

LEATHERHEAD & DISTRICT
LOCAL HISTORY SOCIETY

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OF THE
LEATHERHEAD & DISTRICT
LOCAL HISTORY SOCIETY



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SECRETARIAL NOTES

THE FOLLOWING Lectures and Visits were arranged during 1968:—

January 10th	Lecture: "Early Churches of the Leatherhead Area", by D. F. Renn, F.S.A.
February 7th	Lecture: "Archaeology in Surrey", by F. Hollis.
March 22nd	Annual General Meeting and General Discussion.
April 5th	Lecture: "Recent Excavations in Scotland", by D. J. Turner, F.S.A.(Scot.).
May 14th	Lecture: "East Anglian Waterways", by L. A. Edwards.
June 15th	Dorking Walk, conducted by J. E. N. Walker.
July 20th	Visit to Outwood Mill, described by W. Millar.
August 10th	Walk to demonstrate the "Formation of the Mole Valley", led by J. Docherty.
September 11th	Lecture: "Fungi", by Mrs. I. Gardener.
October 3rd	Lecture: "Surrey Houses under the Tudors", by K. W. E. Gravett, F.S.A.
November 6th	Lecture: "Armour", by C. Blair, F.S.A.
December 5th	Leatherhead Historical Miscellany.

Number 1 of Volume 3 of the *Proceedings* was issued during the year.

TWENTY-FIRST ANNIVERSARY ANNUAL GENERAL MEETING

Held at the Council Offices on Friday, 22nd March, 1968

Attended by A. E. Yearley, Esq., Chairman of the Urban District Council

THE REPORT of the Executive Committee and the Accounts for the year 1967 were adopted and approved. Officers of the Society were elected. The Accounts for the year 1967 are printed on page iii of the cover.

OFFICERS FOR THE YEAR 1968

President: CAPT. A. W. G. LOWTHER, F.S.A., A.R.I.B.A.

Chairman: A. T. RUBY, M.B.E. (*until May*)

D. F. RENN, F.S.A. (*elected by Committee, 7th October, 1968*)

Hon. Secretary: J. G. W. LEWARNE

(69 Cobham Road, Fetcham, Leatherhead. Tel: Leatherhead 3736)

Hon. Treasurer: W. T. BRISTOW (*until August*)

W. F. THUELL (Lloyd's Bank, Leatherhead)

Hon. Editor: F. B. BENDER

(Duntisbourne, Reigate Road, Leatherhead. Tel: Leatherhead 2711)

Hon. Programme Secretary: MRS. B. HAYNES

(Sans Nom, Fir Tree Road, Leatherhead. Tel: Leatherhead 3549)

Hon. Records Secretary: D. BRUCE

(7 Fox Lane, Little Bookham. Tel: Bookham 5722)

Committee Members: MRS. I. GARDENER, W. MILLAR

Hon. Librarian: T. C. WILLIAMS, The Mansion, Church Street, Leatherhead.

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ALFRED THEODORE RUBY, M.B.E.

Died 5th May, 1968



Photograph by Derek Gardner Ltd.

THE PASSING of Mr. Ruby, Chairman of this Society since 1959, has been a grievous loss to the Society and to his many friends. He was one of the small group of people who sponsored the formation of the Society in 1946, and from the commencement he took an active part in furthering its success, being Honorary Secretary from 1946 to 1957 and being throughout responsible for the collection, arrangement and recording of the Society's archives.

Mr. Ruby was born in Cape Town, South Africa, on 30th June, 1894, where his parents were for a time resident, and on their return to this country he went in due course to Kendrick Grammar School, Reading. He passed the Civil Service examinations and came to London in 1910, where he entered the Board of Trade in which he remained until his official retirement in 1954, occupying at that time the position of Assistant Registrar of Companies. After his retirement from the Civil Service he took a position with Messrs. Linklaters & Paines, solicitors, as an expert in Company Law, where he remained until deterioration of his health caused his final retirement. He served during the 1914-18 war in the Civil Service Rifles. In 1937, the year in which he came to live in Fetcham, he went through an official A.R.P. course and was appointed Controller of all A.R.P. services at the Board of Trade, a position which he occupied for the greater part of the 1939-45 war, and as a recognition of which Membership of the Order of the British Empire was bestowed upon him in 1944. He also served in the Fetcham Home Guard unit.

After the second World War archaeology became a prime interest in his life. He took a leading part in the excavations of the site of the medieval manor house of Pachensham at The Mounts, Leatherhead, in 1946 and following years, under the direction of Capt. A. W. G. Lowther, F.S.A., and he also participated in other excavations both locally and

elsewhere, some of which he directed. After his retirement from the Civil Service he took a course in archaeology at London University and gained a Diploma on 18th December, 1963. For a time he served as a member of the Council of the Surrey Archaeological Society.

He will long be remembered by his archaeological friends for a painstaking striving for exactitude in all matters concerning the recording of local history, a habit of mind no doubt fostered by his public service, and for his simple kindness to all with whom he came in contact.

THE COMING OF THE SAXONS

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

The writer was recently asked to collate and set out in a brief summary such evidence as exists that the Leatherhead area was occupied by the Saxons on their early arrival as settlers in this country. The following is that summary but rewritten and expanded in places for easier reading. Personal names, in the text, of authors of books or articles are set out in the bibliography at the end.

IT SHOULD be remembered that the Saxons had been known to and regarded as a great menace by the inhabitants of Britain since the beginning of the last quarter of the third century when the Channel seas began to be infested by Frankish and Saxon pirates. This piracy was kept in check, to an extent at least, by the Roman fleet combined with the "Saxon Shore" forts; but, around 367–69 A.D., an unprecedented confederation between the Picts of Scotland, the Scots of Ireland and the pirates resulted in a simultaneous attack on Roman Britain from the north, west and south-east. The resulting damage was widespread and disastrous and it was with much difficulty that the invaders were driven out and order restored, for a time, by Count Theodosius, sent with a fresh Imperial force by the reigning Emperor.

Saxon piratical raids did not entirely cease but it was some considerable time after the withdrawal of Imperial forces and administration, about 410 A.D. (possibly some troops remained a little longer), that the Saxons ceased to be mere raiders and became invaders with the intention of permanent settlement in Britain. It is this change in the nature of the incursions that is generally regarded as constituting the "coming of the Saxons" (the *adventus Saxonum*) and marks the beginning of another epoch.

The date of this advent is, or has been, the subject of much controversy among experts. Indeed, the sources and the evidence on which the date is based are so sketchy and imprecise—as are, also, those on the provenance of the raiders themselves—that the writer does not propose to deal with either matter here. Suffice it to say that the general opinion is that the date was not earlier than the second half of the fifth century and (after a check about 500 A.D. giving a period of comparative quietude) continued for another half-century or so.

There will be no need to repeat the story of the deliberate settlement in Kent about the middle of the fifth century of the continental mercenaries under Hengist and Horsa to guard south-east Britain from the raiders. Such employment was then far from unusual and, indeed, is thought by some authorities to have taken place in other parts of the country. In any case, the result was that the mercenaries turned on their employers and ravaged the country until, eventually, order was restored for a time by the victory of the Britons at Mons Badonicus (site unknown) about the turn of the fifth and sixth centuries. In the meantime, however, Kent had become a barbarian kingdom, the South Saxons had conquered and settled in Sussex south of the Weald while the West Saxons had penetrated

the south coast around Southampton Water and were settling on the uplands to the north and north-west. East Anglia, too, had become an area of fifth century settlement. This, then, is an extremely sketchy account of the events leading up to the position at about 550 A.D.

Parts of Surrey were settled at a very early stage, especially at Croydon, Mitcham, and Beddington, but the only certainty is that Surrey settlement had begun before the appearance in the Thames Valley of organised kingdoms. This is shown by the very early burials and the place-names in e.g. the Wey valley. Surrey means "the south district" and suggests that the whole of the kingdom or tribal area of which Surrey formed part was divided into two regions by the Thames. Almost certainly the other region must have been Middlesex, an area which, it appears, was quickly absorbed by the East Saxons and detached from its southern territory. There is no doubt of the frequency with which Surrey passed from one overlordship to another in early times; Wessex, Kent, and Mercia all claimed it at one time or another until 825 A.D. when it passed finally to Wessex under King Egbert. As early as 568 A.D. it is recorded in *The Anglo-Saxon Chronicle* that Ceawlin of Wessex and his brother drove Ethelbert of Kent back to his own territory and, in the words of Mr. John Morris, "If the battle was not fought in Surrey it was certainly fought for the possession of Surrey . . . During Ceawlin's time the number of Saxon settlements in Surrey increased."

It was then, apparently, that the Leatherhead area first appeared in the general picture. Many graves, constituting a pagan Saxon cemetery, have been found at various times in the grounds of, and opposite, Hawkshill House, Hawks Hill, Fetcham; under the present road and also beside the then existing main highway (the "Harroway") which, from Hawkshill House, ran to the south of the present road, along the line of the parish boundary between Fetcham and Leatherhead. Further evidence of the Saxon arrival lies in the discovery in 1929-32 of a number of Saxon weapons, shield bosses, ornaments and bronze mounts of a bucket near the Millpond, Fetcham, at Watersmeet behind the 'bus garage.

Mr. A. R. Cotton, in recording these Watersmeet finds, thought that the site was probably that of the settlement of the Saxons whose cemetery was situate along Hawks Hill. However, Mr. A. W. G. Lowther considers that these finds—lying, as they did, displaced and scattered in the river silt or flood deposit beneath the top soil—make it uncertain whether they were gravegoods from disturbed burials or had arrived there with re-deposited soil at a later date. With all respect, the writer would agree with Mr. Lowther's view for the site could hardly have been habitable even by immigrants from the marshes and terpen of the Saxon coastlands. A move of only a few hundred yards would have placed them on the Thanet sand and above the floodplain of the river. As Mr. Lowther explains in his article, evidence of early Saxon settlement is hard to find and the actual situation of the settlement west of the river is, at present, unknown. Leatherhead had become a "vill" before the end of the ninth century and could have been an early site; but its inhabitants would surely not have carried their dead across the wide and deep ford of the River Mole for burial in the Fetcham cemetery.

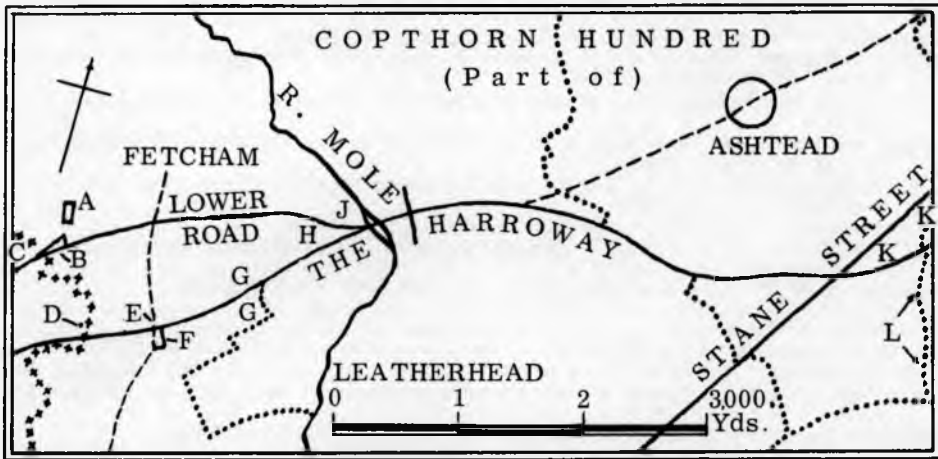
As regards the dating of these earliest finds, Mr. R. A. Smith and Mr. A. R. Cotton assign them, loosely, to the fifth or sixth centuries A.D. Mr. John Morris, however, is emphatic that none are earlier than the second half of the sixth century. He does not add to this plain statement but it fits in with his reference to the expansion of settlements after Ceawlin's recovery (or acquisition) of Surrey and with his distribution map of fifth century cemeteries. A Saxon knife and piece of rim of a Saxon pot found on Ashtead Common is reported by Mr. Lowther but no date for these finds is given.

So we can visualise a further party of Saxons, about 550 A.D. pushing up the river valley and, on arrival at the crossing of the River Mole by the east-west main track (the Harroway), making a settlement on the west of the river. Possibly, also, on the high

ground to the east—but this may well have been later when expansion to both the east and west was made along the belt of Thanet sand, which runs S.E. to N.E. across the centre of the Leatherhead area, as explained by Mr. John H. Harvey and shown on the geological map in this Society's *Proceedings*, Vol. 1, No. 10, facing p. 11. Mr. Harvey appears to place the Fetcham settlement close down to the river.

For the purposes of this present article the other main interest of Mr. Harvey's account is the record of the site called Horsehead Cross, Fetcham, where the track running over Fetcham Downs crossed the Harroway—at a point just east of the present Ridgway—and continued north to The Street, Fetcham and (possibly) on to Cobham. In *The Place-Names of Surrey* Professor Bruce Dickins contributes an Appendix on *Place-names formed from Animal-head Names* and sets out the evidence for believing that such place-names indicate the site of pagan Saxon gatherings where sacrifices were offered to the local heathen deity. The present writer is not at all sure whether Professor Dickins offers this in support of or as an alternative for an earlier theory of the late Henry Bradley (mentioned in that Appendix) that such place-names were of a site where the head of an animal (or man) was set up on a pole to mark the place of meeting for the men of the Hundred to assemble for public deliberation.

