

# DERBYSHIRE MISCELLANY



*A View of Stopping Will Ware*

## The Local History Bulletin of the Derbyshire Archaeological Society

Volume 21

Spring 2017

Part 3

# DERBYSHIRE MISCELLANY

Volume 21: Part 3

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## THE CHINLEY HERBAGES

(by Derek Brumhead, Gayton, Laneside Road, New Mills, High Peak, SK22 4LU)

The pronounced north-west extension of Derbyshire with its gritstone hills and westward flowing rivers (the 'dark peak') is a distinctive sub-region of the High Peak.<sup>1</sup> From the late eleventh century, much of this region came to be administered as part of the royal forest of Peak which extended eastwards into the limestone 'white peak'. Administratively, from medieval times, the district under study was part of a wide area called Bowden Middlecale, a division consisting of ten hamlets for tax purposes covering sixteen thousand statute acres of 'dark peak' land.

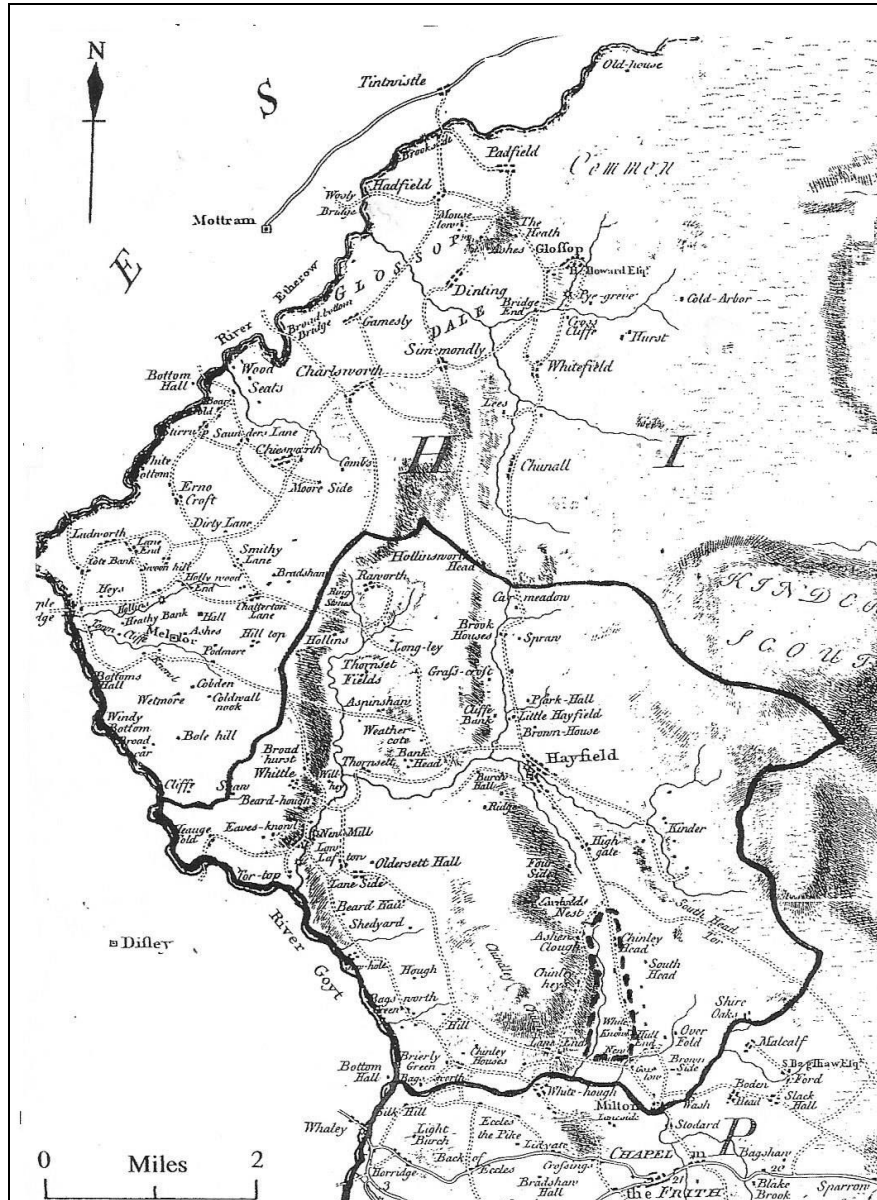


Fig 1. The extent of Bowden Middlecale marked on Burdett's map of north-west Derbyshire 1767 (reprinted with minor amendments in 1791 and reprinted by Derbyshire Archaeological Society in 1975). The approximate location of the Chinley herbage is shown by a dotted line.

The forest originally formed part of an inheritance dating back to William II but in the twelfth century it reverted back to the crown.<sup>2</sup> In 1157, the abbey of Basingwerk in Flintshire received extensive grants in Longdendale from Henry II, which included the manor and church of Glossop. In 1372, by an exchange of lands with Richard II, the forest, except for the manor of Glossop held by the Abbey, came into the possession of John of Gaunt, Duke of Lancaster. When his son was crowned Henry IV in 1399 the forest became part of the huge estate known as the Duchy of Lancaster.<sup>3</sup>

As population grew in the twelfth and thirteenth centuries there was increasing competition for control of the resources of the forest. Surviving documents from the early thirteenth century such as accounts of the eyre courts and court rolls give details of illegal transgressions of laws of the forest of Peak - assarts (land taken for farming), houses built and the destruction of trees for building and fuel. This is the first recorded period of arable farming when the land was cut out of the medieval forest. Settlement was certainly well advanced by this time, for a number of local place names are mentioned in the documents.<sup>4</sup>

Apart from this demographic growth, monastic orders formed one of the other chief agents of change to the landscape and economy in the twelfth and thirteenth centuries.<sup>5</sup> Having received grants from various persons, a number of great abbeys in the surrounding counties had granges in the Peak District - Welbeck and Lenton in Nottinghamshire, Vale Royal in Cheshire, Leicester and Roche in Yorkshire, and Merivale<sup>6</sup> and Lilleshall in Warwickshire. Grange place names abound in the white peak and these monastic sheep farms became a major feature of the medieval countryside.<sup>7</sup> There were over 40 of these granges after the middle years of the twelfth century.<sup>8</sup> Although many of them represented the acquisition of an established estate (the term 'grange' appeared later), others came about with the clearing of fresh land from the forest.<sup>9</sup>

Towards the end of the fifteenth century the abbot of Basingwerk leased all his rights in the manor of Glossop to John Talbot who became the first Earl of Shrewsbury in 1442. It was thus natural that on the dissolution of the monasteries in 1537 Henry VIII granted the possession to George Talbot, fifth Earl of Shrewsbury as part of extensive grants. The extent of the manor was greatly increased towards the end of the sixteenth century when the Earl purchased from Elizabeth I an extensive part of Longdendale which was then formally disafforested. A map prepared at this time (possibly between 1587 and 1590) shows areas of herbages in Longdendale, Mainstonefield (alias Chinley), Ashop, Edale, Fairfield and Tideswell, which are represented by geometrically-shaped blocks of vermillion apparently varying in size proportional to their area. In between them are named 'great wastes' (Fig. 2).

Little is known about this map, its purpose obscure because it has been detached from the documents to which it relates. It was originally held by the Duchy of Lancaster in a collection of maps and was in three parts when the Reverend Charles C. Cox saw it at the Public Record Office in the early twentieth century. He said that a part was missing but the three sections have since been united and this no longer appears to be the case. Cox suggested it was prepared at the date of the Longdendale purchase.<sup>10</sup> The map includes outline pictures of buildings of the chief places in between the herbages and in his interesting article Cox redraws twelve of the places with a commentary on each. One is illustrated here (Fig. 4). They are also shown on the sketch plan of The National Archives (TNA) 1/53 (Fig. 3).

Herbages were pastoral out-stations (vaccaries) leased out by the crown or, from 1391-2, the Duchy of Lancaster.<sup>12</sup> Not very much has been written about them.<sup>13</sup> The Chinley herbage covered about 300 forest (or Cheshire) acres, just over 600 statute acres.<sup>14</sup> The Cistercian abbey of Merivale held the herbages at Mainstonefield, alias Chinley, and Fairfield (near Buxton) as well as holding three granges in the Peak District. The herbages formed an important element in the farming landscape and the process by which they passed into private hands contributes to our understanding of the history of land ownership in the region.

The documentary history of the Chinley herbages commenced with a grant of lands to Merivale abbey in the early thirteenth century recorded in the Duchy rentals.

