

## Grant by Sir John Bennet, Kt., to Pembroke Coll., Oxford, of certain Rents in Derbyshire.

By THE EDITOR.



THE Indenture transcribed below, the original of which is at Pembroke College, is from a copy in the possession of Mr. John Borough, of Derby, who for some years acted as Receiver of the rents.

Such documents are worth preserving, if only as a means of reference, and as a valuable assistance to the student of county history.

This particular Deed is a grant of certain fee farm rents,<sup>1</sup> etc., derivable from lands in Derbyshire and elsewhere to the Master and Fellows of Pembroke College, Oxford, for the purpose of founding two fellowships and two scholarships. A Bennet Fellowship is still in existence at Pembroke College. The donor was Sir John Bennet, of Dawley, co. Middlesex. He was himself of Pembroke College, where he had matriculated at the age of seventeen, on the 24th of April, 1635. He was the eldest son of Sir John Bennet, of Dawley, was created Lord Ossulston in 1682, and died in 1688. His son was created Earl of Tankerville—the title of his deceased father-in-law—and from him is descended the present earl.

Most of the rents mentioned in this Deed have at various times been redeemed in recent years by the freeholders. These rents had been purchased from the Crown by Sir John Bennet only three years<sup>2</sup> previous to this grant to the College.

<sup>1</sup> A fee Farm Rent is a perpetual Rent issuing out of an estate in fee of at least a fourth of the land at the time of its reservation.—*Coke on Littleton*.

<sup>2</sup> See page 73.

## TRANSCRIPT OF THE INDENTURE.

This Indenture made the tenth day of November in the eight & twentieth year of the reign of our Sovereign Lord Charles the Second by the grace of God of England Scotland France & Ireland King Defender of the faith &c. & in the year of our Lord God One thousand six hundred seventy & six Between the Honorable Sir John Benet of Doyly in the County of Middlesex Knight of the Bath on the one part and the Master Fellows and Scholars of Pembroke College in the University of Oxford on the other part Witnesseth that the said Sir John Benet in consideration of the sum of five shillings of lawful money of England to him in hand paid by the said Master Fellows & Scholars before the sealing & delivery of these presents the receipt whereof is hereby acknowledged And under the trust & for such ends & purposes as are herein-after mentioned & expressed Hath granted bargained & sold & by these presents Doth grant bargain & sell unto the said Master Fellows & Scholars all that amount or fee farm rent of five & twenty shillings of lawful money of England reserved and issuing out of or for the house & site of the late *Priory of Beauchief* in the County of Derby And also all that annual rent or fee farm of fifty seven shillings & fourpence of like lawful money reserved & issuing out of or for the Grange of *Tickenhall* in the said County of Derby And also all that annual Rent or tenth of eight shillings & eightpence of like lawful money reserved and issuing out of or for certain lands & tenements in *Thursley* alias *Thurmansby* in the said County of Derby And also all that annual rent or tenth of eight shillings & ninepence halfpenny of like lawful

Beauchief  
25<sup>sh</sup>Tickenhall  
£2 17 4<sup>d</sup>Thurmansby  
8<sup>sh</sup> 8<sup>d</sup>