The shires were not divided into Hundreds much, if at all, before the tenth century (there is some controversy as to the date) when practically all southern England was Christian and (locally) much property at Bookham and Effingham had been in the possession of Chertsey Abbey for three centuries. So the Horsehead signal (if the place-name does recall its elevation there) could not have been given for a meeting place of the Hundred *and* a call to heathen sacrifice. The occurrence of the names Horsehead Cross



With acknowledgements to the maps prepared by Mr. Lowther and Mr. J. Harvey

- | | |
|-------|-----------------------------|
| +++++ | Parish and Hundred Boundary |
| | Parish Boundaries |
| ----- | Subsidiary trackways |
| A — | Gibbett Field |
| B — | Leith Pit |
| C — | Leith Cross |
| D — | Gallows Bush |
| E — | Horsehead Cross |
| F — | Horsehead Furlong |
| G — | Cemetery |
| H — | Graves (part of above) |
| J — | Watersmeet |
| K — | Undated graves |
| L — | Nutshambles |
| | (hedge and earthwork) |

and the adjoining Horsehead Furlong suggests that one, or more, horsehead(s) was, or were, found on that spot and may represent the meeting place of the original settlers on the west of the river crossing; but this must have been before Christianity came to the area and, probably, before any extensive administrative scheme for the area was put into operation.

If, on the other hand, that site was the Hundred meeting place the horsehead(s) can have had nothing to do with it; but, indeed, a good case has been made out by Mrs. Dorothy Nail for placing the Copthorne Hundred meeting place at Nutshambles, a half-mile or so to the east of Thirty Acre Barn, Ashtead. Incidentally, some burials have been found in that vicinity but since they are undateable (items 9 and 10 of Mr. Lowther's article) it is the merest speculation to endeavour to equate them with the existence of Gibbett Field and Gallows Bush associated by Mr. J. Harvey with the known meeting place (from at least the thirteenth century) of the conjoint Hundred of Copthorne and Effingham at Leith Cross on the boundary of those two originally-separated Hundreds.

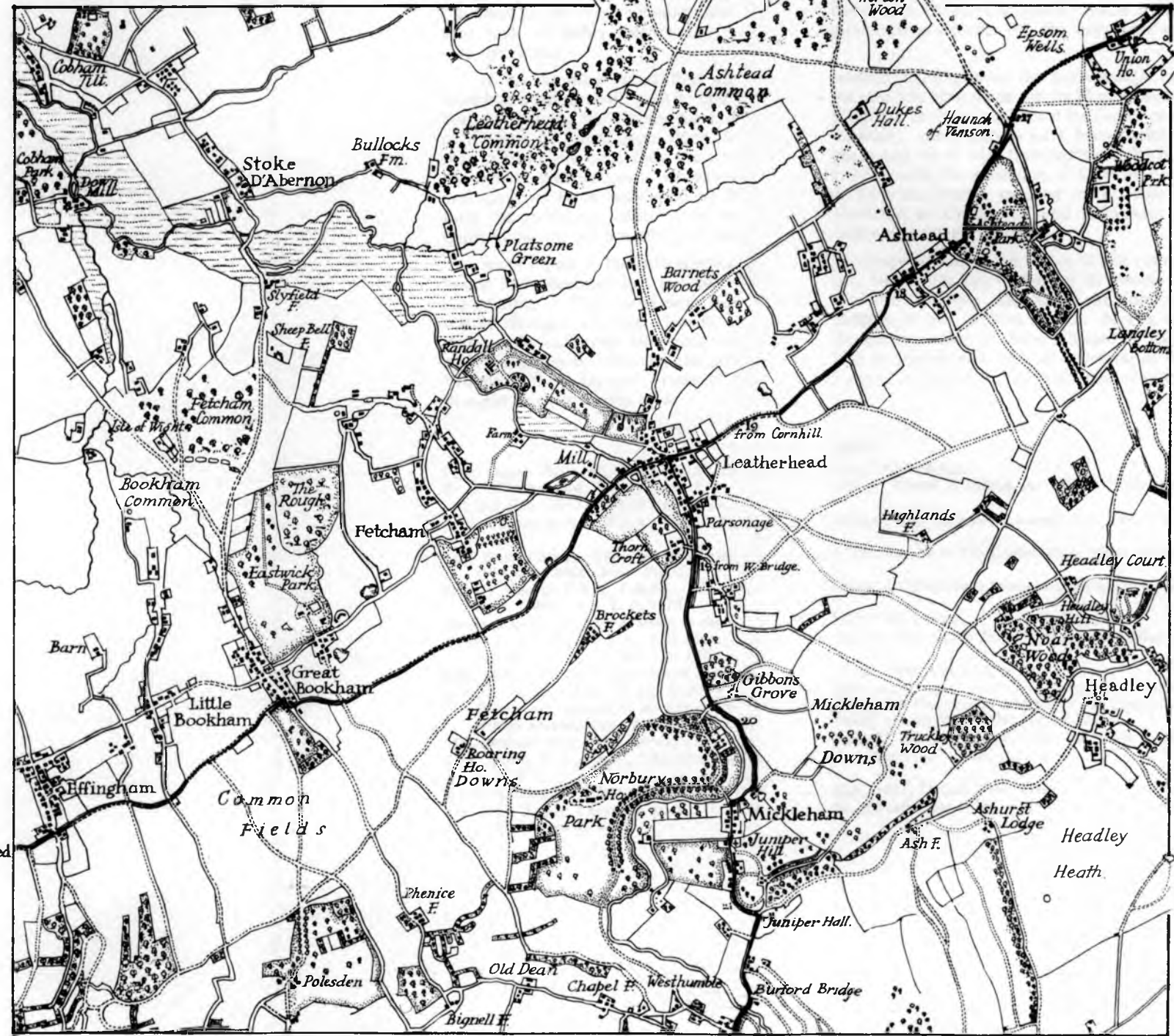
As is stated in the Introduction to *The Place-names of Surrey* the whole of the county "must have been settled, however thinly in parts, before the conversion of its people to Christianity". This conversion; the vicissitudes of the County's ownership; the administrative changes, lay and clerical, are not the subject of this present article. Nor is the story of the sufferings later endured by the Anglo-Saxons—akin to those inflicted by them on the Roman Britons—by the attacks (again first as pirates and then as invaders) of the Vikings and the Danes. Traces of the wars that raged in the ninth and tenth centuries are thought to exist in this area.

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MAP 13.



Roads & Tracks
 Turnpikes
 Fenced or Hedged
 Unfenced



YARDS 1000 500 0 1000 2000 3000

LEATHERHEAD & DISTRICT LOCAL HISTORY SOCIETY — EARLY 19TH CENTURY · 1816

H.L.M. 1958 DELT

A CARTOGRAPHICAL SURVEY OF THE AREA

XIII. EARLY NINETEENTH CENTURY, 1816

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

THIS MAP of 1816 is a little out of place in this issue as it was intended to reproduce one, or possibly two, maps of Bookham at the end of the 18th century. Unfortunately these cannot be prepared in time for this issue of these *Proceedings*.

The publication of this map is, it will be noted, just after the battle of Waterloo and marks a period when a breath of relief was drawn by all in this country at the final release from the fear of Napoleonic domination and when a feeling of new purpose swept the land. It is also interesting because the Ordnance Survey had been in existence for only 25 years (being still situate in the Tower of London) and—in spite of certain crudities, such as the representation, or lack thereof, of the islands at Leatherhead bridge and the want of distinction between minor roads and mere tracks (there was probably little in actual fact)—the careful surveying and clear and accurate detail of its modern successors is already to be discerned.

There are many interesting features in this map. First it will be observed that the Leatherhead-Kingston turnpike road was yet to come though it is clear (from an advertisement in the *Times* in 1815) that its advent was known. Readers of these *Proceedings* will remember Mr. T. E. C. Walker's interesting article on "The Turnpikes to Guildford and Horsham" in Vol. 2, No. 10. One curious feature is the situation of the milestones on these turnpikes. No. 19 is, it will be seen, somewhere about the present St. John's Road, short by half a mile of the Leatherhead crossroads. Yet No. 20 (on the Horsham road and not, as one would have expected, on the Guildford one) is well over a full mile beyond those crossroads.¹ On this subject, it may be of interest to know that a milestone was found in the grounds of Ashted House, Ashted, in 1949 and was re-erected by the owner (Major May) by setting into a wall in the garden. It reads "XVII Miles-From the-Standard-in-Cornhill-London-Over the-Downs-1745-" (the dashes represent the end of lines). This particular stone must have come from the Woodcote-Leatherhead road and not from the Leatherhead-Ashted-Epsom turnpike. A photograph is in the Society's archives.

The bridge over the river near Slyfield is shown as still being by the grounds of Stoke Mansion (cf. Fig. 3 in the present writer's article on the River Mole, *Proceedings*, Vol. 2, No. 8, p. 239). Since the bridge had been represented as out of repair in 1804 the County Committee, appointed to build a new one, evidently did not hurry itself over having the new (present) one constructed.

Oaklawn Road and the Oxshott Road, Leatherhead, did not exist, while Woodlands Road started at the present entrance to what is now the U.D.C. sewage farm. The showing of a road or track to the site of the Mounts is interesting. Part of it was discovered during the excavations in the early 1950's (*Proceedings*, Vol. 1, No. 5, p. 5) but it was clearly not part of the 13/14th centuries manor house approaches and it lay beyond the remains found of the old road to Kingston (Vol. 1, No. 2, p. 9 and No. 4, p. 8).

In the Bookhams, Church Road is shown as a continuous thoroughfare across the Common to the Cobham Road with a north-westerly diversion to the Isle of Wight and beyond. The piece just to the east marked "Fetcham Common" must be an error for Bookham Common of which it is part and is (and was) outside the Fetcham boundary. Little Bookham church is not distinguished from the nearby buildings and barns.

However, the main purpose for which this map was chosen is that it covers the whole area and shows what it must have been like before the later enclosures and eventual develop-

ment took place. Fetcham had, very recently, suffered enclosure (see No. 1 of this Volume) but no effect would yet be apparent and the other parishes awaited such action. No development had, as such, taken place and—apart from some later small increase in the number of gentlemen's residences around Leatherhead—none was to occur for another century. It is true that Dr. Munro's house in Bell Lane, Fetcham (see last issue) had been built and is shown in the map: perhaps the first premonitory cloud "like a man's hand" betokening the storm of development that was to come.

Nevertheless, it is plain how the habitations still clustered, in the main, around the nuclei of habitation shown in our geological map (Map 2 in Vol. 1, No. 10). Actually, the number of black dots representing buildings is rather misleading since the dots clearly include stables, barns, and other outbuildings and thus exaggerate the number of actual houses.

So in this map we have before our eyes a piece of rural England mainly agricultural and divided into only a limited number of manorships. Governed by the Parish Vestries and subject to the benevolent rule (so far as is known) of the lords of the manors, life must have been peaceful even if uneventful and, to modern eyes, rather primitive; but certainly one spent in the loveliest of natural surroundings. The writer will never forget (although, himself, brought up in a rural environment) a drive, in the 1920's, along the Cobham Road through Fetcham and the wonder of the narrow twisting lane (it was little more) bordered by really high banks and hedges ablaze everywhere with the myriad colours of wild flowers and the plumage of birds. How natural it must have been for the late Mr. Ginger, who spent his boyhood (1880-1900) here, to have written² that "Old Fetcham . . . was indeed a place to inspire the muse of a poet". The same must have been true of the other parishes in our area.

NOTES

1. The 19th milestone mentioned by Mr. Ruby is shown on the map as "from Cornhill". Another 19th is shown just south of the junction of Downs Lane with Dorking road as "from W(estminster) Bridge". The 20th mentioned by Mr. Ruby is presumably also measured from Westminster Bridge, and the difference he mentions is perhaps accounted for by the difference in calculation from Cornhill and from Westminster Bridge.—EDITOR.
2. In his article—see Vol. 1, No. 2 of these *Proceedings* at p. 13.

LEATHERHEAD COMMON MEADOW

By F. B. BENGER

One of the most enduring features of the geographical division of land in Surrey dates from Saxon times. Mr. John Harvey, F.S.A., has pointed out that Bookham was one of a deliberately laid-out system of parishes which follow the Downs from Croydon to Guildford, taking advantage of the several sorts of land. Towards the high southern end were beech woods; at the opposite end, separated from the river Mole by rich water-meadows, was a forest of oak growing on the London clay. In between these two lay downland, much already ploughed, well drained by the chalk sub-soil.¹ Each of the five parishes within what is now the Urban District of Leatherhead received in Saxon times a similar just slice of geographical division, and a glance at the Manor Map of Leatherhead *circa* 1782/3² shows at the northern end of the parish the common waste on the London clay abutting Chessington parish, and at the southern end the downland abutting Mickleham and Headley parishes, with the great Common Arable Field lying on the northern slope of the downland. No doubt during the mediaeval centuries a gradual clearance of the dense oak forest on the London clay, and the beech-woods upon the high downs, took place as the demand for timber outran natural regeneration, and the resultant rough grazing on the clay would become summer feed for the cattle whilst the short bite of the downlands became (like other chalk uplands in England) sheep-walks. In the 1782/3 Manor Map the common waste on the London clay is shown as divided into two distinct commons; the larger (parcel 7) belonging to the manor of Pachenesham, the smaller (parcel 8) belonging to the manor of Thorncroft. The downland (parcel 606) then belonged to the manor of Pachenesham.