*For the abbot of Merival. The king has granted to the abbot and monks of Merival that they can have their cattle in the king's pasture of Fairfield and Mainstonefield until Pentecost to the 8th year etc, together with their buildings which they have in the same pasture.*<sup>15</sup>



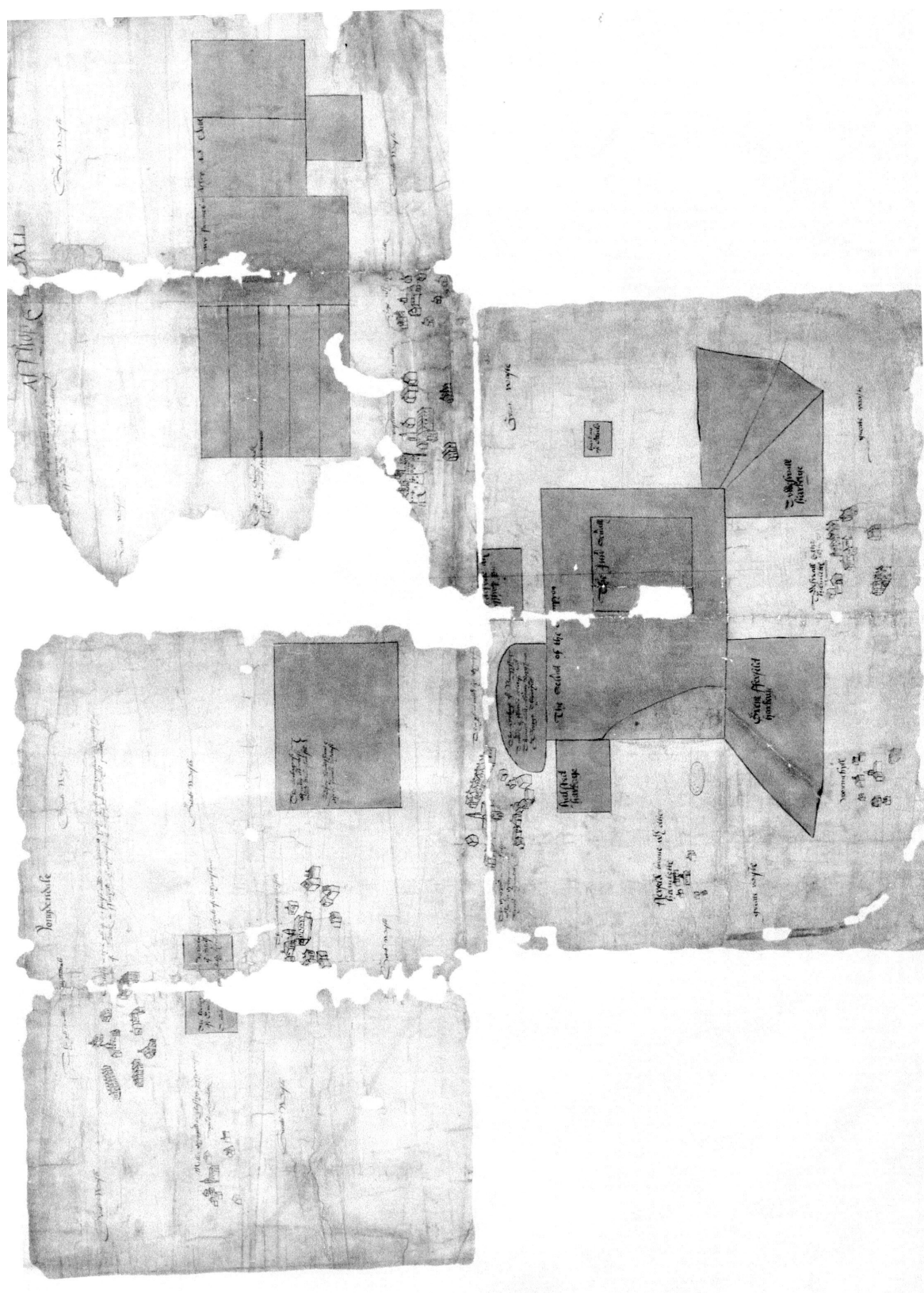


Fig. 2. Map of the herbages. TNA 1/53.

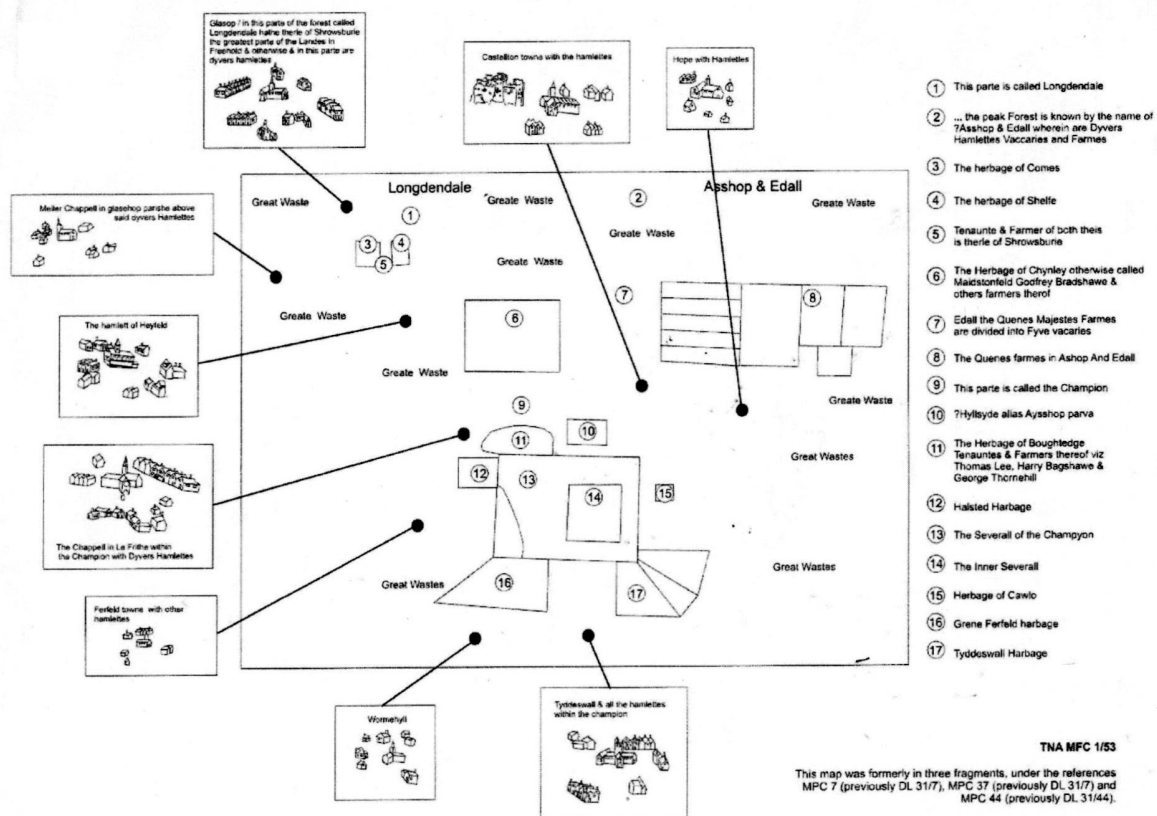


Fig 3. Thanks are due to Heather Falvey for permission to reproduce this sketch analysis of TNA 1/53 drawn by Mandy de Belin <sup>11</sup>

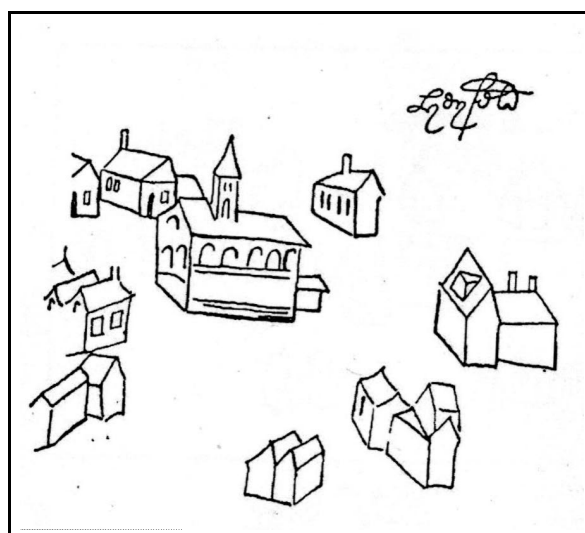


Fig. 4 The buildings of Hayfield as shown on TNA 1/53 redrawn by Cox (1907)

The grant of herbage to the abbey may have constituted one of the earliest official sources of economic profit in the forest and may for instance be equated with a similar development in another royal forest of the northwest, Rossendale, where grants were made about the same time to the monks of Stanlaw.<sup>16</sup> Merivale abbey remained in occupation of the Mainstonefield pasture during the thirteenth and fourteenth centuries.

*For the Abbot of Mirivall. The King to Brian de Insula, greetings. Know that we have given respite to the Abbot of Mirivall that he can have, collect and take away his corn which he has sown in Meinstonefeld and Feirefeld within our forest of the Peak freely and without impediment until the feast of All Saints in the 8<sup>th</sup> year of our reign notwithstanding our command which we made to you concerning his aforesaid corn to be had, collected and taken away until the feast of Saint Michael in the 7<sup>h</sup> year of our reign. The witness being as above. Through the same.*<sup>17</sup>

[In other words an extension of time]

There are several accounts of income received from rental for the herbage through the fourteenth and fifteenth centuries. I am very grateful to Roger Bryant for providing the following transcriptions from the original documents in TNA.