money reserved & issuing out of or for the Grange  
 called *Griffe Grange* in the said County of Derby Griffe Grange  
 8s 9<sup>d</sup>  
 And also all that Annual Rent or tenth of eight  
 shillings & eight pence of like lawful money reserved  
 and issuing out of, or for lands in *Hartshorne* in the Hartshorne  
 said County of Derby And also all that annual  
 Rent of eleven shillings & fourpence of like lawful  
 money reserved & issuing out of or for the Grange  
 called *Stanley Grange* in the said County of Derby Stanley  
 Grange 11s 4<sup>d</sup>  
 And also all that annual rent of Three Pounds &  
 nine pence of like lawful money reserved & issuing  
 out of or for certain lands in *Eckington* in the said Eckington  
 Co: of Derby heretofore belonging to the late Guild  
 or Chantry there now or late paid by the several  
 tenants there And also all that annual Rent of  
 three pounds thirteen shillings & fourpence of like  
 lawful money reserved and issuing out of or for the  
 Capital Messuage in *Litchurch* in the said County Litchurch  
 of Derby now or late paid by the Rt Hon the Duke  
 of Newcastle. And also all that Rent or rents of  
 Assize amounting to one Pound fourteen shillings  
 and eightpence of lawful money payable by the free  
 tenants of our Lord the King in *Brampton* in the Brampton  
 said County of Derby now or late paid by Henry  
 Tomlinson & others And also all that Annual Rent  
 or tenth of Three Shillings and four pence of like  
 lawful money issuing & payable out of or for one  
 tenement in *Lynton* in the said County of Derby Lynton  
 heretofor belonging to the late priory of Griesley  
 in the said County & late in the tenure of Alice  
 Carter And also all that annual Rent or tenth of  
 Sixteen Pence of like lawful money reserved &  
 issuing out of or for lands in *Mackworth* in the said Mackworth  
 County of Derby late paid by Richard Robinson  
 And also all that annual Rent of Ten Pence of like  
 lawful money reserved and issuing out of or for

Lands in *Barowcote* in the said County of Derby late paid by — Wilmot And also all that annual Rent or tenth of Two shillings & eight pence of like lawful money reserved and issuing out of or for Lands in *Farnefield* in the said County of Derby which said premises out of which the said three last mentioned rents are payable were heretofore parcel of the possessions belonging to the late Priory of Kings Meade And also all that annual Rent of twenty pence of like lawful money issuing and payable out of or for one shop in *Chesterfield* in the said County of Derby late in the Tenure of John Fox & was heretofore parcel of the possessions belonging to the late Priory of Beauchieffe And also all that rent or rents of Assize amounting to eighteen pence of like lawful money issuing and payable out of the Town of *Thurlaston* in the said County of Derby now or late paid by Sir John Stanhope Knight. And also all that annual Rent of five shillings of like lawful money reserved & issuing out of or for one messuage in *Sandy Acre* in the said County of Derby now or late paid by Sir Francis Leake Knt And also all that annual rent of three shillings and eleven pence of like lawful money reserved & issuing out of or for lands in *Mapperley* in the said County of Derby late paid by — Powdrell And also all that annual rent or tenth of tenpence of like lawful money reserved & issuing out of or for one messuage in *Burnaston* alias Barnaston in the said County of Derby late paid by . . . Bullington Gentleman & which said premises last mentioned were heretofore parcel of the possessions belonging to the late Priory of

Barocote 10<sup>d</sup>Farnefield  
2<sup>sh</sup> 8<sup>d</sup>Chesterfield  
1<sup>sh</sup> 8<sup>d</sup>Thurlaston  
1<sup>sh</sup> 6<sup>d</sup>Sandy Acre  
5<sup>sh</sup>Mapperley  
3<sup>s</sup> 11<sup>d</sup>Barnaston 10<sup>d</sup>

<sup>1</sup> He was of Elvaston, M.P. for Co. Derby, High Sheriff 5 Charles I. (1629), and was half-brother of Philip 1<sup>st</sup> Earl of Chesterfield, and direct ancestor of the present Earl of Harrington.

Darleigh And also all that rent or rents of Assize amounting to two shillings & two pence of like lawful money issuing & payable out of *Boulton* in Boulton 2<sup>s</sup> 2<sup>d</sup> the said County of Derby late paid by Sir Thomas Burdett Knight And also all that rent or rents of Assize amounting to two shillings & fourpence of like lawful money issuing & payable out of or for *Ockbrook* in the said County late paid by Edward Ockbrook 2<sup>s</sup> 4<sup>d</sup> Osborne & others And also all that rent or rents of Assize amounting to sixteen pence of like lawful money issuing & payable by the Free Tenants in *Twyford* in the said County which said premises Twyford 1<sup>s</sup> 4<sup>d</sup> were heretofore parcel of the possessions belonging to the late Priory of Dale And also all that annual Rent of five shillings of like lawful money reserved & issuing out of or for one Cottage in *Thurlaston* in Thurlaston 5<sup>sh</sup> the said County late paid by the said Sir John Stanhope which said premises did heretofore belong to the said Priory of Dale And also all that rent or rents of Assize of twelve pence of like lawful money issuing & payable out of *Chellaston* in the Chellaston 1<sup>sh</sup> said County late paid by William Roberts And also all that rent or rents of Assize amounting to eighteen pence of like lawful money issuing & payable out of *Hartshorne* in the said County late paid by John Hartshorne 1/6 Crosse which said premises out of which the said two last mentioned rents are payable were heretofore parcel of the possessions belonging to the late priory of Repingdon And also all that rent or rents amounting to four shillings issuing & payable out of or for lands in *Middleton Moore* in the said County late Middleton 4<sup>sh</sup> paid by . . . Fulwood which said premises out of which the said rent is payable did heretofore belong unto or was parcel of the possessions of the new works of Leicester And also all that annual pension

