

LEATHERHEAD & DISTRICT  
LOCAL HISTORY SOCIETY

**PROCEEDINGS**  
**OF THE**  
**LEATHERHEAD & DISTRICT**  
**LOCAL HISTORY SOCIETY**



VOL. 1                      No. 5

1951

## OCCASIONAL NOTES

ON numerous occasions members have been asked to report any literature or literary references bearing on the history of the district and it has been mentioned that some passing reference may prove the clue to important facts. This appeal is repeated and it is not irrelevant to quote a recent and interesting example of a brief phrase which has proved of great and unexpected value.

In the course of his examination of various legal records Dr. Kiralfy copied out and sent to your archivist an extract from the Common Roll, Hilary Term, 4 Ed. III (1330). This was a complaint by Robt. de Hoton, vicar of Leatherhead, of a Distringment out of the Fee upon him by Robert Darcy, then lord of Pachenesham Manor. The case in itself was interesting, but a close reading revealed the name of the chapel which, as was previously known from records and the excavations there, formed part of the manor-house buildings. The Chapel was called St. Margaret's Chapel and so, for the first time, it is possible to give a name to the little heap of stones described at (a) on p. 5 of vol. 1, No. 3 of these "Proceedings."

According to the Pleadings in the case the vicar held certain lands by fealty and service of holding divine service in the chapel every Sunday, Wednesday and Friday. At the time of the distringment in question this chantry service (cantaria) was said to have been five years in arrear.

As de Hoton was not instituted vicar until 1324 it is probable he had never carried out this service. This may possibly be because at that time John of Leatherhead was tenant of the manor and may not have bothered to acquaint the new vicar of his obligations or at any rate to enforce them. As an absentee landowner Darcy apparently turned up and found his rights were being allowed by his tenant to fall into disuse, rather in the same manner that his grand-daughter Matilda and her husband Sir Ivo Fitzwarin found, some sixty-three years after, that later tenants had gone even further and allowed the manor-house to fall to wrack and ruin (see Vol. 1, No. 2, p. 10).

The so-important words are merely the two in italics in the following extract from the original :—  
"in capella predicti Roberte Darcy *Sancte Margarete* in maneris suo de Pachenesham."

A. T. R.

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## Fifth Annual General Meeting

*Held at the Council Offices, Leatherhead, on 14th November, 1951*

THE Report of the Executive Committee for 1950-51 is summarised in Secretarial Notes. The Accounts to 30th September, 1951, were duly adopted as presented and the Officers were all re-elected. Mr. P. G. Shelley was elected as Asst. Hon. Secretary.

Among the general comments that followed were suggestions for future visits and a plea by Mr. John Harvey for a record of all illustrations of historical interest of the district and their whereabouts.

The formal business was followed by a very interesting talk by Mr. C. H. Thompson, M.A., Ph.D., County Archivist, on "The Value of Probate Records to the Local Historian."

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Briefly the OBJECTS of the Society are :—

To institute, promote and encourage the study of local history, architecture, archaeology, natural history, folklore and similar subjects appertaining to Leatherhead and surrounding districts ; including the search for, recording, and preservation of, historical records and other material ; a library for members' use ; lectures, debates, exhibitions and tours ; fieldwork ; photography of historic features ; and (as a long term objective) the compilation and publication of a history of the Leatherhead district.

A real interest in the locality is the only necessary qualification for membership ; those with any specialised knowledge are, of course, doubly welcome, but this is not essential. The Society hopes to help those who have little or no special knowledge to improve or acquire it. Provision is also made for Junior Members at a nominal fee.

Persons who would like to keep in touch with local history but have no time to take an active part can join as Non-Active Members. They have all the other privileges of full membership.

The yearly membership fee for all adult Members (to include one copy of the Society's Proceedings) is seven shillings and sixpence. Apply to the Hon. Treasurer : Mr. S. E. D. FORTESCUE, Pond Meadow, Preston Cross, Gt. Bookham (Bookham 2683).

**PROCEEDINGS**  
of the  
**Leatherhead and District Local History Society**  
**Vol. 1, No. 5**  
**1951**

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**OFFICERS FOR THE YEAR**  
**1951-52**

*Chairman:* Capt. A. W. G. LOWTHER, F.S.A., A.R.I.B.A.

*Hon. Secretary:* A. T. RUBY, M.B.E.

(53 Nutcroft Grove, Fetcham. Tel. : Leatherhead 3127).

*Hon. Asst. Secretary:* P. G. SHELLEY

(Beechcroft, Hawks Hill, Fetcham. Tel. : Leatherhead 2696).

*Hon. Treasurer:* S. E. D. FORTESCUE

(Pond Meadow, Preston Cross, Great Bookham. Tel. : Bookham 2683).

*Hon. Programme Secretary:* C. T. FISHER

("Silver Birches," Leatherhead Road, Great Bookham. Tel. : Bookham 2232).

*Committee Members:* F. B. BENDER

S. N. GRIMES

*Hon. Auditor:* W. H. TAYLOR

*Hon. Librarian:* Vacant.

*Hon. Editor of the "Proceedings" :* C. J. SONGHURST. *In absentia.*

## SECRETARIAL NOTES

I have pleasure in reporting that during 1951 interest in the Society and its work continued to be most keen, both inside and outside the locality. Requests for lecturers, articles for local publications and historical information by residents and others regarding their buildings and other matters were as numerous as ever. Needless to say these indications of interest were all welcomed and cheerfully dealt with.

Grateful thanks are due to all members and others who assisted in carrying out the special fixtures arranged for the Festival year of 1951.

Arrangements for the elementary talks which were discussed at the fourth Annual General Meeting are in hand, but the difficulty of arranging for speakers, etc., may cause some postponement.

Deaths and resignations during the year were equally balanced by new members and the total membership remained at 169.

The following fixtures were arranged during the year 1950-51 :—

- |                 |   |
|-----------------|---|
| December 9th    | A lantern lecture by Capt. A. W. G. Lowther on the completed work at The Mounts.  |
| January 24th    | A lantern lecture by Mr. J. E. S. Dallas on "A Botanist's Exile in North Wales."  |
| February 21st   | A lantern lecture by Mr. Edw. Yates on "Manorial Dovecotes."  |
| March 21st      | A lantern lecture by Mr. C. W. Phillips on "New Light on the Roman Road System of Surrey and Sussex."   |
| April 16th-21st | A public exhibition of photographs, illustrations and maps portraying the past history of the district.   |
| May 2nd-5th     | (With the collaboration of the clergy and of the Leatherhead Countryside Protection Society) beating the bounds of the several parishes.  |
| June 9th        | A conducted tour of the Castle, Retreat House and Bishop's Palace at Farnham.   |
| July 4th        | A visit to the Old Barn, Burford Bridge, with a talk on "Interesting Features of the Neighbourhood."  |
| August 25th     | A visit to Little Bookham Church with a talk thereon by Mr. John Harvey, followed by a brief account of the excavations there during 1951. This was also followed, after tea, by a visit, conducted by Mr. Harvey, to the recently restored XVIth century building known as Half-way House. |
| September 15th  | A nature study and ramble on Headley Heath. Unfortunately this had to be cancelled at the last minute owing to the weather.   |

The work of the Groups is recorded elsewhere in this publication. The year was one of particular activity for all of them in spite of the bad weather, which failed to daunt the fieldworkers.

It is believed that the fourth number of the "Proceedings" (the lateness of which was due to causes beyond the Hon. Editor's control) came well up to the standard of its predecessors. Copies of the first four numbers are available for purchase by members and non-members, price 3/6 each.

In their Report the Committee referred to the multifarious and ever increasing duties since the formation of the Society that had fallen upon your Hon. Secretary who, it was pointed out, also acted as Archivist and was a very active worker in Groups A, B and D. The Committee felt it necessary to appeal for a volunteer to act as Assistant Hon. Secretary and, as recorded elsewhere, Mr. P. G. Shelley kindly agreed to act. His capable assistance has already proved of the greatest benefit and freed me to carry out a number of tasks which must otherwise have been held up.

Mrs. Butler has again rendered yeoman service in dealing with the Accessions, which are at last showing signs of being under control.

The Accounts, printed elsewhere, show, unfortunately, a debit balance on the year after allowing for the £15 grant promised, but not then received, and the cost of the Proceedings outstanding. This was due largely to rises in costs of postages, printing, etc. It is hoped to recover much of the photographic group expenses but even so there will remain a slight deficit. The Committee have regretfully come to the conclusion that unless a definite increase in membership can be obtained it will be essential next year to propose an increase in the subscription. Members are urged to do their utmost to recruit more members for the Society and thus avoid an increase if it is at all possible.

Donations of any size to either the Library or General Funds will always be most gratefully received.

A. T. RUBY, *Hon. Secretary.*



## Reports of the Separate Groups

### GROUPS AND LEADERS

“ A ”: *Historical Records, MSS and Other Written Records.*

Dr. A. K. R. Kiralfy, LL.M., Ph.D., 44, Orchard Close, Fetcham.

“ B ”: *Architecture, Buildings, Surveying, etc.*

Mr. R. Foster Elliott, A.R.I.B.A., Bridge Cottage, Dorking Road, Leatherhead.

“ C ”: *Photography.*

Mr. A. Day, Tudor Villa, Hawks Hill, Leatherhead.

“ D ”: *Archaeology.*

Capt. A. W. G. Lowther, F.S.A., A.R.I.B.A., The Old Quarry, The Warren, Ashtead.

“ E ”: *Natural History.*

Mrs. M. P. Topping, Ph.D., Angroban, Fir Tree Road, Leatherhead.

“ F ”: *Arts, Crafts, Folklore, Dialect, etc.*

### REPORT OF GROUP “ A ” : MSS., Historical and Other Records

The year 1951 was again one of considerable work and progress by all the active workers of the Group.

As regards **Ashtead** the Rolls from the Kingston Record Office up to 1645 were completed, as has been also the book covering the period 1650–1672 from the Croydon Reference Library and the Rolls of three Courts Baron of 1730 and 1731, from the same library. In addition, further Court Rolls from Kingston Record Office for the period 1673 to 1684 have been completed up to 1680. Efforts to obtain copies of later Rolls, from 1691 onwards, which are in the possession of the present Lord of the Manor, A. R. Cotton, Esq., O.B.E., F.S.A., are being made.

During the year information has also been collected and recorded from various other sources on the following matters :—

Surrey Wills (some of Ashtead Wills) 1596–1603 ; Surrey Muster Rolls (including Armada preparations 1588) 1559–1627 ; Pepys Diary (Wheatley Edn.) for Ashtead and Epsom entries ; Surrey Hearth Tax for 1664 (providing lists of further householders in Ashtead at that time) ; Little Ashtead Manor (Prior's Farm) ; a Rental of Ashtead Manor for 1696 (Guildford Muniment Room) ; an Estate Account Book for 1693 onwards (Minet Public Library).

In **Fetcham** work continues on the parish Charities and on collecting material with regard to the Church history. Mr. Lewarne will be grateful for any information as to the Dedication of the Church, which it is difficult to trace. The collecting and noting of miscellaneous items relating to the parish is continuous.

Work on the life of Sir Robert Darcy, which carries on the story of **Pachenesham** after the lordship of Sir Eustace de Hacche, has been started. It is hoped that this may, at the same time throw some further light on the history of the manor itself.

Mr. L. E. Buckell continues his work on the military history and has had handed over to him, by the Officer Commanding Depot, East Surrey Regiment, volumes concerning the 2nd Volunteer Battalion for 1896–1904, and containing much valuable information as to the regiment's personnel and activities in those years. The Society is most grateful to the Officer Commanding for his kindness and interest. Mr. Buckell wishes to repeat his plea of the previous year for all information on his subject which local residents may possess.

Interesting information continues to be gathered from many sources on a variety of topics. Dr. Kiralfy's work in 1950 on the Surrey Eyre Roll of 1235 led to this Society's suggestion that the Roll should be edited for the Surrey Record Society. The Record Society has received the suggestion with keen interest though the plan has not, at the time of writing, been formally confirmed.

