

A STAVELEY TITHE BOOK OF THE REV. JAMES GISBORNE.

By W. E. GODFREY.

THE book from which these abbreviated extracts are made was a tithe book of the Rev. James Gisborne, rector of Staveley from 1716 to 1759. The late Rev. W. L. Coleman discovered it whilst curate at Staveley, about 1890. He was then living at the Hagge Farm, a former house of the Frecheville family, which held many Gisborne relics.

The Rev. James Gisborne was born at Derby on December 14th, 1688, was educated at Loughborough, and became Fellow of Queens' College, Cambridge. He was collated to a stall at Durham Cathedral where of course he had to serve for a time each year. On October 28th, 1718, he married Mrs. Anne Hinton, relict of Charles Hinton of Lichfield, esq. She was the daughter of Dr. George Jacson, M.D., of Derby, and was widowed in 1710. She had ten children by the rector in their marriage of forty-one years. One was Dr. Thomas Gisborne, a London physician of national repute, another was Major General Sir James Gisborne and a third the Rev. Francis, the greatest of Derbyshire benefactors.

The Rev. James died on September 7th, 1759, aged 70, after a lingering illness of nine months which terminated in a series of convulsions ending in coma.

It is to him we owe the preservation of Staveley Hall, as it was scheduled for destruction, and the work of demolition had actually begun when he indignantly interceded with its owner, and was successful in saving much of it. When I was a boy, some trees stood in the grounds which had been lopped by Lord Frecheville in 1649 when Charles I was beheaded.

The book, marked *Tyth* on the outer cover, is $7\frac{1}{4}$ ins.

by 5 $\frac{3}{4}$ ins., made of coarse cream coloured paper with a water-marking of seven equidistant horizontal lines, the binding being of cream calf. The following is a typical entry:—

“May 20th, 1723. Mem: It is this Day agreed betwixt Mr. Gisborne and Mr. John Marshall of Woodthorpe that the said Mr. Marshall shall pay three pounds five shillings for Tyth Hay, Corn, and Pasture of his Farm according to my Lord’s Survey of 120 ac. 3 r. 6 p. & also of his Freehold Land, consisting of 12 ac. 1 rood 14 perches. This three pounds five shillings to be paid yearly in December. Mr. Gisborne reserves to himself the Liberty of Gathering Tyth Hay of any eight Acres for which when Gather’d his pence pr Acre to be deducted. This Agreement to continue for eleven years & does not include Tyth Wool & Lamb of Sheep kept upon the Common, nor Easter Offerings nor Tyth Pigs & Geese.

Witness our Hands James Gisborne
John Marshall.”

l. s. d.

3 5 0

The Marshall family of Woodthorpe is interesting because a century or so earlier it had produced two brilliant boys called William and Robert, who were educationally adopted by Sir Peter Frecheville, lord of Staveley Manor, and the well-known “White Knight of the North” (from his snow-white hair). The elder appears to be identical with the Mr. Marshall who taught the Rev. Thomas Stanley, the hero of Eyam plague, and who died early by 1623, whilst the latter became Fellow of St. John’s Cambridge, M.A. and B.D. Of him Sir Peter in a letter says that “I have knowne him from his childhood, and brought him vpp in a Manner, wholy at myne owne charges, as being the sonne of an honest poore Tenant of myne here at Staveley Woodthorpe.” He is reported to have made an oration before James I, according to Bagshaw in *De Spiritualibus Pecci*.

Another tythe agreement is with “Mr. John Rogers of Staley”, whose family have resided in Staveley continuously, it is believed, from the reign of Philip and Mary. Mr. Rogers paid three pounds four shillings upon 127

