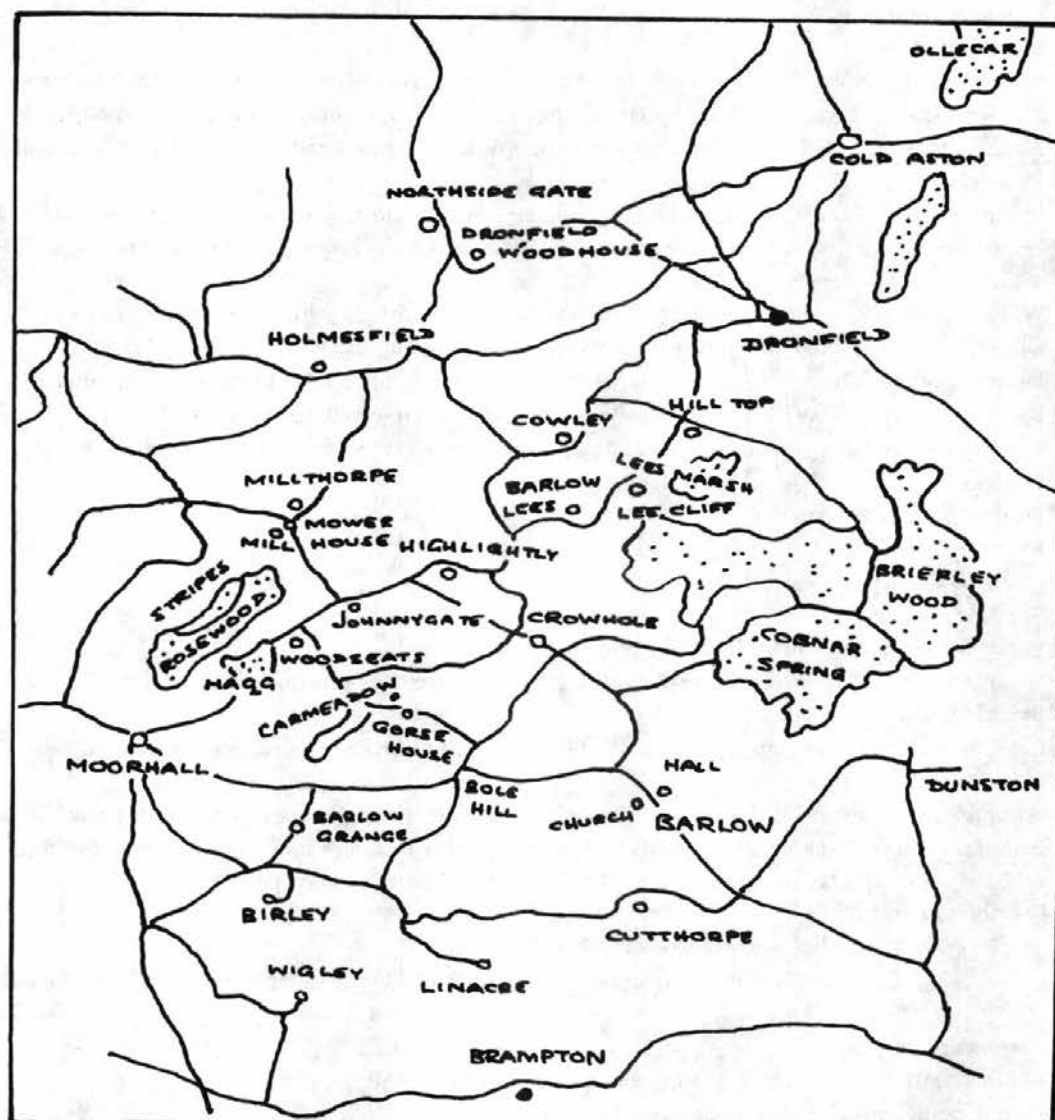
# FANSHAWE



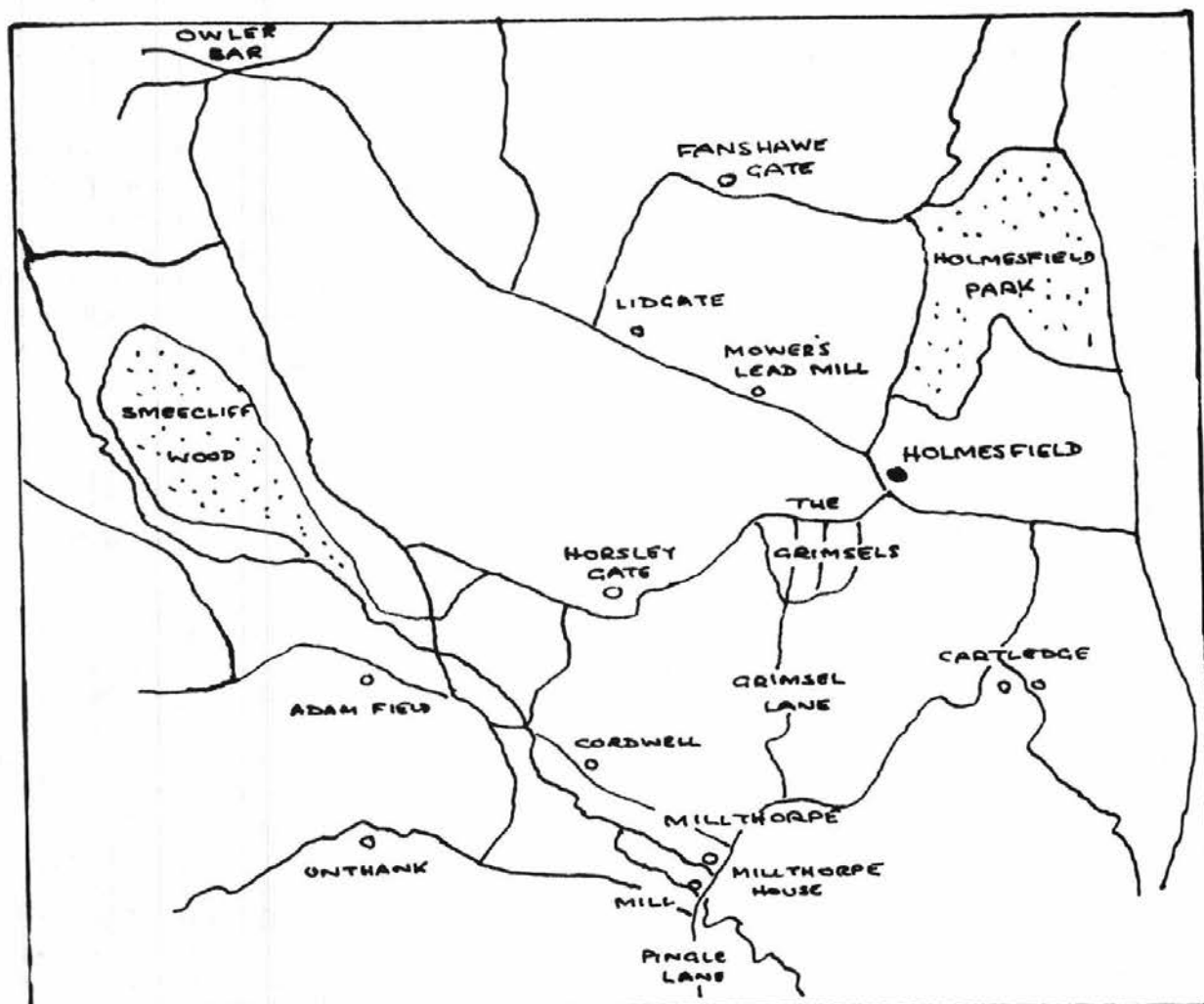
## References and notes

1. Thorold Collection, unlisted, DDSJ. Nottinghamshire Record Office
2. Wolley MSS, 6688 ff98b. Microfilm copy, Derbyshire County Library
3. Also spelt Hugat, Hugatt, Howgate, Hewgate.
4. R.H. Oakley, 'Temple Normanton Court Rolls', *Derbyshire Archaeological Journal*, Vol 78, p40-88.
5. Thomas Hugate's Partition of his estate, 1485, Thorold Collection, Nottinghamshire Record Office.
6. Land in Hasland in the fee of Dronfield - Hasland used to form part of one of the Constableries which included Dronfield, Tapton, Boythorpe and Little Barlow. The system was used for the collection of taxes and chief rents until the end of the seventeenth century.
7. Pease Crofts - these fields, long built over, were in Hasland to the east of Penmore and south of Spital. Hugate left them separately to his daughters, Elizabeth and Joan. When the Mowers sold then is at present unknown but in 1697 Theophilus Brocksopp left two closes in Hasland called the Great and Little Pease Crofts, containing nine acres, to his son. Will of Theophilus Brocksopp, Lichfield Joint Record Office, B/C/11.
8. For Rowley, see Philip Riden, 'An Early 15th century Chesterfield Rental', *Derbyshire Archaeological Journal*, Vol 95, p6
9. Will of John Parker. York Wills, Borthwick Institute, York.
10. Pedigree of the tenants of Arthur Mower, 1595, Wolley MSS, ff217-220. Microfilm copy, Derbyshire County Library.
11. Knight service - the military service which a knight was bound to render as a condition of holding his lands.
12. Socage tenure - the tenure of land by certain determinate services other than knight service. A payment was made to the superior by one holding the land in socage.
13. B. Bunker, *All their Yesterdays*, 1973, p79
14. Assoine, asayne, essoyn - to put in an excuse for non-attendance at a court.
15. 'Memorandum of Arthur Mower', *Reliquary*, Vol 21, p3.
