

Original Documents.

CHARTERS OF THE BERTIES OF BERTIESTED, OR BERSTED.

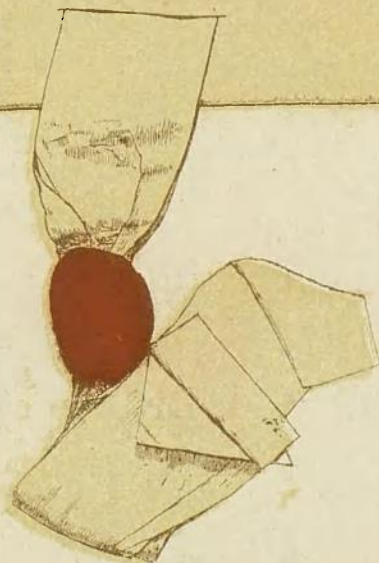
By G. T. CLARK, ESQ.

THESE three following deeds were formerly among the muniments of the Dering family at Surrenden in Kent, and upon the dispersion by sale of that valuable collection a few years ago, they passed, as was most proper, into the hands of the Bertie family, and are now the property of the Earl of Lindsey, its Head, and are preserved at his seat at Uffington. They form a part only of a parcel of documents relating mainly to the families of Bertie, Northwode, and Cobham, whose estates lay near together. The two latter rose to eminence as barons—the one in their native county and the other in a wider sphere, and are now, in the male line, extinct; but the Berties, though they migrated from Kent into Lincolnshire, played a very distinguished part in the history of their country, and rose, finally, to the highest rank in its peerage. The ducal title of Ancaster is, indeed, now extinct, and the ancient barony of Eresby, which came to the Berties by the distaff has with the distaff again abided. The earldom of Lindsey, however, given to the stout old soldier who fell at Edgehill, as an acknowledgment of his maternal claim to the earldom of Oxford, still remains in the name, as does that of Abingdon, won by a younger branch at a somewhat later period.

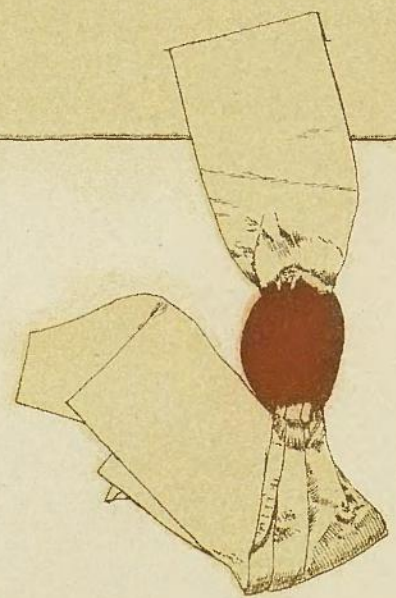
Dugdale, at the close of a rather elaborate account of the Barons Willoughby of Eresby, concludes with the marriage of their heiress, Katherine, with "Richard Bartue, Esq., of whose descendents," he adds, "I shall speak in their proper place." This pledge he redeems in his account of the Earls of Lindsey, but of Richard's ancestry he says only that "he was son of Thomas Bertie, of Berested in Kent, Captain of Hurst Castle in the Isle of Wight."

Concerning the descent and honours of the Bertie family from the marriage of Richard Bertie with Katherine Willoughby, in her own right Baroness Willoughby of Eresby, and Duchess of Suffolk as widow of Charles Brandon, no obscurity has ever existed, but the ancestry of Richard Bertie has been thrown into doubt by the putting forth by the heralds of a pedigree of thirteen descents from a certain Leopold Bertie, of Bertiesland in Prussia, and Constable of Dover Castle in the reign of King Æthelred, a most mythical personage, and at best an anachronism. Such fictions were found in high places under the House of Tudor, and their natural effect, when shown to be without proof, was to cause disbelief even in the true pedigrees, where such existed. The Berties thus suffered, and it is but recently that their true position as landowners and gentry of Kent from an early period has been recognised by the highest authority in such matters, and they have found a place in the *Libro d'Oro* of Mr. Shirley.

