

THE EYRES OF HASSOP, 1470-1640

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II. THE FORTUNES OF ROWLAND EYRE*

6. *His second marriage*

ADVANCEMENT by marriage was general in rising families of all ranks in the Elizabethan age; that their children should marry well was the constant preoccupation of good parents. It was expected nonetheless that "good liking" should exist between the young couple, and a stipulation to this effect was frequently written into the pre-nuptial settlement. General opinion was probably equally against forced marriage and opposition to parental wishes. In the case of older persons the motive was perhaps more frequently sheer and unconcealed gain.

The ceremony of marriage became a point of practical difficulty to those who adhered to the old religion and refused to be married in church "without a mass". As a result Roman Catholics are frequently found among the numerous persons who were haled before the ecclesiastical courts for the offence of clandestine marriage.¹

About 1600, matrimonial negotiations can be traced in detail for Rowland Eyre's own second marriage and for that of his second son Gervase. Rowland, even in the eyes of his contemporaries, was altogether too grasping. The result was that Gervase died a bachelor, and Rowland appears never to have lived with his second wife. In his own view he was the victim of her deliberate attempts to injure him and his family, as he makes plain in the statement below recording her financial misdeeds.

Gertrude, Rowland's first wife, was living in 1598, when she was a party to a fine relating to the manor of Barlow, levied in Easter term that year.³ She must have died soon after, for in 1600 Rowland was again planning to augment the family estates by matrimony. His prospective bride was Elizabeth, the widow of Robert Sitwell of Staveley Netherthorpe who had died the previous year, aged about eighty.⁴ Widow Sitwell had a brother — more probably a half-brother — John Bingham *alias* Cowper described as "husbandman of Hathersage", aged "seventy-six or thereabouts" in 1606.⁵ They were the children of William Bingham of Eckington whose will, proved at Lichfield in 1560, mentions sons and daughters John, William, Jennet and Elizabeth. Robert Sitwell, whose first wife Alice appears in Staveley Nether-

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"The true particulars of such wrongs and un[just] courses & practises, as hath bin taken against mee by my wife and one Tho. Alsop, of purpose to undoe mee & overthrowe my House.²

Before Marriage

Complaint being made hereof in the Chancery there was releef, pay-
ing onely £200 by way
of composition

She entered into a Bonde of £1500 to one Mr.
Thomas Kidman then servant to the right hon.
the Earl of Shrewsbury.

£1500

One bond of £1500 to one Edward Dayne [Deane]
her kinsman.

£1500

These were proved to
be utterly fraudulent
and I received release
for the same

A Bill of £900 to George Turner her nephewe &
one Robert Mason her nephew likewise.

£900

Another Bill to her said two kinsmen of 600 &
odd pounds.

£600

A deed of Guifte to the said Mason of all her
goods:

—

After Marriage

This was questioned in
the Chancery where I
was freed from the
same Bond by the right
hon. the lord Chancel-
lor, who found the
Bond to be suspitious
& not fitt to take any
advantage upon.

Shee entered into a Bond of £2000 to Thomas
Alsopp, not knowing the same to be a Bond, but
thinking it to be a letter of Attorney which he
had written upon the other side of the same sheet
of paper, and read unto her, whereupon shee
signed it supposing it to be the letter of Attorney
which he had read unto her, which done Alsop
cutt of that side of the paper wherein the letter
of Attorney was written, leaving the Bond onely
upon one half sheet of Paper

£2000

Of this I was guited
[guilted?] at the Com-
mon Lawe.

Shee entered into an Assumpsit of £1000 to pay
Alsop £1000 in marriage with one Joane Mason
her Neece, And this Asumpsit was entered into
in an Alehouse where Alsop had brought her &
persuaded her hereunto in the presence onely of
one Wm. Lee, Bayly of Shefeild, servant to the
said right hon. Earle of Shrewsbury.

£1000

A conveyance of her landes to her brother
Cooper.

A Bond of £80 to Peter Browne of Staley to pay
him £40 in marriage with one of her neeces."

£40

thorpe deeds between 1552 and 1573,⁶ had married Elizabeth, a known recusant, in the 1580s. His kinsman, another Robert Sitwell, stated after his death that "he hath credibly hard that at the tyme of the supposed marriage

of the said Robert Sytwell, deceased wepte and wronge his hands, saying alas that ever he sawe that day''.⁷ Elizabeth, however, seems to have gained the ascendancy over him, and when he died without issue in 1599 a wealthy man, he left her practically everything, his cousin and male heir, Francis Sitwell, receiving only the copyhold estates at Eckington, subject to the payment of £500 in legacies.⁸

Eyre's first business contact with widow Sitwell was probably the proposal of a marriage between his second son, Gervase, and her niece, Joan Mason, daughter of her sister and apparently regarded as her heiress. It was agreed by a deed dated 8 May 1600 that Gervase should wed Joan before 1 May following, subject to the "good liking" of the young couple. Mrs. Sitwell undertook to pay Gervase £1,000 on the day of marriage and further agreed to convey to trustees all the lands she had inherited from her husband and her goods and chattels, to the use of Gervase and Joan and their issue, and in default of issue to *Gervase's right heirs*; Gervase and Joan were to be her executors. Inserted in another hand above the line are the words: "if the said Elizabeth do not otherwise dispose of it by her last will and testament". Rowland was to convey to her his copyhold lands in Holmesfield for her life, and also to "solicit and follow" at her charge all such actions as she had at common law.⁹ However, the marriage was broken off and the parties cancelled the deed of settlement by breaking the seal.

At some point in the negotiations Eyre must have conceived the idea of marrying Mrs. Sitwell himself, though she was already deeply involved in matrimonial schemes with one Kidman, strongly supported by his patron, the earl of Shrewsbury.¹⁰ At about the same time Rowland executed several deeds of settlement, probably so that his prospective wife could have no claims on his estate, rather than on account of his incipient recusancy. On 27 March 1600, he settled his estates on his son Thomas and his issue, with remainder to his other sons in order of age, reserving to himself only the Barlow rent charge of £100. The trustees were John Manners of Haddon, his son George, Anthony Eyre of the Rampton family, Christopher Pegge, Eyre's son-in-law, and George Merell, a confidential servant. Six months later (8 October 1600), he made over to Thomas all his goods and chattels, except two mares and the lease of Howe Grange in Bradbourne, Thomas becoming responsible for the payment of his sister Frances's dowry and certain sums to his younger brothers and his own children.¹¹ All this may well have been kept secret from Mrs. Sitwell, who would not have wished to marry a man who was legally a pauper.

Mystery surrounds the actual marriage, which appears to have taken place between January and June 1601; several years later it "was confessed by hym the said Rowland in open assizes to be in a close neere unto the highwaye betweene Hassope and Baslowe and . . . was kepte secrett diverse yeeres after".¹² Clandestine marriage was a frequent charge in ecclesiastical courts, without any necessary recusant significance; it seems highly probable, however, that in this case it was performed by a priest of the old religion, probably a Marian priest, of whom there were several still active. Secrecy was also

needed if Mrs. Sitwell was not to forfeit the lands she held by copyhold tenure, on account of her remarriage. John Wastneys of Eckington, gentleman, aged about eighty-three, went into greater detail on the subject of the secret marriage, which he said took place on 3 April far distant from any town or house and in the presence of only two or three witnesses, his sons and her nephews, and was most strangely kept secret for four years.

There were, said Wastneys, "many suytes presented and defended by the said Rowland Eyre in her name, by the name of Elizabeth Syttwell, widowe . . . and . . . since the marriage of the said Rowland and Elizabeth he hath divers tymes herd the said Elizabeth vowe and swere with many othes that she was not maryed unto the said Rowland Eyre and said she had rather see hym hanged than ever she would be . . . and . . . did after her said mariage with the said Rowland Eyre entertheyne in way of marriage divers & sundrye sutors, as namely Mr. Shercllyffe, Mr. Browne, one Mr. Jarvis, Mr. Swynerton, Mr. Howsden and one Richard Tompson and divers others, whereof . . . the said Rowland Eyre could not be ignorante . . . but . . . the same was rather a practise and devise of the said Rowland Eyre of purpose to keepe secrett his said marriage and to gett into his handes the whole estate of the said Elizabeth, being thought to be worth £5,000 and nott to have her knowne to be his wife, for the priest that married them tould Laurence Alsop . . . that yt was at the choyce of Mr. Eyre whether he would have yt a maryage or a contract, but howsoever yt was, she was cosoned; and further [Wastneys concluded] he never hard of the lyke misbehaviours and cunnigne practises in any person since he was borne."¹³

Such practices were not so uncommon as Wastneys chose to make out. There are "plenty of . . . cases recorded where betrothals or 'handfastings' with giving of tokens before witnesses were made with [*verba de presenti*] rather than *verba de futuro*. Everything depended on the intention of the speakers. They might even proceed to live together at once after this espousal and so puzzle the canonists to know whether the ceremony were a betrothal or a true marriage."¹⁴

Exactly what Eyre eventually obtained by the marriage in terms of money or property is far from clear, and this issue tends to be lost sight of in the disputes that followed. Sir George Sitwell discusses the fate of Elizabeth's various properties at length, the estate being already in a legal tangle when Robert Sitwell died; but unfortunately the documents he undoubtedly possessed are referred to in vague terms and, as far as Eyre is concerned, Sir George's statements are conflicting. He mentions an agreement of 19 January 1609/10 by which Eyre allowed Mary Sitwell of Eckington, widow of Francis, to enjoy all the freehold lands in Eckington and Killamarsh which he held in right of his wife Elizabeth, but on what terms Sir George does not state. "Much of [Robert Sitwell's] personal property had disappeared . . . [Elizabeth] retained the outlying lands at Bolsover, Brampton, Chesterfield, Staveley in Derbyshire, Brampton le Morthen and Conisbrough in Yorkshire, her husband's household goods and the residue of personality due for debts owing to him as invested in mortgages."¹⁵ How much of this property Eyre enjoyed during his wife's lifetime is unknown. He agreed to allow George Sitwell to enjoy at a money rent the Eckington

and Killamarsh lands in 1615, but the rent is not mentioned by Sir George.¹⁶

Meanwhile Rowland had not neglected the question of a marriage for Gervase, as the following letter shows:

*Letter from Edward More to Rowland Eyre*¹⁷

"Sir, having soome ocasion contrary to my espektation that I caud not coom to Hasope acording to my apoyntment with Mr. Jarves your soone, this is to desir you to lend Mr. Birteles xii li. until your coming to Birteles, and if you agrie of a marieg then it wilbe parsele of your payment and if you do not then hie wile geve you security for the repaying of it presently after astar [Easter], but the[y] sime verie wiling to dele with you, the[y] lick your sone wele and the young genttelwoman¹⁸ licketh him best of any that hath yet come ther. I pre[y] you [let] him coum ovar agen at Cristenmas acor[d]ing to the letar hie brought and let us knowe by hime whene you cane coome ovar your selef with him sosune aftar Cristenmas as you can, for wie must nides have mone[y] in some plase before Candemas. Thous not douting but you wile send him xii li. by this berar for I have mad bould to promis it of your hed. I spak to Mr. Jarves for x li. but hie woule have xii li. I comit you to the protec[tion] of the Almighty, frome Birteles the 20 of Descember 1601.

Yours to ues at altimes

Edward More"

In the tale of the Sitwell marriage case, however, Joan Mason's further history is of more relevance than Gervase's. By Eyre's means, unknown to the girl, she was placed in the service of Mistress Pegge (Eyre's daughter Jane) at Kniveton, about the beginning of June 1600, in anticipation of the proposed marriage with Gervase. On the Sunday next after Michaelmas, the marriage negotiations having meanwhile been broken off, an offer of marriage was made to her by Thomas Alsop, under-bailiff of Scarsdale, in the ale-house of Thomas Frost of Kniveton, who called her in as she was going down the street. On the same Sunday, according to her evidence, she and Alsop were "in company together" in Mr. Pegge's house and sent to Frost for cakes and ale; Alsop promised Frost £4 if the marriage took place.¹⁹

Joan's aunt apparently made enquiries about Alsop and was told by John Wastneys that he was an "honest towardly yonge man and thought his father woulde leave him a good estate". She, however, opposed the marriage, possibly on religious grounds, for the Alsops were not recusants. Nevertheless they were secretly married. According to Eyre's petition, Alsop claimed that on 10 November 1600 Mrs. Sitwell, being then unmarried, promised him the same dowry with her niece as she had previously promised to Gervase, namely £1,000; he and his father had repaired the deed which Eyre had cancelled, and presented it in evidence at the trial in the Queen's Bench held at Derby. Alsop also persuaded Mrs. Sitwell, knowing she could not read, to sign a document which he told her was a letter of attorney authorizing him to collect a debt owing to her from one George Lache; in fact it was her bond in £2,000 to pay Alsop the £1,000. It was on this bond that Eyre alleged Alsop had altered the dates, but in the Queen's Bench judgement was given in favour of Alsop's claim to £1,000.²⁰

Alsop now took action to obtain the money from his wife's aunt. On Christmas Day 1603 he carried her off by force from her house at Staveley Netherthorpe where she was still living, took her to the Alsops' house at Chesterfield and then, having obtained a process and a warrant, to Derby gaol. As she gave no bail, there she remained for six months, until Eyre acknowledged her as his wife and by indirect means bailed her out of prison.

It must have been through these proceedings that the Eyre marriage became known. Alsop realized it was from Eyre, as Elizabeth's husband, that he must recover his bond. He accordingly "conspired with Nicholls the undersheriff" to obtain a writ to distrain on Rowland Eyre's goods for £2,000.

Nicholls, "having formerly had very bitter tastes of the rudenes, incivility & disobedience of divers of the inhabitants of that country of the Peake where the said Rowland Eyre then remayned & dwelled & also knowing the said Rowland Eyre and the said complainant [Thomas Eyre] to have great strength & power in the said country, amongst the myners, groavemen, Farmers & other their tenants there, who [he] did verely beleive wold upon litle warning have colected and gathered themselves into a great multitude to have resisted any execution to be had or made upon the goods of the said Rowland Eyre",²¹

took with him about sixty persons, and on the night of 24 May 1611 drove off the livestock at Hassop, which comprised 18 draught oxen, 540 sheep (Eyre's "own proper goods") and 9 fat oxen, 40 cows and a bull, some of which were the property of others, but were grazing on Eyre's ground there. Breaking down hedges, they were driven over cornfields towards Chesterfield. Owing to the settlement of 1600, they were not the property of Rowland, against whom the writ was directed, but of Thomas Eyre; this was unknown to the undersheriff and Alsop. Thomas Eyre started in pursuit and overtook the herd at a certain place called Brampton Lane, adjoining a moor called East Moor, "in a great collar, heat and passion". Nicholls, thinking Thomas Eyre "to be his father's factor and dealer in bargaining, buying & selling", thought his claim to be the owner of the animals a subterfuge, but allowed him to take away three or four geldings or mares which he believed to be Thomas's own hawking nags. The rest of the stock was sold at Chesterfield for £307. 11s. 6d.

According to Thomas Eyre, Alsop's aim was now to get into the hall and distrain his "goods, chattels, plate, jewels and household stuff".

In order to do so he "did invent, devise and wryte or cause to be wrythen a most false & sclanderous petition to the right reverend father in God, the lord archbishop of Canterburie his grace, against your said subiecte & his said father & not more false than dangerous, tendinge to bringe into danger both the lives, lands & goodes of him your said subiecte & of his said father, purporting therein that they your said subiecte & his said father were recusants & reconcyled to the sea of Rome & harborors of seminaries & Jesuits & that your said subiects said father was marryed by a semynarie prieste; and they soe sinisterlie plotted & wrought with the said Elizabeth (then lyvinge with him the said Thomas Alsop & a parte from her said husband) as that shee consented to delyver the same unto the ryght reverend father . . . A warrant from the said reverend father and some other of youre majestys most honorable privie councill was [accordingly] awarded & dyrected to Thomas Burdett esquire, then

high sheriffe of the said countye of Derbye & to George Blunt & John Parker esquires, two of your majesty's Justices of peace for the said county of Derby & to . . . Francis Durant²² . . . therby to repayre to the Howse of the said Roland Eyre & theire to make dyligent & carefull searche for semynaryes & Jesuites & yf cause were to bynd the said Roland & your said subiecte to appeare att a certayne day att there discrecions before the said reverend father."

The intention of Alsop, states Eyre's petition, was to wait on a hill within view of the house, and when the warrant was presented go in and execute the writ of *feri facias* by distraining plate and household stuff.

Alsop, "by abusing the said commissioners, procured an untrue certificate concerning the premises against the said Roland and youre said subiecte & againste one Jervice Eyre your said subiects brother, dyrected & certyfyed to the said Reverend father, whereupon youre said subiecte & his brother were sent for to appear before the said reverend father & weere committed to the gate howse att Westminster & your said subiects father was sent for by a serjante att armes & appeared to their greate & excessive coste, chardge, expence and trouble and to their great discredytt; in which pryson of the gate howse your said subiecte & his said brother remayned untill ytt pleased the lordes of your matiesties most honorable privye councell (hearinge the cause & fyndinge the matter of accusation not true) to dischardge them, whereupon they were delivered."

Durrant's answer was briefer. He stated that when they went to Hassop with the archbishop's warrant Thomas Eyre behaved himself with great contempt and would not suffer them to execute it; there was no false practice about the warrant, "for the said complainant & his father & all or most of their children, wyfes & family are reputed & thought to bee wilfull & obstinate popishe Recusants & soe have been taken to bee divers yeres". Their recusancy is the subject of the next two chapters.

II. 6. References

¹ On this subject see H. Aveling, "The marriage of Catholic recusants, 1559-1642", in *Journal of Ecclesiastical History*, XIV (1963), 68-83.

² Bag. C. 356.

³ Portland deeds, DDP. 42/54, in Notts. County Record Office.

⁴ For Robert Sitwell see G. R. Sitwell, *The story of the Sitwells*, 124 ff. This work was never published, but a set of galley-proofs is available in Sheffield City Library.

⁵ St. Ch. 8, James I 134/18, Eyre v. Alsop.

⁶ Portland deeds, DDP. 102/8, 13, 19.