acres 3 roods 31 perches, on a nine-year agreement from October 26th, 1732. An agreement with Peter Allcroft dated June 28th, 1727, refers to another old Staveley family, and when Staveley Grammar School was reopened in 1865 after a closure of some years, the first boy to be admitted was an Allcroft, living in the same old parish. Johnsons, Brights, Brailsfords of the Forge (now the vast Staveley Works), relatives of the Brailsfords of Senor, "Lord" Cavendish, who paid £16. 8s. 6d. tythe, less sundry deductions, Crofts, Ellises, Friths, Garfitts, Glossops, Hitches of Netherthorpe, Hollingworths of Breck, Hounsfilds, Littlewoods, Madins, Marpleses, Marlows, Needhams, Newhams, Pearsons, Shipstones, Smiths, Snodings, Steeles of Inkersall, Swifts, Turners of Handley, and Wilksens are other old Staveley families, amongst many others, whose then representatives made tythe agreements with the Rev. James Gisborne over 200 years ago. Very many of these signed their names in the book, and it is surprising how relatively many were able to do this. Many old Staveley land names are mentioned in the setting-out of these agreements — Rye Riddings, (Hollingwood) Common, College Land (does this refer to St. John's College, Cambridge?), Little Budes, Crooked Pingle, West Field, Long Close, Wortley Fields, Pond Closes, Chapel Land (evidently in connection with some Woodthorpe almshouses founded by the Frechevilles), Haig Lane, Rother Hallows, Shallyforth Meadow, Turner's Spring (wood), Prestwood Closes, Ox Rayl, Cawforth (formerly there was a Cowford Bridge near Bent Lane, now lost, but site recovered by Dr. Arthur Court from an old Staveley map). Picklover Closes (mentioned in *Jeayes Derbyshire Charters* no. 2243 temp. Henry III), High Cross Mead Flat, Ince Close, Conygree, Emmaker (Emmett Carr), the Hanger, Earning Bridge Pingle (by the side of the river Doe Lea), Hall Flats, Ashes Botham (bottom), Owlter Sick (Alder rivulet), Stump Park, Thorn Park (remains of Sir Peter Frecheville's Staveley Park), Kemm Castles, Mill Hough, Floodgate Close, the Dam, Dewis Rayle Leys, the Merrians (mentioned in *Jeayes Charter* no. 2258 at Coldmuryan, A.D. 1484) and others.

Next after these numerous tythe agreements, which occupy 112 pages of the book, comes a heading: January 22nd, 1747-8. Beneath it is an introduction: "The Inquisition &c. contain'd in the thirteen following pages was kindly sent to me, James Gisborne, Anno 1745, by Mr. Ralph Heathcote the present Rect^r of Morton with some other papers relating to this Parish of Staveley; after they had been conceal'd and witheld by his Father Ralph Heathcote the late Rect^r of Moreton (pro solitâ suâ Humanitate) for near thirty years. The Keeping them cou'd not possibly be any Benefit to himself; the want of them was probably an Inconvenience to us. About 17 or 18 years ago there was in this County a Commission for Charitable Uses, and had the following Inquisition been Known to us, we shou'd easily have been resolv'd, whether the three pounds pr Annum witheld by Judge Rodes's heirs from Netherthorp School, the eight pounds pr Annum for 2 scholarships in St. John's College, Cambs. and the four pounds pr Annum for maim'd soldiers were recoverable or no. The last named Ralph Heathcote was son of Mr. Ralph Heathcote my worthy Predecessor, who was Rect^r of Staveley from July 1663 to the beginning of 1716."

Then follow thirteen closely written pages about the inquisition, which was taken at Chesterfield on October 7th, 1601. It is this inquiry, incidentally (which is summarised in the Victoria County History account of Staveley School), which disproves the general assertion that the foundation of the school was 1572. Some scribe has at some time mistakenly attributed the Frecheville bequest to 13 Elizabeth, whereas it should correctly be 33 Elizabeth. The original founder was Judge Rodes, and *not* Margaret Frecheville. This error has been "perpetuated for quite long enough". The Frecheville and Sitwell bequests are ante-dated by that of Rodes. These two families endowed the school shortly after its foundation.

The next item in the *Tyth Book* is a copy by the Rev. James Gisborne of the will of Sir Peter Frecheville, Lord of the Manor of Staveley, who signed it on March 16th, 1632, before Edward Birkbeck, Thomas Dand, Roger

Newham, Thomas Birkbeck, John Goostrey and Robert Brown. It is a long and most meticulous document, running to seventeen pages of close small writing.¹ One clause dealing with the hospital or almshouse at Staveley Woodthorpe stipulates that if any beneficiary resident in Woodthorpe hospital had "any woman above the age of ten, or eleven years at the most, to lodge or remain with him or her in any of the Rooms or Lodgings appointed for their several Habitations as aforesaid for, or during, any longer time than the space of two Days and two Nights together at the most, that then, and in such case He or She so offending in suffering or lodging any such Woman as aforesaid shall from thenceforward forfeit and lose all the Benefit of his or her Place and Being in the said Hospital, as also the said yearly Pension of four pounds p^r Annum."