The lady who gave her hand to Richard Bertie was the fourth wife and

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widow of the Duke of Suffolk, whose preceding wife was the sister of Henry VIII. and widow of Louis King of France. She was the daughter and heiress of William Baron Willoughby of Eresby, by Dona, Maria de la Salinas. Maria was a daughter of Don Diego Lopez Sarmiento, 'Repostero mayor' under the catholic Kings, fifth Lord and first Count de Salinas, created 1470, a title used apparently as a family name. Don Diego descended from the Governors of Galicia, and was nephew to Alonso de Acevedo, Archbishop of Santiago, and the father of Cardinal Pedro Sarmiento.

Dona Maria's mother, some say her grandmother, was Maria Mendoza de la Cerda, sister of the fifth Count and first Duke de Medina Celi, and of kin to the royal houses of Spain, France, and Navarre.

Dona Maria was attached to the suite of the Lady Katherine, at her betrothal to Prince Arthur, and remained with her, more as a sister than an attendant, during the miseries that intervened between his death and Katherine's marriage to Prince Henry, when she gave her own hand to Lord Willoughby. Their child, Katherine, was born about 1521. Dona Maria's attachment to Queen Katherine never varied. On hearing of her illness she rode to Kimbolton in midwinter, forced her way to her mistress against the King's orders, and remained with her till her death, 7 [8] Jan., 1536.

Katherine was an only child, but Dona Maria seems to have had a sister, who married Carlos de Guevana, a Spanish captain in the service of Scotland, but who suffered for the death of one of his fellow-countrymen in London. Their descendants are said to have settled in Lincolnshire.

These curious particulars are extracted from a very interesting contemporary "Chronicle of Henry VIII.," printed in the original Spanish by Señor E. Marques de Molines, who has enriched it with many valuable notes and comments.

The match was therefore a very considerable one for Richard Bertie, but, on the other hand, his descendants repaid the social debt with interest to the barony of Eresby. It is singular that a lady so connected should have proved a very zealous Protestant, suffering during the reign of Mary persecution and exile, so that their eldest son, Peregrine, so called because born during their wanderings, narrowly escaped coming into the world in the church porch of Wesel, if indeed he was not there born.

The first of the three following deeds is a Charter dated 35 Edward I., by William son of Robert de Ffrenygeham, to the Lord John, son of the Lord Roger de Northwode and to Joan his wife and to the Lord John their son, of lands in Aldynton juncta Thornham. Most of the witnesses belong to well-known families in that part of Kent, such as Paiforer, Rokeslee, Bikenor, and L'Isle, and among them occur John and Bartholomew de Bereteghe.

The second deed is an Indenture of 48 Edward III., between the Lord John de Northwode, Kt. and John Meggil of Thornham, concerning pasture in Waremede, and among the witnesses occur the names of John and Richard de Bertegh.

The third document is that which has been selected for reproduction here, in the excellent facsimile by Mr. Tupper. It is a charter by Richard Bertegh, dated at Thornham, on the Saturday next before the feast of St. Nicholas, Bishop, 14 Hen. IV., granting to William Eynton of Thorn-

ham and Thomas Mellere of Lenham a parcel of land called Helde in Thornham. The boundaries which are given shew that Richard Bertegh possessed other land in the same parish.

The name of Bertie, in various forms, occurs in other local records. Walter de Bersted was co-Sheriff of Kent 40 Hen. III. He, or another Walter of the same name, was Constable and Warden of Dover Castle, July, 47 Henry III., for a short time only. [Hasted I. lxxxii. and IV. 69.]

