

*Photo. by]*

*Jas. Waterson.*

DOORWAY LEADING INTO OLD GRAMMAR SCHOOL YARD,  
WIRKSWORTH.

TO FACE P. 147.

## Wirksworth Grammar School and Almshouse.

BY C. E. B. BOWLES, M.A., F.S.A.

A COPY, or what is more likely a copy of the translation, of the original Latin Document, of the Letters Patent granted by Queen Elizabeth in 1584, for the founding of the Grammar School and Almshouse at Wirksworth, came into my possession some two years ago, and is here placed on record with a short account of their subsequent history, obtained for the most part from the account given of it by the Charity Commissioners in their reports, printed by order of parliament, from 1815 to 1839. The old Grammar School, in front of which was a small piece of land which lay open to the churchyard, consisted of two rooms only. In 1827, the building was found to be in such a bad condition that it was considered necessary to rebuild it entirely. This was begun at once, and it was completed in the following year. It was probably then that the piece of land in front of the school was paved and enclosed with the present solid stone wall which is flush with the paved walk which goes round the church. Over the door which gives access to this ground, a photograph of which is here given, is the date 1576. This date has always been quoted as that of the foundation of the school, which it will be observed is three years before the date of Anthony Gell's will, and eight years before that of the Letters Patent, which gave the royal assent to the founding of both the school and almshouse. This date of 1576, is most probably only that of "the message" (to quote the words of the Letters Patent) "called the School House

lying near the end of the Parish Church of Wirksworth lately erected by order of Anthony Gell." <sup>1</sup>

The school house, intended probably as the master's residence, had then evidently been built during Anthony Gell's lifetime, or at any rate before 1584, the date of the Letters Patent, and the lands intended to maintain the school when erected probably were then specially selected and scheduled. One of the fields is divided into two parts by a stone at either end, engraved A.G. ; one part only belongs to the school, but there is no fence.

Although the will which provided for the foundation of the school and almshouse bears the date of 29th February, 1579, Anthony Gell the testator did not die till 12th November, 1583. He died a bachelor, and his only brother Thomas, his executor and heir, succeeded to the Hopton estates, and the following year, as will be seen, proceeded to carry out his brother's wishes with respect to the trust.

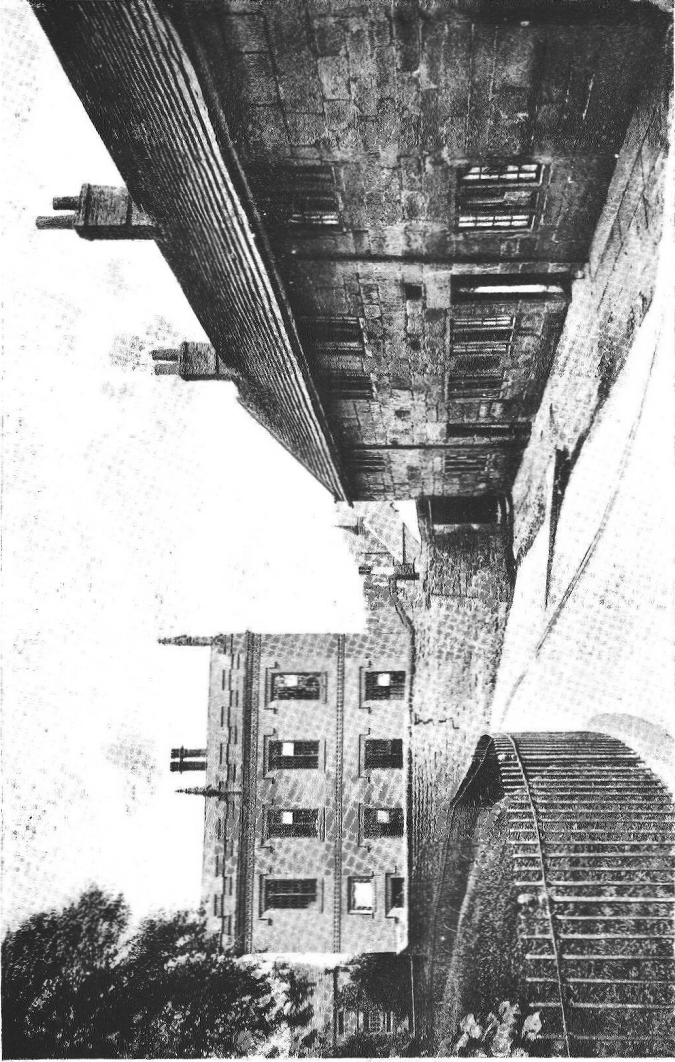
It is more than doubtful then, whether 1576 can be regarded as anything more than the date of the erection of the house built in anticipation of the intended foundation of the school and almshouse, and the stone carrying that date was probably removed from the house when it was pulled down in 1827, and placed in its present position. The foundation of the actual trust did not take place till October 1584, and as will be seen, the grant of the lands and rents for its maintenance not till the following March.