of two shillings of like lawful money reserved and issuing out of or for the Vicarage of *Brailesforth* <sup>Brailesford 2<sup>sh</sup></sup> in the said County of Derby late paid by the Vicar there And also all that free rent or rents amounting to five shillings of like lawful money being the free rents of Thomas Fitzherbert in *Norbury* in the said <sup>Norbury 5<sup>sh</sup></sup> County of Derby which said last mentioned premises were heretofore parcel of the possessions belonging to the late Priory of Tutbury in the County of Stafford And also all that free rent of two shillings & sevenpence of like lawful money issuing and payable out of or for two tenements in *Chesterfield* <sup>Chesterfield 5<sup>sh</sup> 4<sup>d</sup></sup> in the said County of Derby late in the tenure of James Woodward & John Smith And also all that annual rent or tenth of five shillings & four pence of like lawful money reserved & issuing out of or for the Grange of *Moldrich* alias Bouldertch alias Bolder Grange in the said County of Derby late paid by Edward Pegg Esquier And also all that annual rent or tenth of four shillings of like lawful money reserved & payable for the tithe hay in *Ulkerthorpe* alias Olkerthorpe alias Ogarthorpe in <sup>Olkerthorpe 4<sup>sh</sup></sup> the said County of Derby late in the tenure of John Blackwell All which said last mentioned premises were heretofore parcel of the possessions of or belonging to divers Forraigne Monastereys And also all that rent or rents of Assize amounting to four shillings & tenpence of like lawful money of the Free Tenants of *Rowston & Overshell* in the said <sup>Rowston and Overshell 4<sup>s</sup> 10<sup>d</sup></sup> County of Derby which said last mentioned premises were heretofore parcel of the possessions belonging to the late Hospital of Saint John of Jerusalem in England. And also all that rent or rents of two shillings & fourpence of like lawful money issuing & payable out of or for lands in the said County of Derby viz: out of *Newfoundlands in Campden* <sup>Newfoundlands in Campden 2/4</sup>

four pence & out of lands in *Ashborne* two shillings Ashbourne 2<sup>sh</sup>  
 paid by the tenants there. And also all that annual  
 rent of eighteen pence of like lawful money reserved  
 and issuing out of or for lands in *Stoney Middleton* Stoney  
 Middleton  
 1<sup>s</sup> 6<sup>d</sup>  
 in the said County of Derby, now or late paid by  
 Roger Ashton Esquier And also all that annual  
 rent of three shillings & fourpence of like lawful  
 money reserved & issuing out of or for the tenth  
 part of the pannage of the Park of *Stakely*<sup>1</sup> alias Staley Park  
*Staley Park* in the said County of Derby now or  
 late paid by John Frethvile & others And also all  
 that annual rent of three shillings & fourpence of  
 like lawful money reserved & issuing out of or for  
 a tenement<sup>2</sup> in the Town of *Derby* now or late paid Derby 3<sup>sh</sup> 4<sup>d</sup>  
 by William Allestre<sup>y</sup> Esquier which said three last  
 mentioned premises were heretofore parcel of the  
 concealed lands in the said County And also all  
 that annual or fee farm rent of twenty pounds twelve  
 shillings & fivepence halfpenny of like lawful money  
 reserved and issuing out of or for the Manor of  
*Chellareston* alias Chellardeston & out of the scite of Chelaston  
 the said Manor & out of the Rectory of Chellardston  
 & out of divers other parcels of land Meadow &  
 Pasture in Chellardston aforesaid with all their rights  
 members & appurtenances in the said County of  
 Derby now or late paid by Lyonell Earl of Hunting-  
 ton And also all that fee farm rent of six shillings  
 & eightpence of like lawful money reserved and  
 issuing out of or for one messuage in *Nether Thur-* Nether  
*vaston* in the parish of Longford in the said County Thurvaston  
 6<sup>sh</sup> 8<sup>d</sup>  
 of Derby And also all that fee farm rent of forty-  
 three shillings of like lawful money reserved &  
 issuing out of or for two parts of the Ward of  
*Beureper* called Belper Ward alias Beury Ward parcel  
 of the late Forrest or Chase of Duffield Frith in the Belper  
 £2 3<sup>sh</sup>