- 1391-92. DL 29/22/373. Receivers' account. Income for winter herbage for Maynstonfeld. 20s. Income for summer herbage for Maynstonfeld £6.13s 4d
- 1399-1400. DL 29/728/11987. Auditor's account. Expenses include an annuity to Ralph Staveley, esquire, of 10 marks from the issue of a pasture called Chynley.
- 1405-06. DL 29/22/374. Bailiff and receiver's account. Income for winter herbage for Maynstonfeld 20s. Income for summer herbage £6.13s 4d.
- 1416-17. DL 29/22/375. Bailiff and receiver's account. Income for winter herbage 20s and income for summer herbage £6.13.4d
- 1435-36. DL 29/22/377. Bailiff's account. Income includes £10.13s.4d for herbage of Maynstonfeld, both winter and summer, so demised to the tenants there, according to rental of 3 Henry VI (1424-25.).
- 1448-49. DL 29/22/381. Bailiff's account. Income for summer herbage includes £10.13s.4d for farm of Maynstonfeld alias Chynle. Income for summer herbage includes £10.13s.4d for farm of Maynstonfeld alias Chynle.
- 1475-76. DL 29/22/384. Bailiff's account. Same as DL 29/22/381 except for spelling.
- 1491-92. DL 29/22/389. Bailiff's account.

DL 43/1/25 Three rentals

- i) c 1430 [Henry VI] Herbage of Chynley £11
- ii) Time of Hen VIII Herbage of Chynley £10.13s.4d
- iii) Time of Eliz. Herbage of Chinley £10.13.4d.

For over three hundred years the rental did not change and the same level continued to 1707 when it was £11 10s 11d.<sup>18</sup> In 1871 the last recorded date it was £12.

Herbages were held in common by the local freeholders and tenants and problems arose when the inhabitants were excluded from the exercise of their rights. Litigation in the Duchy of Lancaster Court against certain local persons for encroachments upon the herbage are listed in the Duchy Calendar of Pleading brought to my attention by Roger Bryant.

Ducatus Lancastriae Part 3 p.335. The document reference is TNA DL1/70/A8

Eliz, Vol XXXA No 8

Reign 9 Eliza [1566-67]

Plaintiffs: Attorney General of the Duchy, George Bromley

Defendants: Otnell Bowden (recte Otuell) of Heyfeld, Ralph Mellor, Robert Caryngton and others as Trespassers

Premises and Matter in Dispute: The Pasture or Herbage called Chyneleys otherwise

Chynley, otherwise Maynestonfeld, and the Woods and Underwoods

Places: Bowden in the High Peake

Counties: Derbyshire.

Ducatus Lancastriae Part 3 p.358. The document reference is TNA DL1/75/A6

Eliz Vol XXXA No 8

Reign 10 Eliz [1567-68]

Plaintiffs: Attorney General of the Duchy, George Bromley on behalf of the Queen

Defendants: Otiwell Kirke, Charles Lingard, Nicholas Asheton and others as Intruders

Premises and Matter in Dispute: Incroachment on a Pasture or Herbage called Chimleys,  
otherwise Maynestonfeld, containing 300 Acres,  
and the Woods and Underwoods there.

Places: Bowden

Counties: Derbyshire.

Such matters became serious when a riot commenced in Chinley following a grant in 1568 by the Duchy to an individual, Lawrence Mynter, who on the same day sold it to Richard Coley who later sold it to Godfrey Bradshaw. Bradshaw started to hedge and ditch it resulting in the exclusion of the older inhabitants from their rights. The riots that occurred in the mid 1570s and what followed, arising from a combination of confusing circumstances, have merited a comprehensive study by Heather Falvey to which reference should be made.<sup>19</sup>

### Postscript: The Chinley Neighbourships

In 1569 the Chinley herbage was divided up into 40 portions,<sup>20</sup> each known as a '*neighbourship*'. An earlier transaction in 1568 makes reference to '*one neighbourshipp*' and '*A halfe neighbourshipp*', indicating that the herbage had been so divided already well before the riots.<sup>21</sup> A neighbour paid 5s 4d per annum in rent, one fortieth of the annual rent of £10.13s.4d that was paid to the Duchy.<sup>22</sup> Dr Falvey suggests that the word '*neighbourship*' is probably a loose translation of the word '*vicinage*' from visenage, old French for '*neighbourhood*'.

'*Neighbourships*' appear to be unique to Chinley. They had an interesting effect on the traffic of land for the next three hundred years providing a template for successive leases recording the sale or leasing of neighbourships singly or in groups. Queen Victoria was the last monarch to receive the £12 rent-charge. In 1871 she sold it to a local landowner. Neighbourships have still not been expunged from the trade in land, for recent leases still refer to them in describing the plots of land. They deserve a full account and it is hoped to consider them in a subsequent article.

### Acknowledgment

I am grateful to Dr Heather Falvey, Continuing Education Lecturer in Local History at both Cambridge and Oxford, for reading a draft of this article and suggesting some amendments.

### References

1. Daniel Defoe is among the few to have clearly identified this piece of country as being different. '*There is indeed an extended angle of this country which runs a great way north west by Chapel in the Frith and which they call the High Peak...*'. *A tour thro' the whole island of Great Britain 1724-25, 1778* (reprinted 1927), p179.
2. N J Frangopulo, *The history of the parish of Glossop*, University of Sheffield MA thesis, 1936. J H Scott, J H Smith and D Winterbottom, *Glossop Dale, Manor and Borough*, 1973; J Hanmer and D. Winterbottom, *The book of Glossop*, 1992.
3. In order to protect his inheritance, Henry arranged for the Duchy's affairs to be administered separately from those of the crown. As a result there is a rich heritage of primary documents available, particularly rentals, ministers' accounts, coal mining leases, decrees of the Duchy court, special commissions, and maps. In this context, all students of the manor and forest of Peak are indebted to Somerville who made use of his unrivalled access to Duchy documentation in a work of great stature. Robert Somerville, *History of the Duchy of Lancaster*, Vol. One 1265-1603, 1953. Vol. Two, 1603-1965, (Privately published, 1970).
4. For instance, Account of J. de Grey, receiver of High Peak, Michaelmas 1243 to Michaelmas 1244. The National Archive (TNA), 6/825/16. The local names (modern spelling) include Longdendale, Little Hayfield, Phoside, Kinder, Beard, Bugsworth and 41 others. Supplied by Roger Bryant who has transcribed but not published several documents about the royal forest of Peak from the medieval period.
5. R A Donkin, *The Cistercians: Studies in the geography of medieval England and Wales*, 1978, p 67.

6. Merevale is an alternative spelling.
7. R Hodges, *Wall-to-wall history. The story of Roystone Grange*, 1991, p98.
8. Their names and parent houses are listed in C R Hart, *The North Derbyshire Archaeological Survey to AD 1500*, North Derbyshire Archaeological Trust, 1981, p155. See also David Hey, 'Monastic granges' in *A History of the Peak District Moors*, 2014, pp61-67.
9. R A Donkin, 1978, p51-67.
10. J.C. Cox, 'Plans of the Peak Forest' in *Memorials of old Derbyshire*, 1907, pp281-306. Cox, in fact, had already described the map in a slightly earlier publication, 'The Forest of the High Peak' in *The Royal Forests*, 1906, pp150-177.
11. Originally published in Heather Falvey, 'The Politics of Enclosure in Elizabethan England. Contesting 'Neighbourship' in Chinley (Derbyshire)' in *People, Markets, Goods: Economies and Societies in History*. Vol. 1; Jane Whittle (Ed), *Landlords and Tenants in Britain 1440-1660: Tawney's Agrarian Problem Revisited*, The Economic History Society, 2013, Figure 4.1, p72.
12. TNA DL 29/22/373. Receivers' account 1391-92.
13. Even Somerville in his monumental work only makes one passing reference to herbage. Robert Somerville, 1953, p266.
14. 'one pasture or herbage called and known by the name of Chimeleys alias Chynley alias Maynestonfeild... sett lying and being in Bowdon in the highe peak in the Countie of Derby which said herbage conteyneth by estimacion three hundredth acres ...' TNA, DL 1/70/A8 (15 66-67). Reference provided by Heather Falvey.
15. Close Rolls 1227-31 [14 Henry III] 8 November 1229. Transcription provided by Roger Bryant. A field known as Monk's Meadow is still named on current 1:25000 Ordnance Survey maps (SK 048841) and today can be seen bounded by a ditch and bank.
16. G H Tupling, *The economic history of Rossendale*, 1927, p5
17. Close Rolls 1204-1224, p 563, second column, 13 September 1223 (7 Hen.III). Transcription supplied by Roger Bryant.; W Dugdale, *Monasticum Anglican*, 1666, p482. Abbey of Merevale.
18. 'Whole years rent unsold within the High Peak, 1707, Manor of High Peak, Mainstonefield herbage alias Chinley paid by several persons before named, £11 10s. 11d.' Duchy officers did not keep as strict control on forest management as they should have done, and rents did not reflect the rising value of land. As a result the centuries which followed the Duchy's acquisition of the forest were characterised by low rents and a growth in freeholds at the expense of copyholds, a process which has been recognised in other areas where manorial control was also weak. 'The fundamental price revolution seems to pass almost without notice' in R Somerville, 1953, p305. See also, R W Hoyle (Ed.), *The Estates of the English Crown 1558-1640*, 1992.
19. Heather Falvey, 2013, pp67-84. In her research Dr Falvey discovered that the date of the riots had been misread by Bowles from the original manuscript (now in the Sheffield Archives) and that they occurred in 1574 and 1575 not 1569, a date repeated in several later publications, eg R H Tawney *The Agrarian Problem in the Sixteenth Century*, 1912, and W E Tate, 'Enclosure Riots at Chinley AD 1569' in 'Enclosure Acts and Awards relating to Derbyshire', *Derbyshire Archaeological Journal*, Vol 65, 1944-45, pp54-62.
20. TNA, DL1/98/M3.b . Information provided by Heather Falvey.
21. A neighbourhood was 16 forest (or Cheshire) acres (33.6 statute acres). W Braylesford Bunting, *Chapel-en-le-Frith. Its History and People*, 1940, p55, quoting from the Bowles Deeds in the Sheffield Archives, BD 101.
22. Falvey, 2013, p76.