Until the middle of the eighteenth century the difficulty of providing winter feed for cattle made imperative a drastic cull of beasts before the onset of the coldest part of the winter, leaving only the best and youngest for breeding in the ensuing spring. The autumn, accordingly, would have been the time when this annual cull took place and it would have been then that it would be convenient to bring in the cattle from the outlying waste nearer to the community centre so that those to be slaughtered could be fattened on richer grass and the survivors more easily attended during the harsh winter months. Both Leatherhead and Ashted had common meadows appropriately placed for such a purpose; the Common Meadow at Leatherhead beside the Mole south-east of Randalls, and the Woodfield at Ashted separated from Ashted Common by the Rye brook. It will be noticed that both meadows were adjacent to running water and both easily reached from the community centres. There may well have been similar provision at Great Bookham and on a smaller scale in Fetcham. The Leatherhead Common Meadow would provide a lush hay crop in the spring and early summer, and this would need to be cut and carried before the rights of pasture were exercised. Lammas rights of pasture were exercised from 6th July (Old Midsummer Day).

The Manor Map of Leatherhead 1782/3 shows that the Common Meadow then contained sixteen strips or stints, fifteen of which were freehold and one copyhold. The nature of these strips is clearly indicated in an early seventeenth century memorandum prepared for Merton College, Oxford,³ owners of Thorncroft manor, at a time when an acute controversy had arisen concerning common rights on Leatherhead Downs, which it was thought the then lord of Pachenesham, Sir Francis Stydolf, intended to reserve solely for the use of the sheep of Pachenesham tenants, an action which Merton College quite naturally resented.⁴ The memorandum states that "the whole towne hath towe great commons, a lower common for great cattell, in which every lord's soyle is bounded and knowen and they and theare tenants have and do entercommon. An upper Common

called Lethered Downes alias Kings Downe which containeth near 1000 acres, and this is only for sheepe". There is no reference here to the common waste at the northern end of the parish, because the memorandum is speaking of commons used by "the whole towne", meaning that it is concerned only with commons on which the tenants of any local manor could exercise the right of pasturage or pannage, and it would have been known to the compilers of the memorandum that the two parcels of the northern waste were each peculiar to a different manor. Moreover there is no historical evidence of any internal division of these two parcels such as we know existed in the Common Meadow.

Why then, in a Common Meadow to which all had the right of entry, should the strips be "bounded and knowen"? The reason was that the right of pasture only came into operation after 6th July each year, and that before that date the owner of each strip or stint would gather and carry for his own use the hay harvest therefrom.

The Enclosure Acts of the eighteenth and nineteenth centuries were a natural consequence of agricultural advance in the growing of winter feed during the first half of the eighteenth century, commencing with Jethro Tull's invention of the seed-drill, which led to an immense increase in the number of beasts retained through the winter months and a consequent pressure for enclosed land in which they might be kept and upon which mangels and other cattle feed could be grown more plentifully and more economically than in the common arable fields of the manors. But the 1782/83 Manor Map of Leatherhead and its reference book show us that at that time, when there had been no recent enclosures here, the amount of freehold enclosed land in Leatherhead was already great; and this probably accounts for the fact that the general enclosures did not take place until 1862 and 1865. The 1862 Award was mainly concerned with the common arable fields and the Downs. The 1865 Award dealt with the northern common waste and other remaining common lands, *with the exception of the Common Meadow*. In the Award five of the freehold strips and one adjoining ancient enclosure (6 acres 32 perches in all) were allocated to Mr. George Fish Richardson of Belmont Lodge, Leatherhead (afterwards called Red House) in compensation for the allocation of the northern common waste to Mr. Henderson of Randalls Park, but this was merely the transfer of ownership of "island" strips in the Common Meadow which had always been freehold, and there is nothing in the Award to indicate a general enclosure of the whole meadow, or the loss of common grazing Lammas rights.

When such a drastic and sweeping enclosure was made of every other vestige of common in the parish of Leatherhead, why was the Common Meadow excepted? We know of one factor which probably contributed in no small measure to deter the owners of the freehold strips from seeking enclosure. At the Summer Assizes at Croydon from 11th-13th August, 1849, before the Chief Baron and a special jury, a case was heard entitled *Richardson v Christie*, being an action to try the right to a footway at Leatherhead, used by the inhabitants to get to a common meadow in which they were in the habit of playing cricket and other games. It appeared that the footpath in question ran between some land belonging to the plaintiff Richardson and the river Mole, and a great many witnesses testified to the fact that for a number of years the path in question had been used by the inhabitants without any obstruction, and it was also shown that the father of the plaintiff had tacitly admitted the right of the inhabitants to pass along it to the meadow where they were in the habit of enjoying themselves by different pastimes, by his not offering any objection. The plaintiff Richardson brought witnesses to show that the footpath had only been used by sufferance, and that it was not a public one. The jury, with very little deliberation, returned a verdict for the defendant. The case was reported in *The Times* of Tuesday, August 14th, 1849 (*see illustration*).

In the view of the solicitors acting for the Way Wardens of the Parish of Leatherhead,

KNOX.

RN RAILWAY.
 Total and revenue of June last, has just amount of information clear and concise capital shows that 438, of calls are in remains to be called rized to be raised of tes that 26,225,284. loans on debentures and 56,251,636. expended on the main 363,258. on branch opened in which the on lines not com- terest, and 191,006. lines and for oppo- ing, leaving a balance receipts on capital ounted to 442,577. tal, 594,779. The unted to 1,199,949. tations, carrying line and branches on branch lines, y have an interest. at debentures for be goal of the em- plied in payment of y for the use of sub- r, leaving 5,635,721. he main line and es that 69,875. has he past half-year for the whole had been or 47 engines and 47 l, leaving the cost of a length of railway he average cost of

SUMMER ASSIZES.

HOME CIRCUIT.

CROYDON, August 13.

(Before the CHIEF BARON and a Special Jury.)

RICHARDSON V. CHRISTIE.

This was an action to try the right to a footway at Leatherhead, used by the inhabitants to get to a common meadow, in which they were in the habit of playing at cricket, and other games.

Serjeant Shce and Mr. Bramwell were for the plaintiff; and Mr. M. Chambers and Mr. Bovill for the defendant.

The cause was commenced on Saturday, and was not concluded until this afternoon. It appeared that the footpath in question ran between some land belonging to the plaintiff and the river Mole, and as by the form of the pleadings it devolved upon the defendant to show that the path was a public footway, his case was first entered upon, and a great many witnesses were examined to show that for a number of years the path in question had been used by the inhabitants without any obstruction, and it was also shown that the father of the plaintiff had tacitly admitted the right of the inhabitants to pass along it to the meadow where they were in the habit of enjoying themselves by different pastimes, by his not offering any objection.

Some witnesses were called on behalf of the plaintiff, with the view to show that the footpath had only been used by sufferance, and that it was not a public one; but the evidence upon that point was not by any means of a character to shake the strong case that had been made out on behalf of the inhabitants.

The CHIEF BARON summed up the whole case, and the jury, with very little deliberation, returned a verdict for the defendant.

(Before Mr. Serjeant DOWLING.)

HUNT V. FUTCHER.

This was an action to recover a sum of 46*l.* for goods sold and delivered.

Mr. Edwin James and Mr. Hawkins were for the plaintiff; Mr. Maud for the defendant.

Mr. JAMES, on opening the case, said that, although this

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Mr. Justice Wightm

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who apparently defended the case, the legal effect of the verdict was to preclude Mr. Richardson for ever from contesting either the right of the public to use the footpath over his land, or the right of the inhabitants to play at cricket and all other pastimes in the Common Meadow. At this time several persons owned the various strips in the meadow, and the solicitors added that the other owners were not precluded by the verdict from contesting the right of playing in the Common Meadow, but they thought that any attempt to do so would be hopeless.⁵ Thus the right of air and exercise had been acquired by prescription for the inhabitants of Leatherhead (an early instance of such rights). As William Richardson of Leatherhead, who married Rebecca Fish, died 23rd February, 1842,⁶ it seems likely that it was his son George Fish Richardson who was the plaintiff in the case of 1849 and the recipient of the transferred strips in 1865. He died on 4th January, 1881.⁷ It is a material point in connection with this court case that the two footpaths lead into the Common Meadow and through it, but not out of it at its further western end, and that it is a recognised principle of English law that a footpath without a destination is not known to the law. Hence it may be assumed that if the 1849 case upheld the right of the inhabitants of Leatherhead to use the footpath which was the subject of litigation, then they also had the right to use it for the purpose of reaching its only destination—the Common Meadow.

Randalls Park was bought by Mr. Robert Henderson from the trustees of Nathaniel Bland in 1856. At some time after the date of the Enclosure Award of 1865, and possibly around the year 1873 when Fish Richardson sold the Belmont Lodge estate, Henderson acquired the freehold of all the strips in the Common Meadow, and it may have been this complete possession which prompted him to some action in a further attempt to limit public rights in the meadow. Unfortunately the exact date of this incident is not known, but it would seem to have occurred between 1879 and 1894. He was vigorously opposed by Thomas Henry Hersey (1858–1934) who as a young man was employed in the coach-building firm of Ventham in Bridge Street, Leatherhead. Hersey and others are said to have commenced an action against Mr. Henderson, who was wise enough to settle out of court and to pay their costs.⁸ This appears to have been the last occasion on which any private owner of Randalls attempted to challenge public rights in the meadow. An obituary of Mr. Hersey appeared in *The Herald* (an Epsom journal) on 20th April, 1934. Although the Common Meadow incident is not there mentioned, his zeal in the preservation of public rights of way receives considerable attention, including a successful action against Mr. Pantia Ralli of Ashted Park in respect of a right of way on Ashted Common, a successful defence against an action brought against him by the old London & Brighton and South Western Railway companies concerning a footpath over the common stretch of line between Epsom and Leatherhead, and a successful proof of a right of way in Fetcham Park. He also re-established, against official obstruction, the stall market in Epsom High Street. He was evidently one of those few in each generation who recognise that the price of freedom is eternal vigilance.

It seems unlikely that during the present century the rights of grazing cattle have been exercised in the Common Meadow, but it should be remembered, as Professor Albert Kiralfy has pointed out to me, that only an Act of Parliament can permit enclosure of a recognised common and that there is no legal doctrine of desuetude as is sometimes thought to be the case. It is on record that within living memory the tradesmen of Leatherhead used to put out their van horses in the meadow after the day's work.⁹

The Law of Property Act, 1925, swept away all remaining vestiges of the feudal system of land tenure except in respect of the rights of common. The disappearance of copyhold tenure made it increasingly more difficult, in this as in the case of other commons, to trace those persons who might retain a right of common. But Section 193 of the 1925 Act for the first time gave to the public the right of air and exercise on commons within boroughs and urban districts, so that the rights of air and exercise which appear to have been acquired by prescription by the inhabitants of Leatherhead, as cited in the 1849 case, were now extended to the public at large in the case of the Common Meadow, if it is accepted that it retained its status of common until 1925, of which there seems no reasonable doubt.

Early in the thirties of the present century Mr. John Henderson sold his Randalls estate to the Wimbledon Corporation, who in 1933 promoted a Bill in Parliament for the purposes, *inter alia*, of making and maintaining a cemetery there. One of the clauses of the original Bill would have permitted the Corporation to lay out and develop any of the lands of the estate (including the Common Meadow) by the erection of houses. As a result of representations by the Leatherhead Council, in which the case of 1849 seems to have played its part, the Corporation agreed to exclude from this clause the two fields making up the Common Meadow. This would not preclude the London Borough of Merton, successors to Wimbledon Corporation, from attempting to enclose the land for the cemetery uses for which they purchased the estate. The land is now designated as Metropolitan Green Belt in the Surrey Development Plan.

The penultimate chapter in this long story of endeavour to protect public rights arises from the Commons Registration Act, 1965. By virtue of this Act any body or individual has the right, if it is reasonably and honestly believed that any piece of land is common

land, to register the same as such; and provided such registration is not challenged, or if challenged is upheld by a Commons Commissioner, then such land shall become recognised common land in perpetuity. The Leatherhead & District Countryside Protection Society, having had the suggestion that it should register the Common Meadow made to it by the Leatherhead Urban District Council, and finding the County Council unwilling to effect the registration, registered this land on 21st August, 1968, and the land was provisionally registered as common land under register unit No./a/CL/423 on 28th August, 1968. Times and circumstance have altered since the early 17th century, when the lords and tenants of the local manors exercised "entercommon" in the meadow. The objective now is to preserve for the public at large the continuing right of unrestricted access to a delightful riverside meadow very conveniently situated near to the town; one of the few such open spaces remaining in the parish of Leatherhead.

NOTES

1. *Proceedings* of this Society, Vol. 1, No. 8 (1954), p. 11.
2. Map in the possession of G. H. Grantham, Esq.; a transcript by Mr. J. H. Harvey, F.S.A., in the Surrey Record Office, Kingston. See also *Proceedings*, Vol. 2, No. 6 (1962), map facing p. 169.
3. Merton College Muniment No. 738. See also *Surrey Archaeological Collections*, Vol. XLI.
4. *Proceedings*, Vol. 2, No. 1 (1957), p. 33.
5. Information supplied by Mr. E. G. Hubbard, formerly solicitor to Leatherhead Urban District Council.
6. Brayley, *History of Surrey*, 1850, IV, p. 442.
7. Archives of this Society, X.55, p. 17.
8. Information supplied by Mr. T. H. Hersey's son to Leatherhead Urban District Council.
9. Information supplied by Mrs. Frank Mayell, formerly of Leatherhead, now of Edinburgh.

