

John, Lord Frescheville of Staveley.

By A. C. WOOD.

[Gervase Holles, the well-known Lincolnshire antiquary, employed himself during his exile in Holland after the Civil War in writing a long history of his family, the MS. of which is now preserved at Longleat. It has never been printed,¹ but through the kindness of the present Marquess of Bath, I have been able to make a complete transcript of it, and the extracts in the following article which are attributed to Holles are taken from this very interesting narrative. It contains a full history and pedigree of the Frescheville family down to 1658 (the year in which Holles was writing), for Frances Frescheville, the elder daughter of Peter Frescheville [1534-82, the grandfather of John, Lord Frescheville] married [in 1574] Gervase Holles the grandfather of the Antiquary, who was thus a connection as well as a contemporary of Lord Frescheville.]

JOHN FRESCHVILLE² of Staveley, near Chesterfield, was the last male representative of a family which had held lands in Nottinghamshire and Derbyshire since the thirteenth century,³ and had for over four hundred years ranked among the leading non-noble houses of that area. He himself sat in parliament, became one of the most prominent royalists in Derbyshire

¹ Arthur Collins used some portions of it in his *Historical Collections of Noble Families*, 1752.

² He is spoken of as Sir John Frescheville in Lyson's *Derbyshire* (p. 265), but he was never knighted.

³ Probably they were established in Nottinghamshire even earlier, but the first member of the family mentioned in surviving records was Ralph de Frescheville in 1200. Sir Fred. Madden in *Collectanea Topographica and Genealogica*, iv. pp. 9-10.

during the Civil War and was elevated to the peerage by King Charles II. Yet his name does not appear in the *Dictionary of National Biography*, nor is it mentioned in the *Victoria County History of Derbyshire*. The following sketch of his life, so far as I have been able to trace it, may therefore be of interest as a small contribution to the history of the county.

He was the only son of Sir Peter Frescheville, knight¹ (1575-1634) and of his wife, Joyce. Sir Peter, Gervase Holles described in glowing terms: "He was an honest and a worthy gentleman of good erudition and a great lover of learning and learned men. He was a good housekeeper, and the best landlord to his tenants (I think I may truly say) in England, and the person of most principall account and had the greatest power of any of the gentry in the county." He was twice sheriff of Derbyshire and sat for the county in parliament.² His wife, Joyce, was the widow of Sir Hewet Osborne, who died in 1599,³ and through him the grandmother of Charles II famous minister Sir Thomas Osborne, Earl of Danby and Duke of Leeds.

John their son was born in 1606 or 1607,⁴ and went up to Magdalen College, Oxford, at the age of 14, in 1621.⁵ From Holles's statement that he had "an English breeding" it would appear that he did not travel abroad after his University residence as was then usual for young men of good family. In March, 1628, he was returned as one of the knights for Derbyshire to the momentous third

¹ He was knighted by James I at Worksop, April 20, 1603.

² He sat in 1601 and 1621 and may possibly have been elected to the parliament of 1614 for which no returns have survived.

³ He died Aug. 22, 1599 in Ireland where he was serving under the Earl of Essex. He had been knighted a month earlier (July 24).

⁴ Probably in 1607. His son-in-law Culpeper fixed his birth as Dec. 4, 1607, and the Inquisition after his father's death (taken April, 1635) said he was over 27 years old. On the other hand a Visitation of 1611 described him as 5 years old. Madden, *op cit.*, p. 212.

⁵ *Register of the Univ. of Oxford*, Vol. ii, part II, p. 390. He matriculated June 23, 1621.

parliament of Charles I's reign, and must have sat through the debates which preceded the presentation of the great Petition of Right, and have witnessed the heated scene when the Speaker was forcibly held down in the chair whilst resolutions were hurriedly past against the fiscal and religious policy of the king. Though we do not know how he voted on these occasions, it is probable from his later career and from the traditions of his family that he loyally supported the king's government.

It must have been about this time that he married his first wife, Bruce, the daughter of Francis Nicholls of Ampthill, Bedfordshire, for she died, aged 18 only, in April, 1629, leaving no issue. The following year¹ he married Sarah the daughter "and heyre if there had been any inheritance"² of Sir John Harrington of Bagworth, and from the curious letter³ which King Charles wrote to Sir Peter Frescheville on this occasion, it appears that the son had made the match without first consulting his father. Holles paints a very unfavourable picture of this new wife and of her influence: "she had been bred up an attendant of Lucy Countesse of Bedford, her kinswoman, who preferred her to be one of the maides of Honour to the Queene. From Court he married her, whence she brought him no portion but Court legacies—pride, passion prodigality. He hath tolde me (and shee hath owned it) y^t she has lost him five hundred poundes in cardes in one night. But now they say she gaines by it having got the

¹ Madden, *op. cit.*, p. 213.

