

## BURWASH.

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By CHARLES FRANCIS TROWER, Esq., M.A.

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If the traveller leaves Lewes—the fair down-embosomed old capital of Eastern Sussex—by the North-east, and follows the high road for a dozen miles, or so, as far as the “well known” way-side hostelry<sup>1</sup> of Cross-in-Hand, he will find three roads diverge, like prongs from the handle of a fork, all of them eventually finding a common vent eastward in the great line of communication between Tunbridge Wells and Hastings. Of these the most northerly will lead him to the little town of Mayfield; the southernmost to the villages of Dallington and Brightling; the centre one, with which alone I am now concerned, by way of Heathfield, to the parish of Burwash, which he will enter at about the fifth milestone from the point of divergence.

It is a remote and quiet district I am inviting him to enter; it seldom contributes news to the columns of the “Sussex Express;” our Society has not yet honoured it with a visit; Mr. Murray<sup>2</sup> dismisses it with a paragraph of half-a-dozen lines; and yet, for all this, I hope to shew, before I have done, that it is one which possesses singular features of interest, and will bear comparison with many of the most favoured corners of our county.

But before we enter the parish of Burwash, we are within its Rape and Hundred; the Rape of Hastings, and the Hundred of Hawkesborough. I say its *Hundred*, for although

<sup>1</sup> xiii. Suss. Arch. Coll, 80.

<sup>2</sup> Handbook to Kent and Suss., p. 232.

parts of it are within the Hundreds of Shoyswell and Henhurst also (and Mr. Horsfield seems wrong in saying<sup>3</sup> they are not), yet by far the larger part of it is in Hawkesborough, of which Hundred the Earl of Chichester<sup>4</sup> is said to be Lord, holding for it, as did the Norman Counts of Eu, his Courts Leet, and claiming the wastes in it as chief lord.

I will, therefore, say a few words about these old præ-Norman divisions of territory, for they are very curious old things, and belong to my subject. Of the 63 Hundreds into which our county was and still is divided, 38, and Hawkesborough among them, retain their original names. But what they were, and whence the names of many of them, and of this one in particular; and how, and when, and why, the names of 25 of them have been changed, are questions little known. Sir F. Palgrave has, indeed, mentioned the various bases for calculating their meaning, whether they regarded a hundred hides of land, or a hundred free families, or a hundred free-men, or a hundred freeholders; but this is only to state the difficulty, which we might have looked to him to solve.<sup>5</sup>

Mr. Hallam<sup>6</sup> helps us more, by arguing against their meaning *freeholders*, on the ground that, looking at the then sparse population, such an interpretation would give too large a number (6,300) for the county. Then again, supposing the name to refer to a hundred freemen or their families, not being necessarily freeholders, who was a free-man? who were they, whom the Conqueror addressed in his well known mandate from Old Sarum as his "*liberi homines*" of the country. What constituted liberty? How far was England a land of slavery?

These are interesting questions, which I throw out rather for others to pursue than myself, whose enquiries must, at least at present, be chiefly directed to a single parish. However, whatever their solution, the two conspicuous features of the Hundred, its Court and its view of Frankpledge, shew the height of organization and police to which our ancestors had attained; in the former, by bringing

<sup>3</sup> History of Sussex, vol. i., p. 588.

<sup>4</sup> vi. Suss. Arch. Coll., 57.

<sup>5</sup> Rise of the English Commonwealth, p. 100.

<sup>6</sup> Middle Ages, vol. ii., p. 278.

justice home to every one's door; in the latter, by rendering through a strict espial and coercion in the district, every one a surety for the good behaviour of his neighbour.

But to our parish. Burwash, or as the common folk pronounce it, Bur-rh-'sh, has had as many *aliases* as any word in Her Majesty's English. Thus we find it occurring as Burgherrsh, Burghese, Burghesshe, Borgarssch, Borgeise, and even as Borwhesse, and Borwarssh. It lies in the centre of the district of the county, known as the Forest Ridge, a name well given to it both from the forestal character of its scenery, and the crest-like shapes in which it rears itself, like so many "*undæ sequaces*" among the trough-like valleys. Speaking geologically, it is wholly situate in that lowest division of the Wealden formation<sup>7</sup> known as the Ashburnham beds, the character of which is a shelly limestone<sup>8</sup> alternating with sandstones, shale, and marl, and layers of Tilgate<sup>9</sup> stone.

It is an interesting fact in connection with Burwash, that our eminent Sussex geologist considers the most interesting locality of these beds occurs in a farm, Pounceford, in this parish, in a deep glen situate about a mile to the right of the turnpike road leading from Cross-in-Hand;<sup>10</sup> and that he devotes several pages, and an engraving, to the description of the spot. In a quarry there, he found a section of the Tilgate calciferous grit *beneath* a layer of the Ashburnham limestone, and an incrusting spring had its source there; and it appeared to him not a little extraordinary, that the occurrence of the calciferous grit in this division of the Hastings beds should have so long eluded observation.

On a glorious January morning in the present year, with the bracing frosty air on the hill-tops, and a warm sun kissing the slanting lowlands, I had the pleasure of visiting this remarkable spot, being shewn over it by the son of the tenant who conducted Dr. Mantell, and who perfectly remembered his visit. The incrusting spring no longer bubbles

<sup>7</sup> The Wealden formation rests upon the upper Oolite, and itself supports the lower chalk.

<sup>8</sup> Mantell's Geology of the S. E. of England, 219.

<sup>9</sup> This is the division of the Wealden

formation, which intervenes between the Hastings Sands and Ashburnham Beds, and receives its name from having formerly been much quarried in Tilgate Forest.

<sup>10</sup> Illustr. of Geology of Sussex, 46.

between the limestone beds, and its lapidescent powers are said to be much diminished. It has been channeled away lower down the brook, which parts the glen; while the solid blocks themselves are now concealed by mould and underwood, and the *debris* thrown out by workmen from adjoining works. Forty years have caused a great transformation in the scene; but it will still amply repay a visit, and the traveller will find in Mr. Symes an obliging and intelligent guide.

Returning from the glen to the main road, the landscape becomes one of varied and romantic picturesqueness, vying with, if it does not surpass, that of most other parts of the county. As we pursue our journey eastward along the highway, which runs with the formality of a military road over this spine of the Forest Ridge, a panorama of almost unequalled beauty and extent opens out before us. If the sky be clear, the eye roams from Crowboro' Hill in the extreme west to the Folkestone Cliffs in the extreme east; from the Kentish Downs on the north, to the sea-girt Downs on the south. Its general character is still wood and forest, with sharp declivities and steep ravines, resembling the Yorkshire "becks," unfavourable indeed to the plough, but well fitted for the cultivation of hops, introduced into England from Flanders early in the 16th century. If amidst this magnificent display of Nature's works, and prodigality of her charms, one might make any criticism, it would be, that the landscape, as almost all inland Sussex landscapes do, wants water. The silver thread of the Rother, which, rising at Rotherfield, and finding its way into the sea at Rye, may be roughly taken as the boundary of the parish on the one side, is scarcely discernible on the north; whilst the Dudwell, which may be also taken as its boundary on the south—a brook dignified by Mr. Hayley with the name of river<sup>11</sup>—is so utterly insignificant, that it fails in diversifying the scene at all.

What was the social condition of this interesting district in former times, is the first question, which arises from the survey of so imposing a breadth of country? Old drawings of

<sup>11</sup> Add. MS., 6344, f. 179. This is doubtless the stream referred to by Mr. Lower (xv. S. A. C., 151) as "rising to the N. of Heathfield, and

passing the site of Burwash Park, anciently the seat of the Barons Burgersh."

the dress, agricultural implements, course of husbandry, and even cottages of its peasantry do not, it is true, differ materially from what they are now. And yet, what vast changes must not the external features of it have undergone! Not to ascend to præ-historic times—when probably it was first the delta of some mighty river, and next an oceanic deposit<sup>12</sup>—what was its state, say, a thousand years ago? Here we are in the centre of the once great forest of Andreadswold, with its half fabulous city, whose very site is forgotten. Here we are within sight of towns swallowed up by an encroaching sea,<sup>13</sup> which again in another part has been thrown back for miles. Here, to descend to later times, were forests, not, as now, such only in name, but great realities, full of beasts of prey, and later of beasts of venery; deep eternal solitudes, into which the foot of woodman never entered. Here presently rose the towers baronial of the Echyngshams and the Burghershes, when Burwash, which since then must have changed for the worse, was no mean vill, for the County Court was always held in a principal place, and here the Sheriff held it in the days of our 2nd Edward, and a weekly market was granted.<sup>14</sup> Here, too, we are in the centre of our county ironworks, which drove so prosperous a trade during the 16th and 17th centuries, and “filled the neighbourhood round about night and day with continual noise.”<sup>15</sup> In Burwash Church, as has been already elsewhere pointed out,<sup>16</sup> occurs, perhaps, the oldest existing article produced by our foundries, in the shape of a cast-iron slab, with an ornamental cross, and the following inscription in relief upon it:—

“Orate pro annemâ Jhone Colline,”

on whose identity some light has been thrown by observing that a Collins was returned to the Council as owning the “neither forge” in Burwash in 1574.<sup>17</sup> A century later, a forge or iron-mill in Burwash still continued “in hope of encouragement,”<sup>18</sup> though “it had not made guns or shotts in the then late war.” This, probably, was the forge called Glaisyer, on Pounceford

<sup>12</sup> Horsf. Suss., vol. i., p. 23.