⁷ E.134/43/44 Eliz. Michaelmas. Derby, 1.

⁸ G. R. Sitwell, *Letters of the Sitwells and Sacheverells*, 14.

⁹ St. Ch. 5, bundle 10/21, Eyre v. Blackwall. The document is misplaced, the Eyre v. Blackwall case being quite unrelated to it.

¹⁰ *The Story of the Sitwells* gives a long account of the Kidman affair.

¹¹ Bag. C. 2614, 2237, 2616.

¹² St. Ch. 8, 134/18, Eyre v. Alsop. Deposition of Richard Browne of Caushall, 4 Nov. 1606.

¹³ St. Ch. 8, 134/18. Depositions of John Wastneys.

¹⁴ H. Aveling, "The marriage of Catholic recusants", 72.

¹⁵ *The story of the Sitwells*, 150.

¹⁶ *Letters of the Sitwells and Sacheverells*, 16.

¹⁷ Bag. C. 2089.

¹⁸ The young gentlewoman appears to have been Mary, younger daughter and co-heiress of John Birtles of Birtles, near Macclesfield, d. 1622. She was married on 12 October 1602 to Thomas Swettenham of Swettenham (Ormerod, *Cheshire*, III, 718).

¹⁹ St. Ch. 8, James I, 134/18, Eyre v. Alsop. Also for two paragraphs following.

²⁰ The judgment is given in *Les Reports de Sir Henry Yelverton*, 1661.

²¹ St. Ch. 8, 134/19, Eyre v. Alsop, etc. And for the remainder of this chapter. (Petition of Thomas Eyre; answers of Nicholls and Durrant.)

²² The Durrants and Alsops were later related by marriage, and the Alsops inherited Durrant Hall, Chesterfield, about 1637. J. P. Yeatman, *Feudal Derbyshire*, section 4, 446.

III. SUCCESS AND RECUSANCY

I. *Church papists, 1559-1603*

Some forty years after the accession of Elizabeth the religious position of the Eyres of Hassop was still a matter of doubt, even to contemporaries. The same is true of many families subsequently well known for their Roman Catholicism. "It is very difficult to make out the religious position of many men who lived during the first twenty years of the Queen's reign even when we have incontrovertible evidence that their families were subsequently Catholic", writes a modern Roman Catholic.¹ Twenty years could, in Derbyshire, well be doubled. The Eyres like many others, but in contrast to the Fitzherberts, continued for many years to conform outwardly, and it is impossible to do more than guess at their private views and practices. Grasping and pushing, like other rising gentry and noble families of the period, they present an exceedingly worldly picture; we never see them on their knees.

There is but one known reference to the Hassop family in any recusant connection before the Armada. In a highly inaccurate "List of Catholicks in Inglonde", dated 1574 and apparently prepared in the interest of Mary, Queen of Scots, whose presence as a prisoner in or near Derbyshire made the county a centre of intrigue, is the unspecific entry: "Derbie: Eyre of Hassop".²

The name of Fitzherbert has in the past dominated Derbyshire recusant history during the reign of Elizabeth. This is not unnatural; Sir Thomas Fitzherbert was a consistent opponent of Elizabeth's religious policy from its inception and suffered for his views from his imprisonment in the Fleet in 1561 until his death in the Tower thirty years later. Two of his nephews were prominent among the English Roman Catholic exiles abroad. The seminary priests, Garlick and Ludlam, were found in hiding at his house at Padley in 1588 and are famous as the "Padley martyrs". The Eyres of Hassop, related to Sir Thomas's wife, have been assimilated into this tradition by Derbyshire historians. A general survey of recusancy in Derbyshire is beyond the scope of this study, but so far as concerns the Eyres of Hassop the picture is wholly misleading. It ignores the local situation and the cross-currents of family history; in the wider history of recusancy it assumes there were clear-cut lines in a situation essentially indeterminate and fluid.

The Fitzherberts had been lords of Norbury for centuries before they came to Hathersage in the High Peak, and they remained in fact a south Derbyshire family with strong links across the Dove into Staffordshire. Anthony Fitzherbert the judge, who died in 1538, had married one of the heiresses of Richard Cotton and so acquired the manor of Hampstall Ridware near Lichfield. The will of his elder brother John, the 12th lord of Norbury, shows that the family had many interests in Staffordshire, and Anthony's daughters married into families living in this same area.³

It was the marriage of Anthony's son Thomas Fitzherbert (born about 1517) to Anne Eyre, that brought the Fitzherberts to the High Peak, but it is unlikely that Thomas ever lived at Padley. Anne was the only daughter

and heiress of Sir Arthur Eyre, only son of Robert Eyre III of Padley. Sir Arthur's male heir was his first cousin Christopher Eyre of Highlow, who like him was a grandson of Robert Eyre II of Padley. When Sir Arthur died, having settled all his property on Anne and her husband, the inevitable result was a Chancery suit brought by Christopher Eyre against Fitzherbert.⁴ Eyre apparently lost his case. The fact that Thomas Fitzherbert's brother and heir John, who was unrelated to the Eyre family, was settled with his children at the old Eyre hall at Padley cannot have lessened the hostility which the Highlow Eyres continued to feel towards them. Rowland Eyre, related to the Highlow family "by blood and alliance", is likely to have shared their rancour to a certain extent. These family differences serve to underline the fact that the Eyres' incipient recusancy did not stem basically from a Fitzherbert source.

Returns of recusants in the High Peak at the end of Elizabeth's reign and after are dominated by the long list of the erstwhile Fitzherbert tenantry at Hathersage. There are, however, smaller groups at Tideswell, the neighbouring hamlets of Wheston, Wormhill and Tunstead, and at Chapel-en-le-Frith.⁵ Tideswell in particular appears to have come largely under the influence of Bishop Pursglove, and it is from his ambiguous attitude that the Hassop Eyres' recusancy springs, at least indirectly.

With Tideswell Rowland Eyre's family connections were close. His great-uncle had been vicar there for over forty years. His uncle Thomas, Bishop Pursglove's old servant, died there in 1570-71, leaving the vicar William Fieldsend, Rowland himself and George Blackwall, supervisors and beneficiaries under his will. Fieldsend, Bishop Pursglove and John Cock, the schoolmaster of Pursglove's grammar school, were witnesses.⁶ George Blackwall, Rowland's uncle by marriage, was also of Tideswell. In his will, dated 8 February 1575/6, Rowland was again named as supervisor and as one of the sureties for making certain payments to Blackwall's grandson and heir. The will begins with the time-honoured formularies of the old faith and directs that his body shall be buried in the Lady Choir at Tideswell church.⁷ There must have been as many of Rowland's relatives buried there as in his own parish church at Great Longstone.

The attitudes of Bishop Pursglove and William Fieldsend to the Elizabethan settlement undoubtedly were important influences on Rowland Eyre. After the passage through Parliament of the Acts of Supremacy and Uniformity in April 1559, a visitation to enforce the use of the prayer book was carried out during the summer. Fieldsend, who had been vicar of Tideswell since 1552, subscribed to the oath at Lichfield. At York the benefices and promotions of Robert Pursglove, suffragan bishop of Hull, were sequestered.⁸ His opposition appears to have been reluctant, and he was never imprisoned. In 1560-61 he was busy founding and endowing his two grammar schools at Tideswell and Guisborough, which he placed under the authority of the diocesan bishop in each case; at Tideswell the vicar and churchwardens were to be trustees. Pursglove was specifically given the right to appoint the schoolmaster and choose the psalms and prayers to be recited daily.⁹

In 1561 he appears in a list of "Recusants which are abroad and bound to certain places: . . . Robert Purselove, late suffragan of Hull, and before an abbot or a prior, to remain in the town of Ugthorpe [his own manor] in the county of York, or within twelve miles' compass about the same". A marginal note states: "very wealthy and stiff in papistry and of estimation in the country".¹⁰ On 16 August 1566, however, he entered into a bond to the High Commission at York "not to attempt anything by teaching, preaching, open talking or otherwise sinisterly to the disturbance or hindrance of her Majesty's laws concerning religion" and to remain in York diocese or Derbyshire.¹¹ Following this undertaking he returned to Tideswell and personally supervised the school there.¹²

His acquiescence was in marked contrast to the active opposition of Henry Comberford, rector of Fitzherbert's parish of Norbury, precentor of Lichfield and probably Fitzherbert's cousin. Credited by Archbishop Grindal with having "inspired all the lay Catholic resistance in the diocese" of York,¹³ Comberford was arrested when the countess of Northumberland's house in Sheffield was searched for mass-priests. Grindal reported that he defended the service of the mass before the High Commission on 8 November 1570.¹⁴ He died a prisoner in York Castle in 1586.¹⁵

Fieldsend continued as vicar of Tideswell until the early 1570s. Before 1576, however, he came into conflict with the ecclesiastical authorities and was forced to go into hiding. A letter from the earl of Shrewsbury to Lord Burghley, dated 15 April 1579, gives a succinct account of his position at this period:

"I had forgotten to let you understand of a papist I caused to be apprehended, that I have a good while laid wait for within my lordship of Glossop. His name is Feldsende, sometime vicar of Tidswall, and because he could not mass and mask in his garments he resigned up his vicarage, and hath ever since kept himself in secret, and denies not absenting himself both from Service and receiving of the Communion. And surely he is both wise and stout (?), and bears the name of learning and therefore may do much harm; and do mind to keep him here till I hear from you what shall be further done with him.

Sheffield, 15 April 1579."¹⁶

Some days later Shrewsbury wrote another letter on the same subject, this time to Walsingham:

"I have received your letter concerning the papist priest. He is a very obstinate and froward fellow, and hath done no good where he was. I will accordingly take order for him. I think best to send him to York which is nearest unto me, being at Sheffield. From Sheffield, 26 April 1579."¹⁷

Fieldsend was subsequently imprisoned at York and Hull and was one of several priests banished to France in 1585.¹⁸

It was possibly in connection with Fieldsend's resignation that Purselove left Tideswell and went to live with his nephew at Dunston, where he died. His opposition to the Elizabethan settlement continued to be a passive one. His death in May 1580 is recorded in the Chesterfield parish register, and he

was buried in the chancel at Tideswell.¹⁹ Rowland Eyre is known to have been with him on several occasions just before his death, and the bishop's ambiguous attitude doubtless influenced his own.²⁰ Pursglove's position is summed up from the Roman Catholic point of view by the author of an answer to a "Comfortable advertisement . . . written of late to afflicted Catholykes concerning goinge to Church with protestantes"; the apologist had cited "Mr. Dr. Pursley Lord Suffraganne of Hull" in support of the practice of attending morning or evening prayer at the parish church as required by law.

"But alas for pitye", his opponent writes, "what an hard shifte is this that our comfortour is driven to these straytes to defend his new protestation by the authoritie of Mr. Pursleyes imperfections, who in deede in the beginninge of the late schisme was exceedinge farre out of the right way & could never be reclaymed perfectlye untill his deathe, in soe much that ordinarye he was accompted amongste catholykes of all sortes noe better then a schismatyke & rather thought to be a scandalous newter, to the destruction of many simple soules which by his schismaticall actions were seduced and kepthe in schisme, then to give any good example of Christian dutye at all. much more tymorous to incurre the danger of temporall lawes then forward to doe his dutye to God."²¹

No light is shed on Rowland Eyre's religious views during the years that followed the bishop's death, when the Roman Catholic missions from abroad were launched upon England and penal legislation directed against Roman Catholics, seminary priests and Jesuits.²² With two notable events in Derbyshire recusant history of the 1580s Rowland had no connection. In 1581 Edmund Campion, on his famous English mission, stayed with several Derbyshire families, but none of these lived in the High Peak, where Jesuit influence was insignificant for many years to come. Proceeding from the house of Henry Pierrepont at Holme Pierrepont in Nottinghamshire after Christmas, Campion stayed in south Derbyshire with the Sacheverells, Longfords and Powtrells of West Hallam. From the latter place he "went to Mr. Ayers of the Stipte on the Monday week after Twelfth-day".²³ After Campion was taken prisoner in the summer, all these people were haled before the Privy Council.²⁴ The "Mr. Ayers" in question was undoubtedly Robert Eyre of Spital, Chesterfield, Pursglove's nephew, who though a convicted recusant and excommunicate, was buried at Chesterfield parish church on 15 December 1598, thus causing an interdict to be laid on the church.²⁵ There is ample evidence in the Haddon accounts that in 1581 Rowland Eyre was otherwise, and busily, engaged on John Manners' business and the lead-smelting case of infringement already mentioned.²⁶

About 1583 and again in 1587 the priest Nicholas Garlick was active in Hathersage and the Peak. The earl of Shrewsbury, freed from the incubus of his royal prisoner, was pursuing recusants in general and the Fitzherberts in particular; his brother-in-law, John Manners of Haddon, acted perhaps somewhat reluctantly as his second. In the Armada year the gaol at Derby was filled, and Garlick and Ludlam, taken prisoner at Padley Hall, suffered the death of traitors. Eyre was in the throes of the Barlow manor dispute

with Shrewsbury, and Manners was his patron; he could afford to offend neither. He was busy making money and building up the Hassop estate. He doubtless went to church and kept his own counsel.

Probably Rowland's public views at this time are most nearly represented by those expressed, under examination, by Nicholas Blackwall, his relative, close associate and father of Thomas Eyre's future wife. Blackwall's position in 1588 was an odd one. He was clerk of the peace of Staffordshire and at the same time resided in Fitzherbert's manor of Hampstall Ridware, acting in some sort of legal capacity for him, though he denied he was Fitzherbert's solicitor. He appears to have done a considerable business with other recusants in and about Hampstall, many of whom were Fitzherbert's tenants. It was not unnatural that in 1588 suspicion fell on those who, like Fitzherbert, had close relatives among English Roman Catholics abroad. Fitzherbert was interrogated before the Council. Further questioning of him and his tenantry at Hampstall appears to have been left to the odious Richard Topcliffe.²⁷

Blackwall's examination took place on 22 June and 2 July:

- "1. Being asked whether he doth use to receave the Communion, doth answere that he hath not receaved thes 19 yeares: but saieth he doth not abstaine for religion, but by reason of suites in lawe and other controversies.
2. For his wyf shee hath not receaved the communion sythence she was married, not all that tyme, and how long before he knoweth not. And of the rest named in the article, he saieth that theie do not receave the communion to his knowledge, nor have don at any tyme hertofore. All his servauntes do ordinarily receave.
3. He doth utterlie deny that article, but saith he hath hard of such a booke as is mentioned in the article.
4. He saith he tooke the Othe of Supremacy at his Admittance at Clements Inn about twenty yeares sythence. And doth offer truly to the othe, wishing otherwyse not to live.
5. He saith that ther be a great number of his neighbours and frendes Papistes. But he hath not ben a favourer of them in their Papistree."²⁸

Rowland Eyre's position was probably a similar one; he had no lack of suits at law to excuse him from the Easter communion. Blackwall's other answers were made to detailed questions about his alleged assistance to known papists on Fitzherbert's estates at Hampstall, particularly legal assistance in helping them to evade the penal laws. He confessed that by his means one Arnold (probably the father of Richard Arnold, a seminary priest) had been shown favour by a pursuivant named Cole, and Arnold's recusant wife, together with several others, had been bailed out of Stafford gaol. He denied he had helped any recusants to find legal errors in their indictments or had prevented the seizure of recusants' cattle by having them branded as his own. Other questions concerned his relationship with Sir Thomas Fitzherbert and his nephew, and whether "he threatened any of Sir Thomas' tenauntes, being goers to Church, to be displaced". He maintained that he had in fact attempted to persuade certain tenants to come to church for the English service.

In 1590 the situation in north Derbyshire was somewhat altered by the death of the 6th earl of Shrewsbury. The new earl was himself believed to incline to Rome and, though he took pains to dispel this suspicion, open recusancy in north Derbyshire appears to have increased. Robert Eyre of Edale, still bailiff of the High Peak and now a magistrate, was alleged to be a protector of recusants. The report which Anthony Atkinson, searcher of Hull, sent to the government in October 1593 is interesting, though there is no specific reference to the Eyres of Hassop:

"And further some fleethe into Darbieshier unto the hie peeke and there is one Robartt Eyre [of Edale], a justice of peace onely for that country and he favoringe his brother Robert Eyre and many of his kynsmen who are Recusants, gives warning when any search is portended and so makes them fle into the mounteynes in the peeke country . . ."²⁹

Though at first sight it seems confused, Atkinson's account is likely to have been well informed for it is very probable that he was the same Anthony Atkinson who was the husband of Robert Eyre of Edale's niece Ellen, youngest daughter of Thomas Eyre of Highlow; the latter's widow and Ellen's mother was married to Edward Holmes of Paull Holme on the Humber a few miles south of Hull.³⁰

Robert Eyre, the magistrate's "brother" of the same name, was undoubtedly the notorious recusant Robert Eyre of Chesterfield already mentioned as Campion's guide. He died without wife or children living, but appears to have been the Robert Eyre who married Anne Reresby, sister of Jane Reresby, Robert Eyre of Edale's first wife.³¹

Rowland Eyre is not mentioned personally in the above account nor does Hassop appear in a detailed list of houses in the north midlands, including Derbyshire, where priests were known to resort in 1595.³² In the diaries of the Roman Catholic seminary at Douai, however, are entries recording the admission to the table in the lower hall of the college of Adam Eyre and Ottywell Needham, lately come from England, on 29 September 1591. On 24 February 1592 they both received the first tonsure and minor orders. On 3 November Adam was among those sent to the Jesuit fathers for instruction.³³ Nothing further is heard of Adam's career abroad. In 1600 Peter Eyre was a student at Douai; on 19 June "*Angliam petiit Petrus Ærius alias Staffordus adolescens, sanitatis recuperandae causa*".³⁴

The names and approximate ages agree well with those of Rowland's third and youngest sons, who bore these names. Peter is not a common Eyre name and the fact that his alias was Stafford seems to prove conclusively that the two boys were both Eyres of Hassop. The link between Hassop and Douai may have been the exiled priest Fieldsend; a young man of that uncommon name entered the college a few weeks before Adam Eyre.³⁵

Few conclusions can be reached from the scanty evidence about Rowland Eyre's religious position up to the end of the century. His family were not as yet important enough to merit the notice of those in authority so long as they were not notorious recusants. That Rowland conformed to the point of going to church cannot be doubted, and at this time he probably had no

dealings with seminaries and jesuits. Any supposition that Hassop harboured priests or that life there in any way resembled that at Braddocks or Harrowden as it appears in the *Autobiography* of John Gerard is pure fiction. Gerard would have described Rowland as "a schismatic, that is, a Catholic by conviction but conforming externally to the state religion".