THE EARLY CHURCH AT FETCHAM

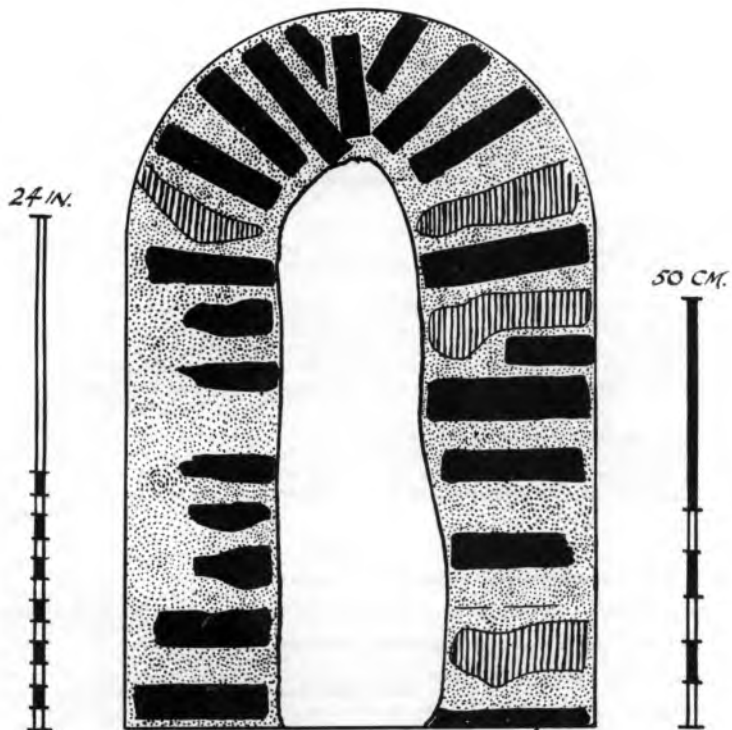
By D. F. RENN, F.S.A.

UNTIL A FEW YEARS AGO, the only buildings in Fetcham Park were the great house and its outbuildings with the parish church beside it. Now the great house (known as Badingham College after its last tenants) stands empty, and much of the park has been cut up into building plots. The nearby churches of Ashted, Little Bookham, and Stoke d'Abernon are similarly sited in parkland. The church in the park, isolated from the main settlement and sheltering under the manorhouse walls, gives the appearance of a private chapel. In fact, this was often the original status; in late Anglo-Saxon times, the proprietary church system was created to supplement the *minsters* founded by missionary clergy. The proprietary church (*ecclesia propria*) was founded by the landowner who, in return for the endowment of glebe and tithe rights, expected an annual rent from the priest, either in cash or by way of labour services. The priest was the founder's "man" and could be dispossessed at will, and replaced by another. Subsequent reforms, however, particularly in the eleventh century, have reduced the lay authority to the right of choosing a successor to a vacant living.¹

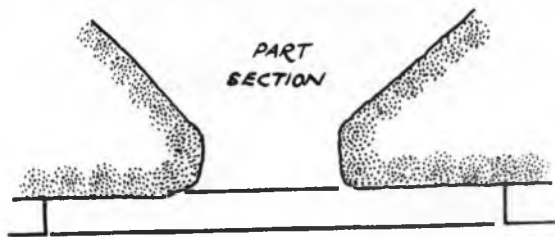
So Fetcham church's solitary position suggests an early origin, and there are several pieces of supporting evidence in the fabric itself. The outside of the west wall shows the original corners of a church about 24 feet wide and 22 feet high to the eaves, before the aisles were added. The south-west corner is formed of a neat stack of thin bricks about 1½ inches in thickness, with some squared stone slabs at upper levels. A disturbed patch is partly repaired in thinner tiles, and the corner projects slightly from the west wall of the rebuilt south aisle. The lowest few feet of the north-west corner, also of thin bricks, remains, but the upper quoins have been removed and used as bonding material in the west wall of the north aisle, built flush with the nave wall. Some of these bonding bricks are rather thicker than the rest. The early bricks used both inside and outside the church are rather poorly made, with an open texture. Although they resemble Roman bricks, they need not necessarily have been re-used, since both Saxon and later builders burnt bricks occasionally.

Inside the nave of the church, its relative narrowness, shortness and height are remarkable. What is less noticeable is that the walls are not at right angles to each other: the nave widens slightly both from west to east and from north to south. The original north wall has been replaced by two arches of extreme height and slenderness. The original chancel arch may have been only about five feet wide, judging from the proportions of the remaining fragment of one of the two flanking altar recesses.² No trace remains of the early sanctuary, but the position of the arches into the north transept and south tower, and more particularly the makeshift way in which the mouldings of the latter arch are inserted and the length of cornice projecting above, suggest a short square sanctuary running as far eastward as the present choir screen.

But it is the south wall of the original nave which contains the best evidence remaining of the early church. This wall is pierced by three similar round-headed arches supported on round columns with half-round responds at the ends, all having square bases and capitals. On close examination the capitals appear warped, and the scalloping of their lower edges is irregular; their proportions are very different from those at Great Bookham. Above the eastern column is a window opening which must be earlier than the arcade, because the splay of the window was distorted when the voussoir stones of the central arch were put in, and the consequent erection of a south aisle contemporary with the arcade would have prevented any light from coming through the window opening from outside. On the nave side, the modern plaster facing has been cut back to show that the



EDGE OF MODERN PLASTER



FETCHAM CHURCH
Window opening from aisle

round head of the window was built of thin bricks mortared together, regularly spaced and pointing toward the centre of the arch. On the aisle side the plaster has been cut back to show the original outside of the window above sill level. This surround is largely daubed over with mortar, but significant details are visible (see illustration). Not only bricks, but slabs of dark-coloured stone (? tabular flint, shown shaded in the drawing) have been used, and these slabs have been used to provide the necessary tilt to the bricks converging to form the head of the opening, which are jammed together against a key-brick at the very top.³

It is very difficult to build a small arch for a narrow opening in relatively thick slabs of material: Norman and later builders usually cut the arch in a single stone, or symmetrical pairs of stones, but the Saxons often attempted it in the Fetcham manner. Professor G. Baldwin Brown said:—⁴

“There are other instances in which advanced Norman arcades have been cut through earlier Norman walls so as to destroy Early Norman windows. One example is Fetcham in Surrey that has been considered Saxon on the same grounds that apply to St. Michael [St. Albans, Herts.] but the wall here is nearly 3 feet thick and the Norman arcade has scalloped caps of XII [century] so that the original wall with the windows will be Early Norman.”

But wall thickness is not an absolute dating criterion, and the window under discussion could precede the arcade by any length of time. St. Michael's is accepted as one of the churches built near St. Albans Abbey by abbot Wulsin in the middle of the ninth century,⁵ but the similarity between the windows there and at Fetcham need not necessarily mean a similar date.

NOTES

1. G. W. O. Addleshaw, *The beginnings and development of the parochial system* (Borthwick Institute of Historical Research, York, 1953-4).
2. This was pointed out to me by Mr. J. G. W. Lewarne, whose generous and tireless help has made this note possible.
3. Previous writers, including myself, have been misled. See particularly the drawing in *S.A.C.*, XX, p. 12, reproduced in *V.C.H. of Surrey*, II, p. 446.
4. *The Arts in Early England: Anglo-Saxon Architecture* (Second edition, 1925), pp. 440-1. The Fetcham wall is in fact 2 feet 6 inches thick excluding modern plaster.
5. *Gesta Abbatum Monastici Sancti Albani* I, p. 22. H. M. and J. Taylor, *Anglo-Saxon Architecture* (Cambridge, 1965), I, p. 240; II, pp. 528-30.

ADDENDUM TO MR. D. F. RENN'S ARTICLE THE EARLY CHURCH AT GREAT BOOKHAM IN Vol. 3, No. 1

The note in the previous issue of the *Proceedings* (page 24, note 20) that H. M. and J. Taylor dated Stoke d'Abernon church “7th or 11th century” was meant to state that they regarded certain features as belonging to the 7th century and others to a reconstruction of the eleventh century.

SOME UNUSUAL POTTERY FROM THE ASHTEAD KILN

By D. F. RENN, F.S.A.

WHEN THE FOUNDATIONS of numbers 14 and 15 Newton Wood Road, Ashtead, were dug in the summer of 1939, a dense layer of charcoal containing large quantities of medieval pottery was found. The site was published in the *Surrey Archaeological Collections*¹ by Sheppard Frere (now Professor of the Archaeology of the Roman Provinces in the University of Oxford), but subsequent discoveries elsewhere enable some fresh suggestions to be put forward regarding the purpose of certain unusual sherds from the site.

The site and its products

The discovery of fragments of over 500 vessels, many of them warped and overfired, in a charcoal layer without any other signs of human activity (e.g. foundations, animal bones, or metalwork) raises a strong presumption that the site was used for pottery-making. No parts of the kiln structure were found, however, and the only piece of "furniture" was an hourglass-shaped clay lump about 2 inches each way, although some of the clay slabs ($\frac{1}{2}$ and $1\frac{1}{2}$ inches thick) might have been used to support the pots over the flues.

The material is now divided between the museums of Epsom College and Guildford and the National Reference Collection at the British Museum, and I am grateful to their respective curators for opportunities to examine the sherds in their care. Nearly all the pottery is of coarse flint-gritted ware, in one of three forms:—