<sup>13</sup> *e. g.* Northeye and Hydneye, xix. S. A. C., 1.

<sup>14</sup> *Infrà*, n. 73.

<sup>15</sup> *Camd. Britannia*, vol. i., p. 268.

<sup>16</sup> *ii.* S. A. C., 178

<sup>17</sup> *iii.* S. A. C., 243, 245.

<sup>18</sup> *xviii.* S. A. C., 16.



HOLMESHURST.



W. L. Walton lith.

BATEMANS.

M & N Hanhart sculp.

Farm, which is marked in Budgen's map of 1724, as close to the Dudwell Brook and incrusting spring already spoken of. In the farmhouse of Pounceford is a good specimen, of the date, 1629, of one of those handsome chimney backs so common in this district, and of which we possess such beautiful engravings.<sup>19</sup> As late as 1825 a forge is said to have been worked in the neighbouring parish of Ashburnham. It was then that the lone manorlike Elizabethan and Caroline houses of "Holmeshurst" and "Bateman's," which I have selected for my engravings, and of "Rampynden's" in the village street, were built; but which were not manor houses, but the residences of opulent iron-masters. I have examined the records of a curious Chancery suit in 1592, between Robert Cruttenden and Thomas Hepden, names which have ever since been known names here, for the performance of an agreement by the former to purchase of the latter an "iron forge or ironworks, known as Burgherst forge, the inheritance of one Henry Colley, and of a certain stack of coal lying at the same forge containing the number of 300 loads, being very necessary and beneficial for such persons as should occupy the said iron forge."

And then when trade died off, times of violence and lawlessness succeeded. Men now living, or their fathers, can remember, how it was scarcely safe to ride after nightfall over Burwash Downs, and how often the inmates of lone farmhouses were scared by the assaults of burglars. The parish seems to have had an unenviable notoriety for being the birthplace or sheltering-place of rick-burners, sheep-stealers, and thieves. The immediate ancestors of those, who now pursue a quiet and honest life of husbandry, gained an illicit profit, and led dissolute lives, in conveying kegs of brandy up the country with relays of horses from the sea-coast.

But better times have since set in, and everything is now changed. Land has improved in value. Agriculture has been encouraged; good roads laid down; waste lands enclosed. Opulent families, attracted by the beauty of the situation, are choosing it for their homes. The South-Eastern Railway sends its blue puffs of steam every hour through our valley, and has made us an accessible population. Within the last few

<sup>19</sup> For which see ii. S. A. C., 188.

years have been built within the parish, or converted into gentlemen's residences from small farmhouses, Southover, the property of Mr. Pooley; Dudwell House, Mr Gibbs's; The Franchise, Mr. Newton's; St. Clements, the seat of Mr. Breech; and Hollyhurst, of the Misses Trower; to which may now be added Blackdown, lately purchased by the Hon. Mrs. Holland.

True, the peasantry are still ignorant, and there is the same blunt independence which has ever marked, and often marred, the character of the Sussex labourer. But they have a capacity and thirst for learning, of which it surely is a remarkable proof, that in an outlying part of the parish during the long dark evenings of the late winter, an adult night school has been attended by 30 pupils, many of them living two or three miles off, and coming voluntarily, after a hard day's work, to an hour's practice in the elements of reading and writing: whilst the children's schools are crowded all the week; and from them great things may be expected.

The fact is, the very primitiveness and seclusion of the place is, in this respect, its safeguard. It is a virgin soil to work on, that drinks in readily the streams of knowledge. All press into it with a docility and an avidity, which are quite refreshing to those to witness who have laboured among the skilled artisan classes of large towns. I never in my life witnessed a prettier sight, than when I was ushered suddenly, a year ago, into a room full of these children of the moor and of the glen, who were engaged in accompanying, with the sweetest voices and simple movements of their hands and feet, those well-known stanzas of the child's song:

" If you want to learn or read,  
Try, try, try again!  
If at first you don't succeed,  
Try, try, try again!"

What may not those 80 voices do, thought I, for good for Burwash, when a dozen more years have passed over their young heads!

I often think our rural populations contain a germ of true aristocracy in them; and I confess to be unable to converse,



without a sentiment of respect, with those who, and whose fathers to the 3rd and 4th generation, have been born, and lived, and died in the same cottage, and have never, it may be, travelled beyond the sound of their own village bells; whilst how many spoilt children of fortune, have often changed homes; rolling stones, gaining little influence and doing little good in the wide wide world.

Of the parochial history of Burwash—which may be divided, as usual, into the Manorial and Ecclesiastical—I fear I shall not be enabled to present so perfect an account as I could have wished. There is not only in the parish a remarkable plurality of manors, contrary to what Blackstone considered the general rule<sup>20</sup>; but its principal manor is said to have become divided in early times into two, which renders it more difficult to trace its descent. No large resident squirearchy, interested in the prosperity of the place, and tenacious of its former importance, open their archives to the enquirer and assist the search. Those houses, which are most manor-like in their appearance, are not, as I have already said, manor houses at all; whilst its real ones have been pulled down, or are difficult or impossible to be identified.

Before particularizing the manors, however, let me endeavour to express the true legal idea of an original Manor—no easy thing to do in a precise yet popular manner, and yet most necessary; for I rather think the writers in our Collections, which have treated so largely of manors, have taken it for granted that their readers are better acquainted with that idea, than on examination they would prove to be.

Suppose a great Lord then, owner of a large tract of land, held by him of the Crown, to have built his castle or mansion for personal residence, on a portion of it, and granted a further portion of it among, at least, two freehold tenants, to hold of him *as of that* castle or mansion, by certain services not unbecoming a free man to render. The residue, so reserved in his own hands, constituted what were called his *demesne* lands. Of these a threefold division was generally made by him. One part he retained in his own occupation, to be cultivated by his villains or bondsmen, for his own sustenance;

<sup>20</sup> It very seldom happens that a manor extends itself over more parishes than one. 1 Comm. (Steph. 3rd ed.), 114.

of another part he delivered possession to the villains themselves for their sustenance, who, in course of time became copyhold tenants; the third part was termed the Lord's wastes, and served for roads, and for the enjoyment of the various rights of common for himself and all the tenants. The freehold of all the *demesne* land remained in the lord. The whole tract thus parcelled out, and reserved, constituted a Manor. Sometimes no distribution of land was made to the villains, and then of course the only tenants of the manor were freeholders. It would seem, however, that some *freehold* tenants were an essential part of a manor. The Crown, as the fountain of Justice, empowered the Lord to hold two Courts; one the Court Baron, in which the freeholders were judges, and the Steward rather a Registrar than a Judge, to punish offences and decide controversies within the manor; the other, the customary, or copyholders' Court, in which the Steward was Judge, for the transfer of the estate of the copyholders. Even though the Court Baron be lost, yet the manor may exist as a reputed manor as to the copyhold tenants, and many so-called manors at this day are of this description.

I know of no more concise and fitting definition of a manor than the following, from an old law writer of the 16th century:—

“And it is to know that the beginning of a Manor was when the King gave a thousand acres of land, or a greater or lesser part, unto one of his subjects and his heirs, to hold of him and his heirs, which tenure is knight service at the least; and the donee did perhaps build a mansion house upon parcel of the same land, and of twenty acres, parcel of that which remained, or of a greater or lesser parcel, before the Statute of *Quia Emptores, &c.*, did enfeoff a stranger to hold of him and his heirs, as of the same mansion house, to plow ten acres of arable land, parcel of that which remained in his possession, and did enfeoff another of another parcel, &c., to carry his dung into the land, &c., and did enfeoff another of another parcel thereof, &c., to go with him to war against the Scots, and so in continuance of time he made a manor.<sup>21</sup> ‘In continuance of time’; for ‘time is indeed the mother, or rather

<sup>21</sup> John Perkins' Profitable Booke, paragr. 670.

the nurse, of manors';<sup>22</sup> and custom, which is the strength of the copyholders' title, requires time to mature; whence it seems a manor was not created instantaneously.