### REPORT OF GROUP “ B ” : Architecture, Buildings, Surveying, etc.

**I**N common with other Groups of the Society, the year 1951 was full of activities not properly reflected perhaps in the mere enumeration of the tasks undertaken. As in the past, a survey and plan of the year's excavations both at the manorhouse site at “ The Mounts ” and at Little Bookham Church has been made and prepared for Group D. The plan, published elsewhere in this issue, of the sites under observation by Mrs. Topping and her Natural History members is the work of this group as was also, in the same year, the map of the scheduled buildings and sites in the Leatherhead area which appeared in the last issue. The Group is now preparing to make a contour survey of the earthwork at Effingham, a suspected medieval manor site, which is the next subject for attack by the members of Group D.

The preparation of a pictorial map of Leatherhead and district continues.

## **REPORT OF GROUP " C " : Photography**

**T**HE members of the photographic group have had a very busy season. They have now almost completed the negatives of the scheduled buildings in the Leatherhead area. Already, as a first instalment, some 70 whole-plate prints have been forwarded to the County Record Office. The photographic survey continues.

Members were also called upon for photographic records of the excavations carried out in 1951 at Little Bookham Church and at " The Mounts," Randalls Road.

In addition, photographic copies have also been made of several old prints and photographs which have been made available from various sources. It should be more widely known that old prints which have faded badly in the course of time can often be re-photographed in such a way that the new print is much better than the faded original. Moreover, due to the improvements in materials and processing, the new print will not fade. Any members who know of interesting but faded prints which could be borrowed for copying should communicate with the Group Leader.

## **REPORT OF GROUP " D " : Archaeology**

By A. W. G. LOWTHER, F.S.A., A.R.I.B.A.

**A**S in the previous year, the main activity of this Group consisted of excavation being carried out under the supervision of our Hon. Secretary and in collaboration with the Surrey Archaeological Society. The work of 1951 took place at three sites and brief reports by Mr. Ruby on two of them are appended. The third site, at which a few days' work was carried out at the request of the Rev. J. W. Reynolds, vicar of Effingham, was with the object of ascertaining whether a certain mound in the vicarage garden was of any archaeological importance. Since the work, although carried out with all the skill and thoroughness which is called for in a modern excavation, disproved the importance of the site it does not seem necessary to give any detailed account of the work or to do any more than record that it has taken place. The mound in spite of its appearance and suggestion that it might have covered something of an early date or historical significance turned out to be nothing more than an accumulation of debris of the last half of the 19th century covering the remains of earlier outbuildings.

There are no isolated finds to be recorded for 1951 and in this connection I would appeal to all members to report either to Mr. Ruby or myself any finds which appear to have some interest so that they may be recorded and, if possible, preserved. A.W.G.L.

### **Further Interim Report on Excavations at "The Mounts," Randalls Road, Leatherhead, 1951**

By A. T. RUBY, M.B.E.

**T**HE excavation arranged for this year had the general object of clearing up as many of the points left unsettled in 1950 as could be done in the limited time available. In the result the course of the road from the moat to the highway has been checked and the existence of the highway to the East of the pond in the North edge of the plantation has been established. It was found possible for a small party of the Society's members, Miss B. I. Smith, Mr. F. G. Carruthers, F.S.A., Mr. S. G. Nash and myself, to spend there the whole of the week commencing 17th September, 1951. Messrs. Austin and Boxall attended on the final weekend.

The terrain was fully described in my report on the previous year's work, and needs no alteration in this respect. The first task undertaken was to prove the course of the road to the manor by another cut between the trenches dug last year. This duly appeared and, as suspected, proved clear of the puzzling tumble, previously mentioned, at each end of the road. The section showed the road here as being quite thin and a little out of the direct alignment.

The party then moved to the higher ground East of the pond and clear of the mound round its North-East end (which probably consists of the excavated soil when the hollow in the highroad was made into a cattle pond). Using the gullies in Trenches RD 1 and RD 2 as a guide, Trench RD 3 was cut but proved completely barren. Moving to the North,

*“The Mounts” Excavations*

Trench RD 5 was cut as a test and eventually yielded a sloping stone layer at a quite unexpected depth. Probing in the vicinity found however a flint surface which subsequently became the southern end of the main Trench, RD 4. This trench was extended southwards to the edge of the flint surface and then extended northwards, eventually as far as the edge of the plantation. The continued existence of the flint surface (albeit cut into by a later E-W trench—for distinction referred to as a “culvert”—at one place) for such a great distance (40 feet) was very puzzling. In fact in the surrounding field a further track but of a more gravelly nature running in the same direction was found. This was, however, only just underneath the grass and on investigation proved a modern farm track some 15 feet in width, and quite distinct from the older and lower surface, which was shown by the few finds in it, dateable to 13th-15th centuries, to be the one of which we were in search.

It was not until after recording and photographing the flint surface that the problem of an apparent forty-foot or more wide road was resolved. Removal of the flints in the main trench revealed that the “floor” on each side of the culvert was quite different. That to the North consisted of large flints to a depth still remaining of at least eight inches. The “floor” to the South consisted of much smaller flints and hardly more than one layer thick. Quite clearly the highroad was the northern portion and the small layer was not more than a paving perhaps of a courtyard or path around a roadside inn or other building.

Trench RD 6 was cut on the final week-end and shows a curious concordance with the angled south end of the paving in Trench RD 4. Time did not permit a proper investigation of the possibility that the paving of small stones surrounded the site of a building. This and further tracing of the highroad remains for still further investigation as opportunity allows.

**General Conclusions.** This year’s work has not led to the necessity of making any additions to, or reservations in respect of, my previous report on the road to the moat. It had been in contemplation to clear the two ends in an endeavour to pursue the question of the tumble there, but the very wet twelve months since work was stopped in 1950 had covered the opened up site with a thick and sticky clay silt. It would have required all the available time to clean up the work already done before fresh investigation could have been started. In these circumstances the project (at no time hopeful) was dropped. The new cut across the road has confirmed that no tumble existed in the middle of the road.

As regards the highroad one amendment of last year’s report is necessary. It was then stated that “The course of the road (the highway) can be traced visually along the N. edge of the plantation with comparative ease by means of a depression and, in places, a line of trees.” It is now uncertain whether in fact the depression West of RD 1 does represent the site of the highway either partially or wholly. Outside the edge of the plantation part at least of the depression is occupied by the modern gravelly track found to the N. of Trench RD 4. It may well be that the ancient road does lie under that part of the modern track but, pending further investigation, it is preferable to regard its exact position there as “non proven.”

On the other hand the existence of the highway to the East of the pond is established. The distance between the N. edge, as shown by the basic stones and the easternmost stones in the “culvert” in RD 4, is some 16 feet but probably some 4-5 feet are missing. This, if taken as 20 feet wide, corresponds with the width in RD 1 and tends to suggest that the land drain in the last mentioned trench had been inserted in the northern edge of the highroad and not cut into it, while the culvert further East in Trench RD 4 (both for the purpose of leading water to the pond) was excavated, at a much earlier date, at the southern edge of the road probably starting in the gully corresponding to that found in Trenches RD 1 and RD 2. It is unfortunate that dateable finds in Trench RD 4 were very few; only three small fragments of pottery turned up. The latest, c. 1500, being a well-rounded rim of light brown, glazed inside, and a small piece of tile both from the silt of the culvert suggest that the culvert had been made at an early date. The highroad had ceased to be

### Little Bookham Church

such after de Hacche had enclosed it in the 1280's and probably fell into complete disuse after the manor house ceased to be occupied. Probably by 1450-1500 it was still sufficiently visible to enable the workers to make their culvert or ditch in the easiest place, i.e., in the gully at the S. edge of the road.

The 15 feet of thin paving at the S. end of Trench RD 4 requires further investigation. Trench RD 6 was not, through lack of time, sufficiently extended but if the breaks in the stone layer therein were not accidental the paving in RD 4 was 5 feet wide at least. As previously stated a courtyard round a wayside building is a reasonable conjecture—if the lord of the manor would have permitted it in fairly close proximity to his main gate!

**The Finds.** The few finds (with plans and drawings) will be fully published in the final Report on the excavations as a whole. The only find this year of note is part of the upper fastening or attachment (bronze with traces of gilding) of an early medieval purse of probably XIVth century date.

### **Brief Report on the Excavation, June-July, 1951, at Little Bookham Church**

**T**HE object of the excavation, carried out at the request of the Rector, the Rev. A. L. Drinkwater, was to find the foundations and thus trace the area of the South aisle of the Church which, according to *Victoria County History, Surrey, Vol. 3*, was built in 1160 and pulled down—possibly because of disrepair—in the latter half of the XVth century. The earlier presence of such an aisle is clearly indicated by the blocked-in arches in the present South wall of the nave.

Owing to the fact that the ground to the South of the church has been very much disturbed by innumerable burials (though there is no present sign of them above ground) no foundations remain *in situ* though, as will be shown subsequently, a fair inference as to their position can be given and the pottery fragments found confirm the dates suggested in *Victoria County History*. The excavation, though technically inconclusive, can be said to have had quite useful results and to have been a worthwhile undertaking.

The work was confined to Saturday afternoons from 9th June to 28th July inclusive and was carried out by members of this Society. The photograph (page 9) is one of several taken by Mr. E. J. Blake and the plan (Fig. 1) prepared by Mr. R. Foster Elliott, A.R.I.B.A., from information supplied by me as to the position of the trenches and their contents.

**Course of Operations.** The necessity of causing as little disturbance as possible of the area, and the situation itself, created the problem of making as few and as small trenches as were possible. The first cut was therefore a very narrow one on the E. side of the porch (part of Trench A) which revealed at 8 inches an apparent structure of stones 11 feet from the S. wall. The S. end of this preliminary cut disclosed a modern drainage pipe just below the surface and this end was at once filled in to avoid damage. The remaining cut was then widened, and with subsequent enlargements became Trench A. A "wall" of stones and pieces of mortar which was revealed at a depth of 13 inches disappeared on investigation into "tumble," but its situation, compactness and nature was such as to suggest a "ghost wall." Trench B on the only other available space to the E. (see Fig. 1) was cut to see if the "wall" reappeared.

In fact it did so in exactly the same position, although it had been completely removed in the eastern half of Trench B, detached portions of the same mixture of stones and mortar lying in the N.E. corner and S. wall of that trench.

By this time it was clear that the ground was so riddled with past burials that it was quite useless to attempt to find the E. return wall, the position of which, clearly indicated by the position of the easternmost half pillar in the S. wall of the nave, was also further covered by the edge of the present war memorial. By the exercise of great care to avoid burials Trench B was excavated in the N.W. corner down to the natural—here soft yellowish sand—showing that the original foundations had been at a depth not exceeding 42 inches from the present surface (Fig. 2).

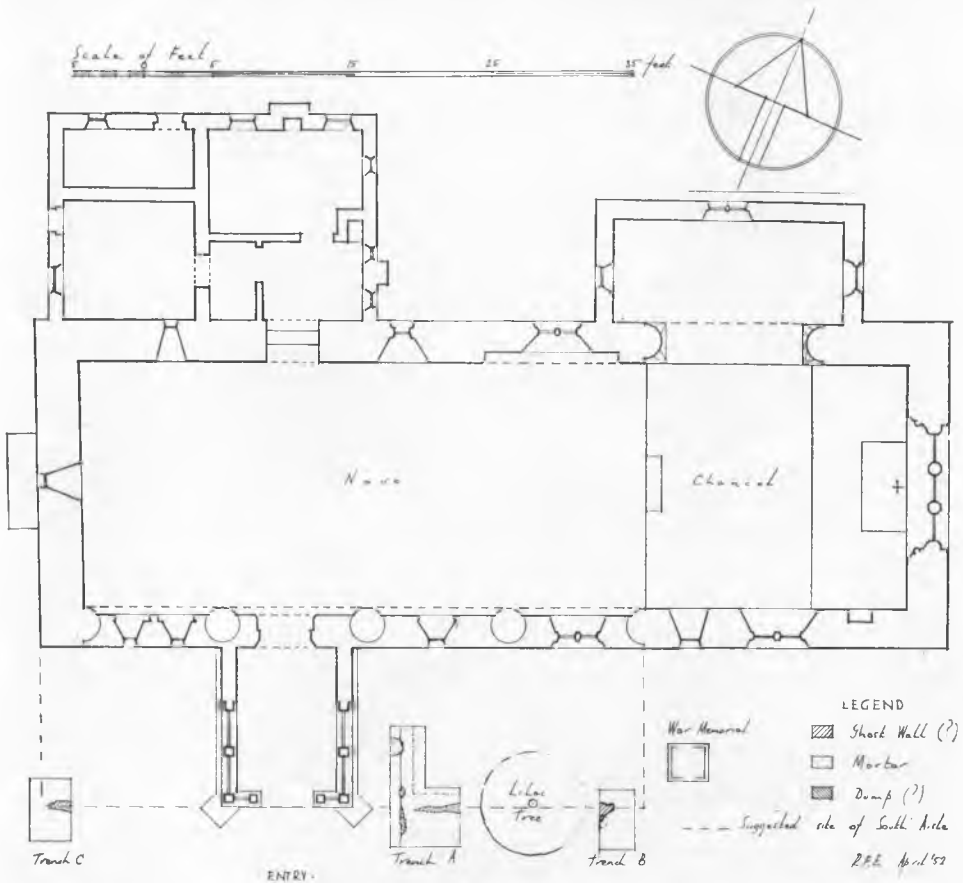


Little Bookham Church

The present ground level outside is  $20\frac{1}{2}$  inches above the present floor of the church. Allowing 10 inches for the wood blocks and concrete, plus 18 inches to 24 inches (*teste* the sexton) for the depths of the foundations seen by him when the floor of the vestry had been up, puts the foundations at approximately 4 feet below the grass surface. Trench B, however, shows nothing below 3 feet 4 inches.