III. 1. References

- ¹ David Mathew, "The approach to Recusant History", *Dublin Review*, Spring 1959, 25.
- ² *Catholic Record Society*, XIII (1913), 99.
- ³ J. C. Cox, "Norbury Manor House and the troubles of the Fitzherberts", *D.A.J.*, VII (1885), 221-59.
- ⁴ C.1/786/38. Christopher Eyre's petition.
- ⁵ See Appendix A for published lists of Derbyshire recusants.
- ⁶ P.C.C. 23 Holney.
- ⁷ Proved, P.C.C. 1576.
- ⁸ H. Gee, *The Elizabethan clergy*, 121, 45. Pursglove was never actually deprived of his office, and no successor was appointed as suffragan bishop of Hull.
- ⁹ Tideswell school statutes, 16th article.
- ¹⁰ *Cal. S.P.D.*, Eliz. 6, 521.
- ¹¹ H. Aveling, *Post-Reformation Catholicism in East Yorkshire, 1558-1790*, 15, quoting York High Commission Act Book, 1566-8, f. 48 v.
- ¹² On 28 October 1569 Pursglove wrote to Roger Toocotts at Guisborough, "I am now for the most part abiding in Derbyshire". Quoted in "Bishop Pursglove of Tideswell", *D.A.J.*, XXXII (1910), 26.
- ¹³ *Post-Reformation Catholicism in East Yorkshire*, 15.
- ¹⁴ *Cal. S.P.D.*, Eliz. 1, 396. The countess was daughter of the 4th earl of Shrewsbury. She lived at Broomhall, Sheffield.
- ¹⁵ *C.R.S.*, V (1908), 192. List of persons who died at York.
- ¹⁶ *H.M.C. (9), Salisbury*, II, 252. The name of Fieldsend's parish is there given as *Westall* (? , but the word is clearly *Tidswall* in the original.
- ¹⁷ *H.M.C. (9), Salisbury*, II, 253.
- ¹⁸ York High Commission Act Books 1580-85; list of those transported to France, *C.R.S.*, V (1908), 193.
- ¹⁹ Chesterfield parish register has the following entry: May 1580 "Dr. Pursglove episcopus quondam de Hull sepult. apud Tidswall iiii die".
- ²⁰ On the occasion of making "two bills indented" concerning the bishop's funeral; witnessing his will; and making an assignment of the lease of Tideswell school lands from Adam Pursglove to Eyre (St. C. 8, bundle 134/16).
- ²¹ MS. at Oscott College, quoted C. G. Bayne, *Anglo-Roman relations*, 289. The date is about 1588.
- ²² The acts were as follows: 23 Eliz. c. 1; 27 Eliz. c. 2; 29 Eliz. c. 4; 35 Eliz. cc. 1, 2.
- ²³ Simpson, *Edmund Campion*, 187; Lansdowne MSS. 30-78.
- ²⁴ *Acts of the Privy Council 1581-2*, 257: 12 November 1581, "letter to the Earle of Sallope for the sending up to their Lordships of — Langford and — Ayre".
- ²⁵ Extracts from Chesterfield registers, Yeatman, *Feudal Derbyshire*, section 4, 268; administration granted to his mother, Alice Fletcher, 16 April 1599.
- ²⁶ See *D.A.J.*, LXXXIV (1964), 32.
- ²⁷ The questions addressed to the tenants are transcribed in *D.A.J.*, VII (1885), 256, from *S.P.D.*, Eliz., 195/75. A number of the persons mentioned are the same as those named by Blackwall.
- ²⁸ Folger Shakespeare Library, Bagot MSS. L.a.1011.
- ²⁹ *C.R.S.*, V (1908), 221 (original in SP 12/245, 131).
- ³⁰ C.2 Eliz. E.1/44 gives names of T. Eyre's daughters' husbands. For Mrs. Eyre's marriages, see *Glover's Visitation of Yorks.*, 75. The pedigree facing p. 1 in *D.A.J.*, LXXXIV (1964) unfortunately shows Thomas Eyre of Highlow the son, instead of the father, as the husband of Anne Reresby.
- ³¹ Robert Eyre's second wife was Margery, to whom administration was granted 21 April 1602 (Lichfield Diocesan Act Book 10, f. 81b.). That she was Anthony Babington's widow, who married as her second husband Edward Stafford (died 1594, P.C.C. Administrations), is suggested by two pieces of evidence. In several lists of pensions paid in the early 17th century by Gilbert, earl of Shrewsbury, the two foremost recipients are Francis Babington and Mrs. Margery Eyre, each having £33. 6s. 8d. which would seem to be on account of the Babington lands acquired by the earl. Two entries in the inventory of Robert Eyre's goods, exhibited at Lichfield owing to a dispute about his will, are as follows:
 "Item two nagges, one pretended to be given . . . to Mrs. Anne Stafford
 Item two kine, one pretended to be Mrs. M[ary?] Stafford's, the other Mrs. Ann Stafford's."
 These two would then have been Robert's Eyre's young step-daughters.
- ³² Details in Cox, *Three centuries of Derbyshire annals*, I, 275.
- ³³ T. F. Knox, *First and second Douai diaries*, 1882, 241, 244.
- ³⁴ Third Douai diary, *C.R.S.*, X (1911), 24.
- ³⁵ Knox, 240.

2. *Church papists, 1603-1637*

Rowland Eyre was one of the local gentry present on 29 March 1603, when James I was proclaimed king at Chesterfield.¹ He may well have been among those who later gathered at Worksop to welcome the new monarch on his journey south. James's Roman Catholic subjects had great hopes that he would relax the recusancy laws in accordance with declarations made before his accession. Recusancy fines were in fact remitted for a period, but fearing the consequences of his leniency in March 1604 the king banished Roman Catholic priests and the following year revived the fines. The Gunpowder Plot completed the reaction. When Parliament met in January 1606, new laws against recusants were passed and a new oath of allegiance devised.

In spite of this set-back the position of Roman Catholics became easier during the reigns of the first two Stuarts. "An atmosphere of legal calm descends upon the scene, and this is reflected in the way that the fines are assessed and in the manner in which the examinations into the fact of recusancy are carried out."² The result was that more people openly professed Roman Catholicism, and the financial net was spread wider though many escaped through its meshes. The object of conviction tended more and more to be financial rather than strictly punitive. During James I's reign the penal laws threatened for the first time to touch the Eyres positively, where they had previously acted purely as a deterrent. The financial aspect of the recusancy laws must therefore be briefly outlined.³

The fine of twelve pence a Sunday for not coming to church, imposed by Elizabeth's Act of Uniformity, was still on the statute book, but was only fitfully collected. By the act of 1581, "To retain the Queen's Majesty's subjects in their due obedience", not coming to church for more than three consecutive Sundays became an indictable offence, triable in any criminal court. The recusant convict became legally liable to pay a fine of £20 a month so long as he continued to absent himself.⁴ By the statute of 1586, "For the more speedy and due execution of certain branches of the [previous] Statute . . ." all convictions were to be estreated and certified into the Exchequer, and any who failed to pay the £20 a month forfeited to the crown, by process out of the Exchequer, two parts of his lands and leases "leaving the third part only of the same lands . . . to and for the maintenance and relief of the same offender, his wife, children and family". All trusts and leases revokable by the grantor were declared void for the purposes of the act.⁵ In effect the crown became the landlord of two-thirds of the recusant's property; it was rarely forfeited outright.

The conviction of recusants was the work of the courts and the collection of fines and forfeitures, the leasing of the confiscated two-thirds and collection of the rents, became the task of the Exchequer. Conviction did not in fact automatically mean confiscation of the two-thirds; it depended whether the conviction was proceeded with after it was estreated into the Exchequer. It is by the actual leasing of the land by the crown, however, that the stringency or leniency of the recusancy laws can be measured. Policy varied

from strict leasing to Protestant lessees at market value, to granting leases to the Roman Catholic owners at very reasonable terms. Even within this framework official policy might be modified in favour of those with influence, or emasculated by such legal wiles and evasions as recusants learnt to practise.

The Tudor and Stuart financial system being what it was, many recusant fines and rents never actually reached the Exchequer. Apart from the notorious corruption of officials, it was the common practice of the crown to grant particular revenues either at a farm or as a free gift to favoured individuals. The item of revenue might be the Irish customs (granted to the duke of Buckingham) or the debts due to the crown from an individual. The grantee collected the revenue and made what profit he could. The practice soon arose of granting the benefit of recusancy fines to individuals, sometimes for a whole county at a farm; more frequently the benefits of the recusancy of one or more named persons. Such grants were eagerly solicited,⁶ but did not always yield much profit, for they often concerned recusants as yet unconvicted; the onus of securing conviction then fell on the grantee.

The money reaching the Exchequer from this source bore therefore little relation to the number and wealth of recusants in the country at any given time. The Eyres' experience of the recusancy laws, at the beginning of the 17th century, was more in the nature of a running fight against conviction than financial loss as recusants convict. They were typical of the large body of recusants who escaped conviction for a generation or more.

The process of securing conviction began at the parish level, with the lists presented by the constables to quarter sessions. This duty was carried out fitfully, usually only if outside pressure were exerted, and was subject to all kinds of local factors, particularly if an important local landowner happened to be a Roman Catholic himself. The crown tended to rely, for securing the conviction of wealthy recusants, in whom it was naturally most interested, on informers or on grants of the kind already mentioned. The fine of £20 a month was, in the act of 1581, to be divided in three equal portions, between the crown, the poor and "such person as will sue for the same in any Court of Record". Informers therefore flourished, particularly in London. The immunity of the embassy chapels where mass was celebrated openly drew many Roman Catholics to the capital, where they no doubt hoped that numbers would give them anonymity. Informers made a practice of watching and following up worshippers emerging after mass. There were always numerous convictions at the Middlesex and London sessions of non-residents up from the provinces.⁷ Informers, however, operated all over the country and some indulged in blackmail, presenting persons who were not recusants in order to extract money from them.⁸

Informers were particularly active in 1609 and there was a crop of grants of recusancy benefits. Among these was one to Walter Toderick of the benefit of the recusancy of "Sir Rice Griffin of Hackney, Rowland Ayer of Haslope in our County of Derby, gent. . . . Recusants not yet (as he alleadgeth) Convicted and whome he purposeth by his owne industry and travell to prosecute and convict according to the laws in that case provided", as the royal grant,

dated 28 February 1608/9, informed Lord Treasurer Salisbury.⁹ Toderick was a page of the king's bedchamber, who the previous year had obtained a grant of old debts due to the crown to be recovered by him and his co-grantee.¹⁰ The recusancy grant put the onus on him to secure a conviction, in just the same way as he was to take the initiative in recovering the royal debts. There is no evidence to suggest that he was successful. Rowland Eyre is not among names estreated into the exchequer under Derbyshire, Middlesex or London around this date: nor does his name occur in the London sessions records, though a Robert Eyre and two Bagshawes were convicted at the December sessions in 1608.¹¹ Rowland probably proved an unprofitable case as his recusancy was regranted six months later to three other persons, together with that of George Bagshawe senior and George Bagshawe junior.¹²

The Manners' influence was strong on the Derbyshire bench and probably protected Rowland from conviction. It appears unlikely that he was legally convict when he and his sons came much more seriously under the notice of the authorities in 1611 and Hassop Hall was searched. A search of the house for priests could be a devastating experience even if there was nothing to hide; a determined search-party might strip the very wainscoting from the walls. As Thomas Eyre apparently opposed their entry, the searchers may well have convinced themselves that while they waited mass vestments were being hastily hidden. Few church papists can have been without some compromising articles — crucifixes, rosaries and the like. Enough was evidently found to justify an incriminating report to the Council, and Thomas and Gervase were lodged in the Gatehouse prison, the inside of which was familiar to many Roman Catholics; gentlemen prisoners about this time paid sixteen shillings a week for food and fuel there. Their father also appears to have been imprisoned. There is no record of their examination before the Council. The councillors may have believed their story, possibly a true one, of Alsop's malicious intentions; they were probably offered and subscribed to "the oath", and were then released.¹³

In London, about Christmas 1615, Thomas Edwards, Thomas Ayres and Nicholas Kempe, esquires, were remanded without bail by warrant of the bishop of London and detained in gaol "for holdinge and maintayninge eronious and scandelous opinions derogatorye and contrarve to Religion".¹⁴ At the next Newgate gaol delivery in January, Kempe and Edwards remained in prison as Roman Catholics and for refusing to take the oath of allegiance. There is no mention of Thomas Ayres, who had presumably subscribed to the oath meanwhile. He may well have been Thomas Eyre of Hassop.

In the same year Rowland Eyre's son-in-law, Christopher Pegge, entered into a curious bond whereby in a penal sum of £200 he undertook to pay his father-in-law £10 p.a. for life.¹⁵ This looks like an attempt on Rowland's part to make sure of a small annuity, for payment of a lump sum, in case of confiscation of his property for recusancy.

There is no record of any further prosecutions of the Eyres for some years. This is in line with conditions generally as there was a noticeable relaxation of the penal laws about 1617. Roman Catholics were even appointed to local

office, a move strongly opposed in the House of Commons. Thomas Eyre himself was sheriff of Derbyshire for the year 1621-2.¹⁶ In 1624 the House of Commons addressed a petition to the king, praying him to remove the many papists who held office, whose names were presented in a list.¹⁷ Though Eyre's name is not included as he was not in office that year, this and other such lists "are of great interest since they afford a measure of the extent to which Catholics were succeeding in their efforts to re-enter public life".¹⁸

Though then and in the years that followed, Thomas Eyre warded off conviction, at this very time he was marrying his daughters into Staffordshire families well known to be Roman Catholics. In each case the bridegroom was the eldest son and heir to a good inheritance. Dorothy, his eldest daughter, married as his second wife Edward Fowler of St. Thomas's priory and was the mother of his only surviving son, Walter, born about 1620.¹⁹ The Fowlers were already well established as Staffordshire gentry and justices of the peace at the beginning of Elizabeth's reign. Their recusancy may be said to begin with Dr. Poole, deprived bishop of Peterborough, living at St. Thomas's in the 1560s, and end with the death in 1716 of the last of the male line of the Fowlers, during whose lifetime George Witham, Roman Catholic bishop of Marcopolis and vicar apostolic of the midland district, resided there.²⁰ In Dorothy's lifetime her brother-in-law, William Fowler, a Dominican friar, was chaplain to the family. Dorothy, left a young widow with a son and three daughters, compounded for her widow's estate as a recusant in 1630 for an annual payment of £13. 6s. 8d.²¹ Subsequently, however, she seems to have been beset by the informer Farrington, probably for the additional payment of twelve pence a Sunday. A letter from Richard Dyot to Viscount Wentworth in 1634, about Staffordshire compositions, includes the information that "Mrs. Fowler and her servant Lane enjoy their quiet, being delivered by your Lordship from the trouble of Farrington; for which they thanke & pray for your Lordship".²²

Mary, Eyre's second daughter, married John Biddulph of Biddulph,²³ whose mother, a Draycott of Paynesley, was related to the Eyres of Dunston. A letter of Thomas Eyre to his son-in-law survives in the Eyre muniments:

"Sonne Bydulphe. I pray you doo not forgett the day which you are to be at Hassoppe and that your houndes be made ready for you shalbe incountered with a kenell of most excellent dogges, therefore if you be not well provided trye your frends. The day is Saterday before Michaellmas day. I pray you bringe Raffe Porter with you and he may stay 3 or fore dayes and be at whome at the right day. Lett him [] me word how many sheepe he will have of me and they shalbe made ready against his cominge. Thus with my dayly prayers for your well doinge I end. Hassop this 13 of September.

I pray you make suer to bringe your falkon with you for we have good store of partridges."²⁴

John Biddulph compounded for his recusancy on 20 November 1630 for the annual sum of £36. 13s. 4d.²⁵

The third daughter, Prudence, married Edward Fowler's cousin,²⁶ Sir

Thomas Trentham of Rocester Priory and Westwood Hall, probably the wealthiest of Eyre's sons-in-law. Rocester was on the Staffordshire banks of the Dove, almost opposite Snelston on the Derbyshire side, where Eyre shortly afterwards acquired an estate. There was undoubtedly much coming and going across the Dove for sport and business among the several families. The Trenthams' recusancy may have been of more recent date than is the case of the Fowlers and Biddulphs. Sir Thomas's mother was certainly a Roman Catholic and compounded for her widow's estate in 1630 for £26. 13s. 4d.;²⁷ her daughter Matilda was a Benedictine nun at Brussels. Sir Thomas was dead before 1630, but he and his wife appear to have been previously convicted of recusancy, and in October 1630 Prudence's cattle were being distrained for non-payment of her fines. At this point she was received into the Anglican communion by the bishop of Lichfield on 12 October, as he wrote to inform Wentworth:

"Salutem in Christo Jesu

Right Honourable

The ioyfull suiect of these lines maketh mee to write in confidence unto your Lordshipp. So it is that the Lady Prudence Trentham, wife of Sir Tho. Trentham late of Westwood in this Countie of Staff. knight, sometyme a Recusant, hath presented herself at divine Service in my Chappell of Eccleshall Castle this present day: and according to the statute in that behalf provided hath taken the oath of Allegiance, and vowed herself to a constant and faithful profession of Gods true religion established within this kingdome and that (as I am verily persuaded) syncerely and devoutly. Whereupon I have granted her Ladyshipp my Certificate under my hand and seall Episcopall.