In course of time the freehold tenants became themselves Lords of manors by pursuing, with regard to the lands granted to them, and that without their Lords' consent being required, the same process as that which he had pursued with regard to his larger tract, by carving out still smaller portions to be held of them, *as of their mansion*, and by like services to those which they themselves rendered. Both the above processes were called sub-infeudations. Thus sub-manors were multiplied, until each superior Lord in the chain found himself deprived of the escheats, wardships, and marriages, which were due to him.<sup>23</sup> This led to the passing in 1290 of the Statute,<sup>24</sup> called from its two first words, *Quia Emptores*, whereby all further sub-infeudations were prohibited: whence it follows that a manor existing at the present day must have existed as early as that date.

I wish I might confine myself to the subject of manors only, but in conscience I cannot. The position of the Lord of a Manor depends so much on its relation to the larger territorial divisions of a county, that I must say a few words about them, and at least invite the attention of others to their fuller discussion hereafter. County histories have, I think, erred much in shirking these questions. What for example is an 'Honor,' a 'Barony,' a 'Hundred,' or a 'Lordship.' In Sussex we have another difficulty—the 'Rape.'

To begin with the largest, what is a Rape? or rather, for Mr. Lower explains at least its *etymology*,<sup>25</sup> what did a *grant* of it carry: as, for example, when King John ordered the Bishop of Winton—the earliest record I find of the grant of the Rape of Hastings—to give seisin of it to Peter of Savoy?<sup>26</sup> Was the grant of the Rape by the Conqueror to the Earl of Eu (of which no record exists,) a grant to him of the fee simple of every acre in it (though according to Mr. Horsfield<sup>27</sup>

<sup>22</sup> Coke's Copyholder, p. 52.

<sup>23</sup> An escheat was the reverter of the fief to the lord on failure of heirs: wardship and marriage gave him a pretty considerable slice of the profits, if the tenant was a minor, or refused a marriage ten-

dered by him, or contracted one without his consent.

<sup>24</sup> 18 Ed. 1.

<sup>25</sup> xv. S. A. C., 149.

<sup>26</sup> 16 John, Pat. Rot., membr. 17, part i.

<sup>27</sup> Vol. i., p. 78.

Battle Abbey owned some portion of it), displacing and overriding all Saxon rights pre-existing in it; and did Peter of Savoy own it in the same sense as the Earl of Eu did; or was it a grant to them only of such *manorial* rights, as the Crown succeeded to, upon the great re-adjustment of affairs consequent upon the Conquest?

So again it is difficult to understand how a man who, as the Earl of Chichester is said to be,<sup>28</sup> is Lord of 9 only of the 13 hundreds which compose, and are territorially co-extensive with, the Rape, can be with strict accuracy called the Lord of the Rape. Did the Rape imply manorial jurisdiction at all? Was it not rather a division framed for military, as a hundred was for civil and police, purposes, and irrespective of feudal considerations?<sup>29</sup>

Then what did a grant of a Hundred carry? We find instances of conveyances of Hundreds. I can only arrive at it in this way; it carried the Lordship of the Hundred, whatever that was, and Spelman tells us, better than I have seen it put elsewhere, what it was. I must translate, for the sake of my lady readers.

“The Lord of the Hundred formerly had the whole Hundred under his protection (*clientelá*) and subjection (*obsequio*), deriving from it many ‘aids,’ suits (of Court), tributes, and other profits, both for use and pleasure. Bread for instance, and corn to feed his sporting dogs, in the name of which we understand from other sources, that now-a-days an annual tribute of money is paid. Report says this tax was at first granted in order that he might destroy and drive off wolves and foxes, badgers (*taxos*,) and animals that were hurtful to the public.”<sup>30</sup>

Again, what shall be said of an “Honor,” and in particular, what was the “Honor of Hastings,” of which it is said to have been once much disputed, whether the Manor of Burwash was held or not.<sup>31</sup> Blackstone treats an “Honor” as a mere assemblage or plurality of manors in the hands of one and the same Lord.<sup>32</sup> Mr. Walford considers it ‘a lordship, of which several manors were held by sub-infeudation.’<sup>33</sup> “A genuine Honor,” according to Mr. Madox, “is a Land

<sup>28</sup> vi. S. A. C., 57.

<sup>29</sup> Palgrave's English Commonwealth,  
102 n.

<sup>30</sup> Glossary, title “Hundred.”

<sup>31</sup> ii. S. A. C., 163.

<sup>32</sup> 1 Comm. (Steph.), 207.

<sup>33</sup> vii. S. A. C., 51.

Barony,<sup>34</sup> the seignory of a Baron or an Earl 'relieving' of the King." Spelman defines it as the feudal patrimony, or barony, of every greater Baron.<sup>35</sup> Cruise says that the possessions of an Earl were frequently called 'Honors,' as well as those of Barons.<sup>36</sup>

But when was the Honor of Hastings created, and of what did it consist? How did it differ from the Barony, or from the Rape itself: nay, was there ever such an Honor at all? With regard to the last question, it is noticeable that Lord Chief Baron Comyn,<sup>37</sup> who is said to have given us a list of the 80 Honors in England,<sup>38</sup> does not mention Hastings at all among them; nor even Richmond, of the Earldom of which the Barony of Hastings is called an appendage.<sup>39</sup> On the other hand, it is frequently mentioned in the Records, and was specially granted, by that name, first to the Dukes of Brittany,<sup>40</sup> and afterwards to the Pelhams.<sup>41</sup> We have also the following account of the items of which it consisted in 8 Edward I. :—

"To the Honor of Hastings belong 57 fees (with two in Thurrock Co. Essex), and they render annually for the Castle-guard, £21. 0s. 9d. In the Rape of Hastings there are 9 Hundreds and a half,<sup>42</sup> which render annually for their common fine £31. 2s. (There is) a certain customary toll which is called the Lastage of Winchelsey, worth per annum, 21s. The toll of carriages, 9s. 9d. From the remaining 'aid' of the Bailwick, 16s. 5d. The pleas and perquisites of the Courts of the said Hundreds, £10 per annum. Total value of the Honor per annum, £64. 8s. 11d."<sup>43</sup>

It is sometimes called the Honor of the Rape. That might have been a correct designation, so long as it comprized (if it ever did), all the Hundreds, and therefore was co-extensive with the Rape, which we see it was not in 8 Edward I., and has not been since: or, if the term denoted nothing more than that the Honor was locally situate *in* the Rape— which, after all, I suspect is the true explanation of the designation.

<sup>34</sup> Bar. Angli, 2.

<sup>35</sup> Glossary, title "Honor." The Majores Barones were the more ancient and powerful, in distinction to the Minores, or the less ancient and powerful.

<sup>36</sup> Digest, vol. iii., p. 127 (4th ed.)

<sup>37</sup> Digest, title "Honor."

<sup>38</sup> 1 Blackst. Steph., p. 207 n. (p.).

<sup>39</sup> 8 Nichol's Collectanea, 172.

<sup>40</sup> 1 Rym. Fœd. (new ed.), pt. 2, p. 516.

<sup>41</sup> ii. S. A. C., 161.

<sup>42</sup> *i. e.*, belonging to the Honor, for there were 13 in the Rape.

<sup>43</sup> 8 Ed. I. Inq. p. m., No. 50.

This Honour having escheated to the Crown by the forfeiture of the Eus, Peter of Savoy was created Earl of Richmond in Yorkshire, a title, however, which he does not seem to have used,<sup>44</sup> and the Honor of Hastings was granted to him in exchange for lands in Norfolk belonging to the Honor of Richmond. A clause was frequently inserted<sup>45</sup> in the creation of an Earl, enabling him to hold all or any part of his estates *sub comitatûs honore*; whereby they became part of the Honor of the Earldom, though locally distant from it. This will explain how the manor of Burwash came to be called (as we shall presently see it was), "parcel of the Honor and Earldom of Richmond," even after that Earldom had escheated to the King (without being merged however), by the confiscation of John of Brittany. The descent of the Honor has been shortly traced by Mr. Turner,<sup>46</sup> so I will not repeat. But he omits the ownership of it by the Dukes of Brittany, Earls of Richmond, during the reign of Edward III., which formed an important feature in its history, nor does he tell us of what it consisted.