16. Wills and Inventories of Robert Mower, 1620, and George Mower, 1628. Lichfield Joint Record Office, B/C/11.
17. Citterns - a kind of guitar, strung with wire and played with a plectrum.
18. Playing tables - tables or boards marked out for backgammon and other games.
19. For a detailed account of the Barley misfortunes see *Barlow Family Records*, 1932, p18-25.
20. A wain or wagon pulled by a team of oxen or horses.
21. Groat - English coin of the value of 4d.
22. S.O. Addy, *Church and Manor*, p314.
23. Will of Margaret Harrye of Whittington, 1575. Lichfield Joint Record Office, B/C/11.
24. Rosamond Meredith, 'The Eyres of Hassop', *Derbyshire Archaeological Journal*, 1964, p28.
25. Quicksets - live cuttings of hawthorn set to form a hedge.

26. Ware corn - barley and oats sown together.
27. Thrave - 12 sheaves of corn.
28. Doles - strips of land in the open fields - often in meadows.
29. Kidwood, kidds - bundles of sticks used for heating bread ovens.
30. 1985-7
31. William Senior's *Survey of the Estates of the first and second Earls of Devonshire, c1600-28*, ed Fowkes and Potter, p106.
32. Luck money, luck penny - a small sum of money returned to the purchaser, usually on selling farm stock, to ensure good luck.
33. see note 6.
34. Soutergate at this time was the main way through Chesterfield from north to south - the street of the cobblers. It later became St Mary's Gate to the north, after the church's dedication changed from All Hallows to St Mary's and All Saints. The southern part became Lordsmill Street from the mill on the River Hipper.
35. 'A property fronting on Soutergate and backing onto the Hipper is hard to envisage. The abuttal probably refers to a branch stream, now lost, between Soutergate and the Rother, which was regarded as a branch of the Hipper.' *History of Chesterfield, Vol 5*, p195, p243.
36. Will and inventory of Robert Mower of Gorsthouse, 1610. Lichfield Joint Record Office, B/C/11.
37. Glasing wheel - one coated with an abrasive substance, used by cutlers for polishing knives.