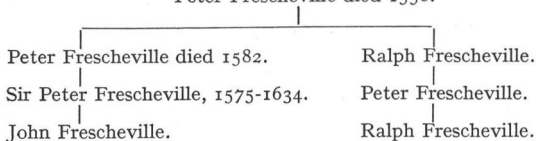
² Holles MS.

³ It was dated April 27, 1630 and ran: "Whereas our deare and wel beloved servant Sara Harrington, a maide of honor of our dearest consort hath beene married in our Court to your sonne by the consent and approbation of us both we have thought it meete not to suffer her to depart without that testimony from us which belongs to her worth and meritt, having all the tyme of her service expressed soe much duty, modestie and vertue in herselfe as she may rightly be esteemed an example to others. Wherefore we wish you to esteeme and receive her as a pledge of our continuall favour to your family, to which we are confident she will prove both an honour and a comfort." Madden, *op. cit.*, p. 217.

knacke of game (as gamesters call it), but others call it cheating. She had quickly got a great power over her husband w^{ch} shee exercised at the beginning in two foule actes, making him force in all the leases his good father had granted his tenants at easy rates, and to take new of him at racke rent, and perswading him to cut of the entayle whereby his father had settled 1000^ls p. an. upon Rafe Frescheville¹ in case his son had no issue male." This latter step was probably inspired by the fact that she bore her husband three daughters only, Christian, Elizabeth and Frances, born in 1633, 1635 and 1638.

Sir Peter Frescheville died in April, 1634 and his heir lived the uneventful life of a country gentleman upon his newly acquired estate during the next few years; but as that decade drew to a close and the clouds of coming strife darkened the sky, he was summoned out of his retirement to sterner work. In 1639 he was serving as a Cornet of Horse in the forces which the king had collected at Newcastle against the rebellious Scots;² and he was clearly in high favour at Court for that same year he was made one of the gentlemen of the King's Privy Chamber.³ He was also serving as a deputy-lieutenant in Derbyshire in 1639 and again in 1640.⁴ He did not sit in the short parliament of 1640, nor in the epoch-making long parliament which quickly followed it; but when the clash of king and parliament on constitutional and religious issues produced the Civil War in 1642, he never hesitated in his duty. He at once raised "considerable forces" and

¹ The following table shows his relationship to the senior line of the family:—
Peter Frescheville died 1558.



² *Calendar of State Papers, Domestic*, 1625-49, p. 607.

³ Madden, *op. cit.*, p. 213.

⁴ Historical MSS. Commission Publications, Cowper MSS. II, pp. 228, 259.

hastened to join the king when he erected his standard at Nottingham. From there he accompanied him in his march to Shrewsbury and the West and was present under Prince Rupert in the cavalry skirmish at Powick Bridge near Worcester (Sept. 23, 1642). His troop of Horse fought at the Battle of Edgehill (Oct. 23, 1642) though he himself was absent on that day.¹ Soon afterwards (Nov. 12) he helped Rupert to storm Brentford, and on December 6, he was again in action at the taking of Marlborough. The following year he fought at the first battle of Newbury (Sept. 20, 1643), where he was bruised upon his thigh by a spent bullet.²

That autumn the king gave him a Commission for the government of the Hundred of Scarsdale, where his own estates lay, authorising him to raise two regiments, one of horse and the other of foot, and he accordingly withdrew from the main royalist army in order to organise the defences of the party in Derbyshire. Here, as Holles says, he performed "some services not contemptible upon the rebels of Derby and Nottingham." Brief records of two of these actions have survived. In one skirmish he chased three Roundhead troops of horse into the house of Colonel Eyre, at Hassop, and sending for reinforcements eventually took them all prisoners.³ The other incident occurred in January, 1644. Seven troops of horse and a hundred dragoons belonging to the parliamentary forces had plundered Lord Byron's house at Newstead and the town of Mansfield, and were returning with their convoy of booty to Nottingham, when Colonel Frescheville gave chase with a hundred horse from Wingfield Manor. He came up with them near Bestwood Park, in a narrow lane where their position gave them the advantage, but he none the less charged them in the headlong spirit which

¹ Holles MS.