Now yt hath so falne out that your Lordshippes officers have distrained her Cattell to the value of ten pounds notwithstanding that at the same tyme & before that she had professed herself publikely, by her resorting to the Church to heare Divine Service, to be of this our reformed religion. Wherefore knowing the religiousness of the heart of Our Sovereigne to wish rather the conversion of soules, than the advantage of their estates, I make bold hereby to request your Lordshipp, whome I knowe to be most Christianly affected, that her Ladyshipp be not now putt to vexation and damage, when as she deserveth Congratulation and Support. And that the money may be restored unto her, if that may possibly consist with the rules of your Lordships procedinges in this Case. And thus commending your Lordship to the protection of the Almighty, I rest

Your Lordships in all due observance

Eccleshall Castle
12 October 1630."²⁸

Tho. Coventry et Lichfield

There is no evidence either that she or her son returned to Rome or that she broke with her Eyre relations. Her brother Rowland subsequently performed various trusts for her family and is Francis Trentham's "beloved uncle" in his will.²⁹

The youngest daughter, Gertrude, married Thomas, eldest son of Sir Richard Fleetwood of Calwich abbey, baronet,³⁰ a near neighbour to the Trenthams at Rocester. The Fleetwoods had been Roman Catholics for at least a generation but appear to have avoided conviction. St. Thomas's,

Rochester priory and Calwich abbey were all dissolved monastic houses and had come more or less directly at the time of the dissolution into the possession of these three recusant families.

The only clue to the dowries of Thomas's four daughters is a receipt³¹ for Prudence's, dated 17 April 1620; the sum was £2,200. A statute staple in £2,000 entered into by Thomas Eyre in June 1619 was probably for a loan raised for one of the dowries. £2,000 was a very handsome portion and as much as his own eldest son's bride brought to the family. Thus began the Eyre practice of settling the daughters well. No such settlements were provided for the younger sons of this or future generations who almost without exception died unmarried, their annuities out of the Hassop estate ceasing with their lives.

Even more crucial was the marriage of Rowland, Thomas Eyre's son and heir. With his brother William, Rowland was at Oxford at St. Edmund's Hall, and graduated bachelor of arts in 1619; by law those proceeding to degrees were required to take the oath recognizing the royal supremacy. The two young men were subsequently at Lincoln's Inn, and Rowland was still residing there in June 1624.³² Both at Oxford and at the inns of court chapel attendance was, at least nominally, compulsory, though the latter were regarded as hotbeds of recusancy.

On 1 September 1624 the settlement³³ was signed for young Rowland's marriage with Anne, one of the daughters of Sir Francis Smith of Ashby Folville, Leicestershire and Wootton Wawen, Warwickshire. The Smiths appear, like the Eyres, to have been conforming papists but moved in distinctly higher social circles, among more committed Roman Catholics.³⁴ Sir Francis's eldest son, Charles, was married to Elizabeth Caryll, and it was henceforward towards this group of Roman Catholics of the Caryll connection, including Dormers and more distantly Brownes, that the Eyres gravitated. One of Anne's trustees under the settlement was Sir Thomas Brudenell of Deene, a man of similar social standing. It was among just such well connected families as these, occupying their time in hunting, hawking and other field sports, that the Jesuit John Gerard had moved a generation earlier, when he was residing at Mrs. Vaux's house in Northamptonshire.

It was not until the following autumn that the marriage took place. Anne may have been young but the delay can be largely explained by local connections and national events. Anne's mother, a daughter of Sir Thomas Markham of Ollerton, was the sister of Dame Margaret Longford, third wife and since 1610, widow, of Sir Nicholas Longford of Longford, Derbyshire, a well-known recusant family. In 1625 she was living³⁵ at the nearby village of Etwall, where she probably occupied the hall. The subsidy roll for Appletree Hundred that year contains the following entries for Etwall:

"Christopher Hinton, gentleman, recusant convict		
	in bonis . . . £3. 10.	18s. 8d.
Mrs. Margaret Longford, vidua, recusant convict		
	in bonis . . . £4	21s. 4d.
Jane, wife of Christopher Hinton, recusant convict		?
Robert Skynner, gentleman, recusant convict		8d.
Mrs. Anne Harpur, recusant convict		8d."' ³⁶

There follow the names of seventeen other recusants convict or in two cases of persons not receiving the communion in the past year. They include Stephen the butler and Erasmus the gardener and are clearly mostly the household servants of Mrs. Longford. Robert Skynner was possibly her nephew.³⁷ All are assessed as recusants for the double subsidy.

Etwall, until it was sold about 1641, belonged to the Gerards of Bryn and Sir Thomas Gerard, first baronet, a relative of Sir Nicholas Longford through the Portes, had frequently lived there during his lifetime. Dame Margaret Longford her tenant must have been well known to Lady Gerard, Sir Thomas's widow, who by her first marriage was the mother of Anthony Browne, 2nd Viscount Montague of Cowdray, a well-known Roman Catholic. Lord Montague and his family had long been the friends of the Roman Catholic priest Dr. Richard Smith who, when he was in England between 1609 and 1613, lived much at Cowdray and Lord Montague's house in London. In January 1625 Dr. Smith was consecrated Roman Catholic bishop of Chalcedon for the express purpose of serving as bishop in England, where he landed in April, his arrival coinciding with the opening weeks of the new reign and Charles I's marriage to Henrietta Maria in May. Before long Dr. Smith was journeying through England "to make the first visitation which the [Roman] Catholic Church in England had known for nearly seventy years. No report of it survives, nor any itinerary . . .".³⁸

There were, however, letters sent by the bishop of Chester to the Privy Council in October 1625, mentioning "great and unaccustomed resort unto the houses of recusants" in his diocese.³⁹ A lengthy report also exists of Roman Catholic activities in Derbyshire during the autumn of 1625, sent to Sir John Coke, secretary of state, by Sir Francis Coke of Trusley, who was one of the commissioners appointed for searching for arms in that county.⁴⁰ It seems that the elaborate preparations Coke and his fellow-searchers stumbled upon were being made for Bishop Smith's imminent visitation and that Rowland Eyre's wedding festivities were designed to provide some cover for the other proceedings.⁴¹ Lady Gerard had probably played a large part in making the arrangements; it is significant that her grandson, Sir Francis Englefield,⁴² was among the wedding guests. Coke's report of the wedding is as follows:

"There have been divers great assemblies of great persons Romishly affected under pretence of a marriage betwixt Mr. Thomas Eare, his son, of Hassop, in this county and Sir Francis Smyth's daughter, of Ashby Fallows, in Com. Leicester. They and Sir Francis Englefield, the son, and Sir Thomas Trentham, and others of such fashion were at Hassop a whole week together to the number of one hundred horses. They were also at Etwall, at Mrs. Langford's house there, and other places in great troops, so that the whole country took notice thereof, they grew very insolent and kept company among themselves scorning us."

Though Coke and his party found no arms they give details of the preparations being made for some important event and seem to have been quite mystified as to its nature:

"At Stanley Grange, a house standing alone in Appletree Hundred, the doors were at the first shut against us, but after a little while opened, where we found only two women in the house, who gave us to understand that the Grange House belonged to one Mrs. Vause as farmer thereof to Mrs. Powtrell of West Hallam, dwelling within a quarter of a mile of the said Grange, both the one and the other being notorious recusants. Upon search of the said house we found so many rooms and chambers as I have never seen in so small a content of ground, and amongst other there was two chapels, one opening into the other, and in either of them a table set to the upper end for an altar, and stools and cushions laid as though they had been lately at mass. Over the altars there was crucifixes set, and other pictures about it. There was beds and furniture for them in that little house to lodge 40 or 50 persons at the least. At Castle Gresley, within the hundred of Repton and Gresley, there was in one little house (not above two bays and low built) six gentlewomen of very good fashion outwardly and well appparelled, one of them being an ancient gentlewoman called Mrs. Tamworthy, with whom the rest sojourned; another of them was Captain Allen's wife, which Captain Allen had served the last year under the Archduchess, and was at London as she said; none of the said gentlewomen's husbands was there, save only one whose name I remember not. They were all recusants, and they had so many men and women servants and children that I marvel how they could lodge in so little a house. Every one of these gentlewomen had a riband of green and another of white silk tied in a kind of knot upon their left arm, and (as is reported) did use to give such ribands to divers of their friends and well wishers . . . At West Broughton (in the hundred of Appletree), in two farmers' houses being convict recusants we saw such store of beds and other provision of butter, cheese, pork as is not usual in such men's houses. These were tenants to Sir Henry Merry. At Alkmanton, in this hundred of Appletree, in two other farmers houses being tenants to Mr. Barnsley we found the like . . . At Bailiff Steedman's house we saw a great preparation of bedding and victuals brought in whilst we were there. And we demanding wherefore all that provision was there, Steedman told us that Sir Henry Shirley, his master, and Sir Basil Brooke were expected to come thither either that night, being the 2nd of November, or very shortly after, there to hawk two or three days, but we understand since that that meeting held not by reason that Sir John Merry's house in Leicestershire, and also his house at Barton, in Derbyshire, were strictly searched for arms the day before, which made them forbear in respect that Sir Henry Merry should have been a principal man there as we had good cause to think."

Cox, quoting this report, suggests that "the simple explanation of all the sleeping provision at Stanley Grange was that it was used as a school for young Romanists, the sons of noblemen and gentlemen". This was no doubt partly true, but an even simpler explanation, at the time in question, was that this and the other lodging places mentioned had been prepared for those awaiting confirmation by the bishop of Chalcedon. It is impossible to say how much of the programme was carried out, but it seems at least possible that Rowland and Anne were married by Bishop Smith.

Old Rowland, in his eighties, was still living at the time of his grandson's wedding. It must have been shortly afterwards that he made his will in which he appointed young Rowland and his bride two of the executors.⁴³ The previous year he had set up in Great Longstone church a brass showing himself and Gertrude, his first wife, kneeling before a large crucifix, their beads in their hands; yet his will directs that his body shall be buried in the church at

Longstone, or at Etwall. One reason for the second alternative may be that his grandson and wife were living at Etwall with Dame Margaret Longford, and with them old Rowland intended to spend some of his last days. It also suggests that in his later years he found it necessary to move his residence frequently to avoid conviction for recusancy.

The king's French marriage had at first resulted in the slackening of the penal laws; as the opening of Parliament drew nearer the situation changed and soon the law was again in active employment. In March 1626, Dr. Smith wrote that everywhere Catholics were being rounded up for recusancy.⁴⁴ At the gaol delivery held at Derby on 13 March, the grand jury presented that "Thomas Eare late of Hassop, esquire, on 13th December 1 Charles I, was sixteen years of age and more and from the same 13th December did not repair to his parish church within the three months next following, against the form of the Statute and the peace of the Lord King".⁴⁵ Eyre was delivered to the sheriff to appear at the next assizes for conviction. The wording implies that he remained in custody but he may have been released on recognizances. On Monday 31 July he appeared at the bar before Richard Hutton and James Whitelocke and was found "in nothing culpable". What plea he made is not stated, but it would seem likely that he had made the requisite church attendances. This was what Sir Francis Coke feared when (in the report already quoted), he wrote:

"Since I had written these letters I understand that his Majesty doth call for the arrearages of the recusants now behind and unpaid which I am glad of; but I fear the most of them will now come to the Church, having dispensations from the Pope; for some of them have prevented this demand of the arrearages by coming to the Church about a month since, perhaps having notice beforehand, whereof Sir Henry Shirley is one, the worst of all being church papists."

It may have been on account of Thomas's impending prosecution, possibly imprisonment, that his father did not make him his executor. At the next assizes Eyre had the temerity to bring an accusation against John Rowlandson, clerk, of Bakewell and John Twigg for having informed the sessions in April of his not coming to church, maliciously intending to rob him, "a good and true liege subject of the Lord King and of the late Queen Elizabeth and the late King James, of his good name, fame and estimation".⁴⁶

The next few years saw other attempts to convict the Eyres when they were in London. Thomas and Prudence were summoned, on the information of Michael Chambers (probably in the Exchequer), in Easter term 1627.⁴⁷ They appeared by attorney, and stated the information was untrue. They were ordered to reappear but were presumably not convicted as another attempt was made in the Exchequer on the information of Lionel Farrington, the informer previously mentioned, in Hilary term 1632/3.⁴⁸ At the last minute it was evidently decided that a case could not be made against Thomas, and the memorandum of the information has been altered from Thomas Eyre and Prudence his wife, to Prudence Eyre wife of Thomas Eyre, described as "late of the parish of St. Clements Dane", Middlesex. For her eleven months' absence from church, it was submitted, Thomas Eyre should forfeit

£220, a third of this being Farrington's perquisite. Thomas and Prudence appeared in person to answer the charge, but again the result is not stated. In one of the earliest surviving constable's presentments for Derbyshire Prudence was among those presented at the Michaelmas sessions in 1634.⁴⁹

It would be wrong to think that it was only on the Roman Catholic front that Thomas Eyre gave battle against payment of fines. In 1630 Viscount Wentworth was pressing the collection of knighthood fines in the counties under his control; the earl of Newcastle was his chief commissioner for Derbyshire and Nottinghamshire. Newcastle stressed "the great difference bettwixt these towne shyres for ritches for the Leade of Darbyeshyre and the scarsetie of Noblemen and Gentlemen makes itt farr surpas the other that wantes in that Great staple Comodetye & is overwhelmed with the Nobilitie & Great Gentreye". During the winter Newcastle was pressing for action against those who refused to pay and assuring Wentworth that "most of my refusers are verye rich, if not all, & men of the best qualities & of great estates". By the spring, pursuivants were being sent to deal with them and on Easter Day Newcastle wrote as follows:

"I am also to give your Lordship humble thankes for the pursuivantes that are coume for the refractories, onely I heer nothinge of Mr. Ayre of Hassup whoe used us with mutch scorne & neglect being often sumonsed, & never came, sayenge . . . he woulde be knighted att London himselfe. I assure your Lordship he is as rich as troublesum & thats rich enough to indure a good fine."⁵⁰

The outcome of these proceedings is not known. Thomas, however, was never knighted.

It is difficult to reach any very sure conclusion about Thomas Eyre's real religious views. The most personal statement he has left us is that in the preamble of his will, which was surely no lawyer's pious formulary. He clearly denies the doctrine of justification by faith, and expresses his own belief as follows:

"I . . . bequeath my soule to Almighty god my Saviour and redeemer, whoe bought it with his most precious bloud by whose bloud shedding I hope to be saved, endeavoring by his grace to observe and keepe his lawe which is the only way to make me one of his elect, which I most humbly pray he will."⁵¹

III. 2. References

¹ *H.M.C. (24) Rutland*, I, 390.

² D. Mathew, "The approach to Recusant History", *Dublin Review*, Spring 1959, 26.

³ There are short accounts of recusancy finance and the recusant rolls of the Exchequer in "Some notes on the Recusant Rolls . . ." by H. Bowler in *Recusant History*, IV, no. 5, 1958; and in *C.R.S.*, LIII (1961), 291-303. Also *C.R.S.*, LVII (1965), introduction.

⁴ 23 Eliz. cap. I, clause 5. Any person abstaining for a year was to be bound to good behaviour. Persons convicted could be discharged by submission before the bishop of the diocese.

⁵ 29 Eliz., cap. VI, clauses 2-4. The queen could also seize all the offender's goods. In James I's reign the confiscation of two-thirds of the land became the right of the crown, even if the recusant preferred to pay £20 a month.

⁶ See, for example, the petition of Elizabeth Hill for named recusants (including Richard Fitzherbert) living at Hampstall Ridware and Maveson Ridware, Staffs., about 1590. *C.R.S.*, LIII (1961), 176.

⁷ Printed lists of recusants convicted in London and Middlesex, 1625-42 in *S.P.* 16/495.

⁸ *C.R.S.*, LIII (1961), 279.

⁹ *S.P.* 14/43/95. The entry in *Cal. S.P.D.*, Jas. I, 8, 493, is misleading as it gives no indication that the persons in the grant were *unconvicted*.

¹⁰ *Cal. S.P.D.*, Jas. I, 8, 411.