38. Painted cloths - a cheap substitute for tapestry, hung on walls or on beds to keep out draughts.
39. Backstone - large flat stone or iron plate heated from below on which oatcakes were baked.
40. Oxcgang - the eighth part of a carucate of ploughland, varying from ten to eighteen acres; a bovate.
41. See cope hens, p39.
42. Feast of Corpus Christi.
43. *History of Chesterfield, Vol 5*, p177
44. *History of Chesterfield, Vol 5*, p176.
45. See note 34.
46. Lands - doles, selions: strips in the common fields.
47. Raung - small strip of land between two larger pieces; a stretch of grazing.
48. Byged - built.
49. *Calendar of Shrewsbury Papers*, ed E.G.W. Bill, Derbyshire Archaeological Society Record Series, 1965, p705-731.
50. 'Moorhall and all thereto' - 'The houses, courts and 2 paddocks, paddock meadow, hollis meadow, shallow pasture, Bothomes meadow, 2 stonepit closes, pond close, calf croft, widow field, high field, cote field, little meak field, brearie field, long meak field, 120 acres.' Senior's Survey, Derbyshire Record Society, p48-9.
51. See notes 11 and 12.
52. Ward -
  1. Control or use of lands of a deceased tenant
  2. Guardianship of the infant heir, which belonged to the superior until the heir attained his majority.
53. Dismissed, despatched?
54. B. Bunker, *All their Yesterdays*, quoting the Star Chamber proceedings, p78-9.
55. Pottell, pottle - measure of two quarts.
56. B. Bunker, *All their Yesterdays*, p85-6
57. B. Bunker, *All their Yesterdays*, p 86
58. Seasse - seize.
59. *History of Chesterfield, Vol 5*, p34-9.
60. Estreat -
  1. True, exact copy or note of some original writing or record, especially of fines, amercements, etc, entered on the rolls of a court, to be levied by the bailiff.
  2. The fines themselves.
61. Affear - to assess an amercement.
62. Thomas Forde (or Forthe), a prosperous butcher/grazier with several houses and lands and an alehouse licence, in fact lost six children in the month of April 1587.
63. Affeeses - presumably offices.