Two other terms require to be noticed, because they frequently occur in connection with our Manor, "Barony," and "Lordship." Was the Barony the same as the Honor of Hastings? In later times it would seem to have been used synonymously with it, as Spelman does, though both words sometimes occur in the same grant. Thus in the reign of Edward III., the Barony of Hastings was granted to John of Gaunt, by the description of the Honor and Rape of Hastings, and was an appendage to the Earldom of Richmond.<sup>7</sup> That, perhaps, was only a conveyancer's caution; but in earlier times we find "Barony," and not "Honor."

"Lordship" (*dominium*), according to Blackstone, is synonymous with "manor." Yet this can hardly be, for we find it so often applied to the other territorial divisions. It would seem more correct to say, that it is used indiscriminately to mean the headship (whatever that carried), of any of those divisions, rather than any particular division itself.

The parish of Burwash contains 7,320 acres, and the fol-

<sup>44</sup> 1 Whitaker's Richmondshire, p. 28.

<sup>45</sup> Cruise Dig., vol. iii., p. 127.

<sup>46</sup> xiii. S. A. C., 140.

<sup>47</sup> 8 Nichol's Collect., 172.

lowing manors lie wholly or partly in it; but a considerable part of it is free from any manorial rights:—

- 1, 2. Burwash and Burghurst.
3. St. Giles.
4. Woodknowle and Mottingden.
5. A small rectorial manor.
6. Robertsbridge.
7. Etchingham *cum* Salehurst.
8. The prebendal manor of Brightling.
9. Pebsham or Pepplesham.
10. Haselden (perhaps).
11. Tirseys (perhaps), *alias* Turzies, *alias* Turziers, a sub-manor of Etchingham.

Of these I propose to enter at some length into the descent of the two first, because of the family who, taking their name from the place, reflected on it the lustre they received from it. Of the three next I shall add a few words, because they are the only manors which lie wholly within the parish, and are therefore in a peculiar sense Burwashian. The history of the rest belongs more properly to that of the places in which they are chiefly situated.

1, 2. Burwash, Burghurst. I treat of these together because, though said to be long ago divided and separate manors, they were in early times one, and belong at the present day to the same Lord, the Earl of Ashburnham. The former is chiefly a copyhold, the latter is entirely a freehold, manor.

Burwash does not occur in Domesday under that name, nor under any of its synonyms to which I have referred. Mr. Dallaway<sup>48</sup> considers it to have been the Brewice, and Mr. Horsfield<sup>49</sup> that it was the Berewice, or Bervice, of that Survey; but no such word as Brewice occurs in it, and both Berewice and Bervice, though they do occur there under Henhart (Henhurst) hundred—in which, as we have seen a part of our parish is situate—yet occur there among places<sup>50</sup> which we know to be at a considerable distance from Burwash, and not even in the same Rape. Now, allowing that detached parts of the same Hundred may occur in opposite parts of the same Rape (as is the case of Dane-

<sup>48</sup> Western Sussex, vol. i. (1815), p. 40.

<sup>49</sup> History of Sussex, vol. i., p. 426.

<sup>50</sup> *e. g.*, Alciston, Firle, Bourne, Selmeston.

hill), yet Berewice is much more likely to be Berwick than Burwash, and Bervice is so bracketed in Domesday with Claverham, which we read is an extinct manor<sup>51</sup> in Arlington parish, that it seems referrible to the same quarter.

In fact, all this difficulty of identification only shows, after 20 volumes of the history of our county, in what ignorance we are still as to the very names, geographical distribution, and changes of one of our chief civil divisions; an ignorance which it would be well, I think, for our archæologists to endeavour to dispel.

But if all express mention of Burwash is omitted from Domesday—which is not surprising, for the names of places there are, we know, not in every instance those of villages, but frequently of manors, and sometimes of very small and insignificant portions of land,<sup>52</sup> and it may have been omitted from its forestal and non-productive character—we gain traces of its existence as a manor in times all but coeval with the Survey. In the following Royal Inspecimus of 22 Ed. I. we have the recital of a grant (probably by the grandfather of a former Earl of Eu) *out of the demesnes of Burwash*. The light thus thrown on our present subject is so interesting that I venture to give an extract, the more so as Mr. Turner has not, I think, quite correctly quoted from it.<sup>53</sup>

DEC. 4. 22 ED. I.<sup>54</sup>

Inspecimus cartamquam Henricus quondam comes de Augo fecit ecclesie Sanctæ Mariæ de Hastings in hæc verba: “Henricus comes de Augo omnibus, &c., salutem. Sciatis quod ego concedo et hæc præsentem cartâ meâ confirmo præbendas ecclesie ab antecessoribus meis in liberam et perpetuam eleemosynam concessas, sicut carta Henrici avi mei testatur. Prætereâ concedo et confirmo redditus ad thesaurarium ecclesie ejusdem pertinentes; scilicet de vice comitatu meo annuatim decimum denarium; *de dominicis de Burrhersiâ*<sup>55</sup> x. solidos, &c.”

We have inspected the charter which Henry, formerly Earl of Eu, made in favour of the church of S. Mary of Hastings in these words, “Henry, Earl of Eu, to all, &c. Know ye that I grant, and by this my present charter confirm, the prebends granted to the church by my ancestors in free and perpetual alms, as the charter of my *grandfather* Henry witnesses. Moreover, I grant and confirm the rents belonging to the Treasurer of the same church; that is to say, from my bailiwick annually the tenth penny; *out of the demesne lands of Burwash* ten shillings, &c.”

<sup>51</sup> xiv. S. A. C., 211 (n.).

<sup>52</sup> Ellis' Introduction to Domesday, 41.

<sup>53</sup> xiii. S. A. C., 139.

<sup>54</sup> 6 Dugd. Mon., 1470.

<sup>55</sup> The italics are mine.



Now I think this document establishes that there was a manor of Burwash at the time the grant of the 10 shillings was made; and if it amounts to a confirmation of such a grant by the *avus*, it would carry back the existence of the manor two generations further. For Henry, the grandfather, succeeded his father A.D., 1096, and died before 1149;<sup>56</sup> so that we should have evidence of the manor, at all events, not later than sixty, and possibly as early as ten years, after the Domesday Survey. The difficulty, it is true, presents itself here which presented itself to Mr. Walford in the case of Crowhurst,<sup>57</sup> that if the manor were held of the Honor of Hastings, of which the Earl of Eu was lord, we should have expected not to have found *him* in possession of the manor, which he must have been if he made a grant out of it, but some *tenant*; which yet may have been the case. Was then the manor so held of the Honor? That it was 'parcel of,' and 'belonged' to it, there can be no doubt, if the Barony were the same as the Honor, for in 8 Ed. I., the manor is described as *pertin' baron' de Hastings*,<sup>58</sup> and in 7 H. IV. as having been '*parcell' comitatûs et Honoris de Richm.*'<sup>59</sup> of which Earldom the Barony of Hastings was an appendage;<sup>60</sup> but whether the lord of the manor owed feudal service to the lord of the Honor is, perhaps, not quite the same thing. There can, however, I think, be little doubt that he did, for we find that in 34 Ed. I., Rob. de Burghersh held the manor *de hærede Joh. de Britannia nuper Com' Richm. defuncti in custodiâ regis existente, per servitium terciæ partis feodi militaris*' (of the heir of John of Brittany, late Earl of Richmond, deceased, being in the custody of the king, by the service of the third part of a knight's fee):<sup>61</sup> and the house of Brittany at that time had the Honor. So, again, in 35 Ed. III. an inquisition finds that Thomas de Aldon held the manor, &c., *de Comite Richm. et de aliis dominis, sed per quod servitium, ignorant* (of the Earl of Richmond, and of other lords, but by what service the jurors know not).<sup>62</sup>

Upon the forfeiture of the lands of the Earls of Eu for ad-

<sup>56</sup> x. S. A. C., 68; and 1 Dugd. Bar., 137, citing Chr. Norm. 978 c.

<sup>57</sup> vii. S. A. C., 51.

<sup>58</sup> 1 Cal. Inq., p. 70.

<sup>59</sup> Pat. Rot., m. 28.

<sup>60</sup> 8 Nich. Collect., 172.

<sup>61</sup> Inq., p. m., No. 41.