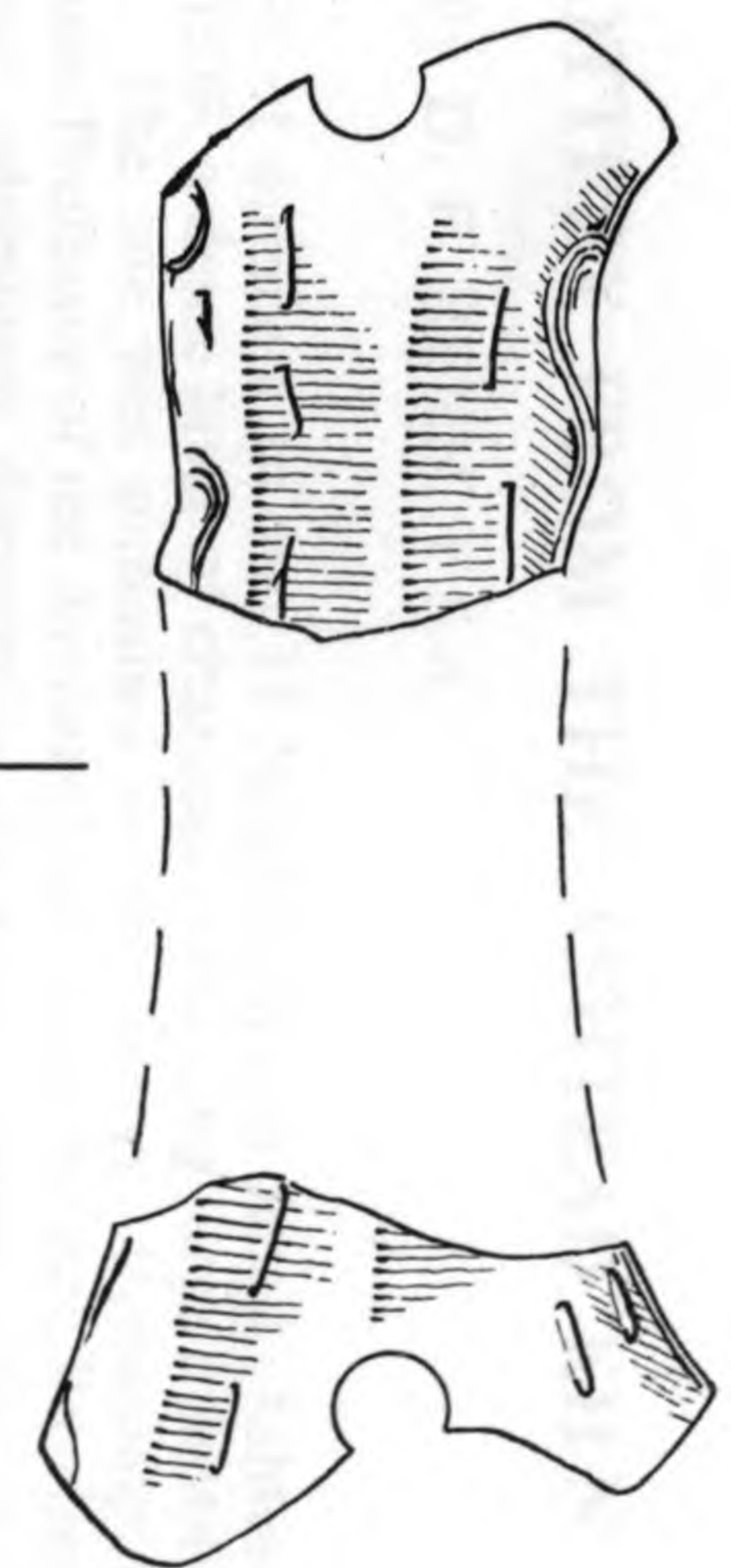
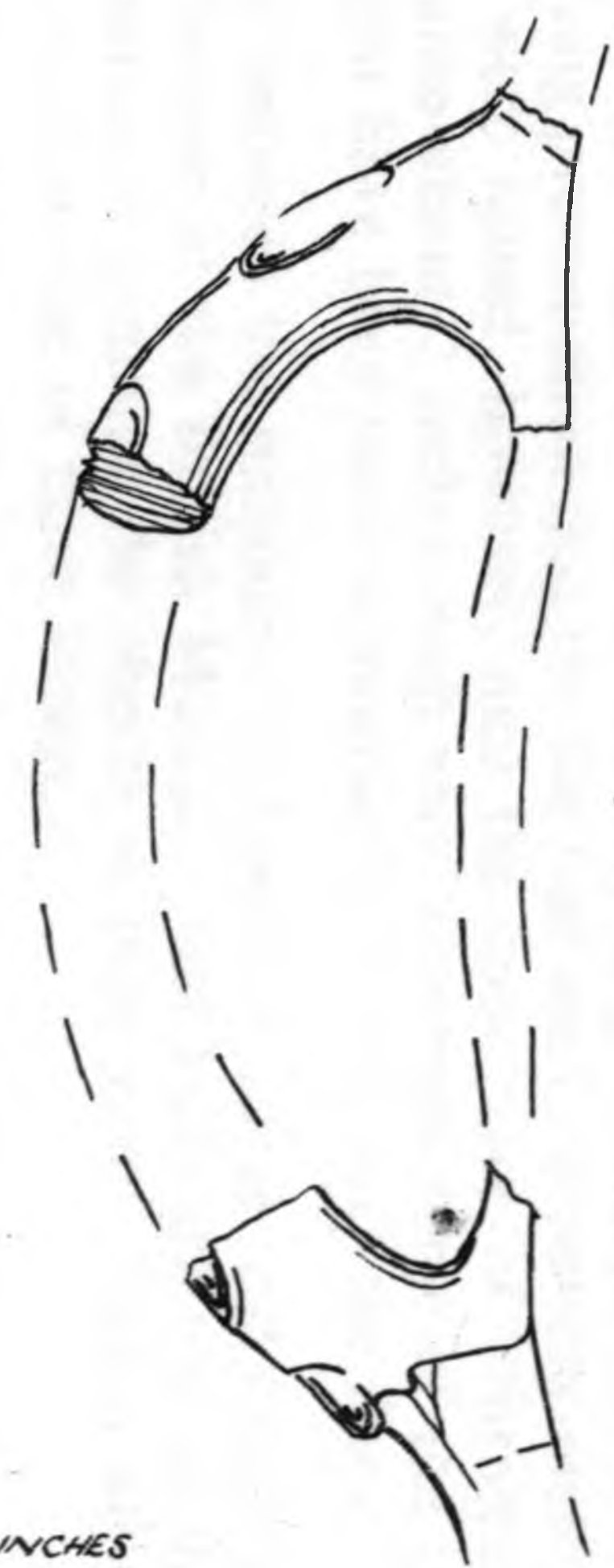
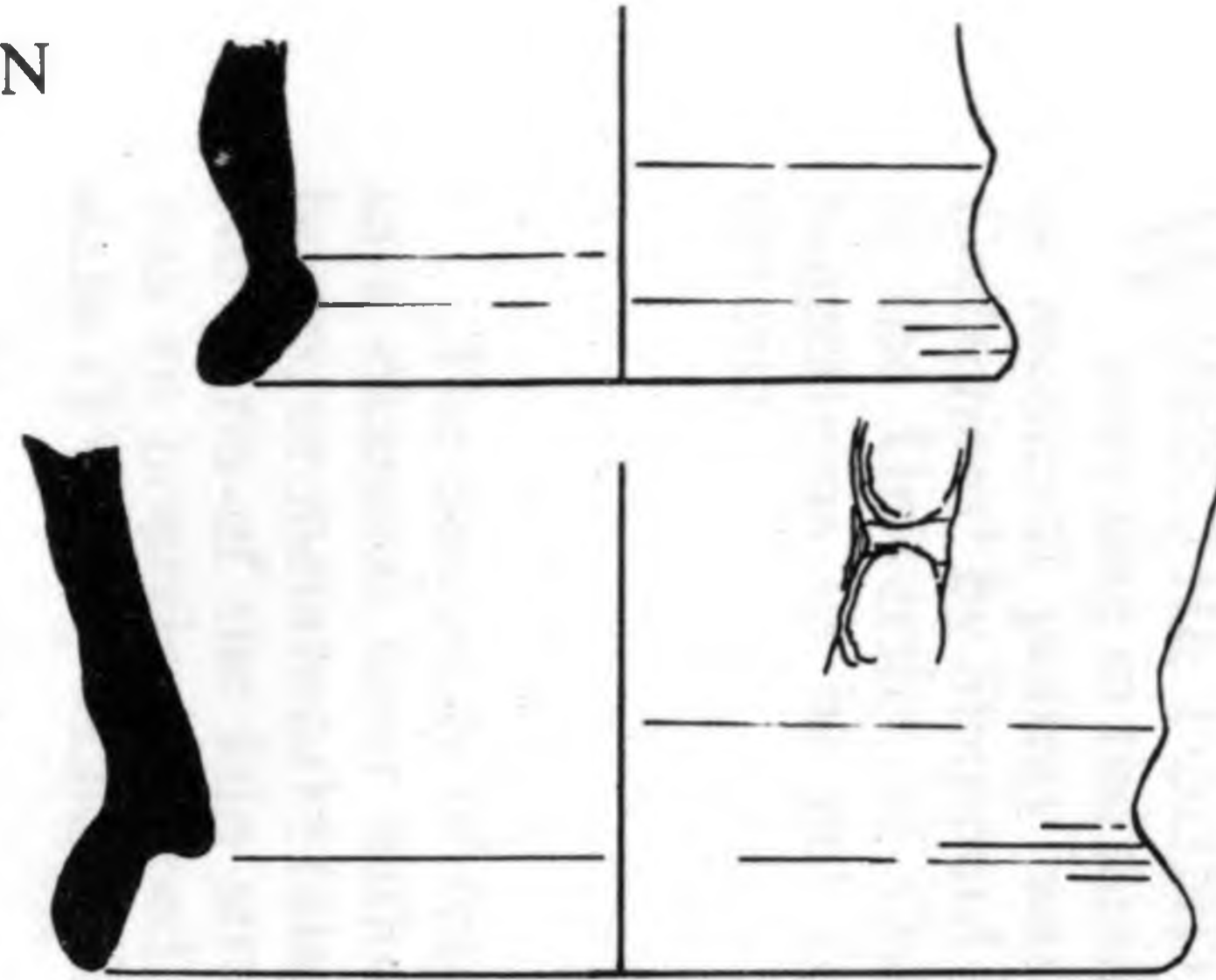
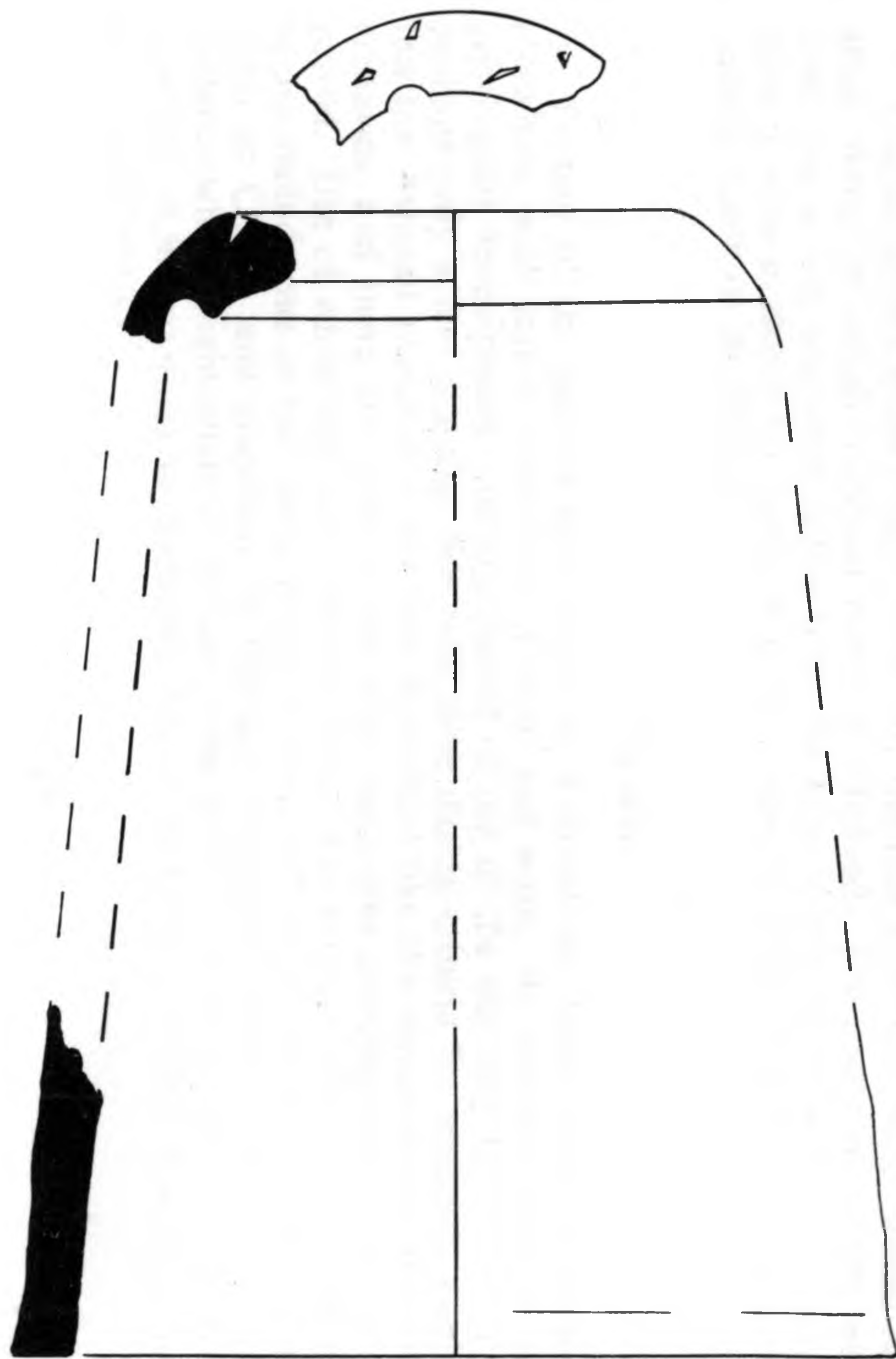
- (a) Globular *cooking-pots* shaped like goldfish bowls and decorated with pinched-up ribbons of clay. One stood on three legs like a cauldron.
- (b) Shallow *dishes*, some with handle sockets, of the shape and size of modern frying pans.
- (c) *Jugs* with round or flat strap handles and wide flat frilled bases, with patches of white slip or green glaze.

Coarse pottery breaks easily, and only the best and finest wares would be traded far afield along the rough tracks of medieval England. The common pottery was probably used over a very restricted radius from the kiln: it may be more than a coincidence that there is some evidence for medieval pottery-making every three miles or so along the sand outcrop north of the Downs.

Its date

Pottery of the general type found at Ashtead has been found in numerous places elsewhere, with minor variations of form and ware. At Ashtead there is little sign of typological development, and the period of use of the site may have been quite short—perhaps only a few months. We lack close dating criteria for medieval English pottery, but the Ashtead material is not very hard-fired like the wares of the fifteenth and later centuries, and there are none of the small basin-like cooking-pots of the Saxo-Norman period. Use of white slip was common in the Rye kilns of about 1300, and the Ashtead sherds include one or two small pieces of hard buff ware with dark green glaze, manufactured at Cheam and elsewhere in the late fourteenth century. The only documentary evidence which might relate to the site is the account of Henry the Tiler of *Asshstede* who supplied 10,500 roof-tiles to Banstead Manor in 1372–3, while a Cheam potter supplied more exotic wares.²

POTTERY FROM THE ASHTEAD KILN



The unusual forms

Although the fragments described below show no evidence of being waste products, the absence of any substantial building on the site makes it likely that these forms, too, were made for use elsewhere.

(Left) Slightly tapering cylinder in thick coarse ware, like an enormous narrow flower-pot. The wider end is plain, but the narrower "base" end is folded in and decorated with knife stabs. Obviously not meant to be a receptacle, but probably a *chimney-pot* or *ventilator*; the narrowing diameter would increase the speed of the ~~the~~ ascending air or smoke, and so assist its dispersion. A survey of medieval chimney-pots was published by Mr. G. C. Dunning in 1961, including an example from the Society's excavations at Pachenesham Manor;³ another from Leatherhead High Street was published in the same year.⁴

(Above, right) The larger of these two coarse, thick rims was described as that of a storage jar, but it is only 4 inches in diameter with nearly vertical sides, and could have held very little. A similar but larger fragment found on a kilnsite at Arkley, Herts., resembles the lower end of a decorative *roof finial* from Rouen.⁵ Until a more complete parallel is found, however, this identification must remain very tentative. A Cheam potter was supplying such finials, "made in the form of mounted knights" to Banstead while the Ashtead tiler was supplying the roof-tiles.

(Below, right) The similarity of these two handle fragments, reddish-buff in colour and decorated with ridges and knife-stabs, was noted in the original report. However, the hole at the junction of body and handle was considered to indicate the proximity of the pot rim, and it was not until the discovery of a complete *curfew* or fire-cover on a kilnsite at Laverstock, Wilts.⁶ that this class of pottery was recognised. The curfew resembles a dustbin lid in size and shape, the handle being fixed at the centre of a flanged plate. At night, it was placed over the open fire to prevent escaping sparks from setting the house alight. The holes at the ends of the handle provided enough air to keep the embers glowing. Piercing the holes at the handle-ends rivetted handle and plate together at a point where the clay was thickest, and otherwise most likely to burst in firing but least likely to break in use.

If these identifications are correct, it would seem that the Ashtead potter could produce fittings for the fireplace and roof as well as the kitchen and table. This emphasises the importance of examining every sherd from an excavation; one-half of the types of product of the kiln are represented by less than one per cent. of the sherds recovered.