Following this is a twelve page "copy of a paper recd from my good Friend Dr. Thos. Sharp, Archdeacon of Northumberland & Prebendary of Durham March 1st, 1754, relating to the Marriage Act that is to take place March 25th, 1754" (Lord Hardwicke's). The heading is in the hand of James Gisborne, then growing old, but the actual transcription of the paper is the firm hand of his son, and later successor to the living, Francis. The two, father and son, occupied the rectory for 105 years, from 1716 until 1821, a record recently eclipsed by a year by the two Nodders at Ashover.

Next, in another, unidentified hand, is a copy of a certificate of banns having been published, dated 1760, the year after the death of James Gisborne. Then comes an odd note, "Mr. Meynell's Cistern, according to the Account given by Mr. Jerningham the Maker, is to weigh full 6 c. weight, to hold a Hogshead, to stand upon 4 Tygers, and to cost near 8,000 guineas." This is followed by a note of steps to be taken by the curate of Barlow to ascertain whether any augmentation can be obtained from Queen Anne's Bounty, application to be made to the Secretary of the Governors, Samuel Seddon, esq., of Piccadilly.

¹ Quoted at some length in the Reliquary, Vol. III.

The glebe lands of the church of Staveley are then listed, eighteen in number, totalling 84 acr. 36 perches, and this is followed by a copy of part of a letter from Mr. Thomas Smith, steward of the manor of Staveley (before Mr. Henry Smith) to Mr. Whildon, steward to the Duke of Devonshire dated from Hanley (Handley) May 30th, 1691. This consists almost wholly of the demesne lands (listed) which paid no tithes to the rector. This shows Staveley Hall and grounds then occupied 12 acres, the Mill Hough $7\frac{1}{2}$ acres, the Great Park 263 acres, the Open Park 56 acres odd, Hollingworth's Farm (i.e., Breck Farm) $194\frac{1}{2}$ acres, Smith's Farm (late Johnson's) 116 acres odd, Brailsford's Farm 82 acres. Wm. Froggatt's Ince Barn, etc., 106 acres odd, the Hall Flatt 12 acres odd, and a number of tenancies, formerly Park Land, adding to about 160 acres, plus Westwood Head in the hamlet of Inkersall 200 acres. This is followed by a list of "Chapel lands", also paying no tithe, of about 240 acres.

The next item is a survey in acres, roods and perches of Staveley Woodthorpe in 1668, "the said lands now belonging 1726, to Lord Oxford". These totalled $286\frac{1}{2}$ acres. Then come the tenancies of Edward Marshall $14\frac{1}{2}$ acres, of John Hides $22\frac{1}{2}$ acres, and various others amounting to nearly $97\frac{1}{4}$ acres. Small acreages follow, variously tenanted by Nicholas Sanderson, Thomas Deane, Peter Arthur (Mr. Lee Arthur only recently retired from his Woodthorpe farm), Rogers and others. The sum total with "90 acres free", is given as 612 acres, and appended is the note, "Chief Rent one pound and two pence. My Lord is here Chief; it is almost all inclosed & of a good Nature and worth ye Rent 29oli. 4s. 2d.: it hath no Common worth valuing."

Following this is a one-page note by James Gisborne dated January 22nd, 1730, stating that Mr. John Newham of Whittington, but living at the (Staveley) Forge with his sister Mrs. Brailsford, had told him that he — Newham — had long had knowledge that the North Bridge over the Doe Lea at Norbriggs had been built in the reign of Queen Mary supposedly, along with its causeway, by one Abbot, a fishmonger, by way of

penance. As there had been no repair fund a petition had to be made to the county justices in Sir Peter Frecheville's time to make it a county bridge in order to repair it. The original petition had been given to Mr. Newham by Mr. Henry Smith, steward to Lord James Cavendish. Apparently the petition was not successful, as the Calendar of the Records of the County of Derby (Cox) gives the date of the first repairing of this bridge as 1694, whereas Sir Peter Frecheville had died in 1634, sixty years previously.

The Statutes of St. John's College, Cambridge, follow, copied by James Gisborne from a Latin copy lent to him by Mr. William Burrows, junr., Fellow of the said college, October 9th, 1741. From 1722 to 1752 a William Burrows was Master of Chesterfield School, then conducted in a building preceding the present one, and built in 1710 to replace the original school, which was the pre-Reformation Chapel of St. Helen, dissolved by the Chantries Act of Edward VI.

After these four pages of Latin is a copy of a letter made by James Gisborne.

"True Copy of a Letter from Mr. Thomas Parker (afterwards Ld. Chancellor Macclesfield) to the Lord James Cavendish.