² *Ibid.*

³ *The Reliquary*, III, p. 153; Lyson's *Derbyshire*, p. 265.

he had no doubt acquired from Prince Rupert. He was cut in the hand, narrowly escaped being taken prisoner and was eventually driven off leaving seven of his men dead, and his captain-lieutenant of horse in the hands of the enemy.¹

In the following June he was reported to have marched after Goring into Cheshire with eight troops of horse and some foot in order to join Prince Rupert who was on his way north to raise the siege of York,² but he did not accompany his old leader on the disastrous expedition which ended at Marston Moor, and if he left Derbyshire at all it was only for a few weeks. By August he was back at his seat, Staveley Hall, which he had garrisoned for the king.

It appears, however, that he had already begun to waver in his allegiance—a step which Holles attributed to his wife. “She had” he wrote “long nourisht a most violent ambition to have her husband created a Baron, and he (inclinable enough to comply wth her pride) probably enough imagining y^t the time of this rebellion (in w^{ch} he had done the king some service not inconsiderable) was the properest time for such request, petitioned the king t^o y^t effect upon pretence of a right y^t he had to the Baronies of Musard and Fitz-Ralph³ (though those were indeed no Baronies of succession but only tenancies-in-chief of the former kinges) and the king was graciously pleased to grant a warrant dated at Oxford the sixth day of April in the 20th yeare of his raigne (i.e. 1644) to prepare a patent for his creation; w^{ch} warrant the L^d Jermyn⁴ delivered

¹ Hist. MSS. Comm. Publications, Hastings MSS. II, p. 160. Hutchinson, *Memoirs*, pp. 417-418.

² *Cal. State Papers, Dom.*, 1644, p. 391.

³ Two of the Norman baronial families whose heiresses the Freschevilles had married. Anker de Frescheville married Juliana, daughter and heiress of Hubert fitz-Ralph in John's reign. His grandson, another Anker de Frescheville married Amicia, sister and co-heiress of Nicholas Musard; and through her obtained part of the Manor of Staveley.

⁴ Master of the Horse and Secretary to the Queen.

her (i.e. Frescheville's wife) in my presence, only tolde her the patent would not presently passe because the king was obliged to seale another first. At w^{ch} wordes she falles into intemperate expressions, both of the King and Queene (w^{ch} are not w^{thout} crime to be mentioned), away she flies into the country to her husband, prevailles wth him to desert the k's service, so sacrificing both her ambition and his reputation to her malice and virulent humours." Whatever the truth of this, Frescheville's conduct soon proved that he was disaffected, for after the battle of Marston Moor, when a detachment of the Earl of Manchester's army under Major-General Crawford was sent to clear Derbyshire of the royalists, he surrendered Staveley (though it was strongly garrisoned and armed) on the first summons and without firing a shot, August 12, 1644.¹ According to Rushworth, Crawford had with him 1200 foot and a regiment of horse, and Frescheville may have thought that resistance was impossible; but on the other hand, Holles, who was a contemporary and in a position to know, stated that "he delivered up his house unsummoned only upon the appearance of a party of the rebell's horse w^{ch} could not trouble him," and the Parliamentary Chronicle more than confirmed this, asserting that he "did very freely and voluntarily" surrender Staveley "being then convinced of the goodness of our cause."² Still more damning was his own action, for after agreeing with Crawford to "slight" the fortifications of his house, he quitted the King's service and retired to London, the headquarters of Parliament.

Here remorse or ambition soon made him repent. "After some time," wrote Holles, "being unsatisfied with

¹ There were said to be eleven guns and several hundreds of muskets and pikes in the house. Rushworth, *Collections*, v, p. 644. Cox's reference to "various battles and sieges" which "raged so fiercely round old Staveley House," is a flight of imagination. Cox., *Churches of Derbyshire, The Hundred of Scarsdale*, p. 355.

² *The Reliquary*, III, p. 153.

his being there, touched peradventure both in honour and conscience, and likely guessing at some hopes of the king's better successe, he began to thinke of returning to his duty. To prepare the way he severall times employed a messenger wth lrs to me to Oxford entreating me to procure his pardon from the King and his permission to appeare once againe in his service. The King was pleased to give me a gracious answer, bidding me write backe to him y^t he should stay as yet where he was (if he thought himselfe safe) untill his affayres in the north were in a better condition, and then he would let him know when it should be most seasonable for him to repayre to his service. I give him notice accordingly and thought I had planted him in the securist condition of any man, for (whatever had succeeded) he seemed safe; but impatient of delay (contrary to the advice was sent him) he hastens to Oxford, and unexpected surprises me in my chamber. The next day he presented himselfe to the King who gave him his hand to kisse, but entertayned him not with the same face he was accustomed."