Map 1: Mower properties and places referred to in the text



Map 2: Holmesfield: places referred to in the text

## A DISPUTE AND A MYSTERY SOLVED?

### The quarrel between John Mundy, Lord of the Manor of Markeaton, Mackworth and Allestree and Mark Hope, the vicar of Mackworth, in 1663 and its consequences

(by Rosemary Lucas)

Why were the Mundys of Markeaton from John II Mundy, his family and his heirs onwards buried in the daughter chapel of Allestree rather than at the parish church of Mackworth where the earlier Mundys, Lords of the Manor of Markeaton, Mackworth and Allestree, had been buried? The question was posed by J.C. Cox in the chapter on Allestree in his work on Derbyshire Churches (1885)<sup>1</sup> and has puzzled local historians ever since John II Mundy died in 1681.

The answer may lie in the consequences of the illegal appropriation by John II Mundy, a powerful and autocratic man, of church land and property within the manor. This appropriation appears to have occurred shortly after John inherited the lordship from his father, Francis, in 1650. It should be seen against the background of the troubled times of the Civil Wars between Charles I and Parliament, 1642-1659, and the period of the Commonwealth under Cromwell, 1648-1659. Associated with this was the struggle for supremacy within the established church between the high church faction which supported the bishops and Charles I and the low church faction which supported Presbyterianism (ie the replacement of bishops by lay elders to control the church). The Presbyterians were in a sometimes uneasy alliance with the Parliamentarians. John Mundy was both a Parliamentarian and Presbyterian.<sup>2</sup>

A 'vacuum' occurred in the parish of Mackworth during the Commonwealth, giving an opportunity for the 'theft' of church assets. During the Civil Wars, Derby was held by Parliamentary forces under the command of the zealous and increasingly powerful Sir John Gell of Hopton. It was a difficult time for clergy with the high church views and Mackworth registers record that in 1642 '*Mr Ravensdale went away*'. John Ravensdale was followed by John Hinchcliffe for an unspecified period but the living was vacant in 1650.<sup>3</sup>

It should be noted here that Mackworth was a 'vicarage' at this period. It had been a 'rectory' under the Touchets, the previous Lords of the Manor who were also patrons of Mackworth church and Allestree chapel. This meant that the priest as rector had the right to collect the tithes of the parish towards his upkeep. Payment of tithes had the force of law. Tithes (or tenths) were of two kinds. The great tithes were payable on the principal produce of the parish (eg cereals, wool) and could be of considerable value. The small tithes on lesser produce were of small value. In approximately 1498, following a reversal of Touchet fortunes, Mackworth church and Allestree chapel were appropriated by purchase to the Augustinian Abbey of St Mary on the Derwent at Darley.<sup>4</sup> The Abbey was now the 'rector' of the tithes which it could collect and keep for its own use, subject to certain payments. The attraction of the purchase to the Abbey would be in the considerable value of the tithes. The Abbey was now also the patron of the churches with the right to present a priest to the living when it fell vacant. Under the terms of the appropriation the Abbey had to pay any priest appointed nine pounds per annum from the tithe income. This new priest would be a vicar, or deputy, with restricted income rights. A vicar would have the freehold of the parsonage house and the glebe land during his incumbency, and probably some small tithes and Easter dues.