## THE LIFE & TIMES OF A DELINQUENT CAVALIER

### SIR ASTON COKAINE,\* 1608-1684, ROYALIST, CATHOLIC, POET AND DRAMATIST

(by Alan Cockayne, Home Cottage, Little Cubley, Ashbourne, Derbyshire, DE6 2FB)

Just before Christmas in the year 1608, one of record breaking cold weather, the cries of a newborn baby echoed through the halls at Elvaston in Derbyshire.<sup>M</sup> The eldest daughter of Sir John Stanhope of Elvaston, who had married Thomas, the heir to the senior line of the Cokayne family of Ashbourne, had a son.<sup>1</sup> Aston Cokayne was the first of 7 children and the eldest of two sons born to Anne Stanhope. He was duly christened on 20th December at St Oswald's Church in Ashbourne.<sup>2</sup> His long life was to see many changes but that first Christmas gave no indication of what lay ahead for his family, his country or himself.

The Cokaynes had arrived in England in the time of William the Conqueror and for over 450 years the family had prospered in the service of their monarchs. From Stewards of the Royal Forest under King Edward III to Judge and Chief Baron to Henry IV, fighting with Henry V at Agincourt and Henry VIII in Scotland before accompanying him to France and the Field of the Cloth of Gold - their line providing three of his six wives. Ann Boleyn, Jane Seymour and Catherine Howard were all great-great-grand-daughters of Sir John Coclayne of Ashbourne (1358-1429), who held several high offices including Chief Baron of the Exchequer in 1400-13. Later generations were Members of Parliament and High Sheriffs and were trusted to provide an escort to Mary Queen of Scots for Elizabeth I. The family found favour with almost every sovereign and even as the young Aston was growing up, his cousin William Cockayne, then the richest commoner in England, was entertaining King James I at his home in Broad Street, London as his most trusted advisor and personal friend.<sup>3</sup>

Aston Cokayne grew up at Ashbourne Hall, Derbyshire in the Catholic faith, to which he stoically adhered throughout his life. The old house, the family's Derbyshire seat since at least the 13th Century and by his time a large rambling mansion that had acquired some 21 chimneys when assessed for the Hearth Tax return in 1662, making it the third largest house in the County.<sup>4</sup>

A century of long lived widows and short lived heirs had populated the house with a number of powerful women, each anxious to maintain their status and assert their rank and seemingly oblivious to the changing times in the country or indeed the cost of their upkeep. The result was that when Aston's father Thomas inherited he made his home at the family seat of Pooley Hall, near Polesworth in Warwickshire, a fortified brick and stone manor house built by his great-grandfather in 1508 and well away from the Dower House and nursery which Ashbourne Hall had become.<sup>5</sup>

Aston Cokayne attended Chenies School in Buckinghamshire under Rector Peter Allibond before proceeding to Trinity College Cambridge, as a fellow commoner under Robert Creyghton, D.D. orator and Greek professor and where he wrote his first poetry.<sup>6</sup> He entered one of the inns of Court, probably the inner Temple *'for fashion's sake'*,<sup>7</sup> and about 1642 was created M.A. at Oxford, *'but neglected to be registered'*.<sup>8</sup> On 9th July 1632 Cokayne took an oath of allegiance, presumably in order to remove suspicion of recusancy on the eve of his tour of Catholic Europe; he was a frequenter of the Fleece Tavern in Covent Garden and a particular friend of Catholic habitués Andrew Knyveton, Tom Lightwood, and Francis Lenton. On 16th July aged 24 he set off on the *'Grand Tour'* allegedly with Maurice Lameir d'ardenville<sup>8</sup> and possibly accompanied, for at least part of the journey, by Sir Kenelm Digby, another staunch Catholic whose father had been executed for his part in the Gunpowder Plot.<sup>9</sup> An account of Aston's adventures and extensive travels around Europe was written many years later in the form of a letter to his son and included his travels through France, Italy, Greece and Switzerland. During this time he learnt several languages and started translating books and plays from the Greek and Italian. On 11th October 1632 Aston entered himself as a student at the University of Padua.<sup>10</sup>

During his absence his younger and only brother Thomas aged 18 died at Bath whilst taking the waters and his father seems to have become estranged from his wife and tired of his domestic situation, taking himself off to London where he lived out the rest of his life under the assumed name of *'Browne'*.<sup>11</sup> He appears to have devoted his time and energies to creating a Greek English Lexicon of the New Testament which was not published until 1661 - some years after his death.<sup>12</sup>



Fig 1: The earliest known photograph of Pooley Hall.

It shows the building, tower and main hall substantially as built by Sir Thomas Cokayne in c1508 and is the earliest known brick and stone built fortified manor house in North Warwickshire.

Following Aston's return to England in July 1633 he married Mary Kniveton, daughter of Sir Gilbert Kniveton of Mercaston, Derbyshire in 1634 and took up residence at Pooley Hall near Polesworth. In his grandfather's day this had been a centre for literature, plays and drama in Warwickshire and had seen impressive gatherings of literati, including poets Michael Drayton, Ben Jonson, John Donne and possibly even a young fellow called William Shakespeare.<sup>13</sup>

In 1636 Aston had a son, Thomas, a daughter Mary followed in 1640: a further daughter Isabella was born some years later - a girl which Aston lamented at the time should have been a boy.<sup>14</sup> His mother lived on at Ashbourne in some style and to a great age. Aston seemed content to devote his time to his books and his companions, his religion, which remained Catholic, and his devotion to the crown, which meant King Charles I. He was the author of '*A Masque at Bretby*' which was performed on Twelfth Night, 1639 at Bretby Castle in front of his uncle, the Earl of Chesterfield, whose two sons took parts - all to much acclaim and this may have encouraged further his ambitions for writing poetry and the dramatic arts.

On the death of his father in London in January 1638 Aston inherited the modest Pooley Hall estate of some 140 acres in Warwickshire. This came with the responsibilities as head of the family for the liabilities his father had incurred in his extended absence, the marriage portions of his five sisters and the maintenance of his mother and her extensive household at Ashbourne Hall, although ownership of the Ashbourne property was retained by his mother until her death there on 29th August 1664.

His ancestors had never shrunk from a fight, occasionally starting and frequently joining in disputes with anyone and everyone from commoner to king but this was not Aston's style or way, he preferred his library - writing to his son:

*'Let others glory in the Hawks and hounds, their heaps of gold and extensive domains, their noble breed of horses, their luxurious table, their mistresses whose Beauty would tame the savages of unknown lands and whose rich dress would seem like the splendour of heaven without a cloud, give me a study of good books and I envy them not their happiness.'*<sup>15</sup>

And to his eldest daughter Mary Cockaine, *'because he fears his fate is not good enough to give her such a portion as he wishes he intends the education he shall give her as a proof of his love for her'*:

*'She shall be taught music and dancing and all sorts of needlework and all kinds of housewifery. And more than all, rectitude of conduct and the road to heaven.'*<sup>16</sup>

The vigour that had built the family fortune and reputation seems to have faded from the senior line after the death of Aston's long lived great-grandfather - Sir Thomas, a man who upheld the family tradition of service in war, in Parliament and in local government but was only really happy when in the saddle where he spent the greater part of over 50 years, either hunting or fighting, although he did manage to write one book.<sup>17</sup> Sir Samuel Egerton-Brydges probably best summed up Sir Aston in his biography of 1812; *'One is apt indeed to suspect that he wanted for energy of character and was not a little indulgent to his own ease'*.

Disputes between Parliament and King were not for Aston, his poetry, much of it in its day considered *'doggerel'* - plays, many of them seemingly very similar to other authors' works and epigrams - expressing a single idea, often in blank verse, usually satirical with *'witty'* content and addressed to distinguished acquaintances or family members. His list of friends and extensive family connections make interesting reading - how some received his salutations remains a mystery, although the list of debts he incurred features many of the recipient's names!

He was elevated to a Baronetcy by King Charles I at Oxford on 10th January 1641. The claim was subsequently disputed by the Officers of Arms, his patent not being enrolled as it did not pass the great seal - however it was accepted that the award had been made and that in the chaos at Oxford or the subsequent loss of the Kings baggage train *'the docquet was mislaid'*.

Though doubtless he loved a *'fine little glass'* and *'alienated every acre of his inheritance'*, whatever his extravagance, he was staunch to his religion and to his king, and sustained heavy pecuniary losses in their cause.<sup>18</sup> He shows no sign of ever having wanted to participate in the increasingly bitter disputes between King and Parliament and as with many old established minor gentry at this time avoided or declined public office. Preferring the fireside to the battlefield and his quiet country estate to London bustle, lamenting any time spent away from his *'bottles, books & boon companions'*.