- ¹¹ London sessions records. *C.R.S.*, XXXIV (1934), 37(5).
- ¹² *Cal. S.P.D.*, Jas. I, 8, 537. The Bagshawes were not the same persons as those convicted at the London sessions.
- ¹³ See pages 49-50. For Gatehouse bills 1596-1606, see *C.R.S.*, LIII (1961), 245-75.
- ¹⁴ Newgate calendar. *C.R.S.*, XXXIV (1934), 90. Entry undated, but Dec.-Jan. 1615-16.
- ¹⁵ Bag. C. 2752. Bag. C. 2758 is a similar bond of 1621.
- ¹⁶ Bag. C. 2783 is his appointment.
- ¹⁷ *Commons Journal*, 27 April 1624.
- ¹⁸ Brian Magee, *The English Recusants*, 1938, 56.
- ¹⁹ *Staffs. pedigrees*, 134.
- ²⁰ *Camden miscellany*, IX (1895): Letters from the bishops; T. Gillow, *St. Thomas's priory*.
- ²¹ *C.R.S.*, LIII (1961), 353. Her jointure was £200 p.a., 424.
- ²² Wentworth Woodhouse Muniments (S.C.L.), Strafford letters, 13/231, dated 22 March 1633/4.
- ²³ *Staffs. pedigrees*, 38.
- ²⁴ Bag. C. 367.
- ²⁵ *C.R.S.*, LIII (1961), 352.
- ²⁶ Their mothers were two sisters, daughters of Ralph Sheldon of Beoley, Worcs., well known as a Roman Catholic family. Their brother Edward Sheldon's wife was Elizabeth, daughter of Sir Thomas Markham of Ollerton (Sheldon pedigree in T. Nash's *Collections for the history of Worcestershire*, I, 64). For Elizabeth Markham's sisters see below.
- ²⁷ *C.R.S.*, LIII (1961), 352.
- ²⁸ Strafford letters, 12/154.
- ²⁹ P.C.C. 72 Rivers.
- ³⁰ *Staffs. pedigrees*, 129.
- ³¹ Bag. C. 2723.
- ³² Foster, *Alumni Oxonienses*; Bag. C. 2761.
- ³³ Bag. C. 2619.
- ³⁴ For the Smiths see W. Cooper, *Wootton Wawen, its history and records*, 1936, 20 ff. Pedigrees in Nichols' *Leicestershire*, III, 29, 970.
- ³⁵ Cox, on the authority of an inscription on the Longford tomb, copied by Bassano and now destroyed, gives January 1620/1 as the date of her death (*Derbyshire churches*, III, 523). It is clear however that the last words of some of the lines had already disappeared when it was copied (the second line must have read "... Markham filia") and that one or more figures must have followed MDCXX.
- ³⁶ E.179/93/354.
- ³⁷ Another of the Markham sisters married Sir John Skinner of Comcastle, Essex, and had several children.
- ³⁸ P. Hughes, *Rome and the Counter Reformation in England*, 1942, 334.
- ³⁹ *Acts of the Privy Council*, 1625-6, 201-5.
- ⁴⁰ *H.M.C.* (23) *Cowper*, I, 227-8, quoted by J. C. Cox, *Three centuries*, I, 284.
- ⁴¹ It has not, to my knowledge, been previously suggested that these activities were connected with an episcopal visitation by Dr. Smith. The only account of his movements is that given in the Clarkenwell papers, published in *Camden miscellany*, II (1853), LV, 59: "Doctor Smith liveth ordinarily in the howse of the Ladie Mordant, widow, mother to the Lord Mordant . . . at Turvie in Bedfordshire within 3 miles of Bedford, the howse in the midst of a parck. From thence he useth to goe to the Ladie Dormer's in Buckinghamshire, at Wing or Ivinge: or at Chandeis, which is a howse in a wood neere Alesburie, and neere that place Anthonie Dormer her sonne intertaineth him at his howse within 2 miles of Missenden. Thence hee useth to go to Cowdray, to the Lord Mountagues; thence to the Count Arundel's at Wardour, and thence to Grafton to the Lord of Shrewsburies; thence to Sir Basil Brooks near Shrewsburie and then into Lancashire. He traveleth in his coch with 4 horses, accompanied with 9 or ten priests."
- ⁴² Sir Francis Englefield had recently married Winifred, co-heiress of William Brooksby of Shoby, Leicestershire, about six miles from Ashby Folville. Winifred's grandmother, Eleanor Brooksby, was one of the well-known Vaux sisters, the other being Anne Vaux, who had made their house since the 1590s a centre of recusancy and Jesuit influence. For ten years, 1615-25 (when Eleanor died), they had lived at Shoby and must have been well known to the Smiths. Anne had just moved her household to Stanley Grange, as mentioned in Coke's account, where she no doubt became known, through Anne Smith, to the Eyres.
- ⁴³ Bag. C. 2618.
- ⁴⁴ P. Hughes, *Rome and the Counter Reformation in England*, 333.
- ⁴⁵ Bag. C. 2798(1) Memorandum of proceedings.
- ⁴⁶ Bag. C. 2798(4) Memorandum of proceedings.
- ⁴⁷ Bag. C. 2798(2) Memorandum of proceedings.
- ⁴⁸ Bag. C. 2798(3) Information *versus* Ayre.
- ⁴⁹ Constables' returns in Derbyshire Record Office; Baslow returns (including Hassop) dated September 1634. The other names returned for Hassop are Randall Brock and Henry Townrow and the return concludes significantly: "& further here cannot present". Partly quoted by Cox, who gives the date wrongly as Trans. Sessions, *Three centuries*, I, 287.
- ⁵⁰ Strafford letters. Newcastle to Wentworth, 12/151, 11 Oct. 1630; 12/165, 18 Nov. 1630; 12/290, Easter Day 1631.
- ⁵¹ Will proved 6 Oct. 1647, P.C.C. 199 Fines.

3. *The Eyre estate, 1603-1637*

During the period of the first two Stuarts the Eyres reached the high tide of their success. It is at this point that the lack of any rentals and accounts among their muniments is particularly to be regretted. Their evidences give a fair — but probably incomplete — picture of their investments in real property, but their income from rents, sales of lead, the products of their flocks and interest on the mortgages they held can only be guessed at.

The family was late in its rise to wealth compared with others whose economic history has been examined in detail. All the Northamptonshire gentry who figure in Dr. Finch's studies¹ were well established in prosperity by the middle of Elizabeth's reign. At that date the Eyres' sheep farming was on an unambitious scale compared with that not only of the Spencers, who had over 10,000 sheep, but also of the Ishams who, on a much more modest scale, had 1500 head of stock in 1583. Farming conditions in the High Peak were not to be compared, however, with those in Northamptonshire with its fine pastures, mostly enclosed by the sheepmasters. The Eyres followed the more primitive practice of running most of their flocks on the wastes and moors during the summer, though their enclosed pastures at Hassop and some of the closes they purchased may have been for sheep. In the early 1620s the price of wool fell, and though it recovered by the end of the decade, by the 1630s sheepmasters like the Spencers were reducing their flocks and letting their land for rents.² Fluctuations in wool prices and the cloth trade during James I's reign may have had repercussions on the Eyres' sheep farming, though they probably did not depend on the London wool market but sold to butchers and tanners locally.³ These people are elusive but appear from time to time in their records. By their sheep farming alone however, the Eyres' income would have been modest. It was the combination of their lead interests with farming that produced their wealth.

The Eyres' purchases of land are recorded in the schedule.⁴ From 1603 onwards the properties acquired fall into several distinct groups: in and adjoining the manors of Hassop and Rowland; in Brampton and Dronfield in Scarsdale; in Tideswell and Taddington on either side of the Wye, up the valley to King Sterndale; in the Hope valley, in Hope, Castleton, Thornhill, Bradwell, Shatton and Brough; in Snelston and Edlaston in Dovedale; additions to the Staffordshire property; and at Eastwell in Leicestershire.

In Hassop several of the freeholders' properties were acquired. These comprised a farm of one oxgang belonging to Thurston Lowe and similar farms of Nicholas Wilson and William Plattes; the property of the last two was already mortgaged before it was sold outright to the Eyres.⁵ Plattes was granted a lease for three lives by Thomas Eyre a few days after the deed of sale was executed, and when the survey of forfeited estates was made in 1652 Plattes' son, another William and the "third life", held the farm at a rent of £10.⁶ It seems very possible that certain land in Nortley field and beastgates in Backdale, which were bought for £100 by Eyre's servants, George Mellor and Nicholas Smith, were also acquired on his behalf. There

remained several freehold properties belonging to the Harrisons, Townrowes, Jacksons and others which the Eyres were not able to purchase until the 18th century. The Lowes and Frenches, opponen's of former days, appear to have moved elsewhere. The Townrowes were themselves Roman Catholics.⁷ The Harrisons, who lived in a substantial farmhouse and were minor gentry, were probably also co-religionists; William Harrison was returned as a papist in 1682.⁸

On account of a peculiar clause in Thomas Eyre's will, recommending his son to allow all his tenants-at-will to continue at the same rent for twenty-one years after the testator's death,⁹ the survey made by the surveyors of forfeited estates in 1652 probably shows conditions in Hassop very much as they had been in Thomas's lifetime nearly twenty years earlier. There is little to suggest that he was a notably progressive or harsh landlord. Whatever enclosure had been carried out in Hassop, there was still a certain amount of common field land, though in the Eyres' case at least it usually consisted of several strips lying together, and the fact that it is described as arable land or pasture suggests that these strips were cultivated in severalty. Rowland Eyre held over 600 acres in Hassop and Rowland, and in Hassop, Plattes, Wilson and one Anne Miller appear to have been the only tenants though as already noted there were several freeholders. In Rowland there were eleven tenants holding amounts varying from two to fifteen acres, and several of them were Eyre's particular servants. The rents they paid, according to the commissioners, were considerably below the true value.¹⁰ This evidence does not wholly bear out the charges of depopulation brought against Eyre in the Longstone common case.

Adjoining Hassop and Rowland, the manor of Calver was purchased from Paul Tracy in 1613 at the cost of £4,300. This was by far the most expensive single purchase made by Thomas Eyre; the money was paid by instalments over the next two years.¹¹

All the Scarsdale properties were sold during the Commonwealth, and the surviving evidences are therefore defective. Thomas Eyre's family had long held copyhold property in the manor of Holmesfield. From the Foljambes of Walton, who had previously sold Wigley Hall to Rowland, Thomas acquired the manor of Wadshelf in 1629. This may have been in mortgage only (though there is nothing in the fine to indicate this) for it is not mentioned in the settlement of December 1638 or subsequently. Various other properties were purchased in Wadshelf and in Brampton, Cutthorpe and Ashgate, together with a fifth part of the reputed manor of Caus Hall. Rights to this manor had also descended to the earl of Newcastle who appears to have questioned Eyre's claims.¹² Thomas also acquired the lease of a coal-mine at Hill Top in Dronfield.

The family already held property in Tideswell and Taddington and claimed the manor of Wormhill with the mill. The latter was acquired in fourth parts and was the subject of prolonged disputes. In 1617 Eyre's title "was laid before Sir Edward Moseley the then Attorney-General of the Duchy of Lancaster, who by his Letter directed to the Steward of the High Peak Manor,

certified that he had perused Mr. Eyre's evidences and he did perceive that it was a very ancient Manor and that the common and waste belonging thereto were Mr. Eyres and not the Kings who had no right to them".¹³ In spite of this, in 1628, he paid £870 to Sir Francis Foljambe of Walton for the manor and all manorial rights, foresterships in the forest and certain royal leases.¹⁴ Other smaller properties and a forestership were also purchased here. The manor of King Sterndale, acquired from Sir Edward Cokeyn in 1603, was almost certainly a mortgage, for at the same time Cokeyn mortgaged the manor of Parwich to Baptist Trott.¹⁵ King Sterndale is not mentioned in any Eyre settlements.

Probably the first purchase in the Hope valley was that of a lease of a small property in 1602. Soon after, Thomas Eyre of Hassop began to gather up the rights to Thornhill manor from the Slacks and the Eyres of Hope. This manor involved a series of disputes between Thomas Eyre and the Slacks, with John Eyre of Hope a helpless prey to grasping neighbours. The reversion of the manor with a capital messuage, Nether Hall, and a water corn-mill, was held by Thomas Eyre of Hope and Turnditch. He sold one moiety to Thomas Eyre of Hassop and George Eyre of Grainfoot, who had married one of the former's Staley cousins. When Thomas Eyre of Hope died he was succeeded by his son John, "a weak and simple man much given to drunkenness". Richard Slack of Brough claimed that he also held a moiety of Thornhill and "thirsting after the other moiety" set to work on John, who had recently come of age, and in an alehouse was persuaded to "avoid" the previous conveyances and convey the reversion of the whole manor to Adam Slack, Richard's brother.¹⁶ What exactly John Eyre obtained is not clear, but he now fades out of the picture and seems to have parted with all his property in Derbyshire.¹⁷ The Slacks then proceeded to make leases to two more of their brothers, thus giving them right of entry on the property, and disposed of the reversions to Edward Deane of Beeley. Deane was probably acting on behalf of Sir Charles Cavendish, but his rights were conveyed to Thomas Eyre of Hassop, who petitioned that the Slacks should be compelled to assign the leases.¹⁸ In 1613 the Slacks eventually sold their rights to Eyre for £550, excepting such as they had conveyed to Deane, who had already sold his claims to Eyre for £600. The price of the original conveyance of the moiety of the reversion to Thomas Eyre and George Eyre was £160, and a further sum was paid for the assignment of a lease of Nether Hall.

Other properties in the Hope valley were purchased from Thomas Eyre's cousin Stephen Staley of Redsea's, the Eyres of Kiveton also distant cousins, the Balguys, Rowland Morewood, another relative, who sold Eyre Brough corn mills, and the Stephensons of Shatton. Abney Grange and King's Haigh were other purchases. The Hope valley properties were henceforth usually regarded as a suitable maintenance to settle on the heir during his father's lifetime.

During the 1620s purchases were made at Snelston in Dovedale, near Thomas Eyre's cousin and trustee, Thomas Milward of Eaton Dovedale and

as noted earlier the estates of his sons-in-law at Rocester and Calwich. The main property, consisting of the capital messuage, park and mills, cost £1,900. It did not include the manor, but had been improved by the vendor Thomas Wright to be in fact a second hall at Snelston, and by his will Eyre settled it on his wife for her jointure and dower house. The manor of Edlaston, to which no deeds survive, was also probably purchased in the later 1620s.

In Staffordshire additions and improvements were made to the Eyre property by buying out a rent charge and the claims of Edward Wescote on meadow land called the Bentlies, by the purchase of closes and messuages in King's Bromley and by taking up a mortgage of Miners' Motte in Marchington from the Trenthams of Rocester. The 1630s saw the family established in Leicestershire with the purchase of land at Eastwell, where Rowland, before his father's death, built himself a mansion house,¹⁹ which became a favourite residence for the hunting and frequently the home of the son and heir.

The property remaining in the family after old Rowland Eyre's death in 1625 may not have represented the whole of their purchases, for some estates appear to have been settled on Gervase, Adam and Roger, three of Rowland's younger sons. The marriages of Thomas Eyre's daughters also involved considerable capital outlay, probably £6,000-£8,000. Little borrowing seems to have been needed to finance this programme, the only transaction noted in the evidences being a statute staple in £2,000 to William Terry of London in 1619.

The Eyres' rapid rise and the expansion of their activities as sheep farmers and lead miners brought them into conflict with their powerful neighbour Lord Cavendish, later earl of Devonshire, and lord of the manor of Ashford, adjoining Hassop. The resulting Longstone common case in its various aspects went through most of the courts of England, during some seventeen years.²⁰

Proceedings began with Lord Cavendish's Chancery petition²¹ of October 1617 against Rowland and Thomas Eyre, for overstocking Longstone, or more particularly Bleaklow, common with their sheep and cattle, and undoubtedly arose as a result of their greatly increased stock-rearing.²² Cavendish complained that, as he did not know by what right they claimed pasture on the wastes in his manor of Ashford, he could not proceed against them at common law; he prayed that they should be called to answer in the court of Chancery. The Eyres in their answer maintained they had right of common for unlimited stock as lords of the manor of Hassop, for which a token payment of two shillings moor rent had long been paid to the lord of the manor of Ashford. Depositions were taken at Bakewell on 8 October 1618, before Edward Revell, Francis Bradshawe and others, and the question of right was subsequently tried at two trials, at the King's Bench and at the Common Pleas, in both of which the verdict was given against Thomas Eyre. On 15 May 1623 in the King's Bench, Eyre held that the jury had been directed to find against him purely on a point of phraseology, the prescription being for sheep generally but Eyre's proof being for his own cattle only.

He then and there drew up "A certificatt of the verdict upon what poynt it passed against me at the King's Bench Barre, term Passch. 1623". It is signed by Thomas Milwarde, Adam Eyre, Edward Pegge and others, who were presumably present on the occasion. For the subsequent trial in the Common Pleas, briefs and summaries of the witnesses' evidence, drawn up by counsel, survive among the Eyre papers. It was to this trial that Thomas was referring when he wrote:

"that there was never any verditt for Blacklowe but one. And it did passe against the opinion of the Court and most of the hearers and that the judges att that time did move for a peace betweene them [i.e. the earl and Eyre], some of them sayinge that verditt would not end the business. Whereupon the Earle did invite Mr. Eyre to his house and motions were propounded and agreed upon and sett downe by Mr. Fullwood and nothing wanting but our handes to bee put there unto, in the meane tyme my lord dyed."

The new earl, however, put the onus of breaking off negotiations on Eyre; probably both parties had tried to drive too hard a bargain and prolonged the business until the earl's death ended it. Devonshire subsequently petitioned the Privy Council in June 1627 and gave his account of events. When both verdicts had gone against Eyre, his petition states, the said Mr. Eyre

"sought peace with the petitioner and seemed to embrace it. But since that tyme, loveinge contention better, hee did put into the said Common on the first day of May laste 80 sheepe, sendinge his servants with them, with staves and doggs to keep them there . . . And when the petitioner did put them off againe the said Mr. Eyre sent more sheepe and more strengthe, till at laste he had 300 sheepe upon the said Common and 20 or 30 men at one time. But your petitioner, not willinge to give example of tumult, And the rather, for that hee is Lieutenant of that Countie . . . Gave expresse commands that not above two of his servants should attende for the keepinge of possession. Since which tyme one Henrie Mellor, the petitioners shepherd there, hath bene assaulted, and hath received three wounds in the heade . . . by one Francis Bagshawe, servante to the said Mr. Eyre and imployed there by him for the kepeing of the said sheepe upon the said Common, to the great hazard of his life."

Devonshire therefore entered an action of trespass and prayed for the Council's letters to continue his possession until the trial and for Eyre to be bound to good behaviour. The Council acted promptly on Devonshire's behalf. On 7 June letters were dispatched to prominent justices and to Sir John Fitzherbert the sheriff, ordering them "to take speedy and effectuall order for the quieting and establishing of the said possession to his Lordship; and from tyme to tyme to remove such force as shall happen to be brought by the said Eyres to interrupt the same". Eyre and his servants were to be bound with sufficient sureties.²³ To Eyre himself their lordships wrote the following letter:²⁴

"Whereas wee are informed that notwithstanding severall verdicts and judgments against you upon tryalls latelie had both in the King's Bench and Common Pleas concerning right of common within certaine ground called Blacklow Heath in controversie betweene you and our very good Lord, the Earl of Devonshire, you, in

contempt of the lawes and justice of the realme, and as if you ment to give lawe to yourselfe, doe still continue to disturbe the said Earle's possession therein by putting in your cattle and keeping them forcible upon the said common, haveing to that end (as wee are credibly informed) severall tymes assembled together upon the said ground in a riotous and tumultuous manner divers your servants and others to the number of above twentie; wee upon consideracion had thereof, as wee cannot but much condemne your turbulent and disorderly cariage herein, tending in high degree to the breach of his Majesty's peace and affronting of justice, soe wee doe in his Majesty's name streightly charge and commande you to forbear, either by yourselfe or your servants or any other by your procurement, to disturbe the said Earl in the quiett possession of the said land soe adiudged unto him upon tryall as aforesaid, untill you shall have evicted the same by a legall course. Hereof you may not faile as you will answer the contrary at your utmost peril."