Seeing the approaching dissolution of the Abbey in 1538, the abbot made what he could by selling some of its assets before they were seized by the Crown. The patronage of Mackworth and Allestree living and the right to collect the manor tithes were sold separately as commodities and both subsequently passed through several hands. Thus valuable tithes, which at their inception were to support a priest, became the property of any layman who was prepared to pay for the right to collect them. This right was eventually purchased by Francis Mundy, father of John II. A Parliamentary Commission of 1650 recorded him as 'impropriator' or rector of the tithes, then worth £300 per annum.<sup>5</sup> Importantly, the living was recorded as vacant. The Mundys were not patrons of the



living at this time (ie did not choose the vicar) but were now responsible for paying nine pounds per annum to any vicar appointed.

Francis Mundy died in 1650. John II, his son, appears to have been powerful and an opportunist. His illegal appropriation of the rents from Allestree church lands, money which was for the upkeep of the church, has been well documented.<sup>6</sup> Less well known and of greater importance was his appropriation of all the assets of Mackworth vicarage. He appropriated to his own use the tithes of hay, small tithes, the parsonage house, glebe land and Easter dues of Mackworth. This caused Mark Hope, appointed vicar in June 1663, to pursue him to the Court of His Majesty's Exchequer in September 1663 in the hope of redress.<sup>7</sup>

Mark Hope was already rector of Kedleston. He was also presented to the vacant living at Mackworth by the King (actually by the King's advisers) because the patronage of the living had also been lapsed for some time. Thus he served both parishes. The previous vicar from 1657 to 1662, Samuel Ogden, had been ejected from the living for his Presbyterian views.<sup>8</sup> On the restoration of Charles II in 1660, the high church faction had gained the ascendancy and Presbyterians unwilling to modify their views were ejected from their livings.

Mark Hope was unable to extract from John Mundy his annual fee of nine pounds '*although in a friendly manner he hath been often required to pay and satisfy the same .... yet he hath and still doth refuse..*'. This was the least of Hope's worries. In an appeal, dated 24 September 1663, to the Court of the Exchequer he set out his grievances and his appeal for redress from John Mundy.

Hope's essential points were as follows: As vicar he should receive the tithe of hay, the small tithes, the tithes mentioned as payable in the Easter Roll and his yearly sum of nine pounds from the impropietor of the great tithes, which sums had been paid within '*the memory of man*' to his predecessors. He would also be entitled to the use of the parsonage house and its orchard, meadow ground called the 'Flash' and other parcels of land belonging to the vicarage. However, these had been '*secreted and concealed*' from him by John Mundy.

Hope claimed that the living at Mackworth had been sold since 1650 which was also the year in which John Mundy became Lord of the Manor. Since that date Mundy had taken all the tithes and the rents and profits of the parsonage house and glebe lands for his own use. He had '*gotten into his own hands*' the Easter Roll and was personally exacting the Easter dues for his own use. He had taken the '*evidences, writings and papers which manifest what things are part or parcel or belonging to the said vicarage*'. In addition he had '*caused the said vicarage house to be pulled down and demolished and converted the timber and other materials to his own use or otherwise disposed thereof at his will and pleasure*'. With regard to the glebe land, he '*having lands adjoining to the said Flash, orchard and churchyard hath defaced the boundaries and destroyed the fences and partitions thereof and also secreted and concealed other lands belonging to the vicarage amongst his own*'. Hope claimed to be concerned not only for himself, but feared that the assets of the living were in danger of being lost forever.

Hope requested the Court to subpoena Mundy to appear before it at a given date to answer all accusations '*upon his corporal oath*' and to swear to abide by such decrees as the Court should issue. We have only Hope's version of events which may be coloured by any prejudices he had. Hidden beneath this account are the fierce religious divisions within the church which should not be underestimated. No record of the outcome of the appeal survives.