<sup>62</sup> Inq., p. m., No. 10., 1st part.

hering to the French cause in the end of the reign of H. III., or beginning of Ed. I, the manor passed, together with the church, into the hands of the king, where we find it in 8 Ed. I., and we have an 'extent' or particular account, of what it consisted at that time, which it may be interesting to give:—

"There is there a capital (chief) mansion, which is worth annually in herbage, garden produce, and a certain *area* in front of the gate, 7s 6d. Eighty-seven acres of arable land in the demesne (as well within as outside the park), which are worth annually £1 1s. 9d.; the price of an acre is three pence; a quarter of an acre of meadow is worth *per ann.* 8s. 6d. In the park are twenty acres of wood, the herbage of which, with the pannage<sup>63</sup> is worth *per ann.* 6s. 8d. The sale of the underwood in the same park is worth *per ann.* 9s.; the sale of the heather (*brueria*) 12d.; warren and conies 4s.; and a water mill one marc. The herbage of the forest five marcs; the pannage in the forest two marcs. The sale of the wood, without waste, is worth *per ann.* £4. There are customary tenants who pay a rent of 44s. and 6d. a year. The *averagium* and *carragium* of the same, half-a-marc. The toll of wagons passing thro' the forest 12d. The freeholders pay 41s. 1½d. a year; one bow and four arrows worth 4d.; one pound of pepper worth 10d.; one pair of gilt spurs 6d; three hens and a cock 5½d.; half-a-pound of cummin (*cumini*) worth ⅛ of a penny. The pleas and perquisites of court are worth *per ann.* 20s. Total, £18 2s. 1½d."<sup>64</sup>

It would appear by an Inquisition p.m. of 8 Ed. III.<sup>65</sup> that a grant of the manor had been made by Ed. I. to the Duke of Brittany for the time being. In the 34 Ed. I., however, Rob. de Burghersh died seized of it;<sup>66</sup> but by what means he became possessed I do not find. He was a man of note in his day; was summoned to Parliament 31—33 Ed. I. and made Warden of the Cinque Ports, and Constable of Dover Castle. There are five tombs of this family in Lincoln Cathedral, of which see his son, Henry, Lord Chancellor of England,<sup>67</sup> was bishop, of whom Camden and Fuller mention the story of the ghost, given by Mr. Lower.<sup>68</sup> The singing boys of that cathedral and other

<sup>63</sup> *i. e.*, the right to feed hogs on the mast and acorns.

<sup>64</sup> 8 Ed. I, Inq., p. m., No. 50.

<sup>65</sup> No. 70.

<sup>66</sup> Inq., p. m., No. 41.

<sup>67</sup> 1 Campb. Lives of the Chancellors, p. 214, 1st series.

<sup>68</sup> 1 Britannia, 263; Fuller's Worthies, 103; Lower's Worthies, 324.

churches there are still maintained by the funds of a Burghersh; and an old house there is still called by the family name. Of this family—but I think of a collateral branch of it—was John de Burghersh, who married Maude de Kerdeston, and left issue a son John, who, in 47 Ed. III., went into Flanders, and left issue two daughters, of whom Maude married Thomas Chaucer, the son of the poet.<sup>69</sup>

From Robert the manor descended in regular course to his eldest son and heir Stephen, who, in 1 Ed. II., obtained from the crown a grant of free-warren, or right of hunting beasts of prey and chase (a right which did not necessarily pass with the grant of a manor itself) in the *demesne* lands of the manor.<sup>70</sup> Stephen left his daughter Matilda his heir;<sup>71</sup> she married first Sir Walter de Paveley,<sup>72</sup> who died 1 Ed. III.; and secondly Sir Thomas de Aldon, who died 35 Ed. III.; and she had a son by each husband; but I do not find evidence of her having been in possession of the manor, except that she 'proved' her age of fourteen, being then the wife (a very young one!) of de Paveley, in 12 Ed. 2, with a view, I suppose, to his suing out livery of her lands. John, Duke of Brittany, had obtained the grant of a weekly market, and a fair twice a year, in his manor of Burwash in the 3 Ed. II.<sup>73</sup> I fear, therefore, that he may have laid violent hands on her patrimony, on account of either her infancy or sex. Throughout the latter part of the reign of Ed. II., and the greater part of that of Ed. III., the Dukes of Brittany still exercised acts of ownership over the manor, and in the *Nonarum Inquisitiones* of 14 Ed. III. (1340) they are returned as holding there:<sup>74</sup> but the Burghersh family re-appears for a short time as its lords, in the person of Thomas de Aldon, and of his son Thomas, and Eliz., his wife, to whom, and the heirs of their bodies, Thomas the father left it.<sup>75</sup> It has been suggested to me that as Thomas de Aldon's lands were

<sup>69</sup> Blore's Rutlandsh., 204; Lower's Worthies, p. 324.

<sup>70</sup> 2 Dugd. Bar., 34.

<sup>71</sup> Inq. p. m., 12 E. II., No. 53.

<sup>72</sup> Nicolas' 'Historic Peerage,' title 'Burghersh.'

<sup>73</sup> Horsfield, vol. i., p. 579 n., incorrectly says 3 E. III.; but Gale, in his Registrum of Richmond, Appdx., gives the true date.

<sup>74</sup> P. 371, and i. S. A. C., 60.

<sup>75</sup> Inq. p. m., 35 E. III., No. 10, pt. 1.

forfeited for his having held the Castle of Leeds against the king's forces, 15 Ed. II.,<sup>76</sup> John of Brittany may have seized the manor into his own hands as Lord of the Honor, but the forfeiture only extended to his lands in Yorkshire, I think; and moreover, though I don't find how he came to it, we have the distinct evidence of the Inquisition that he left it to his son; and, what is very remarkable, we find Walter de Paveley, the son, or grandson of Matilda, the owner of it in 2 R. II., for at that time John de Fiennes held his manor of Hurstmonceux in part by the render of 1d. to Walter de Paveley *at his*<sup>77</sup> *manor of Burghursh*. Sir W. Burrell<sup>78</sup> thinks de Fiennes was himself Lord of Burwash, on the authority, I presume, of the Cal. of Inquisitions *post-mortem* of 2 Rd. II; but which, when examined by the Inquisitions themselves, means nothing more than this, that he is mentioned in the Calendar in connection with Burwash in the way I have just stated, not that he was *Lord of it*.

How these numerous and sudden changes in the descent came to succeed each other, how far by might and how far by right, I cannot say. I can only state the fact of their having taken place, and leave it to others, or to myself, at some future time, if so it may be, to reconcile them. Of the Burghersh family—as taking their name from the place, and owners of the principal manor—I have, on the other page, given the genealogy, connecting the former with the present titles, and following that (which appears the correctest one), given by Mr. Banks and Mr. Blore,<sup>79</sup> rather than that given by Dugdale,<sup>80</sup> which Mr. Lower,<sup>81</sup> Mr. Horsfield,<sup>82</sup> and others,<sup>83</sup> have adopted.

Upon the forfeiture of the Earldom of Richmond by the Duke of Brittany, *circa* 14 Rd. II, the manor again reverted to the Crown. From this time its descent is clearer, and with one or two interruptions, regular.

Henry IV. granted it to Ralph, Earl of Westmoreland, for

<sup>76</sup> Abbrev. Rot. Orig., 261.

<sup>77</sup> Inq. p. m., 2 R. II., No. 22.

<sup>78</sup> Add. MS., 5679, p. 175.

<sup>79</sup> Baron, Angli Concentrata, p. 143.