Thomas Eyre replied to the Council with a counter-petition.²⁵ He declared he had put sheep on the common as of right of his manors of Rowland and Calver "which was never questioned, . . . And did never apoint above one or two of his servants at a tyme to keepe his Cattell thereon, although there have divers daies together 20 & 30 at a time of the said Earles party assembled themselves together & driven your petitioners Cattell out of the said Wast and Impounded them 22 daies together, whereby they were quite spoiled". The brawl arose from the impounding of Mellor's horse for trespassing on Eyre's "several" grounds, but he himself, he said, was away in London at the time. He continued:

"Now forasmuch as by this meanes your petitioner hath suffred very much in his Reputation & credit in his Country, whereof he was lately High Sheriffe & a Commissioner for Subsidies, and hath susteyned exceeding great losse by not using his said Common (as he & his Ancestors have done tyme beyond memory without either question or controule) he humbly imploereth your honours favours that he & his servants may be discharged of the Recognizances for good behaviour, And that he may enjoy his right of Common in the said wast for his said Mannor of Rowland & Calver, untill he shalbe evicted thereout by due course of Law. Or that the differences between the said Earle & your petitioner may be referred to some gent. in the Country whom your honours shall think fitt to make an end thereof without further trouble to your honours or sute of Law". The petition does not appear to have met with the Privy Council's favour and is not mentioned in the acts. Thomas's intention of bringing the question of right of common for Calver and Rowland to trial at Derby assizes was stayed by injunction.

A year later the second earl of Devonshire died and his son and heir became a ward of the crown. "Soe Mr. Eyre beeinge Forth of his possession by order of the Councell, at the Earl's death they took advantage of that And gott an injunction forth of the Court of Wards for the Continuance of the possession till the younge Lord come to his age, which order Mr. Eyre hath obayed. If he should not the Court of Wards would quickly have brought him into contempt."

Eyre pursued his claim to rights of common in respect of his manors of Rowland and Calver. The issue was tried in the Court of Wards on the suit of the earl against Eyre for pasturing 300 sheep on the moors and wastes of

his manor of Ashford. The verdict was given against Eyre and the earl was awarded costs; £50 was paid him by Ranulph Brock on Eyre's behalf.²⁶

Prevented from bringing the main issue to trial by the injunction, Eyre managed to bring into various courts a host of minor actions against the earl's tenants in Ashford, actions which demonstrate both his persistence and his legal ingenuity. In Great Longstone he owned two messuages which gave him the right to pasture on the fallows there, but he refused to observe the "stint", which it was claimed operated until midsummer. William Wright, a leading tenant and "the causer of all these troubles", proceeded to sow a four-course field, which should have lain fallow in the fourth year, with oats: when Eyre pastured his sheep on the growing corn they were set upon by dogs, and Eyre brought a suit against Wright and other tenants in the Star Chamber for riot. He also had a case in hand against Wright and another tenant, Ralph Atkinson, for trespass in Rowland; and in the diocesan court of Lichfield there was a case concerning tithe hay on land recently converted to pasture.

There were also disputes about groves of lead on the common, as appears from the following "Informations against Mr. Eyre and his servants" among the Wright family records:²⁷

"November 17. Mr. Wm. Eyre accompanied with Nich. Thornell his faithfull servant and John Steades of Rowland his faithful tenant, all three came to the grove in controversie (where there was one Wm. Telear in quiett possession for my la[dy] of Devon her right). Mr. Wm. Eyre bid the said Telear come from the grove or else would draive him by force, and soe by violence heled him away and carried him to Haddon, being foroe miles distant from the place, without any pretext or warrant at all and [conducting him] before Mr. Manners had nothinge to alleage against him, but desired Mr. Manners to send him to the house of correction; but did this of purpose to have my la[dy] loose her possession.

Ed. Braddock and Roger Sellors being bothe Mr. Eyre's househould servants were there the next day after.

18th Daye. At night one John beeinge Mr. Eyre's servant, a millner at Calver millne, with a sword and a longe staffe and one Greene, with a long staffe, came and were there all nyght." [A rota having kept possession of the disputed grove for over a week] "one Thomas Andrewe was next in Mr. Eyre's house and came everie daye to peer . . . to the same grove on Blacklowe . . .

About the 30th of Januarie Mr. Eyre sent John Bradburie and Nich. Thornell and John Morten his servants, John Telear, Robt. Gregorie, Thomas Ragge and Peter Heaton to a grove on beacon syde, parcell of and belonginge to Blacklowe within the M[anor] of A[shford], whoe stroke and misused William Singleton being there keepinge possession for mee, and toke up Rich Hardie my servant from workinge and broke and pulled my tymber all to pieces, and in the afternoon of the same daye came Mr. Tho. Eyre himself accompanied by John Bradburie and Rob. Yorke whoe drove my servant Richard Hardie and Henry Platts from the same worke, pulled in the grove, tooke and carried away my Tymber by force. Mr. E. himself raylinge and threateninge me withe the force with manie reproachful words, said hee would burne my Tymber before my face if I were there, but further said the Jury would not looke at them for where I had one lipp alredie he would make me too, and strike at my servants with a staffe also."

The dispute was again brought before the Privy Council by the petitions of the parties. On 8 July 1631, the Lord Chancellor, the Chancellor of the Exchequer and Secretary Coke were ordered to hear the parties on both sides and "end the matter indifferently if they can", the earl to hold Bleaklow meanwhile and, "for that the suits mentioned be vexatious and do not concern the title, all further proceedings to be stayed".

Four times a meeting was ordered by the councillors and four times it was postponed. At last, on 7 December 1631, it was merely a lawyer's agreement they reported to the Council, which solved nothing. All suits in the Star Chamber were to cease and those concerning title to go on in a fair manner, without multiplicity of suits, except those stayed by decree or injunction of any court.²⁸

One result of this unsatisfactory state of affairs was that Thomas Eyre purchased pasturage for 400 sheep on Brassington Moor in May 1632. Otherwise he seems to have thrown caution to the winds, and when an injunction was served on him by one Henry Cowpe in January 1632, commanding him not to put any cattle on the fallow field in Longstone during the "stint", he declared (according to Cowpe) that he cared not for any injunction, calling Cowpe and his companion "knaves and beagles". The rest of the proceedings relate chiefly to the "contempts" he was called upon to answer. On 8 May 1632, "Thomas Eyres" made his appearance before the Council and was enjoined to remain in the messenger's custody.²⁹ On 30 October 1634, he was committed to the Fleet prison for contempt, "and the said Mr. Eyre is to pay costs". On 12 November it was reported that he had not paid costs and was not discharged. Committal to the Fleet was a gentlemanly sort of imprisonment but it was expensive. Most probably Thomas made the required submission and went home.³⁰ Early next year he was rounding off his Snelston estate by purchasing a number of small properties there. There are no further records of the Longstone common case.

In the early thirties, besides fighting this case, Thomas (through his wife) was being prosecuted for recusancy in the Exchequer: concurrently, the government was consulting him in lead-mining matters. The case can hardly have done his reputation any good, except as a formidable antagonist in the courts, but it appears to have done his pocket surprisingly little harm. If, however, Thomas was seriously thinking in 1630 of obtaining a knighthood, the Longstone common case must have dashed his hopes.

It is difficult to give any estimate of his wealth at the time of his death in 1637. £6,000 per annum and £3,000 in ready money after payment of all portions, as stated in a manuscript in the Wolley Collection,³¹ is a great over-estimate, but an income of £3,000 is a likely figure. In 1652 Rowland Eyre's income from landed estates stood around £2,500 as valued by the surveyors for forfeited estates; as already mentioned, there had been little change in the rental since the day his father died. This figure did not include sales of lead, wool and stock. In a "List of Gentlemen in Derbyshire and how they stand affected",³² drawn up in 1663 by a knowledgeable person, Rowland Eyre is said to be "a man of £3,000 p.a.". After the sale of large

portions of his estates, even if he had raised his rents substantially (which was not, in fact, the case), he can hardly have been wealthier than his father.

Another measure of the Eyres' rise in wealth is provided by their contribution to the armed forces. In June 1595, an order to collect sums towards furnishing the three horsemen to be provided in the High Peak assesses John Manners at 53s. 4d., Roger Columbello and George Sutton at 13s. 4d. each, Robert Eyre and William Jessop at 10s. each and Rowland Eyre (in the same category as Thomas Bagshawe and Leonard Shalcross) at 6s.³³ In 1602 "A List of the gentlemen to be charged with a horse", gives, in the High Peak, John Manners, George Sutton, Roger Columbello, Rowland Eyre and William Jessop.³⁴ In 1638, in "A list of horse as they stand charged" Rowland Eyre is second only to John Manners:

John Manners	2 cuirassiers	1 dragoon
Rowland Eyre of Hassop	1 cuirassier	1 dragoon
Robert Eyre of Highlow	1 cuirassier	0 dragoon ³⁵

These three were the highest contributors.

It would be unrealistic to think of the Eyres' wealth in the same terms as that of financiers like Sir Arthur Ingram, but in his own county and among country gentry of his own kind, Thomas Eyre was a very substantial man indeed, with a good estate, unencumbered with debts, when his son succeeded him in 1637.

III. 3. References

¹ M. E. Finch, *The wealth of five Northamptonshire families, 1540-1640*, Northamptonshire Record Society, XIX, 1956.

² *Five Northants. families*, chapters 2 (Isham) and 3 (Spencer). For tables of wool prices see P. J. Bowden, *The wool trade in Tudor and Stuart England*, 1962, 219-20.

³ Bowden, 8-13, gives a brief account of the market in mutton, skins, etc.

⁴ See Appendix B. Reference numbers to particular deeds, which are given there, have not been repeated here.

⁵ Bag. C. 1048-1066.

⁶ Bag. C. 359(7), 30.

⁷ William Townrowe of Hassop indicted at Derby assizes 1613. *D.A.J.*, XVI (1894), 149; Henry Townrowe of Hassop owed £4. 13s. 4d. in the Recusant Roll for 14 Car. I.

⁸ Cox, *Three Centuries*, I, 306. Bag. C. 1077 gives particulars of their house a generation later — now the post-office?

⁹ P.C.C. 199 Fines.

¹⁰ Survey of Hassop and Rowland, Bag. C. 359(7).

¹¹ Bag. C. 1217-27 are the purchase deeds, receipts, etc.

¹² Portland MSS. DDP. 66/16: Copy of claims of Thomas Eyre to 1/5 part of manor of Caus.

¹³ Hassop Evidence Book I, 19.

¹⁴ Bag. C. 1956-60.

¹⁵ D.R.O. enrolled deeds, Roll 2, M.5.

¹⁶ C.2, Jas. I, E.5/33. 1605.

¹⁷ *Familiae Minorum Gentium*, 544.

¹⁸ C.2, Jas. I, E.1/69, Nov. 1607. Cavendish is mentioned in a further answer of Slack's in 1611, which is partly obliterated and very difficult to read.

¹⁹ Dated 1634 on a rainwater head. (N. Pevsner, *The buildings of Leicestershire*, 97.) The building, of brick, consisting of three wide bays and two big, shaped gables, probably somewhat resembled the appearance of Hassop Hall before it was transformed in the 18th century.

²⁰ There are several very large bundles of the legal papers concerning this case among the Eyre muniments, Bag. C. 2795. The following information is from these papers unless otherwise stated. The bundles include copies of Privy Council minutes. There are no sub-numbers.

²¹ William Cavendish, created Baron Cavendish 1605 and earl of Devonshire 1618, died 3 March 1625/6; succeeded by his son William, who died 20 June 1628; succeeded by the latter's son William, a minor, born 1617, died 1684.

²² See *D.A.J.*, LXXXIV (1964), 28.

²³ *Acts of the Privy Council*, 7 June 1627, 327-8.

²⁴ The original is in Bag. C. 2795; printed in *Acts P.C.*, 7 June 1627, 328-9.

²⁵ Among papers in Bag. C. 2795; not recorded in *Acts P.C.*

²⁶ Receipt, dated 30 November 1630. Bag. C. 2795.

²⁷ G. T. Wright, *Longstone Records*, Appendices, 228-9. William Eyre was Thomas's younger son, aged nearly 30 at this time. "My lady of Devon" was the earl's mother, who had right of jointure in Longstone.

²⁸ Minutes and letters to the parties relating to these meetings are among the papers in Bag. C. 2795. The order of 8 July 1631 and the report of the agreement on 7 Dec. 1631 are recorded in the Register of the Privy Council for those dates (P.C. 2). The copy of the latter minute in the Bagshawe papers is wrongly dated 7 Sept. 1632, altered to 7 Sept. 1631.

²⁹ Register of the Privy Council for that date (P.C. 2).

³⁰ There is a bill of costs awarded against Thomas Eyre amounting to £32. 10s. 8d. in Bag. C. 2795; it is dated November 1633. There is a note on the back that the claim only concerned his not answering seven interrogatories and the cost could not have been above 40s.; a receipt for 40s. is given on the same document. It is possible that the year date is wrong and that this was in fact the payment of costs which enabled Thomas Eyre to obtain his discharge from the Fleet.

³¹ Add. MSS. 6675, 338 ff.

³² S.P. Car. II, Domestic, 166/35, published in *The Reliquary*, 6, N.S., 112-3.

³³ *H.M.C. (24) Rutland*, I, 328.

³⁴ *H.M.C. (24) Rutland*, I, 385.

³⁵ Add. MSS. 6702, 120.

4. *Recusant convict*

Thomas Eyre, esquire, "departed this mortall life at Hassop aforesaid the XXIIIth day of June, 1637, and was the next day following interred within the Quier of the Chappell of Longston in the parish of Bakewell", according to the funeral certificate, "taken at Holbeck Woodhouse in the County of Nottingham the XIX day of January 1638 by John Newton, gent., Deputy to the Office of Armes and testified by Mr. Rowland Eyre eldest sonne and heire to the defunct".¹

The inquisition post mortem was taken at Belper on 2 October 1637, but Rowland had already obtained a grant of special livery and entered on his inheritance. The grant, to which a *valor* of his lands is attached, is among the Eyre muniments but is undated. The form of the document suggests that a number of such writings was kept in hand by the Court of Wards and Liveries, wanting only the particular details, which are filled in by another hand. On the back is written "For Mr. Pegge", probably Eyre's lawyer.²

The problem of the livery of the lands of Roman Catholics is an interesting one and seems to have received little attention.³ Under the Elizabethan Act of Supremacy all persons suing their livery had to take the oath recognizing the sovereign as Supreme Governor of the Church.⁴ Thus quite apart from any question of legal conviction as recusants, Roman Catholics were faced with a matter of conscience. It is not clear whether, by the grant of special livery, Rowland did in fact avoid the oath. On 20 June 1640, he obtained letters patent saving him from any prosecution for having entered immediately into his inheritance on the death of his father, without obtaining proof of age.⁵

The connected, but even more difficult, problem of the wardship of recusants never touched the Eyres of Hassop. The infant daughter of Gertrude, Adam Eyre's daughter who had married William Strelley of Beauchief, however, was left an orphan and ward to the king in 1636. A correspondent pointed out to Sir John Coke that "the mother and her family are recusants, which makes them incapable" and besought him "to pity and foster a fatherless

and friendless innocent that she may enjoy her father's religion and rights''. Her father had not taken out his livery when he died, and therefore he himself died ward to the king.⁶

Rowland must have been convicted of recusancy very soon after his father's death, for he made his composition on 25 August 1638. Thus the fate which Thomas Eyre had so long averted overtook his son. The financial necessities of Charles I's government, and particularly the organizing abilities of Wentworth, had transformed the administration of recusancy finance over the ten years preceding Rowland's conviction. In place of the haphazard and wasteful fining under a variety of statutes involving an army of officials and the cumbrous machinery of the Exchequer, the Northern Commission for Compounding with Recusants, of which from 1629 Wentworth was Receiver-General, held regular recusancy sessions at which an overall composition was arranged between the commission and the recusant. The two-thirds of his land, nominally forfeited, were leased back to him at a rent; other fines and payments were superseded, whether levied by churchwardens, sheriffs' bailiffs, bishops or informers — though in some cases attempts were made to levy them in spite of composition.

The sessions were held in the King's Manor, outside the walls of York. Though the laws under which compositions were made were the old penal ones, the procedure was now a purely financial business with no particular overtones imputing crime or treason to the compounder. Most recusants appeared in person when summoned, bringing their evidences, and in many cases their attorney, with them. Wentworth and other members of the commission had relatives and friends among those appearing at the opposite side of the board. It was Wentworth's practice for the president or vice-president to invite those of sufficient social standing to dine at his table after the sessions.⁷ Compositions seem to have varied, not wholly according to income, but even the heaviest, though stiff, were not impossible if paid regularly. Some recusants did make regular payments. There were always, however, many arrears.

When Rowland Eyre was called to appear at York a new commission had just been issued in July 1638. Preparations were being made in the city for the first Bishops' War against the Scots and there was much hostility to Wentworth, who was still away in Ireland. The government's financial needs were pressing and Eyre's composition rent was consequently a stiff one. It was recorded in the recusant roll of the Exchequer for 15 Charles I, which does not now contain the Derbyshire membrane. In a subsequent roll the entry is recapitulated and states that Rowland Eyre and Prudence Eyre his mother leased the two parts of their estate forfeited to the crown at an annual rent of £200:

Fe[r]marius]:

Tenantes et occupatores terrarum et tenementorum Rolandus Eyre de Hassop in comitatu predicto, armiger et Prudentia Eyre, mater eius, Recusantes, debent cc li. per annum pro Dimissione duarum partium maneriorum de Hassop, Calver et Rowland cum pertinentiis in Comitatu predicto, quinque messuagiorum, sex cottagiorum, centum acrarum terrarum, prate et pasture in Wormhill et Chilmerton, unius molendini aquatici

granatici, decem solidorum redditus ibidem, quattuor messuagiorum, trium cottagiorum, cc. acrarum terrarum, prate et pasture in Dranfeild, unius messuagii, trium cottagiorum et xlvii acrarum terrarum, [?] prate et pasture infra manerio de Thornhill et Wadshelpe, xxiis. viiid. redditus exeundi de manerio predicto et manerio de Coss, unius molendini aquatici granatici ibidem, xi messuagiorum, septem cottagiorum, ccxl acrarum terrarum, prate et pasture in Flagge, Hurdlow, Sternedale, Hartington, Longston, Pilsley, Backewell, Baslow, Buckelow et Castleton in Comitatu Derbiensis, unacum diversis aliis messuagiis, terris et tenementis in Rotulo xv^{to} specificatis secundum compositionem factam xxv^{to} die Augusti 1638 sicut continetur ibidem. Et ii^o li. de anno praeterito. Summa Dc. li

[Arreragia. Separat. de eisdem arreragiis in Rotulo xxiii^{to} in Derbiensis.]