His increasingly precarious financial position was not helped by demands from both Parliament - his near neighbour at Ashbourne was Sir John Gell, the leading Parliamentarian figure in Derbyshire - or the King, who expected substantial financial contributions from those he had favoured. His name soon appears among those *'under sequestration'* while the regular fines inflicted on him as a *'popish delinquent'* probably amounted to a very substantial sum over the years.

In 1643 Parliament set up two committees, the Sequestration Committee which confiscated the estates of the Royalists who fought against Parliament and the Committee for Compounding with Delinquents which allowed Royalists whose estates had been sequestered to compound for their estates - pay a fine and recover their property - if they pledged not to take up arms against Parliament again. The size of the fine they had to pay depended on the worth of the estate and how great their support for the Royalist cause had been.

To administer the process of sequestration, a Sequestration Committee was established in each county. If a local committee sequestered an estate they usually let it to a tenant and the income was used; *'to the best advantage of the State'*. If a *'delinquent'* wished to recover his estate he had to apply to the Committee for Compounding with Delinquents based in London. The national Sequestration Committee was absorbed by the Committee for Compounding in 1644.

With sequestration of his estate in 1645 Aston had sought sanctuary with the Royalist garrison at Tutbury Castle. Here at least for a time, he could avoid his debtors who were now pressing hard for payment. This ancient Staffordshire stronghold which had been harried by locally raised Parliamentary forces based at nearby Barton Blount was more effectively besieged for a second time in the war on 30th March 1646 with a substantial force under the Parliamentarian commander, Sir William Brereton of Cheshire.

Meanwhile his mother had not helped the situation by entertaining King Charles at Ashbourne Hall as he passed through the town with some 3000 men on 13th August 1645 <sup>19</sup> and where he attended service at St Oswald's Church and probably *'collected'* the remaining silver plate for his war chest. He is recorded as *'Having taken a turn in the Hall gardens with Lady Cockaine'*.<sup>M</sup> The room he slept in was for many years pointed out to visitors.

On 21st April 1646 King Charles ordered his besieged garrison at Tutbury to surrender and after some delay terms were finally agreed and signed on 30th April.

The articles for the surrender of the garrison of the 'Castle of Tytburie' included the following:

*That all Commanders Gentlemen and Officers in commission may march away with their horses and arms and their own proper goods; and the common soldiers with their swords and arms and proper goods to any of the Kings garrisons unbesieged they marching eight miles a day and Carriages to be provisioned accordingly.*

*And all those that desired may have liberty to live at home and enjoy their estates submitting to the Ordinances of Parliament; and to be secured in their persons and Estates from violence and plunder.*

*That all Officers and soldiers that desire to 'goe beyond the seas' may have Liberty so to do. Provided it be within six weeks time next ensuing and in the interim be protected doing nothing prejudicial to the Parliament and no oath to be imposed but an engagement never to bear arms against Parliament.*

*That all that desire their sequestrations taken off may have Liberty to go to compound with the Parliament and to have three months time for that purpose without interruption. And after compositions made and pardons sued out they may have Liberty to dispose of their estates as freely as formerly.*

*Signed; Sir Wm Brereton and Commissioners for Parliament John Bowyer and Henry Fernon*

Curiously a further clause was added, but not publicised by Parliament, agreeing to pay a sum of 30 shillings to officers and men marching to unbesieged Royal garrisons and 40 shillings to men who wished to 'goe beyond the seas'.

On 5th May 1646 Aston was recorded as having pleaded with the occupying Parliamentary commander to have his coach - which had been damaged in the siege - released and sent to Burton coach mender, Ned Walker, for repair:

*'I promise you I would not solicit you for it were it not mine which you may evedently see to bee so by my Crest a Cockes head behind'. Sir William Brererton agreed to the request, recording it in his diary and subject only to the instruction, 'Take care no guns or drums or other items of war are removed from the castle'.<sup>20</sup>*

By 18th May 1646 Aston had raised the money to pay his fine of £356 and was granted a Parliamentary Pass 'to go over the seas'.<sup>21</sup> He left England in the company of his friend and relation Colonel Henry Hasting who had commanded the Royalist garrison at Ashby Castle, travelling via France to join the future Charles II in exile in the Netherlands.

Here Hastings secured the friendship of Queen Henrietta Marie, which was to stand him in good stead after the restoration<sup>22</sup> but Aston seems to have soon tired of exile and intrigue in the Hague and decided to return to his home, his family and his debts! It was probably at this time that a plan to lease or mortgage the Pooley estate to his cousin William Cockayne in part-payment of his debts whilst continuing to occupy the Hall was agreed.<sup>M</sup>

After the end of the war Aston addressed one of his poems to his travelling companion Henry Hastings with a degree of sincerity that he admitted exceeded his literary skills and probably echoes the thoughts of combatants throughout the ages:<sup>23</sup>

*'What tumultus we have Seen and dangers past  
Such as in graves many thousands cast!  
And though I am no poet I confess  
I am enamoured of quietness'*

It would appear that following his father's death and to maintain his lifestyle he had borrowed extensively, including money from members of his mother's family to cover his five sisters' marriage portions, secured against his inheritance and his own future marriage prospects. However, he seems to have spent the money but failed to provide the dowries, other than for one sister, two having died and two remaining unmarried. Although

his estate had been sequestered by Parliament he claimed it had already been effectively conveyed to his creditors by a 'Statute Staple - till out of the rents and profits the debt may be satisfied'. However he had continued to draw an income for his own use and as a consequence he appeared before the Committee for Compounding with Delinquents. (As a very rough guide £1000 in 1647 would be worth around £125,000 in 2014).

**Royalist Composition Papers 1st Series Volume 15 Folio 883**

*In the case of Lettice and Lucy Cockaine to me referred by the order annexed I find that Aston Cockaine son and heir apparent of Thomas Cockaine Esquire (since Sir Aston Cockaine) June 23<sup>d</sup> 8<sup>th</sup> Charles before Sir Thomas Richardson knight then Chief Justice did acknowledge a Recognisance in nature of a Statute Staple of £2000 to Sir Thomas Huchinson Knight and William Stanhope Esquire upon which Statute certain tithes and other hereditments in the county of Derby were in the year 11<sup>th</sup> Charles extend for satisfaction of the said statute as by a copy of the said extent attested to be a true copy may appear.*

*And I do also find that by Indenture dated June 23<sup>d</sup> 8<sup>th</sup> Charles made between the said Sir Thomas Huchinson and William Stanhope of the one part and the said Aston Cockaine of the other part wherein is recited the said statute the said Sir Thomas Huchinson and William Stanhope did covenant that if the said Aston Cockaine his executors or administrators should pay to Sir John Stanhope Knight or the said Sir Thomas Huchinson and William Stanhope or any of them or to the executors or administrators of the survivors of them within five months after the first marriage of the said Aston Cockaine if the said Aston should marry in his mother's lifetime the sum of £1000 to be put forth for the best profit of the same together with the increase thereof to be divided and disposed of amongst the five sisters of the said Aston Cockaine and if any of them should die unmarried then amongst the survivors of them at such times and by such proportions as the said Sir John Stanhope, Sir Thomas Huchinson and William Stanhope or the survivors or survivor of them should think fit.*

*And also should pay such other sums after the death of the said Mrs Cockaine mother of the said Aston Cockaine as thereby appears viz to the said Sir John Stanhope and others £120 per annum to be distributed in manner following to wit £40 per annum for the maintenance of the petitioner Lucy and for the maintenance of Isabella and Katherine, two other of the sister of the said Aston £40 per annum apiece until the proportions of the said three sisters should be raised to £500 apiece out of the profits of the tithes set out for the raising thereof and out of such part of the increase of the said £1000 as should be allotted to them respectively. That then the said Recognisance should be void.*

*And it is thereby agreed between all the said parties that if they or the survivors of them or the said Mrs Cockaine mother of the said Aston should find any other or fitter way to provide for the portions or maintenance of the said five sisters or any of them or to lessen the said portions of them, or any of them, or to cancel or make void the said statute that then it should be lawful for them, or the survivors of them, to lessen the said portions and maintenance.*

*And if they should so think good to cancel and make void the same as by the said Indenture appeareth the sealing and delivery of which Indenture by the said Sir Thomas Huchinson is proved by the deposition of Charles Cotton Esquire hereto annexed.*

*And George Hill disposeth that about 14 years since the said Sir Aston Cockayne did marry and take to wife Mary one of the daughters of Sir Gilbert Kniveton deceased and further saith that Mrs Anne Cockaine mother of the said Sir Aston was living when he came out of the county of Derby which was about a month since; and that Isabella one of the sister of the said Sir Aston died before her Marriage or receipt of her portion or any part thereof that the deponent knoweth or ever heard of; and further disposeth that Anne and Katherine two other of the said Sir Astons sisters were married divers years since viz - the said Anne to one Mr Butler and the said Katherine to one Mr Weston; and disposeth that the petitioners are yet living and unmarried and further disposeth that he knoweth that the said Sir Aston did about 15 years since acknowledge a statute of the penalty of £2000 to the said Sir Thomas Huchinson and William Stanhope which was entered into for securing £1000 to be paid to the five sisters of the said Aston and the deponent hath often before these late wars heard Mrs Cockaine mother of the said Sir Aston say that it was intended that the said £1000 should be equally divided among the said five sisters share and share alike and if any of them should die*