The inscription on a brass placed on the outside of the almshouse, a rubbing of which is here given, bears out my contention that 1584 must be considered as the date of the actual foundation of this trust. It is as follows :—

This Almshouse was founded  
only at the costes and charges of

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<sup>1</sup> "The testator directed that his said brother should obtain a license for erecting a free school . . . . He devised a school house which he had then built and certain lands, etc."—(From a board in the school).



GRAMMAR SCHOOL AND ALMHOUSE, WIRKSWORTH.

TO FACE P. 149.



Anthony Gell late of Hopton Esquire  
 deceased in the yeare of our lord  
 God 1584 and Twentie pounds by  
 year given for ever by the said  
 Anthony Gell for the relieffe  
 of sixe pore impotent men  
 in the same Almshouse  
 Yf thou wilt O! Lord please helpe y pore in ther disease

The almshouse is situated near the school, and faces the churchyard. The original building appears to have undergone little alteration.

It consists of six dwellings ; three on the ground floor, and three above with a garden behind, which runs down the side of what is known as Blind Lane. Agnes Fearne, as will be seen by her will dated 14th July, 1574, must have been aware of Anthony Gell's intention, for she left lands in trust to him and two other trustees " to the intent that when ever there should be a free school in Wirksworth," money should be forthcoming for the use of the school, and " for the relief of certain poor folks in a bedehouse in Wirksworth for ever."

Under the Wirksworth Enclosure Act, the award of which bears the date 15th December, 1806 ; and under the Callow and Kirk Ireton inclosures of the following January, various exchanges were made of property belonging to this charity in Wirksworth and Kirk Ireton, respectively. In 1889, a house for the Head Master was built on land belonging to the trust, away from the school, near the Hanages ; and in 1908, a new school-house was built, adjoining the Headmaster's house, to enable girls as well as boys to be educated, and the rooms of the old school were adapted for cooking classes and other such like aids to education. The present Head Master, the Rev. L. Hansen Bay was the first head master of the dual school.

<sup>1</sup> COPY OF LETTERS PATENT GRANTED 27th OCT.

26 ELIZ., 1584.

Elizabeth by the grace of God &c.

Whereas our beloved Subject Thos: Gell Esq<sup>r</sup> Brother & sole Executor of the last Will & Testament of Anthony Gell late of Hopton in our Co. of Derby Esq<sup>r</sup> deceased in order to the accomplishments & fulfilling of part of the last Will & Testam<sup>t</sup> of the aforesaid Anthony Gell hath humbly requested that of our Special Favour & from certain Knowledge & Motives of Equity we would grant & ordain that for the future there may & shall be in the Town of Wirksworth in our County of Derby one Grammar School & one Almshouse for six poor men to be upheld for ever. Moreover the said school shall consist of one Master or Pedagogue for the good education & Instruction of Youth to be continued for ever. It is moreover our will that the afores<sup>d</sup> Almshouse be founded erected & established for six poor men who are Inhabitants aforesaid And that there may be a proper Provision made for the Relief & Maintenance of the aforesaid six poor men within the town of Wirksworth aforesaid. Be it known that we give our assent to this Petition and of our Special Favour from certain Knowledge & motives of Equity do grant yield & ordain by these presents for ourselves, our Heirs & successors that for the future there may & shall be one Gram<sup>r</sup> School in Wirksworth afores<sup>d</sup> w<sup>ch</sup> shall be called the free Grammar School of Anthony Gell Esqr for the education Institution & Instruction of Boys & youth in Grammar & other learning & that for the future there may & shall be one Almshouse in Wirksworth afors<sup>d</sup> which shall be called the Almshouse of Anthony Gell Esqr to be upheld for ever. Moreover we erect ordain create found & firmly establish by these presents the above school consisting of one Master or Pedagogue & the above

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<sup>1</sup> It is not known where the original document is. It was probably in Latin and this a translation.