Hope states that the patronage had lapsed, certainly no patron is recorded after 1571<sup>9</sup> but someone presented and appointed later incumbents. He also states that the vicarage (ie the office of vicar) has been vacant for thirteen years, ever since John Mundy became Lord of the Manor, and so does not consider Samuel Ogden, the Presbyterian, to have legally held the office of vicar between 1657 and 1662. This would also be in accord with the view of the nationally restored high church faction. This view required a candidate for a benefice to be presented by his patron to the bishop of the diocese, and, if approved, to be introduced to the spiritual care of the parish by the bishop and to be inducted into the temporalities by the archdeacon. The temporal assets were the parsonage house and any tithes, glebe land, Easter dues, endowments, etc. During the Presbyterian phase of the church clergy had been otherwise appointed, for example by Parliamentary Commissioners. It is not known who

appointed Samuel Ogden. Ogden's chief concern and source of income was his school in Mackworth: being vicar would have been secondary.<sup>10</sup>

The absence of a patron to oversee the church's assets in Mackworth and the climate of religious opinion in the 1650s when restoration of the old order under the bishops could not have been expected or foreseen, must have led John Mundy to use his power and position to appropriate the church's assets. Their legal ownership must have been a grey area at this time. He would never expect to be challenged over them by anyone with authority.

We can speculate on the consequences of Hope's appeal. John Mundy's fury at his public exposure and the prospect of losing his illegally gotten gains must have been considerable. In addition he had lost a vicar whose views he shared. How could he ever sit in Mackworth church again and listen to divine service from the newly restored prayer book taken by a man, imposed on him by the Crown, whose views he did not share and who, above all, had had the temerity to take him to the High Court? How could he receive the sacrament at his hands, or consider the prospect of being buried by him? He sought a way out.

John Mundy purchased the patronage of Mackworth and Allestree at some time shortly afterwards and in 1667 appointed Jasper Horsington as curate of Allestree. He could do this personally because Horsington was only a curate without any legal rights. We must presume that John Mundy then attended Allestree chapel rather than Mackworth church. At his death in 1681, John Mundy was buried at Allestree chapel in a mausoleum created under the chancel. His family and heirs followed him there.<sup>11</sup>

When Mark Hope died in 1695, Francis Mundy, John's grandson, presented Jasper Horsington to the living at Mackworth.<sup>12</sup> Horsington remained vicar of Mackworth and curate of Allestree until his death in 1724. He was at Allestree 57 years.

Jasper Horsington lived in Derby in the parsonage house belonging to St Alkmunds.<sup>13</sup> (He was not vicar there.) He must have ridden out to Mackworth and Allestree on horseback to do duty. He was a Cambridge man and a scholar, a 'Friday lecturer' at All Saints (now the cathedral) and probably with low church leanings. He must have been a very young man when appointed.

Surviving evidence suggests that Mackworth vicarage's assets were never fully restored by the Mundy family. From glebe terriers still extant, those between 1672 and 1760 report the glebe land as an orchard, the churchyard and the Flash meadow. The nine pounds from the tithes is reported only after John Mundy's death. No tithes or Easter dues were ever reported, and no parsonage house until circa 1770.

When the manor was enclosed in 1760-3, tithe payments were commuted into land.<sup>14</sup> Francis Noel Clark Mundy as impropietor received one eighth of the land to be enclosed in lieu of the great tithes and one fifty sixth of the remainder to be enclosed in lieu of the small tithes plus twelve acres in lieu of tithes due on the old enclosures. This amounted to 263 acres in total. The vicarage received nothing under the enclosure award, therefore no small tithes were ever restored to it.

A review of the church glebe in 1772<sup>15</sup> shows it to consist of the two fields in which the parsonage and the church stand between the street and the brook, also Micklemeadow End lying east of the latter field and stretching from the brook to the footpath between Mackworth and Markeaton - a total of around seventeen acres.