In the meanwhile Trench A had been deepened but the "wall" disappeared at a depth of 40 inches and a further drop to 54 inches came to signs of a burial which caused the abandonment of the trench without working down to the natural. It was only in the line of the "wall" that it was possible to reach even that depth while avoiding past inhumations.

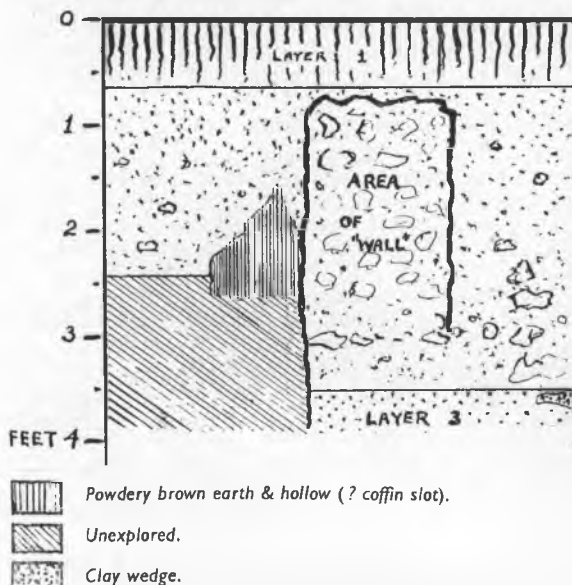
After Trenches A and B had been recorded they were filled in, and Trench C was cut on the W. side of the Porch. It was hoped that traces would be found of both the S. and W. walls of the aisle but the only result was the clear reappearance at a depth of one foot



Little Bookham Church. Fig. 1. Plan enlarged from an existing drawing with the addition of excavations carried out July and August, 1951. Drawn by R. Foster Elliott, A.R.I.B.A.

### Little Bookham Church

of the narrow filling of stones and mortar on the same line as that in the first two trenches. There was no indication of the return wall unless it was the presence of an unexpected and considerable quantity of solid chalk pieces in the west side of the trench which lay slightly beyond an imaginary southern extension of the W. wall of the nave. In this small trench of 3 by 4½ feet there were found at 30 inches down signs of two and probably three skeletons (the vagueness is due to an immediate stoppage of work without further investigation). It was not possible to work further without disturbing these bones and as the sole object was to prove the continuance of the ghost wall the trench was recorded and filled up, and the excavation concluded.



Little Bookham Church. Fig. 2. Section of Trench B (see text page 10; also photograph opposite)

This line is approximately 11 feet from the S. wall of the nave—rather wide for a XIIth century aisle. It is most unlikely to be wider, and Trench A approached to 6 feet 9 inches of the nave wall making it equally unlikely that the aisle foundations were *not* found because of its narrowness. In any case there can hardly have been two walls. While no trace of the return walls was found it seems from the arches that the length must have been from the W. wall of the nave to the easternmost half pillar at the beginning of the chancel. According to *Victoria County History* the chancel was not widened to the full width of the nave until the XIIIth century—*after* the building of the South aisle—so that this aisle could hardly have extended farther East and thus leave a gap between the North wall of the aisle and the South wall of the original chancel.

In the W. side of Trench A at a depth of 7–10 inches were two accumulations of large chalk flints and tiles and, further North, a large lump (the exposed surface some 10 inches wide by 15 inches deep) of lime mortar. It is clear that these all represented dumps from the building (late XIXth century) of the present porch. The flints and the tiles were the same as those now to be seen in the porch structure and the mortar, pale yellowish and friable was quite different from that found in the "wall" and other parts of the trenches. Clearly the builders had dug shallow pits between the porch and the

**The Aisle.** As previously stated the nature of the site made it impossible to investigate it as widely as would have been desirable. It seems certain that the appearance of a tumble of stones and mortar in practically an exact line the whole length of the arches in the S. wall of the nave must indicate a parallel wall of some sort. While similar flints were indeed found lying separately in all trenches only in this one line (apart from the dump mentioned later) were they other than singletons, or were they mixed closely with pieces of mortar—and this in spite of the disturbed ground everywhere. The only explanation appears to be that past sextons when excavating graves had dug out the foundations which had then been tumbled in again in the narrow E.-W. "slot" from which they had been taken, thus to a great extent preserving their position.



Trench B at Little Bookham Church excavations, July, 1951, taken from the S.E. corner.

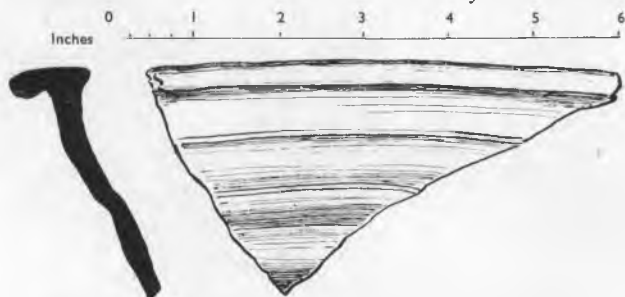
*Photograph E. J. Blake.*

### *Little Bookham Church*

west end of the then visible graves (see illustration at p. 338 of *Victoria County History*, 1911, *Surrey* 3) to deposit surplus or waste material used by them.

**The Finds.** As previously stated the site had been so greatly disturbed that little stratification was possible. Below the turf to a total depth from the surface of 6-7 inches was the normal earth subsoil (layer 1) below which the ground (layer 2) consisted of brown friable soil for the full depth excavated except in Trench B where a "natural" of yellow sand (layer 3) was reached in one corner. The sole exceptions were in the N. end of Trench A where—as indicated by the dotted line (Fig. 1)—there was a layer of some 10 inches of bluey clay between the topsoil and layer 2, and in Trench B where one solitary wedge of cheesy grey clay about 2½ inches thick obtruded 4 inches into the N. side at the junction of layers 2 and 3 (Fig. 2). The clay in Trench A seems to have been a grave filling from an unusually deep grave while that in Trench B appears to have been an accidental intrusion. The tremendous disturbance of the whole site makes the relative position of any finds quite useless for dating purposes. One tiny fragment (the only one and an obvious intruder) of late Victorian pottery was found 26 inches down and 6 inches below fragments of Norman cooking pots.

**Pottery.** Apart from one large rim (Fig. 3) all sherds were quite small and mostly fragmentary. They ranged from brown shell-grit cooking pot of XIth-XIIIth centuries or even earlier to XIIIth and XIVth century vessels identifiable by those found at The



Little Bookham Church. Fig. 3. Drawing of large rim of a sherd, found in layer 2.

Mounts, Pachenesham.

One solitary bowl sherd appears to have been later, about 1500, and there was one tiny fragment, above mentioned, of the XIXth century. The pottery finds, numbering 31 pieces (see Appendix), are important as confirming (apart from the Victorian "intruder") the dates given in *Victoria County History* for the building and destruction of the aisle. All

were found in various parts of layer 2.

**Metal.** Part of a knife blade with a tang, and the end 1½ inches of a reaping hook were found in layer 2 but are hardly dateable. Innumerable nails were found but were most of them scattered coffin nails. A few were of a curious square section and head which will receive further study as being possibly early Norman. A small strip of machine milled lead glazing dated by Mr. John Harvey to probably 1840-1890 and two strips of plain lead for the same purpose were found. One small and shapeless piece of iron was found.

**Glass.** Only 10 fragments of old window glass were found, of which two are plain glass and the remainder in varying degrees of discolouration. Two highly discoloured pieces and one plain piece, are just over 2 mm. thick; two are just under 2 mm.; the others are 1 mm. thick or less. One fragment of XVIIth-XVIIIth century wine bottle was found in layer 1 in Trench B.

**Building Material.** In all trenches were found pieces of mortar and of tiles, similar to those found at The Mounts, dressed stones, etc., and in Trench A a few pieces of plaster still retaining the shape of the structure or decoration from which they had come. Flakes of stone, most of them probably from old headstones, etc., and thick red flooring stones were also found. As indicated later further study of these is necessary. One piece of plaster found in two separated halves with a pinkish colouring is bevelled (131°) and is apparently from a window sill. It may have been part of an original window from the

S. aisle or part of the original XIVth and XVth century chancel windows before they were renovated. The flooring stones are similar to some to be seen built (as rubble) into the N. retaining wall of the churchyard.

**Miscellaneous.** A fragment of a clay pipe bowl too small for close dating but probably XVIIIth century and a piece of stem was found in Trench A at the bottom of layer 1. Two animal teeth, one rodent's incisor and one small boar's tusk were in layer 2. Some oyster shells turned up. A very minute quantity of charcoal and a few crackle flints in Trench A were the only evidence of burning.

At the time of writing all finds are in the possession of Capt. Lowther.

**General Conclusions.** It can be taken as a sound inference that the S. aisle existed and, from the pottery evidence, was built and pulled down closely to the dates given in the County History ; its width was 10-11 feet. and its length approx. 42 feet 6 inches, the half pillars in the south wall of the nave indicating its W. and E. interior boundaries ; the width of the foundations which were 38-42 inches below the present grass surface is not known but they were constructed of large flints joined by mortar ; the roof (its type is unknown) was tiled ; the floor was 24-26 inches below the present grass level ; the window ledges and possibly the walls were plastered with a pinkish coloured plaster.

The difficulty with the building material in the absence of stratification is obvious, especially as repairs to and alterations of the church fabric have clearly been carried out on many occasions. Accordingly any conclusions based on these finds must be tentative. An examination of the Church Records and a note of the dates and nature of all repairs to the outside structure that are recorded therein would be extremely useful and might enable some more definite deductions and dating for the building material to be effected.

A. T. R., 25th September, 1951.

**Appendix—Pottery Finds from Layer 2**

- 2 small sherds sandy calcite gritted ware, possibly Saxon but could be pre-Roman Iron Age.
- 4 fragments unornamented shellgrit ware, XIIth-XIIIth centuries.
- 4 sherds ribbon ornament shellgrit ware including two rim fragments—pieces of a large jar or jug, c. 1280-90.
- 2 fragments thin brown shellgrit ware, c. 1150-1250.  
The last two are 4 mm. thick. The first ten vary from 6-9 mm. thick.
- 1 sherd hard gritty brownish ware, faint traces of glaze inside, XIIIth century.
- 3 sherds hard gritty grey ware (one base and one with trace of flat splay rim) glaze traces inside, late XIIIth century.
- 1 fragment hard pinkish ware, very worn, ? late XIIIth century.
- 4 fragments hard gritty cream ware, XIIIth century.
- 1 fragment hard grey ware glaze traces on outside, XIIIth century.
- 1 fragment cooking pot rim of "turned-in lip" type, glazed on inside, 1290-1300.
- 1 fragment pale cream ware glazed inside, early XIVth century.
- 1 sherd of a glazed flagon of greyish brown ware, with brown and white painted ornament, c. 1300 (as found in stratified levels at The Mounts).
- 1 fragment thin hard grey ware with heavy yellowish glaze inside, late XIVth century.
- 1 sherd with base, gritty grey ware with green glaze inside, c. 1300.
- 2 rims (for larger see Fig. 3) hard buff ware bowl or pot with broad, flat and round-edged rim with patchy green glaze, inner diam. (if circular) 17½ inches ; early XIVth century.
- 1 sherd terracotta colour bowl or pot hard slightly gritty ware, inside glazed terracotta and cream, late XIVth-XVth century.
- 1 small fragment of rim of "willow pattern" china, XIXth century.