NOTES

1. Vol. XLVII (1941), pp. 58-66.
2. These *Proceedings*, Vol. 1, No. 6, p. 24; P.R.O., *King's Remembrancer, Accounts Various*, E 101/494/18, m.3.
3. *Studies in Building History* (ed. E. M. Jope), Chapter V. The Pachesham example is described on pp. 90-91 and in Fig. 5.5.1.
4. These *Proceedings*, Vol. 2, No. 5, pp. 132-3.
5. D. F. Renn, *Potters and Kilns in Medieval Hertfordshire* (1964), pp. 8, 16 (AR. 9).
6. *Museums Journal*, LX (1961), p. 253; See also *Winchester Excavations 1949-60* (ed. B. W. Cunliffe, 1965), p. 126, fig. 45, 1, 2; *Sussex Archaeological Collections*, CI (1963), pp. 133-38, fig. 27.244; CII, (1964), pp. 131-32, fig. 12.338; *Medieval Archaeology*, V (1961), p. 265, fig. 69.85. For one from Pachenesham, see these *Proceedings* Vol. 2, No. 7, p. 200.

**EXTRACTS FROM THE CARTULARY OF THE MONASTERY
OF ST. JOHN BAPTIST AT COLCHESTER, CONCERNING
LEATHERHEAD AND ASHTEAD CHURCHES¹**

LATIN TEXT from Cartularium Monasterii Sancti Johannis Baptiste de Colecestria. (The Cartulary of the Monastery of St. John Baptist at Colchester.) From the Original Manuscript in the possession of Earl Cowper, K.G., Edited by Stuart A. Moore, F.S.A. (Roxburghe Club), *Chiswick Press*, 1897. 2 vols. 4to.

[1] page 18.
(*MS. p. 8)

Confirmatio Regis Willelmi junioris [26 Sep. 1087-†2 Aug. 1100]

(c. 1096-97)

Willelmus Dei gratia rex Anglie omnibus episcopis et fidelibus suis Francigenis et Anglicis salutem. Sciatis me concessisse et firmiter confirmasse donationes quas Eudo dapifer meus uel alii fideles contulerunt ecclesie Sancti Johannis de Colecestria ab eodem Eudone nuper fundate. Nominatim manerium de Brihtlingseya. et de Wilega. et de Hallingeberi cum ecclesiis et pertinentiis suis. et ecclesiam de Lillechirche. ecclesiam de Niewechirche. ecclesiam de LEDDREDE. et duas partes decime de omnibus dominiis et molendinis ejusdem Eudonis. et totam decimam de pasnagio nemorum suorum. et cetera beneficia omnia. siue ecclesiastica siue secularia eidem ecclesie pie collata nichilominus concedo. Ego Mauricius Lundoniensis episcopus idem confirmo. [Bishop 5 Apr. 1086-†26 Sep. 1107]

[2] page 62.
(MS. p. 37.)

*Incipiunt priuilegia a sede Romana ecclesie Sancti Johannis indulta.
Et inprimis priuilegium Dompni Alexandri tertii qui etiam confirmat omnes
libertates et possessiones eidem ecclesie a fidelibus concessas et collatas.*

Alexander episcopus seruus seruorum Dei dilectis filiis Galtero abbati monasterii Sancti Johannis Baptiste de Colecestria ejusque fratribus tam presentibus quam futuris regularem uitam professis inperpetuum . . . In quibus hec propriis duximus exprimenda uocabulis. locum ipsum in quo prescriptum monasterium constructum est cum omnibus pertinentiis suis. Manerium de Wileya. et Manerium de Brithlingseya . . . Ecclesiam de LIHEDREDE cum capella de ESTEDE et omnibus pertinentiis suis.

etc. etc.

[Subscribed (amongst others)]

Ego Matheus Sancte Marie Noue diaconus cardinalis. Data Laterani per manum Alberti Sancte Romane ecclesie presbiteri cardinalis et cancellarii. II Kalendas Aprilis Indictione XII dominice anno MCLXXVIII [31 Mar. 1179]. Pontificatus uero domini Alexandri tertii anno ejus-vicesimo.

¹Original numeration in Arabic numerals in red ink.

ENGLISH TRANSLATION

[1] Rox: p. 18
(MS. p. 8)

Confirmation of King William II. [26 Sept. 1087–2 Aug. 1100. c. 1096–97] William by the Grace of God king of England to all bishops and all their faithful people in France and England, greetings. Know all men that I have conceded and securely confirmed the gifts which Eudo my cup-bearer or other faithful people have made over to the Church of St. John of Colchester recently founded by the same Eudo, namely the manors of Brightlingsea and Willey and Hallingbury with their churches and appurtenances and the church of Lilchurch and of Newchurch, and of LEATHERHEAD [In the original—LEDDREDE] and two parts of the tithe of the whole of the domains and mills of the same Eudo, and the whole of the tithes of the passage of his woodlands and all other benefits whether ecclesiastical or secular, got together righteously by the same church without any omission. I, Maurice Bishop of London confirm the same.

[2] Rox: p. 62.
(MS. p. 37)

These are the privileges granted to the Monastery of St. John by the See of Rome. First the privilege of Pope Alexander the Third who by this confirms all rights and possessions of the said Church which have been granted and conceded by the faithful.

I [Pope] Alexander, bishop [of Rome] and servant to the servants of the Lord, send greetings to the faithful and to Walter, Abbot of the Monastery of St. John the Baptist at Colchester and to the brethren of the same present and to come obeying the professions of the order in perpetuity . . . Among which properties and set out in [precise] words are those of the place at which the ordained monastery with all its appurtenances has been constructed. [viz.] the manors of Willey and of Brightlingsea . . . the Church of LEATHERHEAD together with the Chapel of ESTEDE [ASHTHEAD] and all appurtenances, etc. etc. [Subscribed, amongst others] I Matthew of St. Mary's The New, Deacon of the Cardinal. Given at the Lateran by the hand of Albert of the College of Cardinals and the Chancelleries of the Holy Church of Rome. The 2nd day of the Kalends of April [31 March—J.H.H.] in the 12th Indiction in the year of our Lord 1179. In the 20th year of the pontificate of Pope Alexander the 3rd.

[3] page 67.
(MS. p. 39)

Innocentius tertius confirmans ecclesiam et omnes possessiones suas.

Innocentius episcopus seruus seruorum Dei dilectis filiis abbati et monachis de Colecestria salutem et apostolicam benedictionem. Justis petentium desideriis dignum est nos facilem prebere consensum. et uota que a rationis tramite non discordant effectu prosequente complere. Ea propter dilecti in domino filii uestris justis postulationibus grato concurrentes assensu ecclesias. ecclesiasticos redditus. et alias possessiones rationabiliter monasterio uestro concessas sicut eas juste et pacifice possidetis. uobis et per uos idem monasterio auctoritate apostolica confirmamus et presentis scripti patrocinio communimus. In quibus hec propriis duximus exprimenda uocabulis. Ecclesias uidelicet Sancti Egidii in cimiterio uestro sitam. de Birthlingeseya. de Mundona. de Bercweya. de Hamertona. de LEDEREDA cum capella de ESTEDA.
etc. etc. etc.

Data Laterani IIII. Idus Aprilis Pontificatus nostri anno quarto.
[10 April 1201]

[4] page 71.
(MS. p. 41)

De ecclesiis de Leddrede. de Berqueia et de Hamertune. Alexander tertius. [1159–1181]

Alexander episcopus seruus seruorem Dei dilectis filiis abbati et monachis Colecestrie salutem et apostolicam benedictionem. Religiosorum uotis annuere et eorum pia desideria effectu prosequente complere. officii nostri nos ortatur auctoritatas. et debitum postulat caritatis. Ea propter dilecti in Domino filii uestris justis postulationibus grato concurrentes assensu ecclesiam de LEDDREDE cum capella de ESTEDE. ecclesiam de Berqueia et ecclesiam de Hamertune. quarum prouentus pro uestibus fratrum uestrorum perpetuo statuistis habendos. ad idem opus deuotioni uestre auctoritate apostolica confirmamus. Saluis episcopalibus diocesanorum episcoporum que ex eisdem ecclesiis ex antiqua et rationabili consuetudine debent habere. Prohibemus insuperut nullus abbas uel monachus eisdem ecclesiis aliquo titulo alienare uel donare presumat nec alicui episcopo uel officialium ejus fas sit super his uos aliquatenus molestare. uel ab usu cui deputate noscuntur subtrahere. Nulli ergo omnino hominum liceat hanc paginam nostre confirmationis et constitutionis infringere uel ei ausu temerario contraire. Siquis autem hoc attemptare presumpserit indignationem omnipotentis Dei et beatorum Petri et Pauli apostolorum ejus se nouerit incursum. Data Laterani. XV Kalendas Aprilis. [18 Mar. 11.. (1160–1181)]

[3] Rox: p. 67. *Pope Innocent the 3rd, confirming the church and all its possessions.*
(MS. p. 39)

Pope Innocent, servant of the servants of God, to his chosen sons the Abbot and Monks of Colchester, greetings and apostolic blessings. To those seeking just desires it is worthy for us to extend our ready consent, and it is only reasonable that the result be effected without discord. On that account since your chosen sons of the Lord make reasonable demands the Church grants her assent. The Church property and other possessions which have reasonably been granted to your monastery, and such as you lawfully and peacefully enjoy, these we confirm to you and through you to the same monastery, by our apostolic authority, and by these our present writings we commit them to your charge. Concerning which properties we set out the following details expressed in words, namely the Churches of St. Egidius, situated in your cemetery, of Berthlingseya [Brightlingsea], of Murdon, of Bercweya [Barkway], of Hamerton, of LEDEREDA, together with the chapel of ESTEDA [Ashtead].

Given at the Lateran on the 4th of the Ides of April, and in the 4th year of our Pontificate. [10 April, 1201. J.H.H.]

[4] Rox: p. 71. *Of the churches of Leddrede [Leatherhead] of Berqueia [Barkway] and of Hamerton. Alexander the 3rd. [1159–1181]*
(MS. p. 41)

Pope Alexander, servant [etc.] to the chosen sons, the Abbot and Monks of Colchester greetings and apostolic blessings. In view of your religious and in order to give effect to your expressed desires, we grant our authority, in view of our office and charge you in love. On that account to your chosen sons in the Lord we graciously concur and assent to your just requests regarding the Church of LEATHERHEAD together with the chapel of ESTEDE (Ashtead) the church of Barkway and the church of Hamerton which you shall have and hold in perpetuity for the use of your brethren and we confirm these holdings to the needs of your devotions by our apostolic authority. To have and to hold in accordance with such ancient and reasonable customs as govern each church according to its bishop's diocese. Moreover we prohibit any abbot or monk from presuming to alienate these same churches by any title or to presume to give them nor shall it be lawful for any bishop or official in any way whatsoever to interfere with this your property or overrule these our dictates nor to diminish these requirements. Therefore it shall be unlawful for any man whatsoever to infringe this our Mandate and Order or to act in contravention thereunto. Should anyone have the presumption to attempt to do so he shall incur the wrath of the allpowerful God and of the blessed apostles Peter and Paul.

Given at the Lateran the 15 of the Kalends of April . . . [18 March, 11. . (1160–1181) J.H.H.]

[5] page 73.
(MS. p. 42)

(Innocentius tertius) Idem de ecclesiis et ne cui liceat eas alienare.

Innocentius episcopus seruus seruorum Dei dilectis abbati et conuentii Colecestrie salutem et apostolicam benedictionem. Justis petentium desideriis dignum est nos facilem prebere concensum. et uota que a rationis tramite non discordant effectu prosequente complere. Ea propter dilecti in Domino filii uestris justis postulationibus grato concurrentes assensu. ecclesiam de Led.ede [Lederede] cum capella de ESTEDE.

etc. etc.

Data Laterani IIII Kalendas Maii Pontificatus nostri anno quarto
[28 April 1201]

[6] page 78.
(MS. p. 49)

Incipiunt carte et confirmationes episcoporum Wintoniensium et in primis confirmatio Willelmi de ecclesia de Leddrede.

Willelmus Dei gratia Wintoniensis episcopus Stephano Archidiacono et Alberico Decano salutem. Mando uobis quod iste Gilebertus Colecestrie abbas teneat et habeat bene et in pace ecclesiam de LEDDREDE cum omnibus appendiciis suis sicut. Albericus Decanus testatur quod Eustachius de Broc ei clamauit quietam coram predicto Alberico et Fulcquio vicecomite de Surreia. et siquis clamauerit erga predictum abbatem de predicta ecclesia non respondeat inde cuiquam nisi in nostra presentia. Item mando uobis et precipio quod iuuetis eum reducere ad matrem ecclesiam de LEDDREDE omnia appendicia illa que ipse abbas poterit monstrare iniuste fuisse dissipata a predicta ecclesia. Valet.

[7] Idem.

Testimonium Willelmi episcopi de capella de Estede.
[William Gyffard, 11 Aug. 1107–†25 Jan. 1128/9]

Willelmus Dei gratia Wintoniensis episcopus Omnibus ecclesie sancte fidelibus salutem. Sciatis quia ego Dei gratia dedicaui ecclesiam de ESSESTEDE sicut capellam subiectam. cum omnibus consuetudinibus que ad eam pertinent. ecclesie de LIERED. et prohibeo ne aliquis presbitur presumat in ea missam cantare; nisi licentia presbiteri de Liered ad quam capella illa pertinet cum una virgata terre quam Laurentius in dedicatione ei dedit: et cum omnibus decimis de dominio et de Rusticis. Valet.