Not long afterwards Colonel Frescheville joined the royalist garrison at Newark,¹ but when Welbeck Abbey, the seat of the Marquess of Newcastle which had surrendered to the Earl of Manchester after Marston Moor,² was recaptured by a royalist expedition from Newark, July 16, 1645, he was made Governor of that important post. There he must frequently have been in personal contact with the King who reached Newark in October and was actually at Welbeck on the 13th of that month, planning to march north to join the Earl of Montrose in Scotland. But that project had to be abandoned, and as the forces of parliament began to close in around Newark, the last surviving stronghold of the King's cause in the north, Charles was obliged to withdraw from it on Novem-

¹ Holles MS.

² Rushworth, v, p. 644. It was taken August 2, 1644.

ber 3. It was clear that the end was near. Even Prince Rupert had recognised that the struggle was over, and Colonel Poyntz's sack of Shelford House, in which the garrison was put to the sword,¹ showed the other royalist outposts what they had to expect by prolonged resistance. Within a week of that event the garrisons of Welbeck, Tickhill and Bolsover, all capitulated,² though Newark itself held out until the following May when the King surrendered himself to the Scots. Holles roundly condemned Frescheville's conduct on this occasion: "The King's condition waxing worse and worse he delivered y^t (i.e. Welbeck) to the rebell's (as he had done his own house of Stavely before), wthout adventuring a seige or hearing so much as a gunshot fired against it: w^{ch} cast upon him a great blemish of levity and some suspicion of his courage." But it is improbable at that late hour, that resistance could have produced anything but useless bloodshed.

After the surrender Frescheville retired to Holland while his wife began to negotiate for permission for him to compound with parliament for his delinquency. How long he remained abroad we do not know, but it was not until February, 1649 that his fine was fixed at £595. 16s. 8d. Six months later he was excused £308. 6s. 4d. of this on condition that he settled £30 per annum on the chapel of Holmesfield near Staveley, and this he did in October of that year;³ but his estate was not finally cleared until February, 1655.⁴ The sequestration was said to be "something mitigated by friendship of some of the adverse party,"⁵ and certainly the fine seems to have been a small one for a man who could settle £10,000 upon his

¹ Brown, *Hist. of Newark*, p. 95.

² Colonel-General Poynts to William Lenthall, Nov. 9, 1645: "The garrisons of Welbeck, Tickhill and Bolsover are disgarrisoned by consent," Brown, *op. cit.*, p. 96.

³ Cox, *Churches of Derbyshire, Hundred of Scarsdale*, pp. 216, 362.

⁴ *Calendar of the Committee of Compounding*, II, p. 1048.

⁵ Madden, *op. cit.*, p. 213.

eldest daughter, as Frescheville did in 1651 when Christian married Charles, Lord St. John, eldest son of the Marquess of Winchester.¹

With the Restoration Frescheville's fortunes revived, for he was fortunate enough to escape that oblivion with which so many of the Cavaliers complained that their former service to King Charles I had been rewarded. Charles II made him Governor and Commander-in-Chief of the City of York—a position of high responsibility at a time when the Metropolitan City was still in a very real sense the capital of the north—and he also gave him the command of a troop of horse in the royal regiment of horse guards commanded by the Earl of Oxford. In March, 1661 he was again returned to parliament as one of the knights of the shire for Derbyshire. He had already petitioned the king for the fulfilment of the patent of 1644 creating him a Baron (which had never passed the great seal) and in June, 1660 a warrant had been signed for its completion; but for some reason or other this failed to pass until March, 1665.² In June of that year he was summoned to take his seat in the Lords as Baron Frescheville of Staveley.³ By a tragic coincidence his wife only just lived to acquire the long-coveted honour for she died that same month.⁴ He subsequently married a third time, Anne Charlotte the daughter of Sir Henry de Vick, who was much younger than himself;⁵ but he had no children by her, and was thus left as the last male of his family.

The closing years of his life were uneventful. He was one of the commissioners appointed to expel the Corporation of Chesterfield in 1663, the Mayor, Aldermen and

¹ Holles MS.