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**REPORT OF GROUP "E" : Natural History**

THE botanical work of this Group during 1951-52 falls into two parts, viz., the continuance of the observations on the changes in the flora of the two special areas, marked as regions (1) and (2) in the sketch map (page 13), and the collection of data of the distribution of certain species of plants in the Leatherhead district.

The local records of the occurrence of the six selected species are shown in the accompanying map (see p. 13). They are all plants which are found only on the chalk in this district and consequently do not occur to the North of the town. The six species have a limited distribution in the British Isles, most of them being confined to the chalk of southern England and to certain limestone areas in the South-West, whereas they are widespread on the continent of Europe, especially in the South.



## Group E, Natural History

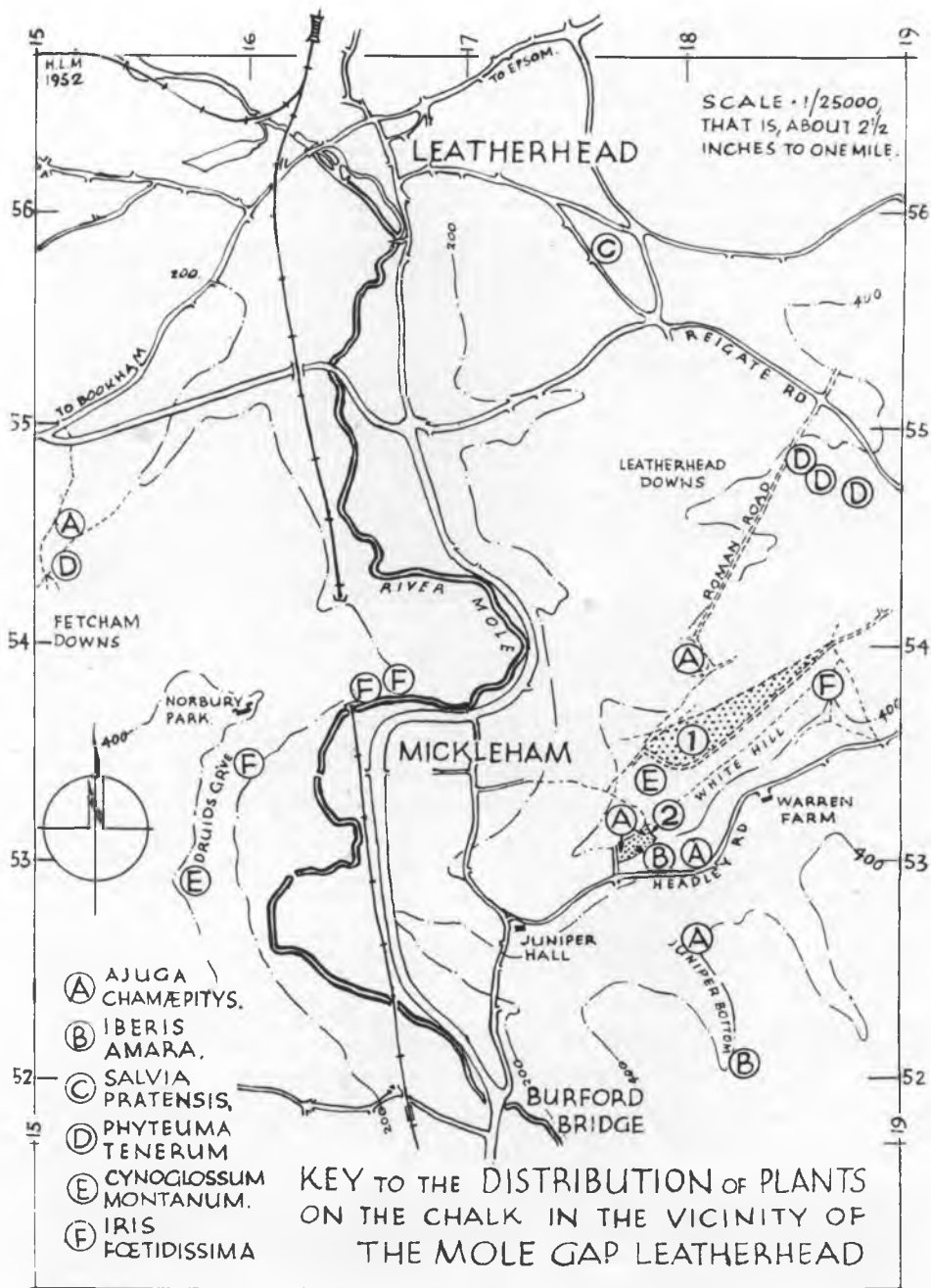
*Iberis amara*, the Bitter Candytuft, and *Ajuga chamaepitys*, the Ground Pine, are found on bare chalky ground, especially on southern slopes, and for this reason their positions in this district are probably often changing. *Phyteuma tenerum*, the Blue Rampion, is common on the South Downs but less frequent on the North Downs. In this district it is not widespread but persists locally in one or two stations and is more plentiful further north on the Epsom Downs. *Salvia pratensis* is rare in Surrey. It is a handsome meadow plant very common in Europe where it must be familiar to visitors to the Alps as it forms part of the rich flora of the lower alpine meadows. In this country it is confined to the chalk pastures of the south-east (particularly in Kent). The Meadow Sage once grew at Headley and Mickleham but there is now only one local record. *Iris foetidissima* or the Gladdon is found in clearings or edges of beechwoods. In Norbury Park it is conspicuous in the autumn with its attractive orange pods and red seeds. This species occurs throughout the south of England especially in the West. *Cynoglossum germanicum (montanum)*, the green leaved hound's tongue, is a species which seems to have been decreasing during the last two hundred years. Fortunately it persists in our district and is still to be found in Norbury Park where it was first recorded in 1666 by Christopher Merrett in "*Pinax Rerum Naturalium Britannicum*." According to J. E. Lousley in "*Wild Flowers of the Chalk*" this is the only district in Britain where the green leaved hound's tongue now occurs regularly and in quantity. The presence here of such interesting plants gives some indication of the richness of our local flora.

Of the special areas under observation one is the long upper stretch of Mickleham Down (see (1) in sketch map). This was ploughed up during the war and successive cereal crops were taken from the land until 1947, when the area was finally sown with *Dactylis glomerata*, the Cock's foot grass (see earlier reports in these Proceedings). During the period of cultivation the soil profile was altered by the ploughing, the upper humus layer being redistributed and the texture and composition of the soil altered by the growth of the cereal crops. The Cock's foot is not one of the common grasses found on chalk downs and it seemed worthwhile watching the area in order to see whether this grass would remain or be replaced by the native downland grasses and flowering plants. The latter are still to be found on several neighbouring patches of down which escaped the ploughing. Detailed observations of the flora have been made during the last three years but it is too soon to generalise as there is a good deal of variation from one end of the down to the other. There is, however, every sign that the Cock's foot is dying out and other plants taking its place (40 species of flowering plants have been recorded). At the N.E. end of the Down, which slopes slightly to the S.W., there is still a good stand of Cock's foot (100 per cent. frequency in the floral analysis) although close examination shows that *Potentilla reptans*, *Fragaria vesca* and *Ranunculus repens* are present, creeping over the ground and even penetrating the clumps of Cock's foot.

In the central region of the Down there is much less Cock's foot and the ground is covered with *Sedum Acre* and is being rapidly colonized by such downland plants as *Euphrasia officinalis*, *Asperula cynanchia* and *Linum catharticum*. The change in the flora during the last three years is most marked at the S.W. end of the Down where the ground is more level and is bordered on the South by an unploughed stretch of original downland. In 1950 *Dactylis glomerata* occurred in 100 per cent. of the samples taken here but in 1951 it was only present in 20 per cent. and *Nepeta hederacea* and *Ranunculus repens* were spreading over the ground in its place. In 1951 the tall flowering stems of *Hypericum perforatum* and *Senecio jacobea* were most conspicuous over this area. These two species have spread very rapidly and it will be interesting to follow their development as the plant community closes. Although the Cock's foot is disappearing rapidly at this end of the ploughed Down its place had not been taken by any of the typical downland grasses such as *Festuca ovina* or *Avena pubescens* up to the summer of 1951. Grass was conspicuously absent from the sere then, only a few species of *Poa* having been recorded.

The second area ((2) on the Map) is at the top of White Hill (the steep slope above Headley Lane). This area has an interesting history. In all probability it was once bare downland but about 1814 it was planted with Scot's Pine and Spruce. About the end of the XVIIIth century, exotic conifers were introduced to this country and trees like the European Larch, Norway Spruce, Silver Fir and others were planted on a large scale by private landowners. The government of the time was only interested in maintaining supplies of oak for shipbuilding and had no plan for re-forestation. In the early XIXth century, however, the demand for soft woods began to grow and more and more land was planted with pine, spruce, larch and other conifers. It is likely therefore that the planting of these conifers on White Hill and adjacent parts of Box Hill followed the general fashion of the time.

As the trees grew the scenery changed from down and juniper scrub to hills covered with coniferous woods, so that the name "Little Switzerland" was given to the valley which runs up to Headley. Before the first World War the top of White Hill was covered with coniferous woods, with beech and yew woods on the steep middle and lower slopes. Some of the latter still remain but the conifers at the top were felled in 1919-20. Again the scenery of the valley changed and soil was washed down from the felled region leaving it denuded and bare. The erosion of the steep slope was so great that there was very little regeneration of vegetation during the next ten years. In 1935 a small plantation of beech and Scot's Pine was established to the right of the footpath up the hill with the hope that this would stop the downward erosion. To-day, 17 years later, these trees are scarcely taller than a man, showing by their poor growth how thin was the soil in which they were planted. Higher up the slope from this plantation the tree stumps of the felled woodland can still be seen. There are still a few woodland



NOTE. Scale on this plan is *before* reduction for the block. As reproduced scale is a little less than  $2\frac{1}{10}$  inches to 1 mile.



## Recent Changes in the Local Bird Population

By GORDON DOUGLAS

THE last twelve years have seen more changes in the density of our local birds, than any similar period of the century. These changes can be attributed to two major events. I refer to the second World War, and the hard winters of 1939/40, and more especially 1947.

The war itself probably made very little direct difference ; but indirectly brought about most far reaching circumstances. This may never be adjusted to a pre-war balance, as far as the bird life of the area, and indeed the country generally, is concerned. These conditions have had a most adverse effect, and the majority of observers are of the opinion that, between the years 1939-1948, diminution of both resident and migrant species can be estimated at not less than 50 per cent. Many resident species have increased since then, in a few cases to the pre-war status ; but migratory birds have not fared so well, except in a very few instances.

Protracted frost and deep snow are the worst enemies of most birds, at any rate during the winter months. The finding of food becomes practically impossible for insectivorous species, which died in scores in early 1947. Fruit and seed eaters fared slightly better, as their numbers showed in the subsequent months. Marsh and water birds forsook the ponds and marshes for rivers and sea-shores, which saved them to a large extent. Only the predatory and scavenging birds did well, at this time : with dead and dying animals and birds in abundance, they fattened at the expense of their more fastidious neighbours, and greatly increased subsequently. I have often noticed that after a winter of deep snow, the Ravens in Devon or Wales have much larger broods than normal. The reason is that, as the snow melts, the carcasses of many sheep are exposed ; mutton is their principal diet, and a well nourished bird produces more eggs than usual. Kestrels and Owls lay much larger clutches of eggs during or after a plague of voles, their favourite food.

The war has been over nearly seven years, but we are still feeling its effect ; and will no doubt continue to do so for many years : the effect on the county's natural life will also remain ; it has certainly left its mark. Firstly the gamekeeper practically ceased to exist as a preserver of game, but gave his energies to more important work. Moreover, there is little likelihood of game preservation being carried on extensively, as in pre-war days.