The rent was generally two-thirds or more of the inquisition valuation, though it is not clear how the latter was calculated. £200 was rather below one-tenth of Eyre's annual rental, but such a proportion may have been regarded as a reasonable yardstick by the commissioners, who made their own valuation independently of the inquisition. William Eyre, who had an annuity of £100, compounded at the same time for £5 p.a., in this case the proportion being one-twentieth. In the Northern Book of Compositions, there are only four other persons whose compositions stood at £200 or more,⁹ so that Eyre's was a heavy one. He made no attempt to pay it. Eventually the cumbrous machinery of distraint by the sheriff's officers or Wentworth's deputy receivers should have come into operation, but this apparently did not happen, probably on account of the war, though doubt was expressed at the time whether all sheriffs were careful in levying the fines.¹⁰ Rowland's arrears were allowed to accumulate; in the roll for 1646-7¹¹ he was owing £1,200, that is £200 for each year up to the time his estates were sequestered. In the roll for 1647-8 it is recorded that the sheriff had received £200 and arrears stood at £1,000.¹² The £200 came out of the rent paid by the tenant of the sequestered estate and would have been paid to the Sequestration Committee if not to the sheriff. It may be safely concluded that up to the time Rowland's estates were sequestered, he had not paid a penny of the legal penalties of his recusancy with the exception, possibly, of the double subsidy. He and his family were all assessed in 1642 as convicted recusants at eight shillings in the pound (instead of the normal four). The sums recorded below¹³ are for two subsidies at the double rate :

"Baslowe

Rowland Eyre Esq., recusant convict, in terris	£13. 6. 8	£10 13 4
Mrs. Prudence Eyre, recusant convict, in terris	£6. 13. 4	£5 6 8
William Eyre, gent., rec. convict, in bonis	£3	32s.
Randulph Brocke, rec. convict, in bonis	£3	32s."

These details have, however, taken us beyond the limits of the pre-war period.

There is ample evidence that before the Civil War broke out Rowland Eyre was well known as one of the leading Roman Catholics of the county. When the Scottish War plunged Charles into a financial crisis, Henrietta Maria made a whole-hearted effort to marshal the full strength of the English

Roman Catholics behind the king. She circulated a letter, under her signature, addressed to the leading Roman Catholic gentry, peers and clergy, asking for a nationwide collection of money to help finance the war and show their loyalty.¹⁴ This document, together with "Advices and Motives", a document of instructions to the collectors, was published in 1641, and the pamphlet included a list of the collectors known to have been appointed for each county.¹⁵ They were undoubtedly chosen on the recommendations of the local Roman Catholic clergy. Those for Derbyshire were: "Sir Francis Willoughby, Mr. Aere of Hassope, Mr. Poole of Spinckhill". Several of Eyre's relatives appear in the list: for Cheshire, Mr. Bidulph of Bidulph and for Nottinghamshire Mr. Thomas Smith; there are also several of his future relatives: Mr. Anthony Dormer for Warwickshire and Mr Berry for Devonshire. It is ironic that Eyre, who failed to pay to the king's government his recusancy fine due according to the law of the land, should have been called on to collect these extraordinary contributions. His position undoubtedly made him a marked Roman Catholic after the outbreak of war.

There are a few glimpses of the Eyres' family life in the late 1630s. Old Mrs. Eyre, Thomas's widow, had a house in Snelston, but spent much of her time with her daughter Dorothy at St. Thomas's priory. Her Snelston steward, Edmund Hurd, notes on several occasions that he paid her the rents there. William Eyre brought his sister, Mrs. Fleetwood "and her child that was cured", home from London, and they called at Snelston on the way to Calwich.¹⁶ Occasional visits were exchanged with the Manners family at Haddon, as recorded in the Haddon steward's accounts:¹⁷

July 10th, 1634. Paid my Master ¹⁸ to play att Shovelbord with Mr. Roland Eyre	2 4 0
[—] 1640 Given Mr. Eyres Coachman fetching the gentlewomen to Hassopp and bringing them back and to the footman	0 7 0

Their formal conviction of adherence to the Roman Catholic faith, which had been for so long an open secret, seems to have made little difference to their daily lives up to the outbreak of the Civil War.

III. 4. References

¹ Transcript in *The Reliquary*, XXVI, 152. The copy of the inquisition post mortem (Bag. C. 2627) and the special livery give 25 June as the day of his death.

² Bag. C. 2628.

³ Since this was written the subject of livery and the oath has been discussed in connection with Thomas Meynell of Kilvington by H. Aveling (*C.R.S.*, LVI (1964), xxvii).

⁴ I Eliz. cap. 1, clause 24.

⁵ Bag. C. 2633.

⁶ *Cal. S.P.D.*, Chas. I, 1625-49, 741.

⁷ The above details are from H. Aveling's introduction to the Northern Composition Book in *C.R.S.*, LIII (1961), 291-303.

⁸ E.377/49. Recusant roll for 17 Chas. I.

⁹ They were John Sayre of Worsall £260; Lord Dunbar £300, reduced to £250; Sir Edward Radcliffe of Dilston £240; Philip Constable of Everingham £250. (*C.R.S.*, LIII (1961).) See, however, the case of the 2nd Viscount Fairfax of Emley (H. Aveling, "The Yorkshire Fairfaxes", in *Recusant History*, II, no. 2, 63), whose composition was fixed in September 1637 at £251. 13s. 4d. p.a., his estate being valued at £2,753. 6s. 6d. a year. "Fairfax", says Aveling, "became the most heavily fined recusant in the county" [of York].

¹⁰ B. Magee, *The English Recusants*, quoting *S.P.D.*, Chas. I, 485, 108.

¹¹ E.377/55, Derbyshire membranes, referring to roll for 22 Chas. I.

¹² E.377/55.

¹³ E.179/94/373. Subsidy roll, High Peak, 18 Chas. I.

¹⁴ M. Havran, *The Catholics in Caroline England*, chapter 9, gives an account of the organizing of this subscription.

¹⁵ Thomson Tracts, E.164/15: *A Coppy of the letter sent by the Queen's Majestie . . .* The list is printed in Rushworth's *Historical Collections*, part 3, vol. I, 162.

¹⁶ Bag. C. 1922. Prudence Eyre's rental.

¹⁷ Quoted in G. le Blanc Smith, *Haddon, the Manor . . .*, 130 and 136.

¹⁸ Sir John Manners of Haddon, son of Sir George Manners and Grace Pierrepont, born 1604; succeeded his father 1623; succeeded his cousin as 8th earl of Rutland, March 1641; died 29 Sept. 1679.

5. *A rising gentry family*

The history of the Eyres from 1570 to 1640 is a success story. It is the history of the two generations before the Civil War, the decisive period in the rise of the gentry. The Eyres of Hassop are simply one example of a rising family; Rowland and Thomas, in fact, provide an almost classic case. Wealthy and coveted in the eyes of their opponents, they can well stand as "gentry militant".

There is no doubt of their ancient gentility; yet their rise began comparatively late and up to 1570 their circumstances reveal no particular prosperity. But by about 1600 they were reputed to be worth £1,000 a year; by 1637 in spite of Thomas's long and unsuccessful battle in the courts, their income had at least doubled, probably trebled. They had acquired a number of manors, had built a fine house and had two other residences for their occupation — Eastwell where the son and heir lived and Snelston, considered a suitable house for the squire's widow. Thomas's daughters were well married, probably with £2,000 each, and though his younger son had an annuity of only £100, old Rowland's sons were set up in substantial houses of their own. That of George of Haldworth in 1629 was a gentleman's farmhouse, containing a little plate, a quantity of pewter and solid carved oak.¹ Roger Eyre's house at Rowtor, nearly thirty years later, was a more pretentious place.²

The Eyres, however, never rose out of the gentry class by acquiring a title and, apart from the solitary instance of Rowland's sixth son, Rowland of the King's Presence Chamber, before the war they never sought royal patronage or employment at court. They were agricultural capitalists "up to their eyes in other branches of business". They bought land to increase the family estate and also dealt in it as a speculation; they were big stock farmers and above all they were in the lead trade, thus exploiting another of the natural products of their land. There is no indication that they were in any sense pioneer capitalists or even businessmen of genius. Only the expenditure of much energy and time, journeys to London "following suits", attention to detail, practical experience of the ways of men and the law as well as of farming, an optimistic nature and the stimulus of a promising family, brought them to success. They were above all things a Derbyshire family, marrying locally in the north midland counties, immersed in country business and country sport. One has only to compare them with another local family, distant relations, springing from a similar stock, but pursuing their fortunes at court, to be struck by the difference in the two modes of life: the Fanshawes

of Fanshawe Gate, Holmesfield, began their rise in the reign of Henry VIII when Henry Fanshawe became a clerk in the Remembrancer's Office in the Exchequer. In Elizabeth's reign he was Remembrancer, in which office he was followed by his nephew and the eldest sons of two succeeding generations. By the fourth generation one son was a peer and one a baronet, who was also ambassador to Spain. The Derbyshire estate seldom saw them but they built fine houses in Hertfordshire and Essex, within easy distance of London. Sir Richard "never used exercise but walking, and that generally with some book in his hand, which often times was poetry, in which he spent his idle hours".³ It would be difficult to imagine a greater contrast to the Eyres, their lives, their economy and their society.

It was not only office at the royal court which helped to make fortunes. The Tudor aristocracy, with their vast estates, lavish houses and costly "port", needed stewards, chamberlains and land agents. Many a gentry family in Derbyshire and South Yorkshire had started their advance by serving the earls of Shrewsbury — Eyres, Everinghams, Babingtons and Brights. Those who were most pushful and competent took the opportunities that offered, and by the second generation were established as local landowning families.

If the Eyres of Hassop were a rising family, their history provides examples of declining ones such as the Barleys, the Babingtons and to a certain extent the Fitzherberts. There are also those who declined gradually through standing still; at the Heralds' Visitation in 1611, Rowland's first cousin, Stephen Longsdon of Little Longstone appeared and disclaimed the title of a gentleman, not knowing how he might justify the same, although his ancestors had of long time been reputed gentlemen.⁴ It was from families such as these that much of the Eyres' land was acquired. From the earl of Cumberland's spectacular ruin they acquired Hassop, but the local nobility can hardly be said to offer a spectacle of the aristocracy in decline. The earl of Shrewsbury like his lesser neighbours made money out of his lead, and if he was not Bacon's nobleman who was "a great grazier, a great cornmaster, a great leadman and so of iron and a number of the like points of husbandry",⁵ he was surely his economic double. The earl, the countess of Shrewsbury and the Cavendishes have appeared throughout the preceding pages as the Eyres' most determined antagonists, fighting them in the law courts for the same commons and the same manors, and even in the person of a servant angling for the same match.

The Eyres' economic advance seems to have been little hampered by their recusancy or near recusancy. This fact is not unparalleled. Professor Tawney noted Sir Thomas Tresham "selling everything from rabbits . . . to wool to the value of £1,000 a year", and occupying a "dual role as a leader of the Catholic cause in England and the most hated encloser in his much disturbed county" of Northampton.⁶ Aveling reports that the Roman Catholic families of the East Riding "were precisely most of the pushing, acquisitive, official families of the Riding".⁷ There was certainly nothing in the ethics of their religion which made it the refuge of unsuccessful or declining families.

During Thomas's lifetime the penalties of papistry had scarcely impinged

on the Eyres financially. In this respect they cannot be compared with families such as the Treshams of Rushton who had long been known recusants and suffered financial penalties accordingly. It is noteworthy that Dr. Finch, while accepting that Sir Thomas Tresham's recusancy fines were one of the main causes of that family's ruin, does not consider it necessary even to mention recusancy when analysing the economic position of Sir Thomas Brudenell of Deene. Brudenell's position in religious matters was very similar to Thomas Eyre's.⁸

The Eyres did, however, suffer something for their papistry; it remains surprising that people of their general economic and social outlook did hazard their position to follow a faith at best unpopular and at worst persecuted. Once at least they were prisoners in the Gatehouse, and possibly Thomas was also in Newgate and Derby gaols. Experience was enough and Thomas never came out openly as a recusant though through his children, and also his wife, he became more and more deeply committed. Yet it is clear that he was not willing finally to contract out of the main stream of national life. In terms of annoyance, worry and strain, however, it is difficult to conceive exactly what Roman Catholicism entailed in daily life.

The position of his son, as a convicted recusant, was different. It was not until 1638 that the squire of Hassop became legally liable to recusancy fines and even then they were not paid. When the war came Rowland had little choice but to support the royal cause, though if his father had been living it is doubtful whether he would have ventured his estates to any great extent for the king. It seems clear that many personal and economic reasons must have inclined the family to follow John Manners, lately become earl of Rutland, in a moderate parliamentarianism, rather than their old enemies the Cavendishes, represented by the earls of Newcastle and Devonshire, into the royalist camp. But religious and family affiliations determined his choice, which led eventually to economic disaster. That, however, forms the subject of another study.⁹

III. 5. References

- ¹ Inventory partly quoted in G. R. Sitwell, *The Hurts of Haldworth*, 40.
- ² Bag. C. 366. Inventory 1657.
- ³ *Memoirs of Lady Ann Fanshawe*, 3 and pedigree.
- ⁴ *Longstone Records*, 308. He received a warrant from the Norroy King at Arms to bear and use such arms and crests as his ancestors had done, and to bear the name, title and dignity of a gentleman.
- ⁵ Bacon's *Essays*: "Of Riches".
- ⁶ The Rise of the Gentry, *Econ. Hist. Rev.*, XI (1941), 16.
- ⁷ H. Aveling, *Post-Reformation Catholicism in East Yorkshire*, 29.
- ⁸ *Five Northants. families*, chapters 4 and 6. J. Wake, *The Brudenells of Deene*, 101 ff.
- ⁹ Rosamond Meredith, "A Derbyshire family in the 17th century: the Eyres of Hassop and their forfeited estates", *Recusant History*, VIII (1965), 12-77.

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APPENDIX A

PUBLISHED LISTS OF DERBYSHIRE RECUSANTS BEFORE 1640

Though these lists are probably no fewer than for other counties, the returns are comparatively meagre in most cases, and for the High Peak early returns are practically non-existent. This would seem to reflect its relative inaccessibility and especially its distance from the diocesan centre, Lichfield. The whole county tended to fall between two stools, being in the diocese of Lichfield and Coventry yet under the authority of the distant High Commission at York.

All except the second list emanate from official sources. Their content is limited not only by the lack of knowledge on the compiler's part, but also by the purpose in hand. All relate to the laity only. Only those marked with an asterisk contain the name of one of the Eyre family of Hassop.

- (1) Bishops' letters to the Privy Council, 1564 (*Camden miscellany*, IX, 1895): letter of the bishop of Coventry and Lichfield. These letters are not specifically lists of recusants, but comments on the justices, particularly whether adversaries of religion, i.e. of the established church, or not. Under Derbyshire, two adversaries of religion are listed and Sir George Vernon reported to be "a great Jester at Religion as well as in all other things".
- (2) *List of "Catholicks in Englande", 1574, probably compiled in the interests of Mary, Queen of Scots. (*C.R.S.*, XIII, 1913.) Seven names only for Derbyshire, one of which is apparently a mistake for Denbighshire.
- (3) Diocesan returns of recusants, 1577 (*C.R.S.*, XXII, 1921). The return for Derbyshire is very brief, containing 38 names in all, listed under parishes. The only High Peak parish named is Hathersage, in which John Fitzherbert, esquire, and his wife are reported recusants. Those named are not all gentry, but must have been notorious for their papistry. Compared with the Staffordshire return from the same diocese, it is obvious that it is a meagre effort on the part of the compilers, not only in names, but in particulars.

- (4) List of recusants charged and outlawed at Derby Sessions in 1581, and in 1583 indicted in the Court of Queen's Bench, the records now being in the *Baga de Secretis*. The list, but not an exact transcript, is published in an article "The Recusants of Derbyshire", by A. E. Oldaker in *Derbyshire Miscellany*, Number 10, October 1958. It contains 91 names and it seems fairly obvious that it was the result of a round-up after Campion's mission through Derbyshire; this would account for the unusual *Baga de Secretis* file. The parishes are all in the south of the county, nearly all the names coming under Norbury and Roston (Fitzherbert), Longford (Longford), West Hallam (Powtrel), and Barton Blount (Merrie).
- (5) The first recusant roll, 1592-3 (*C.R.S.*, XVIII, 1916). All wapentakes are well represented in the roll, by far the longest list of names being under Hathersage (Fitzherbert). Those for Longford and Etwall (Gerard) are also considerable. This is the only roll at present published.¹ The rolls contained only such names as were estreated into the Exchequer and are unlikely to be a complete record of recusancy for any one year.
 In *D.A.J.*, X (1888), 56-70, is an "abstract" of the recusant rolls by Pym Yeatman. The compiler nowhere exactly states what he has abstracted but it seems to be a list, alphabetically arranged, compiled from the Derbyshire membranes of the rolls up to 3 James I; the year of the roll from which the name was abstracted is given in most cases.
- (6) Lists of recusants in the High Peak convicted at the Derbyshire assizes, for Lent 10 Jas. I and Summer 13 Jas. I, from the Belvoir muniments (*D.A.J.*, XVI (1894), 140-51).
- (7) *List of recusants presented at the Translation Sessions in 1634 (J. C. Cox, *Three centuries*, I, 287). As published this appears to be one complete list. Actually it was compiled by Cox from the original constables' presentments, not all of which are for exactly the same date. As far as the High Peak is concerned the printed list is composed of the Hathersage presentments for July 1634; a list dated September 1634 for the rest of the High Peak except Tideswell village; the names under the latter place were presented in a list dated January 1638/9. (Checked by Miss J. C. Sinar against the original presentments in the D.R.O.)

¹ The second recusant roll is published in *C.R.S.*, LVII (1965).