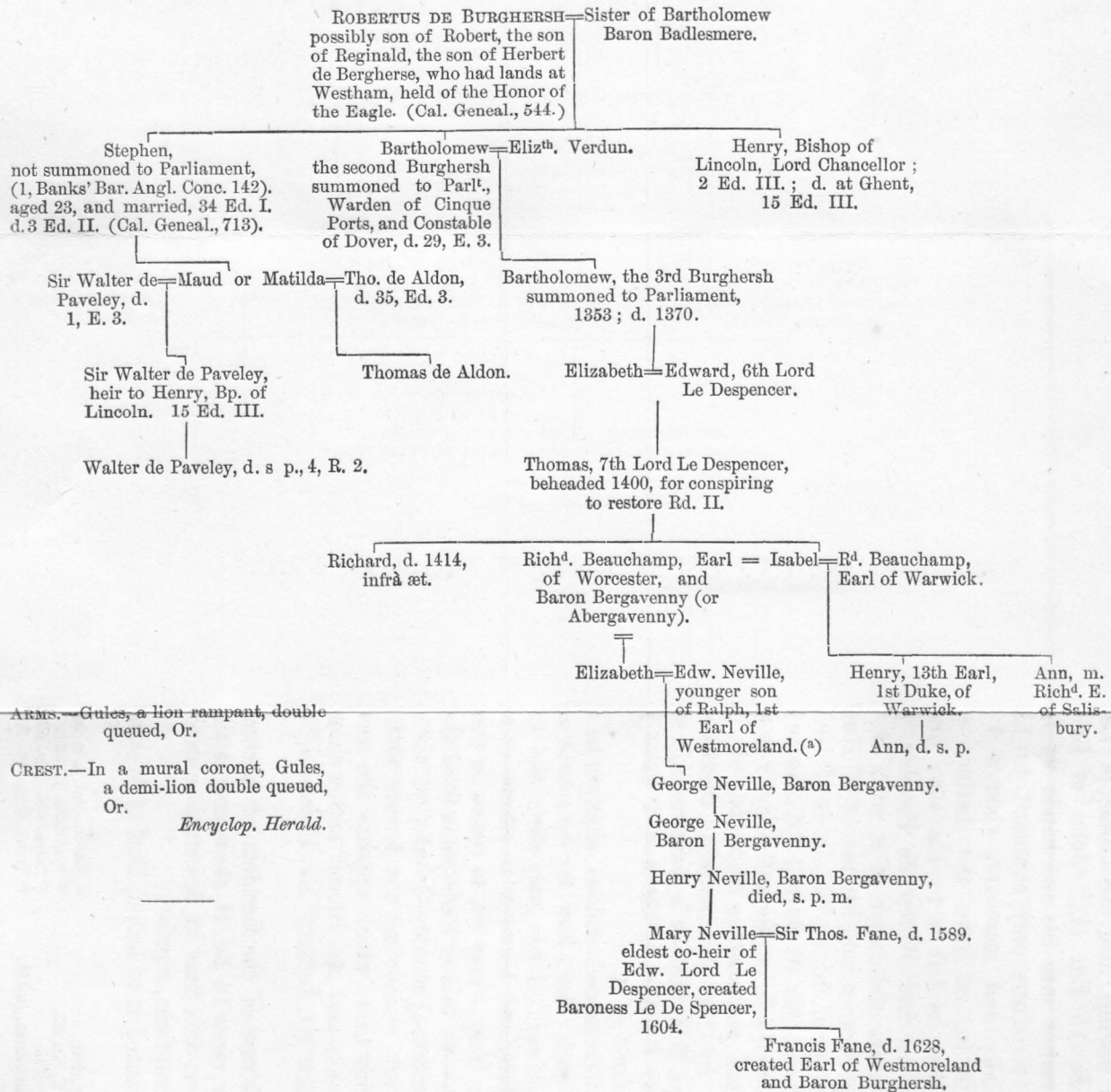
<sup>80</sup> Baron, vol. 1, p. 34.

<sup>81</sup> Worthies, p. 324.

<sup>82</sup> Suss., vol. 1, p. 578.

<sup>83</sup> Gent. Mag., vol. xxxiii., p. 192.

## GENEALOGY OF THE BURGHERSH FAMILY.



(<sup>a</sup>) This Earldom was forfeited by Charles Neville, 1570.

life, with remainder to John Pelham, in fee,<sup>84</sup> it being then worth £23 13s. 4d.

In the Subsidy Roll of 13 Henry IV., John Norbury was returned as Lord of it, probably as grantee or lessee of the Earl. It was then worth £16 per annum.<sup>85</sup>

The disputes referred to by Mr. D. Cooper,<sup>86</sup> between the Pelhams and Hoos, as to whether the manor was *held* of the Honor, which were finally settled in 5 Ed. IV., by the release of William Lord Hastings to Sir J. Pelham, of all his right,<sup>87</sup> did not affect the *descent* of the manor; for it was not expressly named in the grant of the Rape by the King, 23 Henry VI., to Sir T. Hoo, and was expressly excepted from the confirmatory grant to him of the Honour and Rape by Sir J. Pelham.

The only interruptions in the enjoyment of the manor by the Pelhams during the long period of three centuries and a half down to the latter part of the last century, were, I think, no real interruptions at all. They rest upon the authority of Sir W. Burrell, who refers to the Pelham deeds, and are therefore worthy to be mentioned. The one occurs in 28 Henry VI., when one John Burcester is said to have held his manor of Burwash and Totyngworth by the service of a third of a knight's fee and suit of Court; and again in 9 Ed. IV., when one Eliz. Burcester (probably the widow of John), is said to have been seized of the manor for life, remainder to Thomas Hoo, in fee, "which manor was late Walter Paveley's, and formerly Rob. de Burghersh's."<sup>88</sup> The other is a release of the manor by one Andrew Thatcher, to John Lewknor and others, in 35 Henry VI. But the latter looks like the limitation of a family settlement, and not what the lawyers call an "adverse possession;" for the Thatchers,<sup>89</sup> a county family, settled at Ringmer, married into the families both of the Pelhams and of the Lewknors, another well-known county family.<sup>90</sup> Whilst as to the former, Sir W. Burrell himself doubts whether the manor of the Burcesters was this manor at all, and inclines

<sup>84</sup> 7 H. IV., Pat. Rot. (2nd part) membrane 28; 14 H. IV., Pat. Rot., m. 13.

<sup>85</sup> x. S. A. C., 136.

<sup>86</sup> ii. S. A. C., 162.

<sup>87</sup> Harl. MSS., no. 3881.

<sup>88</sup> Add. MS., 5679, pp. 175—692.

<sup>89</sup> Berry's Sussex Genealog., 157.

<sup>90</sup> Horsfield's Lewes, 189; iii. S. A. C.,

to the opinion that it was another manor, though somewhat similar in name, Burhurst or Berhurst. And I think his doubts well founded; for I can meet with no other evidence of their title to Burwash, though the Hoos and Burcesters were allied by marriage.<sup>91</sup>

From this time the course of the descent flows on uninterruptedly, until in the middle of the last century the manor devolved, under the will of the Rt. Honble. Henry Pelham, the eminent statesman, upon his daughters Catherine, who married the Earl of Lincoln, and Grace, the wife of Lewis Lord Sondes, who sold it to Jno. Earl of Ashburnham, the ancestor of the present owner.

It only remains for me to remark upon this part of the subject, that in the 22 James I., 1624, Francis Fane, not having then, so far as I can learn, any lands in Burwash, and certainly not the manor, was created by letters patent Earl of Westmoreland and Baron Burghersh,<sup>92</sup> and that this Barony still remains the courtesy title of his eldest son. I know not what Mr. Hayley means by thinking that our parish has not the honor of giving this title.<sup>93</sup> To my mind nothing can be clearer than that it has. The mother of Francis Fane, the Lady Mary Neville, daughter of Lord Bergavenny, had been herself created in 1604, Baroness Despencer,<sup>94</sup> in her own right, as being the lineal descendant of Hugh Despencer, the Chief Justiciary in the reign of Ed. II. Now Elizabeth, the daughter of Bartholomew de Burghersh, the son, had married a Despencer; and it would seem that as she brought back that title, which had been so long in abeyance, so her son chose his title, as being that which revived once more the old Burghersh title, which had once belonged to his lineal ancestor, Robert the first Baron. The genealogy of the Burghershes and Despenchers has been fully given in one view, in an interesting letter in the 33rd vol. of the "Gentleman's Magazine,"<sup>95</sup> to which, therefore, I will refer the reader, with the single caution, that 'Palæophilus Hertfordensis,' has there fallen into the same error with Dugdale, of making Bartholomew de Burghersh the son, instead of the brother, of Stephen.

<sup>91</sup> viii. S. A. C., 122.

<sup>92</sup> Collins' Peerage, vol. 3, p. 294 (1812). See genealogy, *suprà*.

<sup>93</sup> Add. MS., 6358, p. 15.

<sup>94</sup> Collins' Peer. vol. 3, p. 292.