The Hundred Roll for 2 Edward I., gives Duncan de Berstede as Bailiff of Middelton; "Dominus Walter de Berstede tunc Vicecomes," and a little further on "Walter de Berstede tempore quo fuit Vicecomes;" and it is stated that Richard de Cliff, while the King's Escheator, "fecit prosternare boscum heredum de Bersted apud Hobord et Thelenelond ad valorem xx marcarum." [Rot. Hund: Cant: I. pp. 211, 219, 224, 235.]

According to Hasted, Bersted or Bergstede is a parish composed of the manors of Ledes, Moat-Hall, and Thurnham. The Otteridge estate in Bersted, in the reign of Henry VIII., belonged to Simon Bertyn, who by will in 1530 bequeathed it to Jeffrey, a merchant. The Bertie lands are reputed to have lain near the Parsonage, on Stratton Street, as early as Henry II. There is still a tenement known as "the Berty lands." The grant of arms to the family, 10 Jan. 4 Henry VI., is to the Captain of Hurst Castle, and bears three battering rams quartering with a fractured castle, evidently allusive to the office of the grantee.

A considerable mass of evidence of a local character establishing the connection between the Berties and Bersted, is printed in the well-known work of Lady Georgiana Bertie, entitled "Five generations of a loyal House."

I.

Sciunt presentes et futuri quod ego Willielmus filius Roberti de Ffrenygeham, dedi. concessi et hac presenti carta mea confirmavi domino Johanni de Northwode filio domini Rogeri de Northwode et Johanne uxori sue et domino Johanni de Northwode filio eorundem, totum liberum tenementum meum quod habui in parochia de Aldynton juxta Thornham apud Ffrenygeham, ut in terris boscis mesuagiis redditibus domibus gardinis viis semitis pascuis pasturis cum omnibus pertinenciis suis sine aliquo retinemento. Habendum et tenendum totum predictum tenementum cum omnibus pertinenciis suis, ut predictum est, predictis dominis Johanni et Johanne, et Johanni filio eorundem, et heredibus ipsius Johannis filii, bene et in pace, jure hereditario imperpetuum, faciendo inde per annum capitalibus dominis illius feodi omnia servicia inde debita et consueta ad terminos consuetos. Et ego predictus Willielmus et heredes mei warrantizabimus totum predictum tenementum cum omnibus pertinenciis suis, predictis domino Johanni et Johanne, et Johanni filio eorundem, et heredibus ipsius Johannis filii, contra omnes homines et feminas imperpetuum. Pro hac autem donatione concessione warrantizatione et hujus presentis carte mee confirmatione, dederunt mihi predicti domini Johannes et Johanna et Johannes filius eorundem quater viginti marcas argenti in gersumam, anno regni Regis Edwardi tricesimo quinto. Hiis testibus, dominis Willielmo de Paiforer, Ricardo de Rokeslee, Johanne de Bikenore, Thoma de Insula, militibus, Rogero de Toketone,

Simone Sauvage, Johanne Elys, Bartholoneo de Esstede, Johanne et Bartholomeo de Bereteghe, Adamo ate Capele, Johanne ate Hoke, Willielmo de Hokingore, Ricardo Payforer, Waltero Wolsy, clerico, et multis aliis.

A lump seal of brownish wax, device, a fleur de lys of early type. Legend "† S. WILLI DE FRENCH."

II.