APPENDIX B

SCHEDULE OF PROPERTY PURCHASED BY THE EYRES OF HASSOP,
BETWEEN 1570 AND 1640

For some properties it is not possible to supply the purchase price.

* indicates that the figure given is half the penal sum mentioned in the bond for performance, but that the deed of conveyance is lacking or does not give the consideration money.

Mortgages are included in the list, even if subsequently redeemed.

<i>Date</i>	<i>Vendor(s)</i>	<i>Property</i>	<i>Purchase price</i>	<i>Source</i>
23 Dec. 1572	William Furnes of Calver	Messuage, orchard and houses in Calver	£50*	Bag. C. 1209A, B
26 Apr. 1574	Nicholas Bowthe of Little Longstone	Land in Wheston	—	Bag. C. 2196
19 Apr. 1578	Francis and Anne Bradshaw of Eyam	Extinguishing claim to the lordship of Rowland	£60	Bag. C. 1168
12 May 1584	Peter Barley of Barlow	Common in the manor of Barlow	—	Bag. C. 2232
5 Feb. 1584/5 1589-96	George Allen George and Gilbert, earls of Shrewsbury	House in Longstone £100 rent charge out of the manor of Barlow ¹	— Various estimates: £1300-£2000	H.E.B.I Bag. C. 2234-5
13, 14 July 1590	Earl of Cumberland and Francis Clifford	Moiety of the manor of Hassop and land in Bakewell, Tideswell and Castleton	£500*	H.E.B.I & Bag. 1027
1590 Michaelmas term	Edward Stafford and Margery his wife (previously Babington)	Manor of Dethick (for Margery's life)	—	Foot of fine C.P. 25(2)/103/1233 no. 7
5 June 1591	Edward Moore of Dore	3 closes and a moiety of a close in Hucklow	£30	D.E.D. (M 11)
11 May 1593	Jane Frost, widow	Lands and tenements held of the manor of Ealing, Middx. (Mortgage, perhaps redeemed)	£100	Bag. C. 2028
22 Sept. 1594	Francis Clifford of Lonneshrough	Sundry farms in Tideswell, Chelmorton, Wormhill, etc. and "Clifford's rents"	£300	Bag. C. 1028A
21 Oct. 1594	Richard Warde of Priestcliffe	Cottage, land and groves for getting lead, in Taddington	£50*	Bag. C. 1366A, B
14 Nov. 1594	William Knyveton of Mercaston and William Tidderton of Narrowdale	Tithes of corn and hay in Great Longstone, Hassop, Rowland and Wardlow	£300	H.E.B.I
2 June 1595	(to Nich. Blackwall and John Baguley of Needham Grange)	Thomas Eyre and the heirs of Thomas)	£58*	Bag. C. 1904, 1905
10 Sept. 1595	Executors of Godfrey Foljambe of Walton	Wigley hall, a cottage, lands meadows, etc. in Brampton	£360	D.E.D.I M15
4 Nov. 1595	Thomas Fitzherbert of Norbury and others (Mortgage, not redeemed)	The Bentleys etc., in Maveson and Hampstall Ridware	£600	Bag. C. 2509
26 Jan. 1596/7	Michael Eyre of Alfreton	Reversions of various leases in Hartington	£240	Bag. C. 2435
27 May 1597	John Buxton and Hugh Wiversley of Priestcliffe	Moiety of a messuage in King Sterndale	£60	Bag. C. 1193A, B
2 Sept. 1597	William Frost of London (as Needham's mortgagee)	Messuages, etc. in Hardwick-wall	£600	Bag. C. 2029
19 Nov. 1597	William Frost of London (as Needham's creditor)	Assignment of lands in Thornsett, Glossop, etc.	[£700]	Bag. C. 2035, 2036
29 Jan. 1597/8	Robert Herode <i>alias</i> Pylkington	Messuage in Wormhill	£15	Bag. C. 1967

¹ For the origins of the Barlow rent charge, see chapter II, 5.

<i>Date</i>	<i>Vendor(s)</i>	<i>Property</i>	<i>Purchase price</i>	<i>Source</i>
24 April 1599	Richard Marshall of Tideswell	Messuage with pastures, feedings and rights of common in Baslow	£80 and a fee-farm rent	Chatsworth deeds, Box 20. 24/24
3 May 1599	Richard Leech of Tideswell	Messuage in Litton	£120	Bag. C. 2082
5 Nov. 1599	Robert Sytwell of Gannow	Messuage and 13 a. of land in Tideswell	£80	Chatsworth deeds, Box 20. 14/26
1599	John Wigley	Royal lease of Howe or Howfield Grange in Bradbourne	£120	Bag. C. 2616 & D.L. 1/189/47
27 Jan. 1599/1600	[Robert Sitwell of Gannow]	House, barn and 8 a. in Tideswell	—	H.E.B.I
23 Mar. 1599/1600	Robert Allen of Tideswell	Messuage and land in town and fields of Litton	£100	D.E.D.I M29
	(To be redeemed with 25 fothers of lead)			
20 July 1600	Leech family of Tideswell	Messuage in Litton	£17*	Bag. C. 2086
18 April 1601	Thomas Mountforde of Parwich	Messuage in Taddington	£111	Bag. C. 1277
5 Oct. 1601	Robert Allen of Tideswell	Messuages and lands in town and fields of Tideswell	£40 and sixteen fothers of lead	D.E.D.I M44
	(To be redeemed on payment of same)			
9 Mar. 1601/2	— Wright of Tunstead	Property in Bradwell (Probably only a lease, see Bag. C. 1792)	£20*	Bag. C. 1793
17 Mar. 1601/2	John Perryns of Acton Trusell	Messuage in Barlow Woodseats	£200	D.E.D.I M46
10 Apr. 1602	Raphe Blackwall of Dethick (at request of Needham)	Capital messuage of Hardwickwall	—	Bag. C. 2039
May 1602	William Crompton	Fifth of the manor of Caus in Brampton	—	Bag. C. 2275
14 Aug. 1602	Ashe family of Brampton	Capital messuage and messuage etc. in Brampton	£300*	Bag. C. 2277, 2278
7 Oct. 1603	John Yellot of Aston	Property in Bradwell	—	H.E.B.I.
29 Nov. 1603	Sir Edward Cokayn (Probably a mortgage, later redeemed)	Lordship of Kingsterndale	—	Bag. C. 1187
2 Nov. 1604	Thomas Yeveley of Chapel en le Frith	Reversions of moiety of the manor of Thornhill and capital messuage	£160	Bag. C. 1580B
Michaelmas 1605	Thomas Sacherevell	Two messuages etc. in Kings Bromley	—	Bag. C. 2485
24 Apr. 1606	Thurstan Lowe and Thurston Lowe the younger	Farm known as the oxgang of land in Hassop	£220	Bag. C. 1054A
29 June 1607	Edward Deane of Beeley	Manor of Thornhill and three messuages	£600	Bag. C. 1554, 1555
2 Jan 1607/8	Richard Stevenson of Stoney Middleton	Messuage, farm, etc. in Cutthorpe and Brampton	100 marks (£66. 13. 4d)	Bag. C. 2283
2 Oct. 1609	Richard Bradbury of Wadshelf	Two messuages and lands in Wadshelf and Brampton	£300	Bag. C. 2284
11 Aug. 1611	Christopher and Jane Pegge of Yeldersley	Two messuages in Taddington	—	Bag. C. 1263
18 Oct. 1611	Francis Vernon	Tithe barn in Little Hucklow	—	H.E.B.I
20 Jan. 1611/12	— Bagshaw	Lands in Wheston	—	H.E.B.I
11 June 1612	Thomas and Richard Willson of Hassop	Farm known as One Ofgang in Hassop	£240	Bag. C. 1063A
10 Jas. I. [1612/13]	— Marshall	Property in Bradwell	—	H.E.B.I
6 Apr. 1613	Stephen Staley of Redseats	Copyhold closes in Hope	£140	Bag. C. 1498A
22 July 1613	Slack family of Hope	Capital messuage called Nether Hall, and the manor of Thornhill	£550	Bag. C. 1560
1 Sept. 1613	Adam Eyre of Bradway	Messuages in Hope, Bradwell and Buxton	£500	Bag. C. 1500
29 Nov. 1613	Sir Paul Tracy and Dame Anne	Manor of Calver	£4,300	Bag. C. 1217, 1226
10 Mar. 1613/14	William Plattes of Hassop	Farm known as One Ofgang and one half oxgang in Hassop (Previously mortgaged to Eyre?)	£300	Bag. C. 1048, 1064A

<i>Date</i>	<i>Vendor(s)</i>	<i>Property</i>	<i>Purchase price</i>	<i>Source</i>
23 Jan. 1614/15	Thomas and John Calton (assignment of lease)	Coalpits, land, etc., at Hilltops in Dronfield	£80	Bag. C. 369(20)
13 Nov. 1615	Henry Dicken of Taddington (To Gervase Eyre, with equity of redemption)	Closes, house and horse mill in Taddington	£200	Bag. C. 1368A
13 Nov. 1615	— Pott	House and land called Jumbles in Tideswell	—	H.E.B.I
25 May 1616	Symon Hanson of Ashbourne	Messuage and land in Taddington	£350	Bag. C. 1292
	John Hanson of Ashbourne	Assignment of lease of messuage in Taddington	—	Bag. C. 1293
1 Dec. 1618	Thomas Rowland of Losehill	Parcels of land in Hope	£6	Bag. C. 1482A, B
4 Feb. 1618/19	Robert Warde of Woodseats	Messuage in Hope	£48	Bag. C. 1484A, B
20 May 1620	Thomas Wright of Hoppisford, Warw., Sir Wm. Kniveton and Nic. Hurt of Castern (Edward Stapleton mortgagee)	Capital messuage in Snelston, windmill, watermill and close called the Parke; other closes (named)	£1,900	D.R.O. Stanton deeds (bundle 23)
31 May 1620	Thomas Wright of Hoppisford, Warw., Sir Wm. Kniveton, Nic. Hurt	Messuage wherein John Bowyer dwells, in Snelston	£40	D.R.O. Stanton deeds (bundle 33)
c. 1620	— Trentham of Rocester	Miners Motte in Hanbury, Staffs.	[Redeemed for £500]	Francis Trentham's will. PCC 72 Rivers
1 Apr. 1621	John Bradwell of Hope	Four parcels of land in Hope	£14	Bag. C. 1485A, B
10 June 1621	Misses Marshall and Henry Stephenson	Term of years in $\frac{1}{2}$ an oxgang in Bradwell	£6. 13. 4	Bag. C. 1775
1622	Anne, James and Richard Barlow	House in Wheston, land, etc.	—	H.E.B.I
27 June 1622	Nicholas Staley of Castleton	Houses, lands, at Losehill and Thornhill	£40	Bag. C. 1534
	(Assignment of a lease)			
22 Oct. 1622	Thomas Bagshawe of the Chamber in High Peak Forest	Forestership of the High Peak	£130	Bag. C. 1976
25 Feb. 1622/3	Alice Vickers of Taddington	Messuage and 3 a. in Taddington	£20	Bag. C. 1329
1 June 1623	Adam Eyre of Bradway	Leeches Farm and Whaynume Mill in Aston	[£240]	Bag. C. 1685
1 June 1623	(Previously mortgaged to Adam Eyre by Thomas Balgie)	10 a. in Taddington	[£120]	Bag. C. 1318A, B 1324
	Adam Eyre of Bradway			
	(Adam Eyre acquired from Redfearne two years previously for £120)			
1 Aug. 1623	Thomas Glover of Hope	Land in Hope	£40. 10s.	Bag. C. 1486A, B
1 Oct. 1624	George and Hugh Bradwall of Bradwell	Land in the townfields of Bradwell	£60*	Bag. C. 1518
20 Mar. 1624/5	Robert Bagshawe of Wormhill	Third part of messuage in Wormhill and toft at Crich	£70	Bag. C. 1979
3 May 1625	Rowland Moorwood of Castleton	Water mill in Brough	£20	Bag. C. 1801
		(and good considerations)		
24 Mar. 1625/6	Francis Kymersley of Loxley	Messuage, etc. in [Stramshall], Staffs.	£20*	Bag. C. 2540, 2541
Oct. 1626	Stephen Staley	Four messuages, etc. in Castleton and Hope	—	Bag. C. 1530
10 Jan. 1627/8	Henry Foljambe of Walton and another	Assignment of a lease of property in Wormhill, including leadmines	£500	Bag. C. 1956
20 Jan. 1627/8	Sir Francis Foljambe of Walton, and mortgagees	Manor of Wormhill and a forestership	£370	Bag. C. 1958, 1957, 1960
3 Feb. 1627/8	Thomas Skinner of Derby	Messuage in Thornhill	£105*	Bag. C. 1589A, B

<i>Date</i>	<i>Vendor(s)</i>	<i>Property</i>	<i>Purchase price</i>	<i>Source</i>
30 Sept. 1628 1629?	Bradshawe family William Eyre	Royal demesne of Bradwell Messuage called Kings Haigh in Hope	£229 —	Bag. C. 1777 Bag. C. 1826, 1827-31
21 July 1629	Sir Francis Foljambe of Walton (Letters of attorney only)	Manor of Wadshelf, messuages, lands	—	Bag. C. 2289
21 Nov. 1629	James Lange of Kirklington and others	Messuage in Wormhill	£140	Bag. C. 1983
25 Jan. 1629/30	Thomas Skinner of Derby	Thornhill property?	£60*	Bag. C. 1591
1630	Richard Purselove	House and lands in Tideswell	—	H.E.B.I
1 Sept. 1630	Robert Dale of Hurdlow	Closes, etc. in Hurdlow	£100	Bag. C. 2439, 2441
Jan. 1630/1	Edward Alleyn (Fine only)	Two messuages, etc. in Hope	—	Bag. C. 1506
1 Mar. 1631	Mr. Blithe	Lands in Eastwell, Leics.	—	Nichols, <i>Leicester-shire</i> , 2, 167
20 June 1631	Robert Eyre of Reyton	Messuages etc. in Coates, Bradwell and Hope	£400	Bag. C. 1809
24 June 1631	Lawrence Symon of Snelston	Messuages in Snelston, and closes called Sparke corners, etc.	£242	D.R.O. Stanton (bundle 27)
14 May 1632	Christopher Fulwood of Middleton	Feeding for 400 sheep on Bras- sington Moor	£140	D.E.D. IV. M 1.
23 Mar. 1632/3	William Eyre of Kings Haigh	Land in Hope	£15	Bag. C. 1507
16 Jan. 1634/5	George Hallom of Bradwell	Messuage, lands, etc. in Hope	£66. 13. 4	Bag. C. 1522
29 Jan. 1634/5	John and Ellen Mason of Rowsley	Lands etc. in Bradwell	£60	Bag. C. 1779
2 Oct. 1635	John Bamforth of Pulehill	Two messuages called Abney Grange	£1,000	Bag. C. 1639-42
10 Dec. 1635	Thomas Tonncliffe of Snelston	Close, two pingles and moieties of Turning Holme and middle meadow, in Snelston	£160	D.R.O. Stanton (bundle 27)
15 Feb. 1635/6	Roger Bullocke of Snelston	Moiety of Turning Holme in Snelston	£80	D.R.O. Stanton (bundle 24)
21 July 1636	George and Anthony Moore of Hope	Lands which were Harrison's in Hope	£80	Bag. C. 1525
20 Oct. 1636	Sir John Fitzherbert of Tissington	Tenement in Snelston	£30	D.R.O. Stanton (bundle 27)
15 Mar. 1636/7	Sir John Fitzherbert of Tissington	Closes in Snelston called Marle closes	£170	D.R.O. Stanton (bundle 27)
15 Mar. 1636/7	Francis Roome of Snelston	Messuage in Snelston and land	£30	D.R.O. Stanton (bundle 27)
20 Aug. 1638	Nicholas Thornhill of Calver	Closes in Thornhill	£150	Bag. C. 1600
2 Aug. 1639	Francis and Charles Ashton	Messuage at Brough Bridge- end	£145	Bag. C. 1802
2 Aug. 1639	Francis and Charles Ashton	Messuage and land in Hope and Aston	£100*	Bag. C. 1687, 1689
10 Sept. 1639	Roger Bullock of Snelston	Messuage and land in Snelston	£160	D.R.O. Stanton (bundle 27)
2 Dec. 1639	Francis Ashton of Aston	Rent charge of £5	£150	Bag. C. 1803
1 June 1640	Robert Hallom of Castleton	Land in Hope fields	£9*	Bag. C. 1528, 1529
July 1640	Edward Ibbotson of Morewood	Lands in Shatton	£240	Bag. C. 1887
10 Aug. 1640	Stephenson family	Capital messuage in Over Shatton and closes	£900 and £320 in legacies	Bag. C. 1889?, 1890, 1891?, 1896-9

The following properties are known to have been purchased but there are no details

—	Lord Aston?	Manor of Edlaston	—	—
—	—	Glossops farm	—	—
—	—	Rowtor Hall, Youlgrave	£450	Rowland Eyre's will

Duchy of Lancaster Leases

<i>Date</i>	<i>Term</i>	<i>Property</i>	<i>Rent</i>	<i>Source</i>
c. 1588	Remainder of term	Premises below, granted to G. Allen in 1572/3	—	DL 1/163/35
17 Mar. 1591/2	21 years	Toll of passage and stallage of market and fair at Chapel-en-le-Frith	33. 4d.	DL 42/47/158
3 Dec. 1597	21 years	Land at Bradwell and fishing in the Wye	£7. 1. 8. (and £14)	DL 42/37A f. 9 (v)
16 June 1608	21 years	Office of barmaster in the High Peak, Wynnlands and land in Hartington, with pre-emption of lead there	£1. 0. 0. (and £5)	DL 42/49
24 Nov. 1614	3 lives	Office of barmaster etc. (as above)	„	E 317 & DL 42/36
1639/40	?	Tolls of passage and stallage etc. at Chapel-en-le-Frith	?	DL 42/36

Abbreviations

Bag.	Bagshawe Collection, Sheffield City Library
H.E.B.	Hassop Evidence Book, at Hassop Hall
D.E.D.	Derbyshire Enrolled Deeds
D.R.O.	Derbyshire Record Office
Stanton	Stanton deeds, D.R.O.