The results of this were more drastic than might have been anticipated. Not only did game birds naturally dwindle, due to the cessation of rearing operations ; but rapacious animals and birds, especially Corvidii, increased to an alarming extent. Of the Corvidii, Carrion Crows, Magpies, and Jays have multiplied the most. The handsome but evil Magpie, which in 1939 was scarce in the district, and absent I believe, from the parishes of Effingham, Bookham, and Fetcham, is now a familiar sight. In some considerable measure, vermin are no doubt responsible for the decline of Pheasants and Partridges ; but to a more marked degree have they contributed to the present scarcity of our more familiar songsters and larger harmless passerines. Nests are being consistently plundered of eggs or young by the crow tribe and grey squirrels ; fledglings and even old birds are killed by hawks, foxes, and stoats. Rats oddly enough have decreased on the whole, and in my opinion are much less common than before the war. During spring 1951, in a certain orchard under my observation, practically every nest located by me was robbed of its eggs by, I believe, Magpies. The victims included Song-Thrush, Blackbird, Linnet, Greenfinch, Goldfinch, Spotted Flycatcher, Wren, and Robin. Hardly a nest hatched out, and after four or five attempts, at—usually—ten day intervals, the wretched parents were forced to give up for the season. The same depredations were noted in a Great Bookham garden, and once again Magpies or perhaps Jays were probably the culprits, although definite proof was not forthcoming. It is curious that Blackbirds suffered least in both places ; perhaps the birds are bolder in the defence of their nests.

Another wartime necessity was the cutting down of many woods and belts of trees ; also the ploughing up of rough, uncultivated areas such as Effingham Common, which has left its mark. In many places where the living timber has been spared, dead trees and dead limbs have been taken for firewood. A serious matter this for hole-nesting species such as Wryneck, Titmice, Nuthatch, Owls, and Woodpeckers ; these have in many cases been forced to move on, or been driven to gardens, or other more unusual places for their nesting.

Recent years have witnessed many changes in farming and gardening methods, throughout the country. The increased use of sprays on fruit trees, and against insect pests generally, must reduce the food of insectivorous birds. Furthermore, it is believed that birds that eat the victims of certain insecticides are frequently poisoned. The ever-increasing use of artificial manures, has been found to have a detrimental effect. However, our district has probably been affected less than others by these influences. A correspondent living in the Vale of Evesham complains of the spraying with weed-killer of roadside verges ; this, he informs me, has depopulated the district of insects, wild flowers, and birds alike : especially have butterflies suffered.

The scarcity of food on the Continent during the war led to the wholesale destruction of even small song-birds for food. This abuse has always been practised in Italy, and is a severe drain on the vast flocks of migrants in spring and autumn, when many are caught in nets. The entire length of Italy and Sicily lie on the usual migratory route.

There are certain of the Finches, Titmice, and Thrush family, which are notorious for the damage they can do in the garden. Green peas, fruit, and fruit buds, also milk-bottle tops are frequently attacked by one or the other of these charming, but mischievous marauders. However, I do not think

### Changes in Bird Population

that they have suffered much by being shot or trapped by the irate gardener ; at any rate no more than in the past. Not many people would be so drastic as the professed bird-lover who permitted his gardener to shoot sixty-six Bullfinches one spring! (See "Surrey"—Eric Parker, County Books Series, p. 188.)

The results of these changing conditions have had a most unfortunate effect on the county's fauna. The fluctuations of Bookham Common and its surroundings, have been specially under my notice, also the woods and hills to the South. For the most part, only birds that are likely to deplete our fast diminishing species of songsters seem to have increased, and not only song-birds, but other useful and decorative kinds. Mild winters are greatly to be hoped for, but if frost and deep snow come, much can be done by keeping a supply of food and water in our gardens. This will reward the giver, who will be assured of a number of different species in easy view of his window, and save many otherwise doomed birds. Unfortunately, there are many species that will never enter a garden. Of these, the Dartford Warbler, our only resident Warbler, is an example. In 1939 it was generally considered to be the commonest bird breeding on the large, sandy, gorse and heather covered commons of Surrey. To-day, none of my many ornithological friends can tell me where a single specimen is to be seen in the county. Both the Dartford Warbler and also the Stonechat are almost entirely insectivorous; food finding for them must have been almost impossible during the great freeze up. The Stonechat shared a similar fate to this warbler, but is spreading into the West of Surrey, from Hampshire, and will, it is hoped, reach this district before long.

The following species which formerly bred here have entirely disappeared since 1939 :— Stonechat, Yellow Wagtail, Tree Sparrow, Winchat, French Partridge, Corncrake, Redshank, and Woodcock. It must be admitted that some of these were extremely rare in the district, a pair or two at the most ; and some may still breed unknown to me.

Many species have suffered serious diminution, but still do breed with us in reduced numbers. Most noticeable of these are :—Bullfinch, Hawfinch, Treecreeper, Missel-Thrush, Goldcrest, Lesser Whitethroat, Blackcap, Willow-Warbler, Wood-Warbler, Chiff-Chaff, Grasshopper-Warbler, Wren, Longtailed-Tit, Redbacked-Shrike (now very rare), Swallow, House-Martin, Swift, Great Spotted-Woodpecker, Kingfisher, Turtle-Dove, Snipe, Lapwing, Ducks, and Game Birds. Some of these, and others not mentioned, have largely recovered.

Lastly, I am pleased to be able to add that since the war I have been able to prove cases of breeding of the following :—Woodlark, Garganey, Redstart, and Lesser Spotted-Woodpecker (which has probably bred sparingly for many years). These were unknown to me in the district formerly. Two species strike me as being on the increase, viz., Wryneck, and Spotted-Flycatcher. Finally, it is of interest to note that several interesting visitors have been seen locally, such as :—Curlew, Scaup, Wheatear, Waxwing, Peregrine, Pochard, Woodchat and Hoopoe.

## EDMUND TYLNEY

### A Leatherhead Worthy : Master of the Revels to Queen Elizabeth I

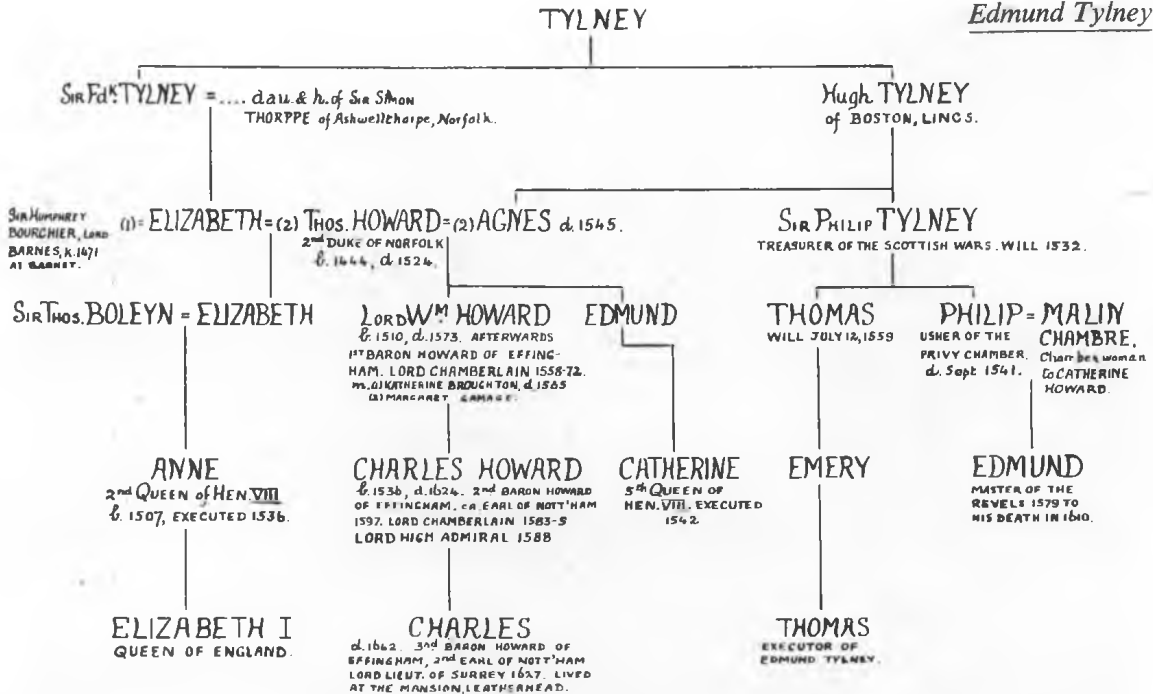
By F. B. BENDER

*Condensed from a lecture delivered to the Society on 15th December, 1951*

EDMUND TYLNEY was the son of Philip Tylney, younger son of Sir Philip Tylney (Treasurer of the Scottish Wars under Thomas Howard later second Duke of Norfolk). As will be seen from the accompanying family tree (p. 17), Sir Philip Tylney's sister married Thomas Howard as Howard's second wife; he having been previously married to her cousin Elizabeth, who died in 1497. The Tylneys were of ancient East Anglian stock, though not of high degree, but from the two cousins Elizabeth and Agnes Tylney stem three Queens of England—Anne Boleyn, Catherine Howard, and Elizabeth I. Edmund Tylney was born shortly before or about the time of certain events which have a place in history. His father, Philip Tylney, married one Malin Chambre who was a woman of the chamber to Queen Catherine Howard. Philip Tylney died in September 1541, and about this time the first rumours began to reach the Privy Council of scandalous behaviour by the Queen with Francis Dereham, Thomas Culpepper, and Henry Manno. Malin Tylney's name appears several times in the evidence given at the enquiry which followed, she herself gave evidence, and eventually the old Duchess of Norfolk, Malin and others were sentenced for misprision of treason; but in February 1542, the King and his Council relented towards those not immediately implicated and they—including Malin Tylney—received pardon.

Philip Tylney had died in debt, the Howards were under a cloud ; and it is not to be wondered at that we find no evidence that Edmund Tylney received an education at any leading school, at Oxford or Cambridge, or in the Inns of Court. The most likely explanation of how he received the education to which his future career bears witness is that he and his mother were taken into the household of Lord William Howard, the dowager Duchess's elder son, and that there he was tutored along with junior members of the Howard family. Lord William did not long linger in disgrace, and with his reviving fortunes rose those also of his dependents, for our last glimpse of Malin Tylney is from the record of the sale for a very substantial sum of the manor of Leyham, Suffolk, then in her tenure, which took place in July, 1544.





Genealogy of the family of Edmund Tylney. From Davy's *M.S. Suffolk Collections*; B.M.. MS. 19152 ff. 27 et seq; *Manning and Bray*, III, 391

### Lord William Howard and Reigate Priory

We lose sight of young Edmund Tylney for some fifteen years, during which time we may have no reasonable doubt that he was attached to Lord William Howard's household. Lord William was granted the buildings of the dissolved Priory of Holy Cross, Reigate, in June, 1541; with lands in Reigate, Dorking, Leatherhead, and Ashted, and thenceforward Reigate Priory became his principal seat. In 1550 he added to these lands considerable properties in Effingham and Bookham, the latter being part of the former holdings of the Abbey of Chertsey. Lord William managed to thread his way unscathed through the successive reigns of Henry VIII, Edward VI, Mary, and Elizabeth I, gaining honour and enhancement from each, and he served with distinction in many offices, including that of Lord Chamberlain from 1558 to 1572. In such a household Edmund Tylney must have become familiar with the splendid occasions of Court life, and the manner in which they were arranged; for the duties of a Lord Chamberlain included the management of the yearly summer progresses of the sovereign through the English shires, the reception and lodging of distinguished foreign visitors and embassies, the general supervision of the Revels at Court from Christmas to Shrovetide, and all that pertained to the banqueting hall.

By the will of his uncle, Thomas Tylney, dated 12th July, 1559, Edmund was left contingently the sum of £40. Such a bequest, if it in fact came to him, must have been convenient at a time when his prospects were brightening with the commencement of a new reign. In the new court every young courtier was on his toes to prove his worth in his adopted field; so it is not surprising to find Tylney making a bid for literary reputation and royal favour in 1568 by the publication and dedication to the Queen of *A briefe and pleasant discourse of duties in Mariage, called the Flower of Friendship*. This is written with some grace in the earlier Tudor prose style, and is remarkable for its fundamental good sense. It seems to have met with some success, for it was reprinted in 1571 and 1577. It seems quite possible that this literary effort was composed in the quiet of the Surrey countryside, for in April, 1569, we find Edmund Tylney signing the certificate of death and burial (probably at Reigate) of Edward, third son of Lord William Howard; at which funeral he was chief mourner. His continued close connection with the Howards and with Surrey is also shown by his election to Parliament as a Burgess for Gatton in 1572.

