

ASHTED AND THE DE MARA CHANTRY.

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ASHTED, now Ashtead, in Domesday *Stede*, later *Estede* (Harl. MS. 50, B. 23), in 1279 *Akestede* (Quo Warranto Rolls), but again in proceedings at law dating from 45 Hen. III to 9 Hen. VII, quoted below, *Estede*, was perhaps really the Ash-stede, or place. The modern spelling therefore, Ashtead, nearly preserves the original, if the unnecessary and lately added *a* be omitted. It is worthy of note that the Oak-stede, suggested by the version in 1279, became Oxted in another place in Surrey, which was anciently *Acstede*.

The church stands in a quadrangular enclosure, of which the western bank and ditch, part of the southern bank, and a little of the northern bank, are well preserved. The enclosure is probably Roman. Many Roman bricks are built into the east and south wall of the chancel. There was a north window in the body of the church, headed by a semi-circular arch of Roman brick, which has been completely removed. Figured tiles, with animals upon them, have been found in the churchyard. The Roman road across the downs, Stone Street or Pebble Lane, is under half-a-mile off to the east. There was probably a small military station here, converted into an enclosure round a country villa. The fields south of the church retain the names of Upper and

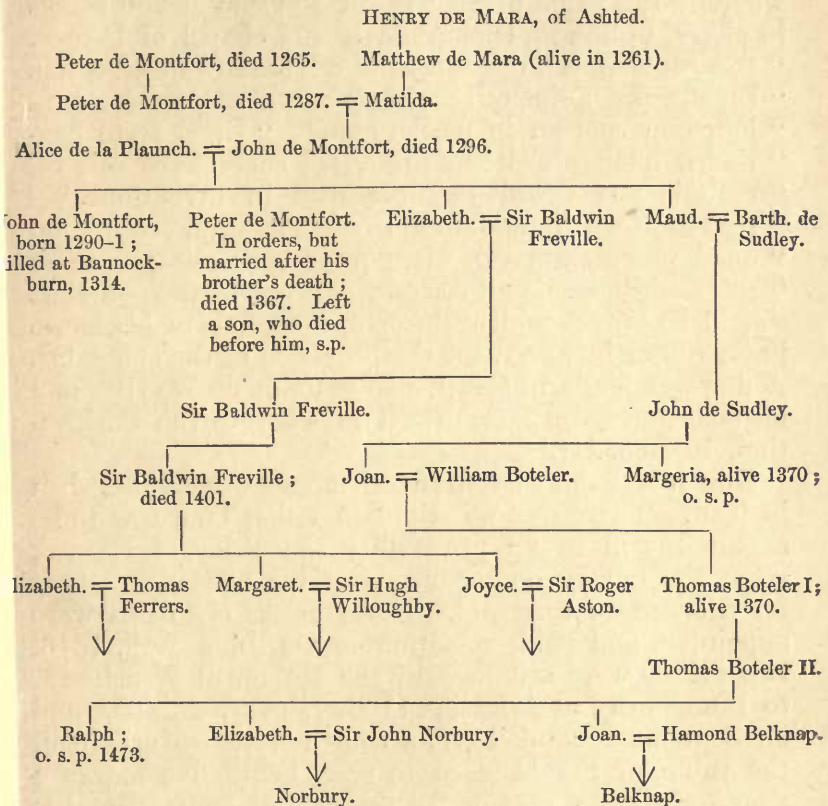
Lower Bury Fields, named no doubt from the defensible enclosure.

The church, St. Giles', has been added to and modernised out of all archæological interest. The font may be late fifteenth century, and the east window may be of the same date, but it was brought from near Maestricht, and only set up here in the last century.

The principal antiquarian interest of the place, apart from the Roman remains, is connected with the chantry "in a chapel at Estede." Ashted was a rectory at the time of Pope Nicholas' taxation, 1291. In 1320 there was a vicar of Ashted (Add. MS. 15,506). Possibly in Henry the Second's reign (see Harl. MS. referred to above) there was a *clericus de Estede*. No record seems to exist of any chapel apart from the church; and it is probable, therefore, that the now rebuilt chapel north of the chancel represents an ancient side chapel.

In 45 Hen. III, 1261, Matthew de Mara, who held the Manor in socage of the Earl of Surrey and Warenne, founded a chantry where three chaplains were to say masses in perpetuity for the soul of his father Henry de Mara, his ancestors and his heirs. Had the foundation been after the usual fashion, providing an endowment from land for the support of the chantry, it would no doubt have had an uneventful story, till the final suppression of 1547. But the De Banco Rolls of Michaelmas Term, 9 Hen. VII, No. 926, m 427, give us the last recorded stage of a quarrel about it protracted over more than a century. The mischief began from the endowment of the chantry by a lump sum of 250 marks of silver, and became more widely interesting from the inheritance of Matthew de Mara having devolved upon coheiresses and their descendants, whereby the souls of many families gained an interest in the due performance of the masses.

A sketch of the descent will show the families interested.