- [5] Rox: p. 73. *(Pope Innocent the third) Concerning the same churches and its being unlawful for anyone to alienate them.*
(MS. p. 42)

Innocent, servant of the servants of God [etc.] to the Abbot and Convent of Colchester, greetings and apostolic blessings. To those seeking just desires it is fitting for us to grant ready consent and to comply with such as do not cause strife in the carrying out of the same. On which account we willingly grant assent to those just demands of your brethren concerning the Church of Leatherhead [LEDEREDE] together with the chapel of Ashtead [ESTEDE]
etc. etc.

Given at the Lateran the 4th of the Kalends of May and in the fourth year of our pontificate [28 April, 1201. J.H.H.]

- [6] Rox: p. 78. *Here begin the charters and confirmations of the Bishops of Winchester and firstly the confirmation of William concerning the church of Leatherhead.* [LEDDREDE]
(MS. p. 49)

William [Gyffard] by the grace of God bishop of Winchester to Archdeacon Stephen and to Alberic the Deacon, greetings! I order you that he Gilbert abbot of Colchester shall have and hold securely and in peace the church of Leatherhead [LEDDREDE] with all its appurtenances just as Alberic the Deacon witnesses that Eustace de Broc quitclaimed in the presence of the said Alberic and of Fulquis lord lieutenant of Surrey, and if anyone shall make claim against the aforesaid abbot about the aforesaid church, he shall not make reply to anyone except in our presence. Therefore I order and require you to require him to return to the mother church of Leatherhead all those appurtenances which the said Abbot can show to have been disposed of unlawfully by the said church. Farewell.

- [7] Rox: p. 78. *The evidence of Bishop William (William Gyffard, bishop of Winchester 11 August 1107—died 25 January 1128/9) as to the chapel of Ashtead.*
(MS. p. 49)

William by the grace of God bishop of Winchester to All the faithful of holy church—Greeting. Know that I have by the grace of God dedicated the church of Ashtead as a chapel subject, with all the customs which belong to it, to the church of Leatherhead; and I forbid any priest to presume to celebrate mass in it except by licence of the priest of Leatherhead to which that chapel belongs along with a virgate of land which Laurence [of Rouen, fl. 1110–30] gave to it for its dedication and with all the tithes of the demesne and of the villeins. Farewell.

[Collated with the original MS. in the Colchester Borough Muniments in 1951 and translated 1968 by John H. Harvey.]

[8] page 79.
(MS. p. 49)

Godefridus de Luci Wintoniensis episcopus de pensione octo marcarum de ecclesia de Ledrede.

Omnibus Christi fidelibus ad quos presens scriptum peruenerit. Godefridus Dei gratia Wintoniensis ecclesie minister: eternam in Domino salutem. Ea que uiris religiosis pia fidelium largitione conferuntur scriptis expedit auctenticis communire. et ne qua possint calliditate malignantium inquietari; pastoralis diligentia prouidere. Ea propter uniuersitati uestre uolumus innotescere: nos diuine caritatis intuitu concessisse et pontificali auctoritate confirmasse Deo et monasterio Sancti Johannis Baptiste de Colecestria et monachis ibidem Deo seruientibus: pensionem annuam octo marcarum argenti de ecclesia de LEDRED per manum ejus qui ad eorundem monachorum presentationem per nos et per successores nostros in eadem ecclesia institueter: singulis annis perpetuo percipiendam: ut autem hec nostra confirmatio perpetue firmitatis robur optineat: eam presenti scripto et sigilli nostri patrocinio roborauimus. Saluo in omnibus jure episcopali et auctoritate et dignitate Wintoniensis ecclesie. Data Londonie per manum Reginaldi clerici nostri Ilo Idus Februarii. [12 Feb. 1194/5.] Pontificatus nostri anno septimo. Testibus hiis Magistro Amicio Surrie archidiacono. Magistro Helia de Chiuel. Magistro Hugone de Gaherst. Oliuero Mote. Roberto de Corneulla. Gregario. Johanne. capellanis. Godefrido. Umfredo. Stephano. Roberto. clericis. Geruasio Gaubert.

[9] Idem.
(MS. p. 49)

Idem Godefridus de pensione XX solidorum et XII denariorum de ecclesie de Estede.

Omnibus Christi fidelibus ad quos presens scriptum peruenerit Godefridus Dei gratia Wintoniensis ecclesie minister eternam in Domino salutem. Ea que locis religionis pia fidelium largitione conferuntur; scriptis expedit auctenticis communire. et ne qua possint calliditate malignantium inquietari: propensius prouidere. Ea propter uniuersitati uestre uolumus innotescere nos attendentes honestatem et religionis seruorem dilectorum in Domino abbatis et conuentus Sancti Johannis Colecestrie nec non et sincere caritatis deuotionem quam erga nos et ecclesiam Wintonie habere noscuntur: concessisse et pontificali auctoritate confirmasse prefatis abbati et conuentui pensionem viginti solidorum et duodecim denariorum de ecclesia de ESTEDE per manum ejus qui ad eorum presentationem per nos et successores nostros in eadem ecclesia perpetuus vicarius institueter. singulis annis percipiendam. Ut autem hec nostra concessio et confirmatio perpetuam optineat firmitatem eam presenti scripto et sigilli nostri patrocinio roborauimus. Saluo in omnibus jure episcopali et auctoritate et dignitate Wintoniensis ecclesie. Data apud Mertonam per manum Reginaldi clerici nostri VI. Kalendas Nouembris Pontificatus nostri anno nono. [27 Oct. 1197.] Testibus hiis Oliuero Mot. Eustachio de Falcoberge. Magistro Willelmo de Turri. Roberto de Luci. Gregorio. et Humfredo. cappellanis. Godefrido. Philippo. clericis.

[8] Rox: p. 79.
(MS. p. 49)

Godfrey de Luci (Lucca), bishop of Winchester, concerning the pension of eight marks of the church of Leatherhead.

To all faithful Christians to whom these present writings shall come. I Godfrey, by the grace of God minister [*sic*] of the church of Winchester, send greetings in the Lord . . . [etc.] . . . We therefore taking note of your general desires: we through divine love are impelled to concede and to confirm by our papal authority to God and to the monastery of St. John the Baptist of Colchester and to the monks who serve the Lord there: the yearly pension of eight marks of silver from the church of Leatherhead (LEDREDE) from the hands of he who at the presentation of the same monks shall have been installed in the said church by us and by our successors: this matter being attended to annually in perpetuity and, for greater assurance, under seal. This present writing we have also sealed with the seal of our office. Subject to our episcopal right and the authority and dignity of the church of Winchester. Given at London by the hand of Reginald our Clerk on the 2nd day of the Ides of February [12 Feb. 1194/5]. In the seventh year of our Pontificate. Witnesses to these: Master Amicias archdeacon of Surrey; Master Helia de Chivel; Master Hugh de Gaherst; Oliver Mote; Robert de Cornevilla (Cornwall); Gregory and John, chaplains, Godfrey, Humphrey, Stephen and Robert, clerks to Gervase Gaubert.

[9] Rox: p. 79.
(MS. p. 49)

The same Godfrey concerning the pension of 20 shillings and 12 pence of the church of Estede (Ashtead).

To all faithful Christians to whom this present writing shall come. Godfrey by the grace of God minister of the church of Winchester everlasting greetings in the Lord. To those places of religion in which the faithful are gathered together let these our present writings and authorities be issued, and lest by any malignancy they should be disturbed, let them be informed of these matters. On this account we wish you to note well and pay attention to our instructions and the chosen servants of the Lord, the Abbot and Convent of St. John of Colchester not otherwise than with that love and devotion which we know that you have for us and the church of Winchester that we have conceded and by our pontifical authority confirmed to the aforesaid abbot and convent a pension of twenty shillings and twelve pence of the church of Ashtead [ESTEDE] by the hands of he who at their presentation by us and our successors shall be instituted perpetual vicar in the same church, this matter being attended to annually. But so that this our concession and confirmation shall obtain everlasting strength we have sealed this present writing with the seal of our office. Subject to our episcopal right in all things and to the authority and dignity of the church of Winchester. Given at Merton by the hand of our clerk Reginald, on the sixth day of the Kalends of November [27 Oct. 1197. J.H.H.] and in the ninth year of our Episcopacy.

Witnesses to these: Oliver Mot; Eustace de Falconberge; Master William of Tours (de Turri) Robert of Lucca; Gregory and Humphrey, chaplains; Godfrey and Philip, clerks.

[10] page 512. *Cirographum de ecclesia de leddrede.*

Gilebertus abbas Colecestrie domino Stephano archidiacono et domino Alwino decano et omnibus clericis et laicis de Surreia salutem. Sciatis quod ego concedo cum consilio nostrorum fratrum Osberno presbitero ut teneat ecclesiam cum omnibus ad eam pertinentibus preter ecclesiam de ESTEDE. reddendo nobis per annum quinquaginta solidos. medium as Pascha. medium ad festum Sancti Michaelis. Nam ecclesiam de ESTEDE retinemus in nostra manu quam diu nobis placuerit. Cetera concedimus Osberno tenere. hoc pacto scilicet quamdiu fideliter et salue seruauerit ecclesiam et res ejus. as statutis terminis reddiderit et reuocare studuerit membra que aliena sunt. atque neminem susceperit in participatione ecclesie nostre aliquo modo preter nostrum consilium. unde nobis proueniat aliqua impeditio uel dampnum. Si uero in aliquo horum aliter fecerit. rem nostram statim resumemes et solutam et quietam habebimus. Valete.

[Stephen, Archdeacon of Surrey by 1107 and in 1121 or later; Abbot Gilbert I, c. 1105-c. 1125. See *S.A.C.*, XLVI, 71-2.]

[Checked by John H. Harvey, 29 August, 1968, with his notes of collation made in the Town Hall, Colchester, 11 January, 1951.]

[10] Rox: p. 512. *Cirograph of the church of Leatherhead.* (LEDDREDE.) [i.e., an indenture with the word CIROGRAPHUS cut by the indented cut separating the two parts of the deed.]

Gilbert abbot of Colchester to the lord Stephen, archdeacon and to the lord Alwin deacon and to all persons, both clerical and lay of Surrey, greetings! Know you what I, in agreement with our brother the priest Osbern, agree namely that he shall hold the church [of Leatherhead] with all its appurtenances except the church of ESTEDE (Ashtead), returning to us annually fifty shillings—half at Easter, and half at the feast of St. Michael. As for the church of Ashtead, this we retain in our own hands for as long as shall please us. For the rest, we concede that Osbern shall carry out this agreement faithfully and for as long as he shall serve the Church in this matter. At the stated term he shall surrender, and shall take care to call in such parts (of the property) as may be alienated, and no one shall take part in this our church property without our consent, lest thereby there shall occur to us any hindrance or loss. If indeed anyone shall do anything contrary to these particulars in any respect, the matter shall immediately resume to us and we shall have rest and quiet [i.e. the agreement shall be cancelled]. Farewell.

[Note by J. H. H. Stephen, Archdeacon of Surrey by 1107 and in 1121 or later; Abbot Gilbert I, c. 1105–c. 1125. See *S.A.C.*, XLVI, pp. 71 and 72.]

NOTE

1. The Cartulary is listed in G. R. C. Davis *Medieval Cartularies of Great Britain* (Longmans) 1958 as no. 267 (p. 31) where it is described as "late 13th century (*temp.* Hen. III), compiled by John de Hadleigh". "Late" here means "after 1250", so that with Henry III's terminal date of 1272, the date of the manuscript is narrowed to between 1250 and 1272. Mr. John H. Harvey, F.S.A., who has inspected the manuscript, fully agrees with such a date.

For a note on the significance of these entries from the Cartulary to the history of the advowson of the Parish Church of Leatherhead, see the following article by the late G. H. Smith.

A HISTORY OF THE CHURCH AND ADVOWSON OF ST. MARY AND ST. NICHOLAS, LEATHERHEAD

By the late G. H. SMITH

CHAPTER IX

THE HISTORY OF THE ADVOWSON

AN ADVOWSON is the perpetual right of presentation to an ecclesiastical benefice, and in the time before the Norman Conquest was acquired by the Lord of the Manor who built the church and endowed it with land for the maintenance of the priest, reserving to himself the right to nominate a priest to the bishop to be instituted into possession of the benefice. The income of the priest was derived from the glebe land, altar offerings, the penny paid yearly for every plough-land, and burial fees, and from the 10th century he also received a share of the tithes.

The advowson passed with the manor to the heir, but the lord had power to grant the advowson to a bishop, or to a monastery, and the glebe and greater tithes could also be made over to them; this was known as an appropriation.

When an appropriation took place a vicar was appointed to the cure of souls in the parish, and was paid a fixed stipend by the appropriator, and he also received the lesser tithes, altar offerings, and burial fees, and was provided with a residence. If the vicar required assistance it was the duty of the monastery to provide the income of the assistant to the satisfaction of the bishop. Generally speaking, whoever received the greater tithes, usually those of corn, hay and wood, was the Rector, and was liable for the repair of the chancel.

The advowson of Leatherhead was originally held by the King, who had built the church, and endowed the living, but sometime between 1086 and 1100 the advowson appears to have passed into the hands of Eudo de Broc, the Dapifer, or King's Steward. There appears to have been some irregularity about this transfer, probably the transfer from the King to Eudo had not been notified to the Hundred Court, as it was afterwards set aside by the King's Court.