### The Office of Master of Revels and Masques

In the following year Lord William Howard died and was succeeded by his son Charles, a man of Tylney's own generation, as second Baron Howard of Effingham. Charles Howard appears to have acted as Deputy Lord Chamberlain in 1574 and 1575, and again possibly in 1578 and 1579. In any event his influence at Court was sufficient to secure an office for his relative, and in July 1579, a Patent

## Edmund Tylney

was issued by which Edmund Tylney became the Master of the Office of Revels and Masques, which was a department of the Royal Household coming under the jurisdiction of the Lord Chamberlain.

The actual office dealing with Revels in a regular way was of Tudor origin, and had been in the hands of a Yeoman or Serjeant, sometimes combined with the Serjeantship of Tents; but in 1545 Sir Thomas Cawarden of Blechingley was appointed to an entirely new post as permanent Master of the Revels.

Cawarden died soon after Elizabeth's accession, and the office was then given to Sir Thomas Benger, a Wiltshire gentleman who had succoured Elizabeth during her imprisonment at Woodstock and had been himself imprisoned for his adherence to her. Benger died in 1572 and the office was carried on until Tylney's appointment by William Blgrave the Clerk (who worked there from 1550 until his death in 1603) under the nominal superintendence of John Fortescue, Keeper of the Great Wardrobe.

Besides the supervision of Court masques (in which the courtiers took part and for which the Revels Office provided costumes) the office was responsible for arranging the various plays and interludes which were part of the Christmas festivities; and held all the clothes, scenery, machinery, and properties used in them. The plays were acted by companies of actors or children nominally attached to the households of great nobles, but in practice having freedom to act where they might when not required at Court or by their masters.

The great banqueting hall at Whitehall, probably because it was the hall in which the winter plays were produced, also came within the jurisdiction of the Revels Office; and, in addition to these duties, the office was charged with the entertainment of foreign princes and emissaries coming to this country.

Cawarden had housed the Revels Office in the dissolved monastery buildings known as the Blackfriars, but upon his death the office was removed to the buildings formerly occupied by the Hospital of St. John of Jerusalem in Clerkenwell, where it remained until 1608. In Elizabeth's reign the Christmas season of revels at Court lasted from Christmas until Shrovetide. The summer season, interrupted by occasional calls to attend the Queen during her Progresses, was devoted to stock-taking and "airing," for which the Priory of St. John, with its large barns and open central courtyard, must have been ideal.

The Patent appointing Tylney to the office of Master set his fee at £10 per annum (like that of his predecessor) but, according to his successor in the office, Tylney in actual fact received £100 p.a. "for a better recompence." In addition to this he and his men were entitled to draw wages for each day and night of actual attendance at rehearsals or performances, or during the airing period, besides a livery allowance.

### **First Public Playhouses**

The existence of a demand at Court for plays and players began to lead, before Tylney's appointment, to a more professional approach to them than hitherto; and, in addition, the two first public playhouses, The Theater and The Curtain, were opened in Shoreditch in 1576. Perhaps Tylney had the intelligence to see how things were shaping; perhaps he was just the good civil servant, anxious to introduce government control into any field of human endeavour which prospers. Be that as it may, he very soon set about extending his powers, and perhaps in the process attracted attention to himself as a capable official, for in 1581 he was mentioned as a possible envoy to Spain; a proposal which does not seem to have been pursued.

During the course of 1581 Elizabeth received the commissioners from France who had come with the purpose of arranging a marriage between her and the Duke of Anjou, and this visit coincided with or inaugurated the beginning of a period of heightened splendour in Court entertainments. The shows both at Hampton Court and Whitehall were very lavish and magnificent, and it must have been a busy year for the new Master, and may have led to some difficulties in obtaining labour and materials, for in December Tylney received a Patent of Commission authorising him to direct into his service such painters, embroiderers, tailors, cappers, haberdashers, joiners, carders, glaziers, armourers, basket-makers, skimmers, sadlers, waggon-makers, plasterers, and others as he might think necessary for the carrying on of his work, together with material.

### **Censorship of Plays**

And into this Commission Tylney took the opportunity to have inserted a clause giving him even more drastic powers, which have in part survived until our own times. The clause directed that all plays were to be submitted to his censorship before being publicly presented. Thus, by a few strokes of the pen, Tylney found himself theatrical censor at the very time when the stage was acquiring a new status and dignity; and incidentally became possessed of a fresh source of income from licensing fees. Nor was he long in using his powers, for the issue of a licence to the Earl of Worcester's players dated 6th February, 1583, is known from an entry in the Leicester Corporation archives.

About a month after, in March 1583, Tylney was summoned to Court by Mr. Secretary Walsingham, in order to choose a company of first class actors to enter the Queen's service; and to this company came some of the most talented actors of the time, such as Richard Tarleton, "a wondrous plentiful pleasant extemporall wit, he was the wonder of his time." It has even been suggested that Shakespeare's introduction to the boards dates from the appearance of this company at Stratford-on-Avon in 1586/87.

Tylney's cousin, Charles Howard the second Lord Howard of Effingham, became Lord Chamberlain in 1583; and armed with his new powers whilst serving under a friend and relative, Tylney must have felt a new sense of security, for on 4th May, 1583, a licence was granted to him to marry Mary, fourth

wife and widow of Sir Edward Bray of Shere (d. May, 1581). We know that this marriage came about and that it lasted for twenty-one years.

In 1586 one of Tylney's cousins, Charles Tylney, became involved in the Babington conspiracy against the Queen, for which he suffered execution.

#### **Tylney's Residence in Leatherhead**

In 1588 we have the first definite information of Edmund Tylney's connection with Leatherhead. At the Lete and Court Baron of the Manor of Pachenesham held on 3rd October, Christopher Stevens and Richard Rogers each received licence to let a plot of land to Tylney. We may assume that he had taken up residence here by 1588, for we have definite information that he was living here three years later. The district was a favourite one for officials of the Court ; no doubt because of its proximity to Hampton Court, from whence Whitehall was most easily reached by water. Robert Gardner (Serjeant of the Wine Cellar, d. 1571) lived at Thorncroft in Leatherhead, and John Browne (Serjeant of the Woodyard) lived in Ashtead. The practice continued into the next century, when Court functionaries were living in Leatherhead and Mickleham.

The year 1588 saw the defeat of the Armada by the English fleet under Charles Howard, Tylney's cousin. The accounts for the Revels Office in this year show a notable falling off in cost. There seems to have been some heart-searching by the minor officials of state as to where they should walk in the procession to the great service of thanksgiving at St. Paul's, a matter which was determined for Tylney by the College of Heralds, who directed that he should be with the Knights Bachelor.

A note prepared for Lord Burleigh in the following year regarding the allowances to officers of the Revels in 1587 and 1588 shows that Tylney's attendance was much more frequent than that of his Clerk Controller, Clerk or Yeoman ; and it suggests that the Master took his work seriously.

From the first half of the XVIth century, the City Corporation had been endeavouring to exercise control over the growth of the stage in London, for three reasons. Firstly, to prevent political matters being brought upon the stage ; secondly, because they regarded stage-players as rogues and vagabonds ; and, thirdly, because the gathering of great crowds in a small building was a menace to public health in times of Plague. In November 1589, this matter came to a head, and, as a result, the Privy Council directed that a committee of three, representing the Primate, the Lord Mayor, and the Master of the Revels should examine all plays which it was proposed to play in London.

#### **Queen Elizabeth Dines in Leatherhead**

The Queen's Progress of August and September, 1591, was arranged to traverse the counties of Surrey, Sussex and Hampshire. She set out from Nonsuch Palace at Ewell, and on 3rd August she dined with Edmund Tylney at his house in Leatherhead. Where was this house in Leatherhead ? At this, alas, we can only guess ; but we have some pointers to its identity. We know that Tylney owned it, for he directs its sale in his Will of 1610. In 1629 we find Charles Howard, 3rd Lord Howard of Effingham, living in The Mansion in Church Street. It would have been very natural that the Howard family should have purchased it after Tylney's death. Secondly, the 1782 Survey Map of Leatherhead shows the streets now known as High Street and Church Street as Great Queen Street and Little Queen Street. These streets must have seen Elizabeth pass on her way from Nonsuch to The Mansion, and it would have been natural that they should have been named in her honour. It was during this Progress that the Queen visited Henry Wriothesley, the young Earl of Southampton, at Titchfield ; and some of the leading authorities consider that this year saw the beginning of the friendship between the Earl and Shakespeare.

In 1592 the trouble over the London playhouses broke out again, with attempts by the City Corporation to persuade Tylney to forgo his licensing fees, to put down the theatres altogether, and to accept an annuity in compensation ; but from this year onward we find entries in the diary of Philip Henslowe of payments to Tylney or his deputies for licensing plays. Henslowe and Edward Alleyn (the actor and theatre-owner) were in partnership as capitalists behind the theatrical companies.

In 1593 Tylney and his wife presented a new incumbent (William Williams) to the living of Alford in Surrey.

In 1594 a new system of accounts was initiated for the Revels Office, by which a fixed annual allowance for expenses was made, to include wages. In August of the same year Tylney was appointed one of the Commissioners for assessing, levying and collecting in Surrey the second Lay Subsidy, and in October the assessment lists were published, showing him to be the largest single holder of land in the parish of Leatherhead.

#### **Shakespeare, Kemp and Burbage at Greenwich**

In December 1594, he must have been responsible for the plays shown before the Queen at Greenwich Palace. The Declared Accounts of the Treasurer of the Chamber in respect of these show that Shakespeare and his colleagues, William Kemp and Richard Burbage, servants to the Lord Chamberlain, received £20 for two several comedies acted before the Queen on 28th December ; and it is considered that one of them was *The Comedy of Errors*. This is the first official record of Shakespeare acting at Court. *Venus and Adonis* had been published in the previous year, and now appeared *The Rape of Lucrece*. It is probable that *A Midsummer Night's Dream* was first produced in the following January.

## Edmund Tylney

It appears from the entires in Henslowe's diary that Tylney was employing ten personal servants in the collection of play-licence fees. One of them at least (Robert Johnson) was a Leatherhead man. Another (Robert Hassard) married the sister and heir of Henry Moys, lord of the manor of North Tadworth. Robert Hassard's son was Tylney's godchild.

### **Censoring a Thomas More Play**

To the year 1596 or thereabouts belongs the manuscript play, now Harleian MS. 7368 in the British Museum, called *The Booke of Sir Thomas More*. Seven distinct hands are found in this manuscript, one of which is considered to be the hand of Shakespeare. It is without doubt an original playhouse copy for the use of actors, and it contains censorship directions by Tylney. The play deals with episodes in the life of Sir Thomas More, including the anti-alien riots of 1517. Tylney has written in the margin "Leave out the insurrection wholly and the cause thereof, and begin with Sir Thomas More at the Mayor's sessions, with a report afterwards of his good service done being Sheriff of London upon a mutiny against the Lombards, only by a short report and not otherwise at your own perils. E. Tylney." In another place he has written "Mend this." And there are further corrections in his hand.

The new arrangements made in 1594 for meeting Revels Office expenses did not work very well, and disputes arose between the Master and his inferior officers which led to a petition being drawn up in the winter of 1597/98 by the creditors of the Office calling attention to the arrears in payments to them due to dissension amongst the officers. The petition went to Lord Burleigh, who required Tylney to add his observations. The Master pointed out that he was bound by certain orders of the Lord Treasurer. The matter dragged on until January, when Lord Burleigh added a final and commonsense minute, "My desire is to be better satisfied how the creditors shall be paid."

Lord Burleigh died in 1598 and the sun begins to set upon the Elizabethan scene. There is little to tell of Tylney until 1600, except that from 1599 he appears as the tenant of an acre and 20 rods in the common-fields of Ashted, and so is shown in the Ashted Court Rolls until his death in 1610.

### **The Globe and Fortune Theatres**

In March, 1600, a note in the Vestry records of St. Saviour's, Southwark, directs the churchwardens to treat with the actors performing at the Southwark playhouses for the payment of tithes and alms, according to orders made by the Bishops and the Master of the Revels. In May the Privy Council made an order that there should be no more than two theatres near London; one in Surrey on the Bankside at Southwark, the other in Middlesex. It went on to state that the Council had been informed by Tylney that Edward Allen was building a new theatre (i.e., *The Fortune*) and that this should be the permitted one for Middlesex in place of *The Curtain*, which was to be demolished.