<sup>1</sup> Now Staveley.    <sup>2</sup> College Place near All Saints'.

said County of Derby And also all that fee farm rent of Sixteen shillings & eight pence of like lawful money reserved & issuing out of or for all that pasture & all that close called the *Newfield* lying & being without the Parke of Posterne with the appurtenances in the said County of Derby And also all that fee farm rent of forty shillings of like lawful money reserved and issuing out of or for the third part of the Ward of *Beureper* alias Belper alias Beury Ward with the appurtenances parcel of the said Forest or Chase of Duffield Frith in the said County of Derby And also all that annual rent of four pounds of like lawful money reserved and issuing out of or for all those the Manors of *Newnham Aure* & *Pulton* with the appurtenances in the County of Gloucester And also all that annual rent or tenth of Three Pounds one shilling of like lawful money reserved and issuing out of or for the scite and precinct of the late *Hospital of Saint John the Baptist in the city of Bristol* and also for divers Manors Rectories Lands tenements & hereditaments to the aforesaid late Hospital in the said County of Gloucester And also all that the annual rent or fee farm of Three Pounds seventeen shillings & fourpence of like lawful money reserved and issuing out of or for the Manor of *Lymington* alias Lemington in the said County of Gloucester And also all that annual rent or fee farm of Two Pounds eighteen shillings and sixpence of like lawful money reserved & issuing out of or for certain lands perteyning to the Chantry of the blessed Virgin Mary in *Berkely* in the said County of Gloucester. And also all that annual Rent of Twenty six shillings & three pence halfpenny of like lawful money issuing & payable out of or for the Manor of *Perton* with all its rights members and appurtenances in the said County of

Postern Park  
16<sup>sh</sup> 8<sup>d</sup>

Belper £2

Newnham  
Aure and  
Poulton £4St. John's  
Hospital  
Bristol,  
£3 1<sup>sh</sup>Lymington  
Co. Glouc.  
£3 17 4Berkely Co.  
Glouc.  
£2 18<sup>sh</sup> 6<sup>d</sup>Perton Co.  
Glouc.  
£1 6 3<sup>d</sup>



Gloucester And also all that annual rent of Two Pounds eighteen shillings & three pence of like lawful money of England issuing and payable out of & for the Manor of *Dryfield* in the said County of Gloucester aforesaid now or late paid by George Hanger Esqr All which said Fee Farm Rents & other Rents & annual payments hereby bargained & sold were amongst other things granted & conveyed to the said Sir John Benet & his heirs for good & valuable considerations mentioned & expressed in the several Tripartite Deeds of Bargain & Sale Indented and Inrolled in His Majesty's High Court of Chancery bearing a date on or about the sixteenth day of June & the thirtieth day of July in the five & twentieth year of his Majesty's reign that now is & in the year of our Lord God one thousand six hundred seventy & three made between the Right Honorable Francis Lord Hawley Sir Charles Harbord Knight his Majesty's Surveyor General Sir William Haward of Tandridge in the County of Surrey Knight Sir John Talbot of Laceck in the County of Wilts Knight & William Harbord of Grafton Parke in the County of Northampton Esquier surviving trustees for the sale of fee farm rents and other rents of the first part The Right Honorable Charles Lord St John of Bazing Ralph Bucknall of London Esqr & Sir William Doyley the younger of the city of Westminster Knight of the second part and the said Sir John Benet of the third part with all and every the right royalties privileges Immunities benefits & advantages whatsoever of them the said Francis Lord Hawley Sir Charles Harbord Sir William Haward Sir John Talbot & William Harbord or which they or any of them their or any of their heirs or assigns could or might claim or of right ought to have of in & to the said rents