Almshouse consisting of six poor men for ever. And that our Intention afores<sup>d</sup> may<sup>o</sup> take the better effect & that the Lands Tenements & other Reversions given for the support of the school aforesaid & for the sustenance of the poor men above mentioned be granted & assigned & better regulated for the continuance of the said school & Almshouse we will & ordain for ourselves our heirs & Successors that in future & for ever there may & shall be six discreet & honest men from time to time Inhabitants within the Wapentake of Wirksworth in our said County of Derby who shall be for ever called Governors of the free Grammar School and Almshouse of Anthony Gell Esq<sup>r</sup> in Wirksworth aforesaid. And therefore be it known that we assign elect name & appoint & by these Presents do assign elect name and appoint our beloved Michael Harrison Clerk Anthony Lowe W<sup>m</sup> Blackwall Gentlemen Rowland Ferne Edward Hopkinson & Martin Marshall Yeomen now dwelling within the Wapentake of Wirksworth aforesaid to be the first & modern Governors of the free Grammar School & Almshouse aforesaid of Anthony Gell Esq<sup>r</sup> in Wirksworth in our county of Derby to fulfil the said duty during their own lives & the survivors of them. And that the said Governors & their successors in Word & Deed shall for the future be one Body Corporate and politic of themselves for ever by the name of Governors of the free Grammar School & Almshouse of Anthony Gell Esq<sup>r</sup> in Wirksworth in our county of Derby & we moreover incorporate them & their successors by these presents & we also in Reality & to the full do create erect ordain make & appoint them one Body corporate & Politic which name shall endure for ever And we will & by these Presents do ordain & grant that the said Governors of the free Grammar School & Almshouse of Anthony Gell Esqr in Wirksworth in our County of Derby by the same name may have a perpetual succession and that they may & shall be proper persons

& capable in Law to have & receive the lands Tenements Possessions & reversions given and all Hereditaments whatsoever of our Heirs & successors without any other Person or Persons whatsoever And we will & by these presents do ordain determine & grant that as often as & whensoever it shall happen that any one of the Six Governors of the said Grammar School & Almshouse shall die or be removed from his place or office of Governor or shall dwell without the wapentake aforesaid that then & at that time it may & shall be lawful for the rest of the Governors of the said Grammar School & Almshouses or the greater part of them still surviving to elect & nominate another fit Person or Persons within the wapentake of Wirksworth aforesaid in the place or places of the Person or Persons thus dead or living without the wapentake aforesaid to the office of Governor of the free School & Almshouse of Anthony Gell Esqr in Wirksworth & this as often as it may so happen.

And that our Intention & Purpose may be more fully effected on this part of our Special Favour & from certain Knowledge & motives of Equity we do give & grant to the aforesaid Governors of the free Grammar School & Almshouse of Anthony Gell Esqr in Wirksworth & to their successors special License & free & lawful Power Means & Authority to have receive & hold for themselves & their successors for ever for the support & maintenance of the School & Almshouse aforesaid one Messuage called the schoolhouse lying near the end of the Parish Church of Wirksworth aforesaid lately erected by order of Anthony Gell Esqr and one other messuage with all the Lands Tenements meadows Pastures & Pasture grounds belonging or in anywise appertaining to the said messuage situate lying & being in Wirksworth aforesaid now or lately in the Tenure or occupation of Anthony Cadman & one other Messuage lying & being in Wirksworth aforesaid with certain Land Tenements Meadows &

Pastures belonging or appertaining to the same now or lately in the Tenure or occupation of Thomas Winnefield and one other Messuage or Tenement in Kirk Ireton in our Said County of Derby with all the Lands Meadows & Pastures belonging or appertaining to the same now or lately in the Tenure or occupation of John Kayne And also two Meadow Closes lying & being in Kniveton in the s<sup>d</sup> County of Derby called or Known by the Name of the Tythe Meadow now or lately in the Tenure or occupation of the said Thomas Gell And one other Messuage or Tenement lying & being in Carson<sup>1</sup> in the said County of Derby & all the lands Tenements Meadows Pastures & pasture grounds belonging or pertaining to the same now or lately in the Tenure or occupation of W<sup>m</sup> Hutchinson Sen<sup>r</sup> All which lands above expressed contain by Estimation 66 acres according to the true Intent & purpose aforesaid of Anthony Gell in his last will & Testament before expressed & declared so that the said Premises may not be held by us in Capite or otherwise by military service. And also certain annual Payment of 20<sup>l</sup> by order of Anthony Gell in his last will & Testament to be divided for the sustenance of the six poor men aforesaid in the said Almshouse. The said Lands Meadows Pastures & Pasture Grounds to be given to & had held & enjoyed by the said Governors & their successors with all the reversions & all and Singular the Premises above expressed & specified with their appurtenances according to the true Intent of the last Will of the said Anthony Gell. The statutes of the Lands & Tenements to be subject to the Mortmain Act notwithstanding.