Meanwhile the City Corporation became more and more insistent that playhouses in London should be altogether suppressed, but this puritanical attitude never seems to have been finally successful until the Civil War period, and was even then a short-lived triumph.

On the other hand the anxiety of the Privy Council that there should be a reasonable measure of control over the London stage seems to have been well founded, for during the rising planned by Robert Devereux, the young Earl of Essex, in 1601, certain supporters of Essex, including the young Earl of Southampton, in order to promote a suitable atmosphere amongst the London citizens, prevailed upon the Lord Chamberlain's company of players to put on Shakespeare's play *Richard II* at the *Globe* in Southwark. This play was first printed in 1597, but Tylney had refused to allow the abdication scene to be included in any presentation of the play and it was not included in any edition before 1608. The removal of this part of the play did not affect its tenor as an incitement to rebellion in the circumstances, but in the event the citizens of London remained unaffected by it and the rising was a miserable failure. A strict enquiry upon the presentation of the play was ordered, but Tylney does not seem to have been held in error.

Sometime before 1601 Tylney sent a letter to Sir William More, deputy Lieutenant of Surrey, complaining of the imperious and discourteous behaviour of his "neighbour," Mr. Vincent. This appears to refer to Thomas (later Sir Thomas) Vincent of Stoke d'Abernon, who had married Jane Lyfield, a distant cousin of Tylney's wife; and it is probable that the term "neighbour" is meant to express one whose lands lay contiguous to Tylney's. If this is so, then we may assume that Tylney was tenant of Pachenesham manor lands running to the Mole river. The manor then belonged to the Stidolph family and we might learn a great deal more about Tylney's affairs in Leatherhead if the manor rolls for this period were not, alas, missing.

The death of the great Queen in 1603, in whose veins ran the blood of his own family and in whose court he had served so many years, may have led Tylney to seek relaxation and relief from the cares of office. Perhaps also his wife's health was causing him concern. In June 1603, a grant of the reversion of the office of Master of the Revels was made to George Buck, and a new commission was issued which seems to indicate that though Tylney continued to be nominally responsible for and rendered the accounts of the office, Buck exercised most of the functions of Master. Buck appears to have had some degree of relationship to Tylney. In February of the following year Tylney's wife died and was buried beside her first husband at Shere. It was probably her death which led to Robert Hassard and his wife taking up their abode in Tylney's house at Leatherhead (as indicated in his Will).

### Controversy Over Tylney's Last Account

The last extant accounts of the Revels Office during Tylney's lifetime, those from November, 1604, to October, 1605, have been the subject of great and unsettled controversy. As they are now they contain entries of the performance at Court between Hallowmass, 1604, and Shrove Tuesday, 1605, of seven Shakespeare plays. According to Peter Cunningham (who printed and edited them for the Shakespeare Society in 1842), he found these papers lying in the vaults of the Audit Office where he himself held a position. His alleged discovery earned him a great reputation as a scholar, but in 1860 (having become somewhat impecunious) he attempted to sell some of the documents to the British Museum, who impounded them as State property and handed them over to the Record Office. The suspicion which this event brought upon Cunningham and the documents led to a succession of examinations of them by other scholars, who unanimously pronounced them to be forgeries. However, in 1879 Halliwell Phillipps discovered a note amongst the Malone manuscripts in the Bodleian which seemed to support the Shakespeare entries in the 1604/05 Accounts ; and so controversy has gone on until the present day, with one authority declaring them to be genuine in whole or in part, and another denying it.

In 1607 King James sold part of the Priory buildings at Clerkenwell and gave the part in which the Revels Office was situated to a cousin. This created difficulties for the officers, whose London residences were provided within the Priory buildings, as well as the office accommodation. Tylney drew up a memorandum for the Chancellor of the Exchequer, and eventually a sensible arrangement was arrived at by which the officers provided their own lodgings and received an allowance in lieu ; whilst the Revels Office opened in new premises next to the Whitefriars theatre. In 1607 also Tylney and Buck set the last stone (and perhaps the most important of all) to their edifice of control over the stage, by becoming the licensers of the *printing* of plays.

### Last Will and Testament

On 1st July, 1610, Tylney made his last Will and Testament. He desired (since his wife lay with her former husband at Shere) to be buried with his father in the parish church of Streatham, and that a monument (which still stands) should be erected to him and his father by " the stonecutter near Charing Cross " (considered by Mrs. Esdaile to be William Wright, a noted sculptor of the time). After various legacies to his godson, Edmund Hassard, and others, he left £100 for the repair of Leatherhead Bridge if this had not been carried out by the county authorities. He left to the parsons of Ashted and Streatham each a great silver bowl with cover (perhaps New Year's gifts from the Queen) and directed that his books be divided between them. He remembered the poor of Leatherhead whom he had helped during his lifetime ; and the residue of his estate went to his cousin Thomas Tylney of Shelley in Suffolk, his executor, who was to be assisted by Thomas Godman of Leatherhead. Within three months of making this Will, Tylney was dead, and was buried at Streatham on 6th October, 1610. His cousin, Thomas Tylney, had the pains of completing the Revels Accounts for the year 1609/10, and a warrant to pay him £120 14s. 4d. was issued in March 1611.

Tylney's abiding claim upon our attention is that he was in virtual control of the spoken word on the stage at a time when the English language was reaching a sublime height. Round about the time of his birth appeared the Great Bible translated by Cranmer and others in which already words could be so beautifully put together as those in Ecclesiastes :—

" O how fair a thing is mercy in the face of argument and trouble ; it is like a cloud of rain that cometh in the time of drought."

And by the time of his death these same words, and the thoughts embodied in them, had passed through the golden mill of Elizabethan poesy, to emerge in the exquisite words of Portia in *The Merchant of Venice* :—

" The quality of mercy is not strained,  
It droppeth as the gentle rain from heaven  
Upon the place beneath. . . ."

## THE STAR-CHAMBER LITIGATION OF VICAR RICHARD LEVITT IN 1609

By A. K. R. KIRALFY, LL.M., Ph.D.

THE advowson, or right of presentation of a church was sometimes conferred on a monastic body. With licence of the King and the Pope they could " appropriate " the living, that is to say, appoint a vicar at a stipend, and retain the tithes and other dues otherwise paid to the rector. The third Lateran Council provided that the bishop should ensure that the vicar received a fair fraction of the revenues of the church, as the conflict of interest between the appropriator and the vicar meant that inadequate stipends had been paid.

It is known from the history of Leatherhead Church that the appropriation of the Church occurred in 1345, after the King had granted the advowson to the Priors of Leeds, Kent, and given them licence to appropriate. The benefice was then worth £34 13s. 4d.



### Litigation of Richard Levitt

When the monasteries were dissolved King Henry VIII, in 1542, granted the advowson of Leatherhead to the Dean and Chapter of Rochester, when Rochester Cathedral was re-founded. The Dean and Chapter from this date appointed the vicars and received the revenues of the Church.

Richard Levitt received his B.A. in 1579 at Christ's College, Cambridge, and his M.A. in 1582. He was ordained a priest in August, 1582, and was vicar of Twickenham in 1584. On 4th February, 1590, he was instituted as vicar of Leatherhead. We know that he held the vicarage until the age of 90 years, and that proceedings against him in 1644 were unsuccessful. He was finally succeeded in 1646 by Thomas Mell. The length of tenure of the vicarage lends piquancy to the following new facts about his litigious adventures. The fact that he retained the vicarage also suggests that he was right in these proceedings although the judgment of the court is not recorded. This litigation proceeded in a number of courts but the present account is found in the public records of the Star Chamber (*Star Chamber 8 : Bundle 198 : Documents 19 and 20*).

Richard Levitt addressed a Bill to the King dated 3rd May, 1609 (7 Jas. I) in which he states that he has University Degrees and has been a "painful and diligent preacher" for the last 24 years (which agrees with the date of the Bill). He had, he said, been appointed Vicar by the Dean and Chapter of Rochester who had conferred the next presentation on one Edward Rogers, senior, who had also been given a lease of the revenues of the church. Levitt alleges that this Rogers is trying to secure his deprivation in order to appoint a less qualified vicar at a lower stipend and increase his own profit. According to Levitt's allegations in the Bill, the following were evidence of the attempts at deprivation:—

- (i) Edward Rogers, senior, had procured his son Edward (a Fellow of Martin's College, Oxford) to exhibit an information against Levitt in Easter Term 1606 in the Court of Exchequer in the name of Thomas Woodward, but at the son's costs, accusing the vicar of taking land to farm though a spiritual man, contrary to a Statute of 21 Henry VIII. This suit had been abandoned.
- (ii) Father and son had then conspired with one Charles Arnold, a cousin and neighbour, to sue the vicar in Michaelmas Term 1605 in the name of Edward Rogers, senior, in London (possibly in the Mayor's Court), but Levitt had sued out a writ of *habeas corpus* returnable in the King's Bench at Westminster and the suit was dropped.
- (iii) Arnold and the two Rogers then, in Hilary Term 1606, exhibited a Bill against the vicar in the Star Chamber, in the name of Robert Rogers, another son of Edward Rogers, senior, and William Longhurst, a servant of Rogers, charging the vicar with forging three bonds. These were three bonds to secure the appearance of William Longhurst, Ralph Clouser and Richard Greentree to answer an action of trespass brought by Levitt (apparently for removal of tithe corn and wood). The bonds were in favour of Sir Edward Culpepper, High Sheriff of Surrey and Sussex, and followed an arrest on a writ of *Latitat* (a form used to give jurisdiction in any cause to the Court of King's Bench). Robert Rogers and one Walter Rogers were the sureties on these bonds. The evidence of forgery is stated to have been the testimony of Randle Eydes, a process server, and Christopher Plumpton, who swore, at the Rogers' procurement, that Levitt forged the bonds. Hugh Davis, another witness, in the event refused to swear to this, though he also had allegedly been suborned. (Apparently this matter was also pending in a Chancery suit).

The matters charged by Levitt, perjury, subornation of perjury, conspiracy and unlawful maintenance of the litigation of others, all clearly fell within the jurisdiction of the Court of Star Chamber at this time.

The defendants, Edward Rogers, senior, and Edward Rogers, junior, filed their written answer to Levitt's Bill in the Star Chamber on 7th May, 1609. The first defence is that of the father. He admits the preliminary facts but relies largely on a document alleged to have been forged by the vicar, which is not produced (presumably because in the plaintiff's possession), and which is only described in outline. It was unsealed, undated and unattested, according to the defendant, but purported to deal with the division of the revenues of the Church and the endowment of the Vicarage. About March, 1604, Levitt is said to have begun showing this document to various people. It purported to give the vicars of Leatherhead a third of the tithes of corn and grain and all the tithes of wood within the parish. The defendant points out that the parochial tithes do not belong to the vicarage but to the rectors and that this is supported by the instrument of appropriation preserved in the Public Records in the Tower, from the composition in the register of the Bishop of Winchester, and from the records of the Court of Augmentations at the time (i.e., 1542) when King Henry VIII conveyed the parsonage to the Dean and Chapter of Rochester Cathedral.

In Easter, 1605, the vicar is said to have gone to see Dr. Blague, Dean of Rochester, told him that the document belonged to his records and had been improperly taken from them, and asked him to seal the document with the Chapter Seal and return it to him. Dr. Blague is said to have refused. Mr. Walter Heath, Prebend of the Cathedral and Keeper of the Records in its "Treasury" confirmed that the document had never formed part of their authentic muniments. Levitt, supported by the oath of John Reeve, another clergyman (Vicar of Great Bookham) had then set up this same document as a defence to a suit in Chancery brought by the defendant (probably to establish title to the tithes). In Michaelmas Term 1607 the plaintiff also put the document in evidence in the Court of King's Bench in a jury trial of a dispute in which the present defendant, Rogers, was suing Edward Stevens, Robert

### *Litigation of Richard Levitt*

Stevens, and Edward Lee, servants of the vicar (probably an action of trespass for removing some of the tithes). Another suit is pending in Chancery. Edward Rogers, senior, denies that he is a troublesome litigant, and insists that he has been compelled to bring many lawsuits because the vicar and his associates prevent him from collecting the tithes. In Michaelmas, 1604, the plaintiff had sued the defendant for tithes in an ecclesiastical court (not named) but dropped the case. In Easter, 1605, the plaintiff had brought a suit in the Court of Requestes which had been dismissed with costs.