*unmarried that the part of her so dying should be divided amongst the surviving sisters and also that the power in the defeasance of the said statute for trustees therein named or the said Mrs Cockaine to lessen or diminish the said daughters portions was only intended for a curb to them that they should not marry without their mothers consent. But despoeth that he doth not know or ever heard that the said £1000 was lessened or diminished or that there was any other course taken for raising or securing the said £1000 than by force of the said statute.*

*Neither doth he know or ever heard that the said Sir John Stanhope, Sir Thomas Huchinson and William Stanhope or any of them did at any time appoint in what proportions the said £1000 should be disposed of . And further despoeth that in the 11th year of His Majesty's reign that now is divers tithes and other things were extended upon the said statute; but the deponent is well assured that these hath not been received out of the said extended premises above £200 which £200 was paid in part of Mrs Weston's portion as this deponent hath heard and believeth; but the deponent doth well know that the petitioners have received no part of the money intended to be secured unto them by the said statute; and despoeth that the tithes and premises which ought to be now in possession by virtue of the said extent are worth as he believes £100 per annum but have not been formerly of so good value; in regard of Thomas Cockaine father of the said Sir Aston who died about nine years since having had an interest in a great part of the said tithes and premises for his life.*

*And that the reason why so little hath been received by virtue of the said extent is because the said Sir Aston hath without the consent of the said trustees received the rents of the said extended premises and for that the same premises have for the space of five years last been under sequestration. So that it is submitted to judgement, whether the said William Stanhope who hath survived the said Sir John Stanhope and Sir Thomas Huchinson (as is alleged) ought not to be permitted to receive out of the said extended premises, the remainder of the said £1000 yet unpaid together with interest for the same; since the same ought to have been paid by virtue of the defeasance, to be by him disposed of in such proportions as the said William Stanhope shall think fit, according to the trust reposed in him by the said indenture of defeasance; and also after the death of the said Mrs Cockaine, the mother whether the said William Stanhope ought not also to received the sum of £40 per annum for the maintenance of the petitioner Lucy out of the said extended premises until her portion be raised to the sum limited by the said Indenture of defeasance the said Isabella being dead and the said Katherine being married and having received her portion as aforesaid. And this I find to be the petitioners case.<sup>M</sup>*

From this point on his steady decline saw increasing debts, an inability to meet demands for payment and a downward spiral which led to his seeking sanctuary with the Royalist garrison at Tutbury. He was an intellectual, not a soldier, and the assumption must be that he was using the ploy to avoid his creditors as much as he was to supporting the King and the Royalist cause:

#### **Royalist Composition Papers 2nd Series Volume 41 Folio 813**

*Sir Aston Cockayne of Ashbourne in the County of Derby, Knight.*

*His delinquency that he left his habitation and went into the Kings Quarters.*

*He petitioned here, the 1<sup>st</sup> May 1649 and craves the benefit of the articles of Ashby de la Zouch whereupon he submitted.*

*He compounds upon a particular delivered in under his hand by which he submits to such fine &c. and by which it appears;*

*That by virtue of a conveyance made by his father the 20<sup>th</sup> March 16 James he is seized of a frank tenement for his life the remainders to his lady for her jointure the remainder to his 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup> and every other of his sons in tail with other remainders in tail remainder in fee to the right heirs of his sisters of and in a house and certain ground in Poo/ey in the parish of Po/esworth in the county of Warwick of the yearly value before the wars .....£104.*

*That from and after the death of Mrs Anne Cockayne widow, his mother, there will come and remain to him for his life with the like remainders to his children as before the Manors of*

*Great Clifton and Little Clifton and other /ands and tenements in the Parish of Ashbourne in the county of Derby of the yearly value before the wars. ....£386.*

*That his father being possessed of a lease for the remainder of a term of about 33 years now to come by demise from the Dean of Lincoln of the Rectories impropriate of Wirksworth and Ashbourne, in the said county of Derby being of the yearly value over and above the rent of £71 6s 8d per annum reserved to the Dean, £335 13s 4d. The said father by his indenture bearing the date the 20<sup>h</sup> March 10<sup>h</sup> James settled the said lease upon Feoffees in trust for the uses hereafter mentioned viz;*

*To the Compounder for the said term if he live so long the remainder to his sons as aforesaid with like remainders as aforementioned parcel thereof being of the yearly value of £124 10s. And of other parts thereof from the 25<sup>th</sup> March 1650.*

*To the Compounder for the said term if he live so long with like remainders as before of the value of £85. And of other parts thereof after the death of his mother and of other parts thereof after the death of his brother Francis and of other parts thereof after the death of William Dutton to the use of the Compounder for his life with like remainders to his children as is aforementioned, being of the yearly value of £125 13s 4d*

*Out of which he craves allowance of £998 3s 8d debt to William Cockayne - merchant. For £100 whereof due by bond to John Wall in 1641, there was a judgement in Trinity Term 1642 against the Compounder and an outlawry after judgment in 1647 and extended in the Exchequer and a lease under the Exchequer seal in Michaelmas Term 1648 which is assigned over to the said William Cockayne. And for £1000 more there is a Statute Staple acknowledged by the Compounder in 1646 upon which the lands in Warwickshire were extended in Michaelmas Term 1648. And it is deposed by the said William Cockayne that upon both those there is justly owing to him at this day (besides all that he hath received) £998 3s 3d and that the debts are ten years o/d.*

*To John Bancroft by judgement in 1642 and extended upon the said lands in Warwickshire. ....£300*

*To his four sisters by statute of £2000 acknowledged in 8<sup>th</sup> Charles which was allowed by the Lords and Commons for sequestrations by order of the 28 January 1647 upon Sgt Bradshaw's report. ....£800*

*To Francis Cockayne and John Allen upon statute entered into in 10<sup>th</sup> Charles defeasanced for payment of £416 and £80 per annum during the life of the Compounders father and upon which the Rectory of Wirksworth was extended to 12<sup>th</sup> Charles; and whereupon the said Francis Cockayne despoth these is still due above .....£1000*

*Debts to;*

<i>Edward Manley</i>	<i>.....£200</i>
<i>Gabriel Miles and his wife</i>	<i>.....£600</i>
<i>Thomas Stith</i>	<i>.....£600</i>
<i>George Duncombe</i>	<i>.....£200</i>
<i>Sir Ralph Cantrell</i>	<i>.....£200</i>
<i>Widow Bancroft</i>	<i>.....£200</i>
<i>Thomas Alsop</i>	<i>.....£200</i>
<i>Edward Whyte</i>	<i>.....£70</i>

*By several judgements upon which it is deposed by several person and by the Compounder himself that there is still due £2108 and that the judgments are ready to be extended as soon as the former extents are discharged.*

*£1800 for other debts which himself despoth to be justly due and must be paid out of the estate. And himself is now a prisoner in the Marsha/sea for debt. And hath made affidavit that his whole estate real and personal is not worth £200 his just debts being paid.<sup>M</sup>*

<i>June 27<sup>th</sup> 1649</i>	<i>D. Watkins</i>	<i>Jo. Bradinge</i>	
<i>Fine upon the Act</i>			<i>£356</i>

Following the surrender of Tutbury he had raised sufficient funds to pay his fine and escape overseas but the decision to return led inevitably to his arrest for debt and being confined in the Marshalsea Prison. In applying to the Committee for Compounding he lists his debts and debtors ending with the sad comment that if all amounts due were paid his real and personal estate would not be worth £200.

#### **Royalist Composition Papers 2nd Series Volume 41 Folio 817**

*To the right honourable the Commissioners for Compositions at Goldsmiths Hall*

*The humble petition of Sir Aston Cockayne of Ashbourne in the county of Derby (a hundred miles distant from London)*

*Sheweth;*

*That your petitioner in the time of the first war did for his own security (being much indebted) leave his own ordinary habitation and went into the late King's Quarters and for so doing his estate was and still is sequestered for his said delinquency.*

*His humble petition is to be admitted to a favourable composition for the taking of the said sequestration upon the particulars annexed*

*And he shall pray &c*

*Aston Cockayne*

*Received the 1<sup>st</sup> May 1649 and referred to the sub-committee SM Jo. Leech*

#### **Royalist Composition Papers 2nd Series Volume 41 Folio 819**

*A true particular of the estate of Sir Aston Cockayne of Ashbourne in the County of Derby, Baronet, whereupon he desires to compound according to the values thereof before the late troubles.*

*Imprimis. He is seized of an estate of freehold for the term of his own life only of and in a house and certain closes called the Cowe Close, Newton Field, Nether Coppice, Linche, Nether Meadow and Long Meadow with the Appurtenances in Pooley in the County of Warwick of the yearly value of .....£104.0s 0d*

*Item. He is seized of a reversion for his own life only after the death of Anne Cockayne, widow, (They being now in her possession as her jointure) of and in two small Manors called Great Clifton and Little Clifton and some other small tenements in the parish of Ashbourne in the county of Derby of the yearly value of .....£386.0s 0d*