² Madden, *op. cit.*, pp. 215-15.

³ Hist. MSS. Comm. 7th Report, p. 181. His writ of summons was dated June 19.

⁴ Madden, *op. cit.*, p. 217.

⁵ She was still alive in 1710.

Common Council having all refused to take the necessary oaths under the recent Corporation Act;¹ and in 1679 he escorted James Duke of York, whom the king had ordered to withdraw to Scotland at the time of the Exclusion bill crisis, from York to Berwick-on-Tweed, with his troop of horse.² He was a loyal supporter of the government in parliament, always careful to write to the Earl of Arlington or Sir Joseph Williamson to know if his presence in the upper house was required when each session began;³ and he was rewarded for his zeal with several of those grants by means of which Charles II ministers ensured support from a parliament which they had no longer the power to browbeat or ignore. Possibly Lord Frescheville owed his *douceurs* to his family connection with Lord Danby, the king's chief minister, 1673-9 and the first real organiser of "influence" as a system of government. In 1675 he was granted the Manor and advowson of the church of Eckington, Derbyshire, for 99 years after any existing grant at a rent of £6. 13s. 4d. per annum, and as both were part of the Queen's Jointure and he could therefore get no benefit from the grant while she lived, he was given a pension of £152 per annum during her life.⁴ In the following year certain crown rents in Yorkshire to the value of £120. 1s. 7d. per annum were sold to him at the rate of 16 years purchase,⁵ and though we have not sufficient details to speak with certainty it is probable that the transaction was, and was meant to be, a profitable one for him, for the alienation of fee farm rents by fictitious sales was a well-known means of rewarding government supporters at that time.⁶ In 1680 by a curious grant⁷ he was given

¹ *Records of the Borough of Chesterfield*, p. 138.

² *Calendar of State Papers, Dom.*, 1678-80 p. 271.

³ See e.g. his letter to Williams on 1670. *Cal. State Papers, Dom.*, 1670, p. 467.

⁴ *Calendar of Treasury Books*, iv, p. 655.

⁵ *Ibid.*, v, part I, pp. 405-6.

⁶ *Ibid.*, iv, p. xii.

⁷ *Ibid.*, vi, p. 508.

“ in consideration of good and faithful services ” the right to collect the balance of £5655. 15s. 5d. due from certain government debtors in Suffolk, only £291. 1s. 5d. of which had yet come in. It even seems probable that he fingered some of the notorious French money which Charles II obtained from Louis XIV of France in return for his pro-French foreign policy. Some of this money was undoubtedly used to buy votes in parliament, and in Charles Bertie's¹ accounts of the money he received from William Chiffinch² Lord Frescheville figured as having been given £1200 in several sums.³ It is, of course, possible that these payments were designed to reimburse Frescheville for legitimate expenses at York, for not all of Louis' money was used for corrupt purposes, but it is an equally probable suspicion that they represented the rewards of a good “ court-man ” for voting on the right side in parliament.

In 1678 Lord Frescheville petitioned the House of Lords to be allowed to occupy a higher place than that to which he was entitled by the very recent creation of his Barony, on the ground that his ancestor Ralph Frescheville had been summoned by the King's writ to attend parliament as a Baron in 1295, but the attorney-general Sir William Jones disallowed the claim on the ground that Ralph Frescheville—though summoned as one of the greater tenants-in-chief—was not proved actually to have sat in the parliament of that year, and that Lord Frescheville's direct descent from him was not made out.⁴ Three years later he sold his Derbyshire estates to the Earl of Devonshire; and on March 31, 1682 he died in London, aged 76 years. He was buried at Staveley where his tomb and some remains of his house, though much altered and reduced in size, still survive.

¹ Secretary to the Treasury under Danby, whose brother-in-law he was.

² Through whose hands the French money passed. He was closet keeper to the king.

³ *Calendar of Treasury Books*, vii, part. ii, p. 803.

⁴ Hist. MSS. Comm., 9th Report, part ii, p. 103.

Of his character little can be said beyond what his actions displayed. The account quoted by Sir Frederick Madden from Woolley's Collections, concludes of him that "he had the worthy character justly bestowed on him, which he left to posterity, viz. that he was a great courtier, an expert soldier and a good Commonwealth man, to which may be added his hospitality and charity." Holles only devoted one sentence to his description: "a very well accomplisht gentleman he is, and of as exact a breeding, for an English breeding as his was, as ever I knew."