The situation is complicated by a series of abortive settlements. The vicar is stated to have appeared with the defendant before the Dean of Rochester, Dr. Blague, on 5th June, 1605, and executed a lease of his vicarage tithes to the defendant for 21 years, if the vicar so long lived and remained vicar of this vicarage—a curious admission by Rogers, if, as he maintains, the vicar was not entitled to any tithes. He claims that the vicar forfeited his living by being voluntarily absent for 80 days in the same year, being “idle, up and down in London, and absent from his cure.” This argument suggests that the vicar was in court on many of these days or at legal conferences. Rogers claims that on 3rd February, 1606, the vicar confessed the terms of the agreement of 5th June, 1605, in Chancery proceedings. Levitt denied another agreement of 10th June, 1605, but it was proved by the oath of the scriveners, Luke Boys and Edward Sheterden.

Rogers adds that he brought so many separate actions because his counsel advised him they differed too much in kind to be combined in a single action—which appears to be sound. On 11th June, 1606, the two parties released all claims against each other except the disputed title to tithes of corn and wood, which was to be referred to trial by jury at common law. It was accordingly tried in the King's Bench and the vicar lost the case. He has now started a fresh Chancery suit against Rogers. He is also suing, in the Court of Common Pleas, to forfeit the bonds (which he is alleged to have forged), Serjeant George Duncumbe being his counsel.

Edward Rogers, senior, then denies each of the charges of conspiracy, perjury and maintenance and asks for the suit to be dismissed.

Edward Rogers, junior, then pleads his defence. He has been a student of Lincoln's Inn for five years, but does not appear as yet to have been called to the Bar. The *Lincoln's Inn Black Book* (vol. 2, p. 141) records that one Edward Rogers was called to the Bar in 1611. He was considered for appointment as Benchet in 1628 but desired to be excused. This is probably the same man. In 1609 this Edward Rogers would not yet have been a barrister, but, if he had studied since 1604, he would have some legal knowledge.

He states that he has helped his own father in legal matters but is not a stirrer up of quarrels. He admits that he went to see Thomas Woodward of Oxford and discussed the document relied on by the vicar and told him that the vicar was farming land. Woodward is described as a common informer (a type which is only to-day being legislated out of existence). The vicar is stated to have farmed land, either in his own name or in the name of James Levitt, his son, from one Richard Gardiner, gentleman, one Richard Oxenbridge, and others not named. The younger Edward Rogers has no direct evidence of this but relies on hearsay and claims he acted in good faith. He adds that the vicar sent Hugh Davies, John Reeve, clerk, Vicar of Gt. Bookham, John Rogeram and (Henry) Collins, clerk, to see the common informer and they paid the informer forty shillings to stop proceedings against the vicar. Young Rogers denies financing these proceedings.

The younger Rogers also denies any procurement of perjury. He does admit one damning fact. He had threatened the vicar with action at common law for damages for slander, for accusing him of perjury. The vicar is alleged to have offered him money to drop the case. But he then told the vicar that he would drop this slander action only if the plaintiff resigned his living. He denies that his father, owner of the advowson, put him up to this, and says he only said it because he knew the vicar would not agree. Still, it sounds a damaging admission, and may have helped the vicar prove his case.

After the vicar denied the truth of the answers a number of interrogatories were drawn up. The vicar's testimony, that Rogers is trying in every possible way to deprive him of his living, is supported by John Reeve, vicar of Great Bookham, and Henry Collins, clerk, of Little Bookham. They suggest that Rogers, not the vicar, forged the bonds.

A beer brewer of Fetcham, Philomuses Dean, is questioned, but has little to add.

Edward Rogers proves a surly deponent. He objects, not unfairly, to a number of leading questions and irrelevant matters, e.g., whether his son “solicited” certain lawsuits, and whether his son had vexed third parties with actions. He denies having any other person in mind as a new vicar. He admits he got his two sons to go bail for Longhurst and Greentree when they were arrested or expected to be arrested (in the action of Trespass brought by the vicar). He pleads that certain matters are *sub judice* in other courts and will not answer them.

Richard Greentree, his servant, adds little, but does describe in detail the circumstances of his imminent arrest by Edes (or Eydes) when they met at morning service in the church and later after dinner “in the street of Leatherhead.” Edes then told him that the Rogers would “see him discharged.”

The charges of maintenance seem unfounded. A son may help a father with a lawsuit, and a master try to help his servants. The absence of other documents, and of a judgment leave the final decision in the air, though the vicar's case appears to have triumphed in some way. The vicar makes no reference, on his part, to the document relating to the endowment of the vicarage, and appears to have abandoned his claim that it was genuine.

## ASHTEAD AND ITS HISTORY

By A. W. G. LOWTHER, F.S.A., A.R.I.B.A.

### III—Saxons, Danes and Normans (410—1066 A.D.)

OUR authority for the events that took place during the so-called "Dark Ages"—the period of the actual invasion and occupation of England by Saxons, Jutes and Angles—is based partly upon the excavations of cemeteries and villages, and a study of the ornaments and weapons which these pagans buried with their dead, and partly upon a written work known as the "Anglo-Saxon Chronicle" a year-by-year journal which has survived from Saxon times.

For the earlier period, the entries are somewhat scrappy and clearly were written down some time after their occurrence. Ashtead or "Stede" as it was then called is not mentioned though a number of places in Surrey (e.g., Kingston, Wimbledon and Mitcham) are referred to in connection with several happenings, mostly of a violent nature.

The first incident recorded which concerns us took place in 851 A.D., long after the Saxons had become well established here and were converted to Christianity. At this time they, in turn, were suffering from marauding invaders—the Danes—of whom a large army had that year entered the mouth of the Thames, taken London and, crossing into Surrey, had advanced down "Stane Street." At the battle of Aclea (i.e., Ockley, south of Dorking) they were completely routed by Ethelwulf and the remnants were driven back to the Thames, apparently with considerable slaughter all the way.

Probably to be connected with this event, are the numerous burial pits found, from time to time, at various points alongside the Roman road, especially that found in 1927 in the grounds of the Goblin factory and close to the early trackway now known as "Green Lane." Here, a large pit, the full extent of which was not ascertained, had been dug, and many bodies tumbled into it. From the examination of some of the skeletons a date in the Saxon period seemed most likely.

It is possible that in endeavouring to escape their pursuers, some of the Danes may have turned off Stane Street along this lane but were overtaken and slaughtered at some point close to where this "mass grave" has now been found. However, since there were many subsequent occasions when Danish armies passed through Surrey—in 871 A.D. it is recorded that "This year were nine general battles fought with the army South of the Thames"—it may well be that these burials were of a later date.

The earliest written mention of "Stede" is that of the Domesday Book, in which it is stated that "The canons of Bayeux hold Stede of the bishop (Odo). Turgis held it of Count Harold. In his time it was noted in respect of 9 hides. Now (1086) in respect of 3 hides and 1 virgate" (i.e., about 600 and 200 acres respectively).

Thus, the manor was in being before the Conquest and apparently about three times as prosperous as it was some twenty years later. As to this Turgis, nothing else is known, though it is perhaps of interest that the name still survives as shown by its appearance in a recent obituary column.

Let us now consider what Ashtead is likely to have been like at the date of the Norman Conquest: A "manor-house," consisting of a timber-built Hall with thatched roof and probably rather less imposing than a present-day barn. A small chapel (it is termed "the capella of Estede" in a document dated 1179 A.D.) near it, and on the site of the present church. Some 600 acres of cleared and partially cultivated land, and all to the north dense oak forest. A population which is unlikely to have consisted of more than 50 or 60 adult persons, living in a collection of small timber shacks, or mere hovels, probably situated in the area of the present Rectory Lane, and whence a trackway (on the line of Woodfield Lane) led into the forest—which then extended at least as far south as the present Barnett Wood Lane, if not still closer to the village. The springs, rising at the junction of chalk and clay (not, as at the present day, provided with a ready means of escape) probably afforded a water supply in the form of a small reed-grown lake extending from the north edge of Ashtead Park westwards over much of the present site of Ashtead Village. Such, as far as we can tell, was the appearance which our area presented at that time.

With the arrival of the Normans some considerable changes came about, mostly affecting the now subservient Saxons and their way of living in relation to their new overlords—an alien race amongst whom their lands were parcelled out—rather than the appearance of the countryside. The next article in this series will tell of what these changes consisted and how with the passing of time and of the Norman and Early Medieval centuries, the appearance of our district gradually altered.

*Reprinted from the "ASHTEAD RESIDENT."*



# LEATHERHEAD AND DISTRICT LOCAL HISTORY SOCIETY

## Account for the Year ended 30th September, 1951

<i>Dr.</i>	£	s.	d.
To Balance at 30.9.50—			
General ... ..	£31	18	1
Library Fund ... ..	21	4	8
Cash in Hand ... ..	4	0	0
	53	6	9
„ Subscriptions—155 at 7s. 6d. (including			
£2 3s. 6d. received in 1950) ... ..	58	2	6
11 at 1s. ... ..	11	0	0
„ Subscriptions paid in advance for 1952 ... ..	2	1	0
„ Subscriptions paid in arrear for 1950 ... ..	7	6	0
„ Sale of Society's "Proceedings" ... ..	5	2	0
„ Visits—Receipts ... ..	£36	1	3
Expenses ... ..	34	18	6
	1	2	9
„ Donations ... ..	2	0	1
„ Interest on Bank Account ... ..	1	0	2

*N.B.*—(1) The accounts do not include items for unsold "Proceedings," library, equipment and archives.  
 (2) A grant of £15 is due from the Surrey County Council, but has not yet been received.

£123 13 9

<i>Cr.</i>	£	s.	d.
By Hire of Meeting Halls and Lantern ... ..	5	19	0
„ Printing and Duplicating ... ..	14	9	0
„ Cheque Book, Postages, Stationery and Sundry	13	14	9
Disbursements ... ..			
„ Subscriptions and Affiliation Fees :			
Surrey Record Society ... ..	£1	0	0
South-Eastern Union of Scientific			
Societies ... ..	7	6	0
Council for Promotion of Field Studies	1	1	0
	2	8	6
„ Purchases—Library Fund ... ..			9 6
„ Photographic Group Expenses ... ..			10 7 0
„ Balance at Banks :			
General ... ..	£53	7	10
Library Fund ... ..	20	15	2
Subscriptions in advance ... ..	2	1	0
	76	4	0
„ Cash in hands of Treasurer ... ..			2 0

*N.B.*—The Balance at Banks includes £49 6s. 1d. due for printing "Proceedings" not yet paid.

£123 13 9

### Library Fund

<i>Dr.</i>	£	s.	d.
To Balance brought forward ... ..	21	4	8
	£21	4	8

<i>Cr.</i>	£	s.	d.
By Purchase of N.C.S.S. pamphlets, 2½ in. Ordnance			9 6
Survey Maps and Armorial Exhibition Catalogue			20 15 2
„ Balance carried forward ... ..			20 15 2
	£21	4	8

I have examined the above statement with the books and vouchers relating thereto and in my opinion it is properly drawn to show a true and accurate view of the affairs of the Society.

S. E. D. FORTESCUE, *Hon. Treasurer.*

Audited and found correct.

W. H. TAYLOR, *Hon. Auditor.*





#### A QUARTZITE MACEHEAD FROM LEATHERHEAD

The following is a note by Mr. W. F. Rankine on the macehead pictured above:

This macehead labelled "Leatherhead" was acquired at a sale by Mr. Fred Clark of Worplesdon and there appears to be no valid reason for questioning this provenance since the specimen is of a type of perforated pebble fairly well represented in Surrey.

It is a natural Bunter quartzite pebble of reddish-brown tint. The perforation which was made from both surfaces of the pebble is of hour-glass form in section. The dimensions are:—length  $3\frac{1}{2}$  inches, width  $2\frac{3}{8}$  inches and thickness 1 inch. It weighs 7 ounces. The diameter of the perforation is  $\frac{7}{8}$  inch at the surface and  $\frac{5}{8}$  inch at the narrowest part. The perforation is polished by haft-wear and the bruised condition of the ends of the pebble indicates that the implement was well used.

Similar maceheads of quartzite have been recorded from Wrecclesham, Westcott and Reigate in Surrey and others have been found in Sussex. All are about the same size.

**OLD PHOTOGRAPHS, PRINTS, CUTTINGS AND NOTES ARE STILL WANTED**