<sup>95</sup> p. 192

With regard to the division of the manor, one catches glimpses of it here and there at different periods of its history, but with no certainty, so far as I have been able to find, of its how and its when. For example, in a suit in Chancery, by John Wyborne, one of a family who was much connected with this part of the county,<sup>96</sup> against John Pelham (*temp.* Elizabeth), for a perambulation of the boundaries of the manors, the plaintiff states in his pleadings that there had been for a long time *two manors of the same name*, whereof he was seized of one, and the defendant of the other; but that, "before the division and partition of it, it had been one, and in the tenure and occupation of one Sir Thos. Aldon."<sup>97</sup> Another evidence of the division is Sir W. Burrell's statement that (*temp.* Charles I.), one William Langham, had been seized of a *moiety* of the manor. But here the question arises whether they are to be considered parts of the same manor or distinct manors. If they were one in the days of de Aldon, who flourished after the time when new manors could be created, I do not see how they can be distinct manors now, for a man cannot by his own act create a manor at this day; and I do not find more than one manor ever named in early records. They may in course of time have come to have their distinct Courts, as I understand they have, and be called by names, slightly differing from each other, and yet legally speaking, they would be rather moieties of the same manor than separate and distinct manors, or rather not even that: for although it was held in early times that coparceners (i.e. heiresses by descent), could divide a manor,<sup>98</sup> yet I can find no evidence of our manor having been in the hands of coparceners, and even this early law seems reversed by later law; for in the reign of Anne it was solemnly decided by the whole Court of King's Bench, that a manor, being an entire thing, was not severable.<sup>99</sup>

3. St. Giles or Giles. This manor, as has been said, lies wholly in the parish, and the lands held of it are all freehold. I find no mention of its early history in ancient records. It is described as lying on the north of the village street, and

<sup>96</sup> viii. S. A. C., 17, 26.

<sup>97</sup> Proceed. in Ch., p. 154.

<sup>98</sup> 6 Jarm. Convey. Sweet., 3rd ed., 500.

<sup>99</sup> Reg. v. Duchess of Buccleuch, 6 Mod. Rep., 51.



one of the fields in Brooksmayle or Brooksmarle farm, which holds of it, and seems to have been confounded with Burwash manor,<sup>100</sup> is known as Chapel field. There is no manor house in existence; it is thought to have stood on the site of the building some years ago intended for an hotel, close to the churchyard. The manor came from the Polhills to the Dykes. A century ago Mrs. Dyke informed Sir W. Burrell that the quit rents were very trifling, and the best beast was due for a heriot from the tenants for every tenement, except a few who only paid 6d. The present owner is Mr. Newton.

4. Woodknowle (or Wokenolle), and Mottingden. This manor (which Mr. Hayley thinks two), also lies wholly in the parish, and is situate about two miles N.W. of the Church. It is entirely a freehold manor, and holds, according to Mr. Hayley, by knight service of Burwash manor, by the yearly rent of 6d. for a pair of gilt spurs, and 10s.—and he cites a receipt to this effect. This is the same service it will be remembered that was rendered to the Lord of the manor of Burwash, in the 'extent' already set forth, by its freeholders in the reign of Edw. I. In the 20th Edw. III. I find a conveyance between Johannes de Cressyngham, Vicar of Burwash, and Walter Wokenolle, and Joanna, his wife, whereby the said John granted to the said Walter and Joan, for life, a house, mill, two hundred acres of arable, three acres of meadow, and sixty of wood, and rents to the amount of sixty shillings (*sexaginta solidatos redditus*), with their appurtenances at Burwash; and after their decease, to William Lonesford, and Joanna, his wife (daughter of the said Walter and Joan), and the heirs of their bodies.<sup>101</sup> The conveyance is not expressly said to be of the *manor* of Woodknowle, but I conclude that it was. I do not gain sight again of any dealings with that manor (which would appear to have remained in the possession of the Lonnesfords or Lunsfords, during the whole interval) until 1618, when Sir W. Burrell gives us a family settlement of it by Sir John Lunsford, in favour of his son Herbert. From the Lunsfords half of it is said to have passed to the late Mr. Wm. Constable, a well-known Sussex name, who gave it to his second son, who bequeathed it to his brother John; and the remaining half

<sup>100</sup> viii. S. A. C., 127.

<sup>101</sup> 4 Nich. Collect., 153.

came to the family of Land; but the same arguments against any actual legal division of it present themselves here as in the case of that of Burwash. The present owner of the entirety is Mr. Lucas.

5. Of the Rectorial manor, to which I have referred, I need only say that Mr. Horsfield and Mr. Hayley both agree in mentioning its existence, and that the description given of it by the latter is, that it comprizes three messuages on the south side of the highway through the village, to the west of the Parsonage, held of the Rector by the yearly respective rents of 6d., 1s. 6d., and 1s. But those most interested in the question have not, I believe, of late years, asserted their manorial rights.

There are also Ecclesiastical singularities in our parish. Firstly, it is situated in what was once, perhaps, an exempt jurisdiction, the Deanery of Dallington, a jurisdiction which comprizes 30 benefices, and still so far retains traces of its former privileges, that the Head of it attends the triennial visitations of the Bishop under protest. Mr. Hayley has read that Burwash itself was once the head of a Deanery, and of one *Gualterus Decanus de Burghershe*, in the XIth year of Pope Honorius III., about A.D. 1224.

But who is this Dean of Dallington? and whence this supremacy of so insignificant a place? The Head of the Deanery is no longer as he once was, and as it is natural to suppose he should be, the Dean of *Dallington*, but the Dean of Battle, and the Dean of Battle is the Incumbent of Battle. Of this Dignitary and his functions some accounts will be found in a former vol. of our Collections,<sup>102</sup> but how or when the transfer took place of the headship from Burwash (if it ever was a Deanery) to Dallington, and then from Dallington to Battle, I can meet with no satisfactory explanation. It has been suggested to me as a probable explanation, that the Abbey having large property in the Deanery of Dallington, and the Abbot being jealous of any jurisdiction which did not emanate from himself, superseded the Dean, and transferred it to his own door, where the Dean was a creature of his own appointment. It is observable, moreover, that the Dean of Battle is legally<sup>103</sup> quoted, as an instance of a Dean of Pec-

<sup>102</sup> Vol. xvii., 35.

<sup>103</sup> Burn's Eccl. Law, title "Dean," 149.

liars; whereas the Dean of Dallington was, I suppose, nothing more than a Rural Dean, and as such might be the more easily merged in Battle.

Burwash was also one of those shocking Ecclesiastical anomalies, a sinecure—a Rectory and a Vicarage, with a Rectory House and a Vicarage House. As, however, the Rectory and Vicarage were united in the same hands for more than 20 years before 1840 it has ceased to be a sinecure, and is now under the Ecclesiastical Commissioners' Act,<sup>104</sup> a Rectory with cure, although in consequence of the Rectorial and Vicarial tithe rent charge having been separately apportioned, it has been sometimes considered still to sustain both characters. The Vicarage house, built by the Rev. G. Jordan, in 1721, is a large and substantial mansion, standing in park-like and well-timbered grounds of its own; but the Rectory House was sold in the beginning of the present century, by a former Rector, the Rev. W. Curteis, to reimburse himself for the redemption of the land tax, which he had purchased from the assignees of Archdeacon Courtail, and is now a cottage.

A church certainly existed here as early as Ed. I., for in the 8th year of that reign, as we have seen, it was in the King's hands, and in 21 Ed. I. was assessed on Pope Nicholas' taxation, at 30 marks. It stands well with its shingle steeple and chime of five bells<sup>105</sup> at the end of the village street, looking down on the site of the old park and palace of the Burghershs, and is of the ordinary Norman type, probably of the 13th century. Though generally said to have been dedicated to St. James, its patron saint was St. Bartholomew, which we should have expected from the circumstance that that was a favorite family name of the Burghershs, who, even if an earlier church had existed of the foundation of the Earls of Eu (of which we have no information), may have rebuilt and re-consecrated it. Thomas Donet, moreover, "of Burwasse," by his will, dated in 1542, an extract of which has already appeared in our Collections,<sup>106</sup> gave and bequeathed "his body to be buryed in the churchyard of *St. Bartholomew*."

<sup>104</sup> 3 and 4 Vict., c. 113, s. 55.

<sup>105</sup> Nos. 1 and 2 of which have on them the inscription "John Waylett made me, 1714;" Nos. 3 and 4 "Mr. John Coney

and Jos. Cruttenden, Ch. War., 1714," and No. 5 "John Waylett made me, 1724." xvi. S. A. C., 203.

<sup>106</sup> iii. S. A. C., 115.

One of John of Brittany's<sup>107</sup> fairs, now represented by a few gingerbread stalls, was fixed for the eve and feast of St. Bartholomew, and the two following days, perhaps in memory of the Burghersh Bartholomews. And in the King's book the church is called St. Bartholomew.<sup>108</sup> Mr. Murray<sup>109</sup> remarks on the baluster shaft of its tower, as its chief architectural ornament. It was completely restored in 1856. The Pelham buckle is still on its font, and was formerly on the head of a mullion of a window in the east end of its south aisle. Both font and window, Mr. Lower thinks, may have been presented to the Church by the Pelhams after their acquisition of the manor,<sup>110</sup> which would be compatible with the Church itself being of an earlier date.