Note to Genealogy.—Henry de Mara was one of Henry the Third's Justices. Peter de Montfort the elder was one of the most zealous supporters of the party of his namesake, but not kinsman, Simon de Montfort. He was one of the Council of Nine who governed under the Earls of Leicester and Gloucester and the Bishop of Chichester, after Lewes. He fell at Evesham. His son Peter fought on the same side, and was subsequently admitted to pardon under the Award of Kenilworth. His son and grandson John were summoned to Parliament in 1295 and 1313 respectively. Peter was summoned in 1336, and up to 1349, but not afterwards.

To return to 1261; in that year Matthew de Mara made an agreement with Richard, Prior of Newark, whereby the Prior undertook, for the sum of 250 marks in silver, to find and maintain in the chapel of Estede, "tres capellanos idoneos cotidie celebrantes in praedicta capella pro animis Henrici de Mara antecessorum et heredum suorum in perpetuum." "Et si forte contigerit quod praedictus prior, vel successores sui, vel ecclesia sua praedicta, defecerint in inventione vel sustentatione praedictorum capellanorum secundum quod praedictum est, idem prior concessit pro se et successoribus suis et ecclesia sua praedicta"—that it should be lawful to distrain upon the goods of his house in Surrey or in Essex, for the provision of the chaplains. A fine was made in Court, before John de Wyville and his colleagues, Justices, fifteen days before the Purification, 45 Hen. III.¹

Now it was not easy to invest money elsewhere than in land. There was no stipulation that land was to be acquired, and in all probability the Prior of Newark spent the money on the needs of his house, or left it for a successor to spend. Nevertheless chaplains were appointed, and paid, sometimes. On June 10th, 1346, two priests were ordained by the Bishop of Winchester to the chantry at Ashted;² in May, 1347, a third,³ and on September 22nd, 1347, a fourth were⁴ so ordained, the value of the benefice to each being five marks a year, or six *per cent.* upon the capital sum. But the fact that Bishop Edyngdon should find it necessary to ordain four priests to the chantry, almost immediately after he had become bishop, suggests a neglect in filling up the places before.

At all events neglect shortly occurred. The Black Death of 1349 pretty certainly impoverished Newark Priory, perhaps it killed the three chaplains, perhaps made better posts vacant for them. In Michaelmas

¹ See *Feet of Fines*, Surrey, 45 Hen. III, No. 158.

² Reg. *Edyngton*, II, Ord. A.

³ *Ibid.*, Ord. F, *verso*.

⁴ *Ibid.*, Ord. G, *verso*.

Term, 38 Edw. III (1364), Peter de Montfort sued the Prior of Newark, asking that the agreement should be carried out, for there were no chaplains and no masses were sung. Peter was in a perilous case. If Dugdale is right he was in orders, had returned to the life of the world and married. Rome, domiciled at Avignon, had probably granted some sort of dispensation, for money; but it was a question whether any dispensation was any good. Peter must have been going on for seventy if he was not more; his father had been dead 68 years. He would be interested in having these masses said before many years were over.

The Prior pleaded that Peter was no party to the fine, nor the heir of a party; that neither Peter nor his ancestors had made any agreement with the Priory for the maintenance of the chaplains; that the agreement referred to was not perpetual; that no holdings or profits of holdings of land had passed to anyone; lastly, that the Prior of 1261 could not burden the Priory for more than his own lifetime. The Court, however, decided in favour of Peter. But in Trinity Term, 44 Edw. III, 1370, Peter being dead, Baldwin de Freville, knight, Margeria, daughter of John de Sudley, and Thomas, son of Joan, daughter of John de Sudley, kinsfolk and heirs of Henry de Mara, came and complained that the agreement was still unfulfilled, and they asked for a writ against the Prior. This was granted to them, returnable in Michaelmas Term.

But it was obviously easier to prove the Prior in the wrong than to keep up the pressure necessary to force him to fill up the three places from time to time as they became vacant. If the effort was successful in 1370, it was unlikely that the next Prior would act without compulsion. The 250 marks had probably been spent long ago. At any rate in 1493 the old neglect again prevailed, and the whole extensive clan who could claim descent from Henry de Mara were in the field.

The devolution of inheritance upon coheireesses had made the replacing of the non-existent chaplains a matter of interest far and wide. On November 10th

came into court Thomas Ferrers, knight, Henry Willoughby, knight, John Norbury, knight, John Aston, esquire, and Edward Belknap, esquire, kinsfolk and heirs of the deceased Peter. They swore that he was dead; which was likely, as he had been born some two hundred years before, (perhaps they feared that he was something more), and they asked for a writ against Laurence, the then Prior. They obtained a writ returnable within fifteen days of St. Hilary; but in the long run their efforts were seemingly unsuccessful. When the chantries fell in 1547 no mention occurs of a chantry in Ashted Church; certainly there were no lands to be confiscated, but neither were there any pensions to be seized. The story affords an illustration, among many, of how many more chantries had been founded than were ever suppressed by legal means.

The descent of the manor is given in Manning and Bray. The genealogy of De Montfort, &c. is incomplete there, and the dates of the deaths of John de Montfort the younger and of Peter are wrong. The latter went to law in 1364, so certainly had not died in 1358.

Among the later holders of the manor was Sir Robert Howard, Dryden's brother-in-law; himself an author, who would scarcely be remembered as such had not his great relative made him the defender of the losing cause in the "Essay of Dramatic Poesy," patched his poor performances, and provoked his jealousy.