Derby 3^d October 1709

My Lord,

I was flatter'd the other Day that I shou'd have an opportunity of kissing Yr L^dships hands at Chatsworth where I did myself the Honour to dine; but by the straitness of my Time was oblig'd to come away the same night. I have yet some hopes that I may be able to get out of Nottinghamshire (whither I am going this morning) to Staley² to pay my duty to y^r Lordship; but lest I shou'd suffer a second Disappointment there, having had some Information that the Parson of Staley [the Rev. Ralph Heathcote] has been ill, I beg leave to put your L^dship in mind of my cousin Edward Parker, son of Mr. Edmund Parker, and to become an humble Petitioner to Y^r L^dship to bestow upon him the Living

² Lord James lived at Staveley Hall.

in case it become vacant. He is a sober, modest & ingenious Man, and a good Schollar; your L^dship I dare say will be pleased with his Conversation, which is modest, ingenious, & inoffensive, his Manner of Preaching is agreeable now, and thro' his hard Study daily improving, & his Life is blameless. His father has been a steady Adherent to y^r Noble Family, to y^r most noble Father when Ld. Cavendish, and to his present Grace when they were successively Candidates for the County, to My Lord Henry, & to y^r Lordship for the Town, in every Instance with zeal & often with Expence, and since I have become acquainted with him, with an Industry, whereto the Success which has attended has in great measure been owing; for I am fully satisfied that if we had wanted either him or Mr. Crompton, neither y^r Ldship nor myself cou'd have prevailed in any of the contests we have had; of such great Service have the united endeavours of those two Gentlemen been. He was engag'd in the Services I have mentioned before I had any acquaintance with him, and I believe wou'd have continued the same zeal, tho' I had never been interested therein, and has hitherto never had any Reward or Compensation besides the Satisfaction of serving so Noble a Family, and so steady to the true Interest of England, and therein of serving his Country. It is hardly worth mentioning to Y^r L^dship, that my obligations to him are infinite; without his Friendship I cou'd never have made one step to any Pretence at Derby my self, or to serve Y^r L^dship there. Only it will be some Excuse for my Importunity in this affair, wherein if my humble Application to Y^r L^dship, & this Representation be followed by Y^r Lordships favouring his son, it is the first Return I have ever been able to make him. I have had frequent experience of Y^r L^dship's Goodness in the ready serving & hope that have serv'd y^r Interest. Tho' my ability to serve y^r L^dship has never equal'd my inclination yet my Endeavours have never been wanting, & y^r L^dship will have the Goodness to pardon my thus begging for my self in some measure (since it is to discharge some part of a Debt of Gratitude I owe to Mr. Parker) the person I am asking for having serv'd y^r

L^dship too, both zealously, and I think I may say effectually. I beg Pardon & Leave humbly to assure yr Lordship that I am with the heartiest Zeal & Sincerity, my Lord, yr L^dships

Most Devoted Humble Servant

T. Parker.

We have had a Poll here for the Minister which has faln on Mr. Sudel: Mr. Bagnold stood the Poll against him, with 14 out of 36, having for him every one of yr L^dships Enemy's, & not one of yr Friends except his Brother, a thing that has occasion'd some Wonder here."

The Hon. James, Lord Cavendish, and Thomas Parker had been twice together members of parliament for the town of Derby when this letter was written, but the living did not become vacant until seven years after. Three rectors only served Staveley from 1662 until 1821, a period of 159 years.

Apparently, judging from Mrs. Gisborne's diary the decision for Francis to succeed his father as rector of Staveley was not taken till very late. The son was sent for to see his father on September 5th, 1759, and arrived on the 6th, though it seems doubtful if he was recognised, and death took place at 3 a.m. on Friday the 7th. The same morning, "Frank" set out for Latimer Abbey where the patron assured him of the living. Thomas, the eminent physician, did not arrive till the 9th from London, the funeral being on the next day. As early as September 23rd Francis was ordained deacon at Ecclesall by the Bishop of Lichfield, read morning and evening prayers at Staveley for the first time on October 14th, and was ordained priest at Kensington by the Bishop of Ely on November 1st. On January 15th, 1760, he took the oaths at Derby sessions and thus completed the formalities, his first sermon having been preached in the church on Sunday, December 23rd, 1759. His last was on Sunday, December 26th, 1819, for when he tried again subsequently the parish clerk and his curate gently intervened, and led him back to the choir stalls because of his age and bodily infirmities.