Dryfield  
Co Glouc.  
£2 18<sup>sh</sup> 3<sup>d</sup>

and premises by force or virtue of the letters patent & acts of parliament therein mentioned or either of them or by force or virtue of his Majestys royal prerogative or otherwise howsoever As in & by the said several recited Indentures Tripartite whereunto relation being had more at large may appear And the reversion & reversions remainder and remainders of all the said fee farm rents & other rents & annual payments And also all the estate right title and interest Together with all and every the rights royalties privileges immunities benefits & advantages whatsoever of the said Sir John Benet, or which the said Sir John Benet his heirs or assigns can or may claim or of right ought to have of in and to the said rents and premises by force or virtue of the said several recited Indentures of Bargain & Sale or either or any of them or otherwise howsoever. To have & to hold the several fee farm rents and other rents and annual payments & every of them And the reversion & reversions remainder and remainders of them and every of them so granted as aforesaid with all and singular their right privileges and appurtenances—And all and every the benefits and advantages and other the premises whatsoever thereunto belonging or of right appertaining unto the said Master Fellows and Scholars and their successors To the only use and behoof of the said Master Fellows and Scholars and their Successors for ever In trust nevertheless & to the intent and purpose that the aforesaid fee farm rents & other rents & annual payments with all benefits and advantages whatsoever thereby yearly or otherwise coming & arising to the yearly sum of Threescore Pounds shall for ever hereafter be from time to time yearly laid out and employed for and towards the maintenance of two Fellows & two Scholars in Pembroke College in the University aforesaid who shall

be called & known by the name of Sir John Benets Fellows & Scholars. And shall be from time to time elected ruled and governed according to such orders rules and constitutions and for and towards their yearly maintenance shall have & receive such sum & sums of money respectively as are hereinafter mentioned & expressed (that is to say) That each of the said Fellows shall out of the rents and payments aforesaid have & receive the yearly sum of Twenty Pounds & each Scholar Ten Pounds That the election of the said Two Fellows & Scholars shall be made in the College aforesaid by the Master & Fellows of the said College for the time being or the Major part of them (of which the Master of the said College shall be one) Out of any Scholars in the University aforesaid except such as are or have been eligible by the former statutes of the College Regard being had first to those of the College who are not of the foundation nor have been eligible unto it. That in the Election of the said Two Fellows The Scholars of this Foundation shall be preferred before others if they be equally qualified That the Election of the Fellows and Scholars of the foundation aforesaid shall be as soon as conveniently may be after the place becomes void That none shall be chosen Fellow into this Foundation under the degree of Bachelor of Arts nor a scholar under two years standing That none so chosen shall continue Fellow beyond seven years after he is complete Master of Arts except he hath taken that degree before he is chosen fellow—In which case he may keep his Fellowship seven years from his election. Notwithstanding which if after the expiration of seven years a Fellow so chosen shall be found very useful in the Society It shall be lawful to choose him again

to continue for other seven years or longer if he obtain the consent of the Master for the time being of the College aforesaid. That within four years after they are Masters of Arts they shall take the Orders of Deacon & Priest And that these Fellows & Scholars shall be obliged to observe the Statutes of the College as other Fellows & Scholars are In witness whereof to the one part of these Indentures remaining with the said Master Fellows & Scholars the said Sir John Benet hath set his hand & seal, and to the other part thereof remaining with the said Sir John Benet the said Master Fellows & Scholars have set their Common Seal the Day & year first above written