A new parsonage house was built over one hundred years after John Mundy had destroyed the old one. This was reported to his bishop, Brownlow North, by John Pickering, vicar of Mackworth, at the bishop's visitation in 1772.<sup>16</sup> Pickering stated 'I constantly reside at Mackworth in a house that Mr. Mundy, the patron and impropietor, has appropriated to the vicarage. There was formerly no house for the vicar'. A photograph of this quite elegant Georgian house, which stood on the site of the present parsonage (built 1876) is in existence.<sup>17</sup> It was a patron's duty to house his clergyman, so where did Pickering live between 1732 when he was appointed and circa 1770? Did Mundy provide him with a rented house?

The vicar's stipend was still in dispute in 1772. F.N.C. Mundy was still required to pay him out of rents from land received in lieu of tithes at enclosure. Pickering reported to his bishop in 1772: 'Mr. Mundy who is the impropriator of the tithes of Mackworth and Allestree allows £60 per annum for both places, exclusive of about 17 acres at Mackworth. But I have been told that I can claim from the impropriator no more than £27 of which £5 are for Allestree'.<sup>18</sup>

The evidence for John II Mundy's reason in favouring Allestree over Mackworth is thus circumstantial, but highly probable. Certainly the quarrel with Mark Hope would cause him to lose face if he attended Mackworth church. For such a powerful autocrat this was an intolerable situation. The mausoleum at Allestree, once built, continued in use although later Mundys attended Mackworth church and had memorials there.

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## THE RED BOOK OF DARLEY

(by Ernest Paulson)

In Corpus Christi College, Cambridge, I recently had the pleasure of examining the *Rede Booke of Darley in the Peak in Derbyshire*, a missal dating from about 1061, as the Kalendar incorporates a table of years from 1061 to 1098. There is also a dialogue between Saturn and Solomon written in the tenth century.

Closed, it resembles a copy of Whittakers' Almanac, but open it and one drops a thousand years and is back in the days of Edward the Elder, the Saxon King who founded the church of St Helen in Darley. After page 26 the writing is that of the time of Henry II.

Bound now in brown leather with parchment coloured corner pieces by the Victorians, the missal was undoubtedly used by successive priests of Darley until the Reformation. Then, redundant, it passed to Margaret Rollisley, widow of the Rector of the South Mediet, Richard Rollisley, who died in 1531 and was succeeded by a young reformer, Samuel Gamston, who held the living until 1576. When she died the battered missal was acquired by Richard Wendesley, one of the Wendesleys of Wensley, who was seneschal to Archbishop Matthew Parker, an ardent collector of manuscripts. An undated inscription on the last page states '*this booke given by Richard Wendesley esquier to M. Cant'* (Magister Cantabrigiensis, ie the Archbishop of Canterbury). Alongside the inscription is a drawing of either a giraffe or a dragon in the same ink. Perhaps people believed that there was a dragon under Masson, as some still do.

The book divides into two sections. First in a ninth century hand is a dialogue between Solomon (Christianity) and Saturn (Paganism), won by Solomon, written in Anglo-Saxon. The first half dozen pages show a series of holes in the parchment caused by the corrosion of the original brass corner pieces. Another page was spoiled by the application of a coat of liquid designed to bring up faded writing which turned brown. The writing is legible and the ink unfaded. There are two illustrations, the first an elliptical pattern with a cross and an ornamental writing of the Lord's Prayer. The other is a green capital T incorporating a crucifix with the head of Christ hanging down.

The remainder of the book is a missal which includes masses for rain, fair weather, protection in the time of war, etc, as in the Book of Common Prayer. Although written in the eleventh century, again the ink is unfaded and the beautiful handwriting, done with a quill, a pleasure to look at. The page rulings, some of which have cut through the parchment, were done with a stylus. The book has been rebound several times. An addition, in another hand, is a mass for St Helen.

How this product of the scriptorium of Selbourne (or Winchester) Abbey came to Darley is unknown, but it is assumed that it was there by 1150. No connection can be established with either the Darley family, whose first member arrived in 1243, or St Helen's Abbey, Derby and Darley Abbey. No abbey has ever existed in Darley Dale. The only remaining possibility is that the Dean of Lincoln, who gave the first charter, gave it to the church when the three priests were first installed.

The Red Book is being transcribed by a research group working in the Parker Library at Corpus Christi College, to which it was presented by Archbishop Parker in 1575.