Eudo was Steward to William I and to his sons William II and Henry I. He married a daughter of Richard de Tonbridge, the lord of Thorncroft, but he himself did not hold Thorncroft. Eudo was lord of Colchester and of some 25 manors in Essex, and founded at Colchester the great Benedictine Abbey of St. John Baptist about 1098, and for part of its endowment he gave it the church of Thorncroft, i.e. Leatherhead, and was buried in the Abbey, February 28th, 1120.

The various documents relating to the transfer of the advowson are contained in the Cartulary of the Abbey which was published by the Roxburghe Club. The manuscripts are of the time of Henry III but appear to be copies of the original documents. Amongst these is a Confirmation by William II of the gift of Leatherhead and a certificate of William [Giffard] bishop of Winchester [1107-1128] that he had dedicated the chapel of Ashtead (which was also in the hands of the Abbey), subject to the church of Leatherhead, whose rector was to approve the appointment of the priest of Ashtead. In 1196 the Bishop of Winchester confirmed a grant of 8 marks (£5 6s. 8d.) from the rectory of Leatherhead to the Abbey and two years later a grant of 20s. and 12 pence from Ashtead to Colchester. The Abbey did not appropriate Leatherhead but held the advowson of the benefice to which it presented Rectors.

Leatherhead



THE RECTORY, LEATHERHEAD (now known as Vale Lodge)

Reproduced from the water-colour by J. Hassell, dated 1822, in the Stonehill Collection, Leatherhead Branch, County Library.

Not to be confused with the residence of the priest of the parish, this house and its predecessors on the site was the principal messuage attached to the forty acres of glebe land mentioned in the Domesday Book of 1086. An almost equal amount of glebe land is shown on the Leatherhead Manor Map of 1782 (of which the most important parts were the land now attached to Vale Lodge, the river meadows opposite on the western side of the Dorking road, and a parcel in the Fairfield). See *Proceedings*, Vol. 2, No. 6 (1962), Map 8 facing p. 169.

In 1279 Edward the First enquired by a writ of *Quo Warranto* on what the Abbey's right of presentation was based, as the church of Leatherhead was built on land belonging to a royal manor—the king's fee. The suit between the King and the Abbey appears to have lasted some years, but in 1287, the Abbot granted the advowson to the King, who paid the Abbot 100 marks, and Colchester ceased to have any further connection with Leatherhead.

The death of Fulk Loyal, the Rector of Leatherhead, occurred in 1285, and the King, although the case against Colchester was still before the court, presented Hugh de Kendal or Candal to the benefice and he was instituted by John de Pontissara, bishop of Winchester, to the rectory on the 28th of February, 1286.

The king held the advowson and continued to present rectors until, on the 23rd of October 1341, Edward the Third granted the advowson to the Augustinian Prior and Convent of Leeds, Kent, and gave them licence, under the Statute of Mortmain, 1279, to appropriate the benefice. This has been already alluded to in connection with the rebuilding of the transepts and chancel of the church, but to make the matter quite clear it is desirable to give all the information obtainable.

Edward the First owned the castle and manor of Leeds, Kent. The castle is situated about five miles from Maidstone, just off the main road to Charing, and its picturesque appearance, surrounded by water, is of interest to travellers. It was restored a few years ago as a private residence.

The king frequently stayed at the castle, and took some interest in the nearby Priory, which has now almost entirely disappeared. On one of his visits, the king desired to found a chantry in the castle chapel, so he arranged with the Prior and Convent for four canons and a clerk to celebrate divine service daily in the chapel, for which he agreed to pay 28 marks (£18 13s. 4d.) per annum from the income of the manor, until he, or his heirs should grant them land, or a benefice of equal value. (C.L.P., Aug. 14th, 1301.)

Edward the Second exchanged the castle and manor of Leeds with Bartholomew, Lord Badlesmere, for the manor of Addridleye in the county of Salop, in 1318. (C.C.R., March 20th, 1318.)

Lord Badlesmere was the owner of other lands in Kent and also in the West of England, and at various times held many important offices, including that of Constable of Dover and Warden of the Cinque Ports, and in October 1318 was appointed Steward of the Household. Later, Lord Badlesmere took part in a rebellion against the king, but was pardoned in August 1321, and he may have been reinstated in the office of Steward.

In the autumn of 1321, Queen Isabella, commonly known as the "She-Wolf of France", who was travelling through Kent on a pilgrimage to Canterbury, was refused admittance to Leeds castle by Lady Badlesmere, Lord Badlesmere being absent in the West of England.

At this insult to the queen, the king, for once, acted promptly. He raised a large force and proceeded to lay siege to the castle for the purpose, as he wrote to the Sheriff of Essex, "to punish the disobedience and contempt of Bartholomew de Badlesmere and others staying in the said castle by his precept, in refusing to allow the Queen to enter the castle and hindering her by armed force." (C.C.R., Oct. 26th, 1321.)

Meanwhile, Lord Badlesmere and his friends raised their forces and hastened to the rescue. When, however, they reached Kingston-on-Thames they heard that the castle had been captured and that the king was marching to meet them at the head of a large army. They therefore retired to the West, but were overtaken and forced to surrender in the Valley of the Severn, and Badlesmere ended his career, shortly afterwards, on the scaffold at Canterbury, and presumably his lands escheated to the king.

Twenty years after the siege of Leeds, and fourteen years after the death of the king, his son, Edward the Third, decided to enlarge the chantry at Leeds castle, founded by his grandfather, and to recover the annuity of 28 marks, by the following Letter Patent under the privy seal.

“Whereas Edward I by Letter Patent, granted to the Prior and Convent of Ledes 28 marks yearly out of the income of the manor of Ledes until he or his heirs should grant them an equivalent of land or rent or a benefice of that value for the sustenance of four canons of the priory celebrating divine service daily in the chapel of the castle of Ledes for the soul of Queen Eleanor and a clerk ministering to them. And whereas Queen Isabella has made petition that in recompense of such 28 marks and for two canons, chaplains of the priory, to be found by the Prior and Convent beyond the four canons, to celebrate divine service daily in the said chapel for the good estate of the king and her, for their souls after death, and for the souls of Edward II and John de Eltham, Earle of Cornwall, the king will assign to them in frank almain his advowson of the church of Ledred in the diocese of Winchester and grant a licence for them to appropriate the church: the king taking into consideration the grant of his grandfather and request of his mother as well as the discharge of him and his heirs from the charge on the said manor, the reversion whereof pertains to him, in recompense of the said 28 marks and to make good the immense losses which resulted to the priory in the time when the castle was besieged by his father has granted them the advowson as prayed.” (C.L.P., Oct. 22nd, 1341.)

The licence under the Statute of Mortmain for the appropriation of the rectory is as follows: “Licence for relief of their immense losses in the time when the castle of Ledes was besieged by Edward II for the prior and convent of Ledes to appropriate the church of Ledred in the diocese of Winchester which is of their advowson.” (C.L.P., Oct. 30th, 1341.)

Leeds were now in possession of the advowson and had the king's licence to appropriate the church of Leatherhead, but did not proceed to do so at once, for on the vacancy caused by the resignation of the rector, Thomas de Crosse in 1345, they nominated John Olaver as rector, but a petition was made, in the same year, to the Pope to sanction the appropriation. This request is given in the Calendar of Papal Registers Petitions 4. Clement VI, 1345, as follows:—

“King Edward at the request of his mother Queen Isabella. For appropriation of the church of Ledrede, in the diocese of Winchester to the prior and convent of Ledes, in the diocese of Canterbury, the priory having suffered by the siege of the neighbouring castle in the time of Edward of famous memory, the King's father, and by the necessity to rebuild the church; a vicar with a fit portion being appointed, and an order made touching the indemnity to the church of Winchester, and the archdeacon of the place.” The petition is marked “Granted. Avignon 18 Kal Oct.” (14th September.)

In the Calendar of Papal Registers, 1345, 4 Clement VI is this grant, “18 Kal. October Avignon. To the Prior and convent of Ledes in the diocese of Canterbury. Appropriation of the church of Ledrede, in the diocese of Winchester value 52 marks, which has been given them by the king at the instance of Queen Isabella, they having suffered by the incursion of armed men, at the siege of Ledes castle. A vicar's portion to be assigned.”

Mr. Malden states that Clement VI's Bull of Appropriation was dated October 6th, 1345, and was confirmed March 18th, 1346.

The value of the benefice in the above grant, viz: 52 marks (£34 13s. 4d.), is the same as that given in the *Taxatio Ecclesiastica* of Pope Nicholas IV of 1291.

According to Mr. Malden, 13s. 4d. was to be reserved annually for the Bishop and his church, 13s. 4d. for the Archdeacon of Surrey as a pension, 2s. 9d. for his Ordinaries and 7s. 7½d. for Procurations at his Visitation.

Mr. Malden's view that Leeds Priory was responsible for rebuilding the chancel and transepts of Leatherhead is based on the words in the Papal Petition, "and by the necessity to rebuild the church", but the context, as well as the king's grant, clearly point to the Priory church as being in need of rebuilding. The nave and aisles of Leatherhead were not rebuilt, and the work done in the first half of the 14th century to the transepts and chancel was much more than would be covered by the word "rebuilding"; it was extension. There is therefore no need to set aside the architectural evidence that the work was carried out before, and not after, the grant of the appropriation to Leeds.

John Olaver, the rector, resigned November 15th, 1345, and the first Vicar was admitted 12th April, 1346, on the presentation of Leeds Priory, who held the advowson until the suppression of the Priory, when in 1542 Henry VIII granted the advowson of Leatherhead, with other property belonging to Leeds, to the Dean and Chapter of Rochester, the present patrons.

Photostats of the original documents in the Public Record Office granting the advowson of Leatherhead to Leeds Priory and to the Dean and Chapter of Rochester have been obtained and are deposited in the Church Chest.

It may be of interest to explain how it was that the advowson with other Leeds property was given to the Dean and Chapter of Rochester. At the time of the Suppression of the Monasteries there were seven English Cathedrals (including Rochester) attached to Benedictine monasteries and one (Carlisle) attached to a house of Augustinian Canons. The other Cathedrals were served by secular Canons, these were unaffected by the suppression and are now known as Cathedrals of the Old Foundation. But the Cathedrals attached to monasteries had to be re-founded as their revenues had been confiscated, hence they are known as Cathedrals of the New Foundation. Therefore Rochester was granted property of the former Rochester priory, Leeds Priory and Boxley monastery.

The original dedication of Leatherhead church was in honour of St. Mary, for the additional patron, St. Nicholas, was added after Leeds Priory had obtained the advowson. St. Mary and St. Nicholas was the dedication of the Priory and also of five other Priors of the Augustinian Canons in England.

The value of the benefice to Leeds Priory in 1536 as given in the *Valor Ecclesiasticus* is:

Lederhed. The yearly value of the psonage	£
of Lederhed in glebe and all other tythes	xvij - -
whereof payde a penc. to the bysshop	s. d.
of Wynchester	- xij iij

The 13s. 4d. pension to the bishop of Winchester is the amount reserved for the bishop when the appropriation took place. At least on one occasion there had been some trouble over this payment, for Bishop William of Wykeham, on the 1st of December 1374, issued a mandate directing the sequestration of Leatherhead for arrears of pension.

The parish was in the diocese of Winchester from the time of its formation until the 1st of May 1927 when it was transferred to the newly-created diocese of Guildford. Until 1928 Leatherhead was in the Archdeaconry of Guildford but on the formation of the Archdeaconry of Dorking it was transferred from Guildford to Dorking. Up to 1878 the parish was in the Rural Deanery of Ewell, but has since formed part of that of Leatherhead.

The Patrons of Leatherhead have been:—

Until c. 1100	The King.
From c. 1100 to 1287	The Abbey of St. John Baptist, Colchester.
From 1287 to 1341	The King.
From 1341 to 1541	Leeds Priory.
From 1542	The Dean and Chapter of Rochester.

LEATHERHEAD & DISTRICT LOCAL HISTORY SOCIETY

Receipts and Payments Account for the Year ended 31st December, 1967

1966	RECEIPTS	1967	1966	PAYMENTS	1967
£ s. d.		£ s. d.	£ s. d.		£ s. d.
	Bank Balances as at 31.12.1966:—		144 10 0	Printing of <i>Proceedings</i>	116 13 0
163 6 8	Midland Bank Ltd.	159 3 0	14 17 9	General Printing	10 16 6
90 12 7	Surrey Trustee Savings Bank ..	93 16 1	12 13 6	Postages, Stationery, and Sundry Dis- bursements	14 8 10
		252 19 1		Subscriptions and Affiliation Fees:—	
109 11 6	Subscriptions	117 5 6	2 0 0	Surrey Record Society	2 0 0
	Grants:—		1 10 0	Council for British Archaeology ..	1 10 0
25 0 0	Surrey County Council	25 0 0	1 1 0	Field Studies Council	1 0 0
15 0 0	Leatherhead U.D.C.	15 0 0			4 10 0
		40 0 0	4 15 0	Visits and Meetings	3 15 0
	Donations:—			Bank Balances as at 31.12.1967:—	
7 16 6	General	6 19 6	159 3 0	Midland Bank Ltd.	193 3 11
— — —	Lecture Fees	3 0 6	93 16 1	Surrey Trustee Savings Bank ..	97 2 1
		10 0 0			290 6 0
19 15 7	Sale of <i>Proceedings</i> and Binding Cases	16 18 9			
3 3 6	Bank Interest	3 6 0			
		£440 9 4			£440 9 4
		£440 9 4			£440 9 4

I certify that I have examined the above statement which is in accordance with the Books and Records produced to me, and in my opinion correct.

A. H. KIRKBY,
Honorary Auditor.

W. T. BRISTOW,
Honorary Treasurer.