*Item. He is possessed for the term of 33 years if he himself shall live so long of the several closes and tithes belonging to the Rectory of Wirksworth in the said county of Derby hereafter mentioned that is to say;*

*Certain closes in Ashbourne called Little Buckholme, Buckholme Leys, Far Deans Close, Schoolhouse Croft and Four-cornered Close, per annum .....£35.10s.0d*

*A little close in Parwich called Parsons Croft ..... £3 6s. 8d*

*Tithes of Corn and Hay and other great Tithes belonging to the said Rectory per annum in the Hamlets of,*

*Wirksworth .....£55.0s 0d*

*Middleton .....£10.0s 0d*

*Crumford (Cromford) .....£12.0s 0d*

*Ibull .....£14.0s 0d*

*Aldersley & Ashleyhay .....£36.0s 0d*

*Tithes of Wool and Lamb and other small tithes belonging to the said Rectory per annum £30.0s.0d .....£195.16s 8d*

*But there is payable to the Dean & Chapter of Lincolne, the yearly rent of ..... £71. 6s 8d*

*So that the yearly rent of all the said premises over and above the said rent is .....£124.10s 0d*

*Item. He is interested for the term of 32 years from Lady day 1650 if he shall so long live of and in three other closes in Ashbourne called Sharmansholme, and the two Near Dean's Closes, per annum .....£18.0s 0d*

*And of certain other parcels of tithes belonging to the said Rectory of Wirksworth and Ashbourne:*

<i>Hopton</i>	<i>.....£13.0s 0d</i>
<i>Imber Grange</i>	<i>.....£1.0s 0d</i>
<i>Wigwall Grange</i>	<i>.....£1.0s 0d</i>
<i>Alton</i>	<i>.....£10.0s 0d</i>
<i>Callow</i>	<i>.....£17.0s 0d</i>
<i>Yeldersley</i>	<i>.....£15.0s 0d</i>
<i>Idersey (Idridgehay)</i>	<i>.....£10.0s 0d</i>

*Item. He is interested in the remainder of a term for 31 years if he shall so long live after the death of the said Anne Cockayne in other tithes belonging to the Rectory of Ashbourne per annum* .....£30.0s 0d

*Item. He is interested in a like remainder after the death of Francis Cockaine in certain Closes and other tithes belonging to the same Rector* .....£42.0s 0d

*Item. He is interested in a like remainder after the death of William Dutton in a messuage and certain Closes and tithes in Parwich belonging to the same Rectory pa* .....£53.13s 4d

*But he prayeth allowance;*

*Imprimis; Of a judgment of £120 obtained against him by John Wall of London draper and extended upon the same lands in Pooley and since assigned unto William Cockayne of London Merchant and of a statute of £1000 acknowledged unto the said William Cockayne and by him extended upon the said lands in Pooley upon which judgement and statute together there is yet due to the said William Cockayne* .....£998 3s 3d

*Item. Of another judgement obtained against him by Thomas Bancroft and extended upon the said lands in Pooley whereupon these is yet due the sum of* .....£300.0s 0d

*Item. Of another statute of £2000 acknowledged to Sir Thomas Hutchinson and William Stanhope in trust for Sir Astons sisters portions and which is by them extended upon all the premises both in reversion remainder and possession in the county of Derby and allowed by the Lords and Commons and whereupon these is yet due* .....£800.0s 0d

*Item. Of another statute of £1000 acknowledged unto Francis Cockaine and John Allen is by them extended upon the said Rectory of Wirksworth and Tithes in Ibull, Crumford, Middleton and Ashleyhay and whereupon there is yet due* .....£1104.0s.0d

*Item. Of these several other judgments following viz•*

<i>Edward Manley</i>	<i>.....£200.0s 0d</i>
<i>Gabriel Miles and his wife</i>	<i>.....£600.0s 0d</i>
<i>Thomas Stitch</i>	<i>.....£600.0s 0d</i>
<i>George Duncombe</i>	<i>.....£200.0s 0d</i>
<i>Sir Ralph Cantrell</i>	<i>.....£200.0s 0d</i>
<i>Widow Bancroft</i>	<i>.....£200.0s 0d</i>
<i>Thomas Alsop</i>	<i>.....£200.0s 0d</i>
<i>Edward Whyte</i>	<i>.....£70.0s 0d</i>

*All which said judgements are ready to be extended upon the premises as soon as ever the said other extents are satisfied. And upon which several judgements together there is already due of Principal Money borrowed with interest and besides costs of service the sum of* .....£2108.0s 0d

*Item. Of several other true and real old debts by specialty and other judgements more that all the judgments before mentioned, (which he is no way able to discharge, but out of the profits of the premises) amounting to the whole to the sum of* .....£1800.0s 0d

*Item. He prayeth the benefit of the articles upon the surrender of Ashby de la Zouch where upon he surrendered himself to the Parliament.*

*And some consideration to be had that he is a prisoner in the Marsha/sea for debt. He hath made oath that his whole estate real and personal is not worth above £200 sterling his just debts being paid. (M)*

(Indorsed)  
Receipt 25<sup>th</sup> Dec 1646

Sir Aston Cockayne

No. 2459  
Fine £356

29<sup>th</sup> June 1649

After securing his release from the Marshalsea probably in 1651 and following payment of his fines by his relative William Cokayne, Aston retired to his beloved Pooley, which, although mortgaged, he continued to occupy, living quietly and devoting his time to his books and his writing. Of these the earliest being a translation of four books into English of '*Dianea, a new romance written in Italian by Giovanni Francisco Loredano, a noble Venetian*', to whom '*The Author's Epistle*' is inscribed, being dated '*from Venice, 25th October 1635*', although the work was not published in London until 1654 by Humphrey Moseley at the sign of the Princes Arms in St Paul's Churchyard.<sup>24</sup>

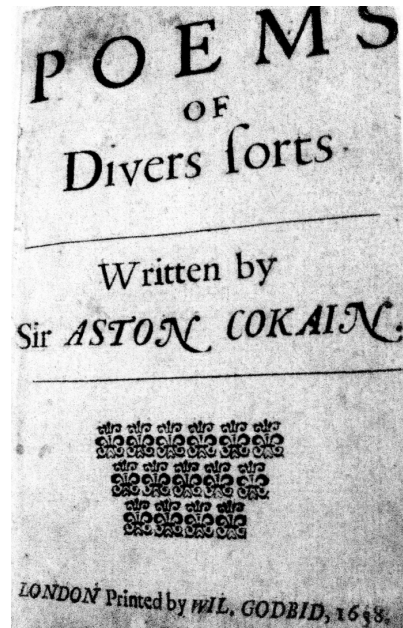
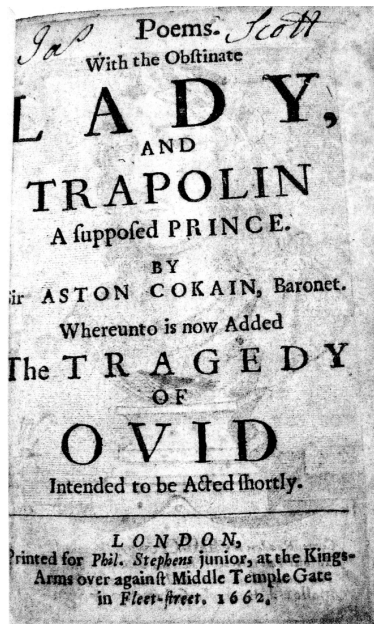


Fig 2: Covers of books of poems by Sir Aston which are owned by the family.

The *Small Poems of Divers Sorts* written by Sir Aston Cokain in 1658 include the '*Masque presented at Bretby in Derbyshire on Twelfth Night 1639*' and were followed by the comedy of '*The Obsolete Lady*', of which a copy had surreptitiously been printed without his knowledge or approval by '*W. Godbid for Isaac Pridmore*' '*to be sold at his Shop at the Sign of the Falcon beyond the New Exchange in the Strand*' in 1657. An example of his work, probably ahead of its time from *Poems of Divers Sorts*;

#### Song of Women by Aston Cokayne

*I wonder why by foul-mouthed men  
Women so slandered be  
Since it so easily doth appear  
They're better far than we.*

*Why are the graces everyone  
Pictured as women be  
If not to show that they in grace  
Do more excell than we?*

*Why are the liberal Sciences  
Pictured as women be  
But to show if they would study them  
They'd more excell than we?*



*And yet the Senses everyone  
As men should pictured be  
To make it known that women are  
Less sensual than we.*

*Why are the Virtues everyone  
Pictured as women be  
If not to show that they in them  
Do more excel than we?*

*Since women are so full of worth  
Let them all praised be  
For commendations they deserve  
In ampler wise than we.*

He was accused of writing 'sly royalist verse', and 'often speaks in his poems with cordial loathing and contempt of the sourness and cant of the Presbyterians'.<sup>25</sup> However this seems more often an expression of sorrow and regret than hate and his love of home and family clearly convey a sadness at the new order.