And further we will & by these presents for ourselves our Heirs & Successors do grant to the aforesaid Governors & their Successors that they & their Successors may have a common Seat for the better treating & Disposing of the Premises expressed & Specified in these our Letters Patent

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<sup>1</sup> Carsington.

& for the adjusting of all other necessary negotiations whatsoever. And in order that they by the name of Governors of the free Grammar School & Almshouse of Anthony Gell Esq<sup>r</sup> in Wirksworth in the county of Derby may & can bind & loose prosecute & be prosecuted Defend & be defended answer & be answered in all & every Cause Complaint & Action real personal or mixed and all other actions of what kind or nature soever in any of our Court of Justice whatsoever or any court of Justice of our successors whatsoever before any Justice or Judge Ecclesiastic & Secular within our Kingdom of Great Britain or elsewhere And we will & by these Presents do grant to the aforesaid Thos. Gell full power & authority during his natural life to name & appoint one Master or Pedagogue to the School aforesaid who shall be sufficiently skilled in the Latin Tongue to be enabled to instruct the Youth committed to his care in that Language.

And also to name appoint & elect the 6 poor men aforesaid And as often as any one or more of them shall by any means quit the Place or Places aforesaid from Time to Time moreover we will & ordain that the aforesaid Governors & their successors or the major part of them after the death of the said Thos. Gell may have full Power & Authority to name appoint & elect from time to time a master whensoever the Free School shall happen to be vacant & also one or more poor men to the Almshouse aforesaid as often as any one or more of them shall die in the place or places of any Masters or Pedagogues poor man or poor men from time to time & at all times. And if the said Thos. Gell during his life or the said Governors after the death of the said Thos. Gell shall fail in the nomination or appointment of a Master or Pedagogue to the School aforesaid or any poor man to the said Almshouse for the space of three months Then we will & grant that the Dean & Chapter of the Cathedral Church of Lichfield & their successors may & shall name chose & appoint

another Master or Pedagogue & another poor man or poor men in the place or places of those Masters Pedagogues or poor persons so failing for this time only & this as often as Cases of this nature shall happen. And further of our gracious favour we ordain decree and appoint that it is not nor shall be lawful for the said Governors or their successors in future to give grant alienate or dismiss the aforesaid Lands Tenements Meadows Pastures & Pasture Grounds or any part or parcel thereof to any Person or persons beyond the Space of 21 years. We have granted moreover & by these presents do ordain & decree that during the life of the said Thos. Gell & after his death the said Governors of the said Free School & Almshouse from Time to Time may & shall make proper & salutary statutes & ordinances in Writing touching the ordering Government & Direction of the Master or Pedagogue & of the schollars of the School aforesaid & of the aforesaid poor men in the Almshouse aforesaid for the Time being & touching all other affairs belonging to the said Free School & Almshouse and the order Government & Disposition proper for the Preservation & Sustenance of the said School and Almshouse appointed & to be appointed touching & concerning them which statutes and ordinances being agreed upon we will & grant and by these presents command that they be inviolably adhered to from Time to Time for ever. And further of our gracious favour we have given & granted & by these presents do give and grant to the aforesaid Governors of the said Free Grammar School and Almshouse of the said Anthony Gell in Wirksworth aforesaid & to their successors Special & free License & lawful means Power & Authority to obtain receive & hold for themselves & their successors for ever as well of ourselves our Heirs & successors as of all other persons whatsoever & wheresoever as well all & Singular the Lands Tenements Revenues & Hereditaments above specified as other Messuages Lands

Tenements Tyths or other Hereditaments wheresoever within our Kingdom of Great Britain or elsewhere within our realms which are not held by us our Heirs or Successors immediately in Capite or otherwise by military service & which do not exceed the clear yearly value of forty marks beyond the aforesaid Lands Tenements & other premises above specified to the aforementioned Governors & to their Successors as commanded & appointed by the aforesaid Will of the aforementioned Anthony Gell Esqr. Statutes of the Lands & Tenements to be held by or subject to the mortmain & not liable to any other Statute Act ordinance or Provision or any other matter cause to the contrary.

And we will & by these presents do grant to the aforementioned Governors that they may & do have these our Letters patent under our great Seal of Great Britain after a due form made & sealed without Fine or Fee great or small to us in our realms or elsewhere to our use for our deliverance Payment or making of them Moreover express mention of the yearly Value or certitude of the Premises without their or any of their Gifts without Grants for that purpose by us or any of our Progenitors to the aforesaid Governors before this Time made or for the Time being, or by any statute ordination Provision Proclamation or Restriction thereof to be made or to the Contrary before the making & publishing of these Letters or by any other affair cause or matter whatsoever in anything notwithstanding.