Hec indentura testatur quod dominus Johannes Northwode niles concessit et ad feodi firmam dimisit Johanni Meggil de Thorneham et heredibus suis, pasturam suam in Waremede, post falcacionem et abductionem feni ejusdem prati, agistando et pasturando in eodem cum diversis averiis suis quolibet anno post abductionem feni quancocunque abductio feni contigerit, et si predictum pratum quibusdam annis propter tempus fluviosum seu propter siccitatem contingentes non falcatum, tunc incipiet pasturare in dicto prato, per quindenam proxime sequentem festum nativitatis sancti Johannis Baptiste, continuando de anno in annum usque festum Purificationis Beate Marie tunc proxime sequentem. Habendum et tenendum predictam pasturam cum sepibus, post finem termini Thome Beaw nunc firmarii ibidem completi, prefato Johanni Meggil et heredibus suis imperpetuum. Et reddendo inde annuatim prefato domino Johanni et heredibus suis in manerio suo de Thorneham ad festum Sancti Michaelis archangeli duo-decim denarios et duos capones. Et predictus dominus Johannes et heredes sui predictam pasturam cum sepibus, modo et forma ut supradictum est, prefato Johanni et heredibus suis contra omnes gentes warantizabunt imperpetuum. Et predictus Johannes Meggil et heredes sui, tempore opportuno, sepes crepabunt et cum eisdem clauderunt, et si boscus claudendi in eadem clausura defectivus fuerit, tunc predictus Johannes et heredes sui residuum bosci clausure pertinenti super terras dicti domini Johannis scindent et habebunt. Et si contingat predictum Johannem Meggil vel heredes suos in solutione dicte feodi firme aliquo anno in parte vel in toto ejusdem ad festum ante dictum deficere, tunc bene liceat prefato domino Johanni et heredibus suis tam in omnibus terris et teneamentis ipsius Johannis Meggil, quam in dicta pastura, per omnia bona et catalla in eisdem inventa distringere, districciones-que captas effugare et penes se retinere quousque de dicta feodi firma et arreragiis ejusdem simul cum dampnis et expensis occasione detencionis habitis sibi fuerit plenarie satisfactum. In cujus rei testimonium huic indenture partes predicte sigilla sua alternatim apposuerunt. Hiis testibus Johanne Burbach, Johanne Bertegh, Willielmo Eynton, Ricardo ate Hohe, Petro Monek, Roberto Ffryk, Ricardo Bertegh et aliis. Data apud Thorneham vicesimo sexto die Februarii anno regni Regis Edwardi tercii a conquestu quadragesimo octavo.

Seal circular, in red wax, $1\frac{1}{4}$ inch diameter; arms on a full-shaped shield, a cross indented between nine ermine spots, placed two and one in each quarter. The shield is placed within a circle, slightly foliated in the Decorated style. Legend, "† SIGILLUM IOHANNI DE NORTHWODE." The parchment is indented above and folded at base, and measures $9\frac{1}{2}$ inches by 6 inches.

Endorsement. "Indentura domini Johannis de Northwode, militis de pastura in Waremede.

III.

Sciant presentes et futuri, quod ego Ricardus Bertegh' dedi concessi et hac presenti carta mea confirmavi, Willielmo Eynton' de Thornham et Thome Mellere de Lenham, unam peciam terre mee cum pertinenciis suis vocatam Helde, jacentem in parochia de Thornham predicta, ad terram prefati Willielmi Eynton' versus Est et South, ad venellam ducentem a regia via usque messuagium predicti Ricardi versus West, et ad messuagium predicti Ricardi versus North. Habendum et tenendum predictam peciam terre cum pertinenciis suis prefatis Willielmo et Thome heredibus et assignatis suis imperpetuum de capitalibus dominis feodi illius per servicia annualia que eis inde de jure debentur. Et ego predictus Ricardus et heredes mei predictam peciam terre cum pertinenciis suis prefatis Willielmo et Thome heredibus et assignatis suis contra omnes gentes warantizabimus imperpetuum. In cujus rei testimonium huic presenti carte sigillum meum apposui. Data apud Thornham die Sabati proxime ante festum Sancti Nicholai Episcopi anno regni Regis Henrici quarti Anglie quarto-decimo. Hiis testibus, Willielmo Colyn de Otteham, Johanne Sharestede, Edmundo Arnold, Johanne Grettyng, Willielmo Whit et alliis.

Written upon a slip of parchment 13 inches long by 4 broad, the lower inch being turned up as a fold. The seal is a small lump of red wax, half an inch diameter, never having borne an impression.

Endorsed in a probably contemporary hand, "Scriptum de terris in Thornham per Ricardum Bertegh' Willielmo Eynton' anno Henrici quarti quarto-decimo."