**'To my Wife' by Aston Cokayne**

*My Mall, how we desire both to go down,  
And still how business stays us in the town!  
Since plays are silenced by the presbyter,  
And wine is grown so very naught and dear;  
London seems frowning like a step-dame now,  
That looked before with so serene a brow.  
Away therefore, and let us hasten home  
To our love's pledges our dear Mall and Tom.  
Published and printed by William Godbid, London, 1658.*

A reissue of the above poems in 1659, entitled *A Chain of Golden Poems, 'embellished with wit, mirth and eloquence'*, together with two 'most excellent' comedies' - *'The Obstinate Lady and Trappolin a supposed Prince'* was printed by W. Godbid and sold by Isaac Pridmore at the Golden Falcon near the New Exchange<sup>M</sup> - clearly they had resolved their differences, or was this in recompense for the earlier pirating of Aston's work? Another reissue of the above entitled *Poems, with The Obstinate Lady and Trappolin a Supposed Prince*, by Sir Aston Cokain, Baronet; to which is now added *'The Tragedy of Ovid'* were printed by Philip Stephens Junior at the Kings Arms, over against Middle Temple Gate, Fleet Street in 1662.<sup>26</sup> Finally in 1669, came the last reissue, entitled *Choice Poems of several sorts, with three new plays, &c.* Printed by Francis Kirkman and sold at his shop under St Ethelborough Church in Bishopsgate, London.<sup>M</sup>

Eleven years after the Puritan regime had closed all legitimate London theatres, Aston Cokain was looking forward to the day when the playhouses would reopen. In his 1653 poem he imagined a restored theatre which would see a revival of England's native dramatic classics and a venue where living playwrights could resume their stalled careers.

*Then shall learned Jonson resume his seat  
Revive the Phoenix with a second heat  
Create the Globe anew and people it  
By those that flock to surfeit on his wit  
Judicious Beaumont and the ingenious soul  
Of Fletcher too may move without control  
Shakespeare (most rich in humours) entertain  
The crowded theatres with his happy vein  
Davenant and Massinger and Shirley then  
Shall be cried up again for famous men*

When public theatre did resume in 1659/60 it was, as the ever wistful and nostalgic Aston had predicted, with the much loved old plays of an earlier generation which found favour, if somewhat adapted for new locations by the playwrights of the day.

Although his own work was much criticized in his lifetime and the years following his death the improvised Italian comedy drama had a considerable influence on Jacobean plays and restoration drama. In Aston's prologue to Trappolin he acknowledges the source but denies it is plagiarism;<sup>27</sup>

*Gallants be it known as yet we cannot say  
To whom you are beholding for this play  
But this our poet has licensed us to tell  
Ingenious Italy has liked it well  
Yet it is 5no translation for he nere  
But twice in Venice did it ever hear*

Versions of Trappolin appeared on stage in 1733 complete with songs and made Convent Garden and the London stage as *'The Duke and the Devil'* in 1833.<sup>28</sup> An appreciation of his work as a minor poet has grown over the years to the present day when early copies of his works are sought after and readings can even be heard on the internet.<sup>29</sup>



Fig 3. Believed to be the portrait of Sir Aston, painted around 1637 by Thomas Leigh - now missing.

In 1637 his portrait and that of his wife Mary were painted by a celebrated artist of the day - Thomas Leigh. The painting of Sir Aston remained for many years at Ashbourne Hall and portrayed a handsome, stylishly dressed cavalier. It seems to have been given to the local school, probably by George Edward Cokayne around 1902 when the contents of Ashbourne Hall were dispersed and from where it was subsequently sold. Sadly the location of both portraits are now unknown although Victorian copies do exist and remain in the ownership of descendants of the family. The only other known likeness is the rather severe engraved bust used as a frontispiece to his published works and which carried what must surely be a very early form of advertisement;

*Come reader, thy Half-Crown, and be a Guest  
To our Parnassus; 'Tis the Muses Feast  
The entertainment needs must be divine;  
Apollo's the host, Where Cockaynes head ye sign*

The original copper plate engraving seems to have been copied a number of times, one version with Sir Aston's name and one which was used as the portrait of Ovid in Sir John North's *'Translation of Plutarche's Life's'* and

was re-engraved for Richardson's *'Rare Portraits'* and by Wilkins for *'Bridges Bibliographer'*.<sup>M</sup> The National Portrait Gallery has a line engraving by R. Clamp, 'after an unknown artist', published in 1796 by E & S. Harding.<sup>30</sup>



Fig 4. The frontispiece shows Aston as Ovid and contains an advertisement..

After the Restoration of the monarchy in 1660, much sequestrated property was returned to the pre-civil war owners. In the case of Sir Aston he had already leased, mortgaged and borrowed against his Pooley property to pay his debts and in effect continued to live there on credit, all secured against his future inheritance of the Ashbourne estates.

The sale of the bulk of the families Derbyshire and Staffordshire properties, including Harthill, Tissington, Balidon, Parwich, Middleton, Youldgreave and Carlton early in the century by his grandfather - necessitated at least in part by a succession of heirs dying young and the need to support the long lived widows dowers had seriously reduced his potential income at a time of rapidly rising costs. This being further compounded by his own mother's long life which meant that Sir Aston did not inherit the Ashbourne Hall estate until after her death in 1664.

After some prevarication and many legal claims brought in Chancery, it became clear that the much reduced Ashbourne estate could never hope to clear the debts accumulated over the years of extravagant living and so in 1671 he reluctantly joined with his only son and heir, Thomas, to sell the estate and the remaining Derbyshire properties. He sold the Hall and the immediate parkland to Sir William Boothby, Bart. Boothby also purchased his lordship of Ashbourne and various properties in the town. He continued steadily disposing of his remaining Derbyshire assets in a string of sales over the years to various parties, detailed in the Cockayne family archives.<sup>31</sup>

Born with all the advantages the times could offer, Aston's downfall was in the end due not only to the Civil War, the Commonwealth and his Catholic faith - although they had clearly not helped by adding fines to his steadily mounting debts. But, in an age of noted extravagance and excess, it was also due to a disinclination to

maintain any financial probity or any acceptance of his changed or more constrained circumstances. He was an intelligent and well educated man - he attended at least three universities, spoke several languages and was well travelled and connected. But he had a lack of guidance in his early years because his father deserted the family for a life in London, a liking for wine and women and a certain lack of worldliness in his dealings - he claimed to have mislaid his poems only to find someone else had published them!

An opportunity did arise some two years later for his son, Thomas Cokayne, a successful London merchant, to join with his uncle, Sir William Sneyd of Keele Hall, Staffordshire and others in a venture to purchase the residue of the de Vere estates from his financially pressed cousins - Lord and Lady Cullen - these included the Manor of Rocester in Staffordshire and property in Doveridge, Derbyshire, the Manor, Castle and Borough of Hedingham in Essex, property in Sybil Hedingham, the Priory and Rectory of St Mary and the advowsones of Hedingham and Gosfield.<sup>32</sup> Sadly this was also to end in tragedy as in 1680 before the investment could be realised Thomas and his wife died of a fever at their home near London. With the death of Thomas and without an heir all hope of the restoration of the families fortunes were finally extinguished.

Aston continued to live on at Pooley which he had previously mortgaged and then leased to his relative William Cokayne for 21 years in 1647 in settlement of a debt of £500 and to avoid sequestration,<sup>M</sup> an arrangement which had not satisfied Parliament or his debtors, William having to compound for the estate and Aston eventually being obliged in February 1670 to sign a covenant for fine and recovery.<sup>M</sup> Finally selling the freehold together with his Lordship of Pooley Manor to Humphrey Jennings Esquire in 1683 - although he appears to have retained an annuity from it for his lifetime.<sup>33</sup>

Further fines were incurred for recusancy in November 1678 and his last years were spent in poverty in lodgings in the town of Derby - dying at the breaking of the Great Frost on 18th February 1684. Various members of the Cockayne family lived in the town but he is recorded as never having acknowledged them and they in turn considered he had disgraced the ancient name by the loss of the Derbyshire and Warwickshire estates and the family fortune. On his death the heir presumptive, a second cousin, did not claim his titles and to this day the Baronetcy remains unclaimed.<sup>M</sup>

Aston Cokayne was buried privately in the Chancel at Polesworth Church in Warwickshire, near his beloved Pooley Hall and where his long suffering wife Mary, who had died a few months earlier, was also interred.<sup>34</sup> At his death the value of his estate amounted to just £79 and consisted mainly of furniture and domestic items still at Pooley Hall.<sup>M</sup> It may be fitting to end with Aston's own words:

*This little work I've done which time may waste  
Or Jove's displeasure into darkness cast;  
But I will hope the Best and that it may,  
Last after I am ashes Many a Day.*

Poems Book II ep125 page 242

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- \* The name has been variously spelt over the years including; Cokaine, Cokayne, Cockayne - the later was proposed around 1700 by Lord Cullen as head of the family but variations remain in use even within the same document.
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*Derby Mercury*, 8 December 1780

### NOTES

Abraham Denston, died c1779, was a master plasterer who worked at Kedleston Hall and St Helen's House, Derby.

His brother, James, 1724-1778. Succeeded Samuel Wyatt as Clerk of Works at Kedleston Hall until he himself was succeeded by Joseph Pickford. Designed Markeaton Hall and a Town House for F.N.C. Mundy in the Wardwick, Derby.

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