In witness whereof we have caused these our letters patent to be made. Witness myself at Westminster this 27<sup>th</sup> Day of October in the 26<sup>th</sup> year of our reign.

By the Queen's & the authority of

Parliament

Ed<sup>d</sup> W<sup>m</sup> Brend.

Thomas Gell in pursuance of his brother's will by an Indenture, dated 26th March 1585, granted to the Governors of the school and almshouse, and their successors



all the premises specified in the Letters patent ; and in addition to these a yearly rent of £20, charged on his manor of Wirksworth and all his lands therein for the support of six poor men in the almshouse.

Agnes Fearne had, however, by her will dated 14th July, 1574, prepared the way for the foundation of the Grammar School and Almshouse, by devising the house in which she lived and all her houses, lands and tenements in Wirksworth, to Anthony Gell, Lawrence Beresford, and Thurstan Alleyne and their heirs, to the intent that whenever there should be a free school in Wirksworth they should, out of the profits of the said lands, cause five marks yearly to be paid for the use of the school, and forty shillings yearly "for the use and relief of certain poor folks in a bedehouse in Wirksworth for ever." She also devised to those three trustees "all her lands in Kirk Ireton & Iddersay (Idridgehay)" to the intent that they should bestow yearly £1 6s. 8d. of cloth, for clothing the more poor people in the parish of Wirksworth.

The above Thurstan Alleyne by Indenture of feoffment dated 2nd September, 1585, as the surviving executor and trustee of the will of Agnes Fearne, granted to the Governors of the school and almshouse, two acres and three roods of land in Wirksworth under the north cliff ; one acre called Crume Acre Sitch ; three parcels of land in a close called the Middle Peak Close ; three roods in Nether Oat Hill and certain cottages on the south side of the town, all being the lands of the Testator.

In the middle of the eighteenth century, however, these trusts appear to have partially lapsed and no governors had been appointed to fill the places of those who had died. In consequence of which, Samuel Hanson, the master of the Grammar School, together with the six poor men belonging to the almshouse, caused an information to be exhibited in the Court of Chancery, against Philip Gell, of Hopton Hall, stating that the said Philip Gell, was,

and for several years past, had been in possession, and in the receipt of the rents and profits of all the said estates, and also of the manor of Wirksworth and all the estates late of the said Thomas Gell, but that he had not of late years paid the whole of the clear income of the said estates applicable for the support of the said school to the master thereof, nor the whole of the clear income of the said estates applicable for the support of the said almshouse to the six poor men intitled to receive the same. The information also included Temperance Gell as heiress at law of the Testator,<sup>1</sup> Thomas Gell, and Vincent Newton and Margaret his wife, Robert Charlton and Elizabeth his wife, together with Agnes and Ann Macclesfield, to whom the trust estates had reverted, as co-heiresses-at-law of Thurstan Alleyne. This action was taken for the reason that no governors having been appointed in place of those who had deceased the corporation had dissolved. The petitioners now prayed that the said charities might be re-established and that six honest and discreet men, inhabitants of the Wapentake of Wirksworth might be appointed as trustees and governors, and that the estates and the said yearly rent-charge of £20 might be conveyed to them and their heirs in trust. Directions also were to be given for choosing new trustees and for carrying out the trust whenever it was needed. The cause came on, and was heard before the Lord Chancellor on 13th December, 1774. The result was that Philip Tomlinson, Thomas Jackson, Robert Harding, Charles Johnson and Robert Kirk were approved of and appointed trustees, with the power of appointing others, when any one of them died; and by an order of the court, made 20th January, 1776, restitution was made of all the trust funds and lands, to the newly appointed trustees or governors. The Indentures carrying out the decree of the court bear date, 4th and 5th November, 1776.

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<sup>1</sup> She was his great great grand-daughter.

THESE ARE THE NAMES OF THE  
MAYORS OF THE CITY OF  
LONDON FROM THE YEAR OF  
OUR LORD 1272 TO THE  
YEAR OF OUR LORD 1558  
THE FIRST MAYOR WAS  
WILLIAM DE BRISBURY  
THE SECOND MAYOR WAS  
WILLIAM DE WYNTON  
THE THIRD MAYOR WAS  
WILLIAM DE BURETT  
THE FOURTH MAYOR WAS  
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WILLIAM DE SAUNDERS

RUBBING FROM BRASS ON THE WIRKSWORTH ALMSHOUSE.