There is a handsome row of lime trees in the church-yard, under whose fragrant boughs the villagers have long loved to gather of a summer Sunday, and which now casts its shadows over a sepulchral monument, to the memory of the late patron, and for 19 years rector—the Rev. Joseph Gould—of whom it has been appropriately said—

‘ Parochiam lateritiam invenit,  
Marmoream reliquit.’

The monuments in the church, which are fully given by Sir W. Burrell, are, for the most part, void of interest. Two, however, besides the fine specimen of iron foundry I have mentioned, deserve notice for their quaintness. The one is to Obedience Nevitt, wife of Thos. Nevitt, and daughter of Robert Cruttenden, of Burwash, who died in 1617, at the early age of 32.

“ Ne'er Nature framed a better wife,  
By lawes divine she squared her life;  
She was not proud, nor high in aught,  
Save when to Heav'n she advanced her thought;  
Her name and nature did accord,  
Obedient was she to her Lord;  
And to his hests she did attend,  
With diligence until her end;  
Her hart was an Exchequer store,  
Of love to friends, and bountie to the poor;

<sup>107</sup> See *suprà*, n. 73.

<sup>108</sup> Bacon's Lib. Regis.

<sup>109</sup> Handbook to Kent and Sussex, p. 232.

<sup>110</sup> iii. S. A. C., 225.

Envy she strooke dumbe, who might repyne,  
 But not reprove her virtue so divine ;  
 To whose fair life and death's example,  
 Love might erect a statue, zeal a temple."

The other is a somewhat pompous one to the memory of John Cruttenden, a young barrister, likewise carried off at the age of 32, who seems to have taken the same unfavourable view as Dr. Arnold did of the morality of a lawyer's life, and to have thought he could better serve God by retiring to relieve the poor in the country, than by following it in London.

Qui  
 Cum cæteris suis ingenii dotibus  
 Multifariam legum scientiam adjunxisset,  
 Juvenis adhuc  
 A foro et urbe  
 In otium et rus hic se recepit,  
 Ubi in silentio latere maluit  
 Quàm in concursu et strepitu splendescere,  
 Et de penu suo, utcunque parvo,  
 Aliorum necessitatibus hic inservire,  
 Quàm illic alienis injuriis  
 Et oppressionibus rem facere ;  
 Quibus assiduè exercitatus virtutibus  
 Ad cælum suis, heu ! citò nimium migravit.

I should perhaps also notice, though it is not here, but in the undershaft of our "Lady's Chapel," in Canterbury Cathedral, an inscription to a former, probably noble, denizen of this place.

"Joan de Burwassche,  
 Dame de Moun."

The proper epitaph being—

"pour Dieu priez pour l'âme Joanne Burwasche que fut dame de Mohun."

Among the altars in Christ Church, Canterbury, is the altar of the Chantry of Lady Mohun.<sup>111</sup>

The living was, according to Horsfield,<sup>112</sup> an appropriation of Battle Abbey, but he does not give any authority. In the Valor of Pope Nicholas,<sup>113</sup> Westfield and Battle are the only

<sup>111</sup> Hayley, Add. MS., 6358.

<sup>112</sup> Hist. Suss. Appx., 76.

<sup>113</sup> p. 137.

churches mentioned as appropriations of the Abbey at that time (1290), and it is not mentioned, according to Mr. Turner, among those churches which the Sacristan of the Abbey returned, as belonging to it in 1460,<sup>114</sup> I much doubt, therefore, whether it ever did belong to it. We have already seen it was in the Crown in 8 Ed. I.<sup>115</sup> The Crown presented to the Rectory in 1595,<sup>116</sup> but wherefore it does not appear. The value of the Rectory in the King's Book was £8 10s., and that of the Vicarage, £18, which, if taken together, would make it too high to have ever been in the Chancellor's patronage. We find the Pelhams purchasing the living from John Ashburnham, and in 1602 the next presentation to the Vicarage was granted by Thos. Pelham to Thos. Aynscomb and Thos. Porter, in trust for a nephew of the latter. The advowson continued in the Pelhams until it became separated from the manor in the last century, when it passed to the Duke of Newcastle, who sold it to Archdeacon Courtail, for some time the incumbent, whose executors sold it to the Rev. W. Curteis. The Rev. Joseph Gould subsequently purchased it, and bequeathed it to his widow, who presented the present rector, the Rev. J. C. Egerton, in 1867.

Among the quasi-ecclesiastical curiosities of Burwash—a sort of second sinecure—should be mentioned the prebendal manor of Brightling, one copyhold farm of which runs into the parish. The Earl of Eu founded the College or Free Chapel of Hastings,<sup>117</sup> and attached to it ten secular Canons, whom he endowed with as many Prebends, out of lands of his in the Rape; of which, as we have seen, or of the greater part at least of which, he was Lord. Each Prebend was originally called by the name of the Canon who owned it. Brightling, although omitted to be named in the grant of the Eus,<sup>118</sup> was one of those Prebends, and the value of it in Pope Nicholas' taxation, 1290, was £13 6s. 8d. It was charged with 23s. 4d. to the Dean of the College, and 6s. 8d. to the Steward of the Manor, but it does not clearly appear, from Mr. Turner's account,<sup>119</sup> what endowments the prebend had besides its prebendal manor (with which alone I am con-

<sup>114</sup> xvii S. A. C., 24.

<sup>115</sup> *Suprà*, n. 64.

<sup>116</sup> xii. S. A. C., 257.

<sup>117</sup> xiii. S. A. C., 141.

<sup>118</sup> *Ib.* 140; *Inq. p. m.*, 8 Ed. I., No.

50.

<sup>119</sup> xiii. S. A. C., 144.

cerned on the present occasion), nor to which of the 10 original prebendaries it answered. The patron of the Rectory, the Rev. Burrell Hayley, and not the Rector, is, I understand, at present the prebendary, and Lord of the prebendal manor, and enjoys the endowments.

Sussex, as has been observed<sup>120</sup> by one of our writers, is not rich in its religious signs. We have, however, already mentioned one<sup>121</sup> in this neighbourhood: and the thoughtless tipplers at the tavern of the Burwash "Wheel" will hardly think that this place, too, was sanctified by a holy symbolism, and owes its name to the St. Catharine, who was martyred on the rack.

The S. Bartholomew of Burwash is united once again,<sup>122</sup> in a holy brotherhood, with S. Philip, though I think on the erroneous supposition that the tutelar saint of the parish was S. James. In the part of it, which a hundred and fifty years ago figured on Budgen's map as 'Burwash Downs,' and which, as we have said, men were afraid to walk across after nightfall, there is now gathered an outlying population of several hundreds, whose spiritual wants may be said to have been nearly unprovided for, so long as they lived two miles and a half from a church to which they could go, or a school to which to send their children. To the school which now supplies their educational wants I have already alluded. Their ecclesiastical necessities have been also attended to, owing in a great degree to the Christian energy of the Misses Trower, of Hollyhurst, seconded by the spontaneous generosity of neighbouring Churchmen and Churchwomen, by the erection, within the last two years, of the Chapel of S. Philip, an unpretending, but chaste and correct building of the early English style, from the design of Mr. Slater, and forming, from its commanding situation on one of the highest points in even this elevated district, one of the most conspicuous objects in all the country round.

Such is, in a feeble outline, the Burwash of the past and of the present. I hope I have not done wrong in disinterring its historical stores, such as they are, and bringing them to light. A facetious Sussex friend of mine—if he will allow me to call him so—in reference to my present attempt has

<sup>120</sup> x. S. A. C., 184.

<sup>121</sup> See note 1.

<sup>122</sup> S. Matth., c. 10, v. 3.

observed, "Happy is the nation that is without a history; and by this rule Burwash is much to be felicitated, unless you destroy its claim." I believe I have shown that it possesses more history than he supposes; but whether I have succeeded or no, I hope he made that remark playfully, and not of 'malice aforethought;' if he did, it would strike at the root of our trade—it would be high treason to archæology. I perceive that he is not a member of our society, or it would be heresy also. At all events, I fear we shall receive no invitation to visit him in his parish! There are some people—I do not go so far as to say my friend is one of the number—who conscientiously set themselves to obliterate from their calendar one great division of time—the Past. Whilst acknowledging with them the importance of the participles in *rus* and *dus*, I cannot subscribe to their creed; I cannot consent to banish the sweet memories of my childhood, of the dear old faces, and the dear old places, whose like will never be replaced. And as it is with individuals, so is it with nations, and with parishes, which are the miniatures of nations. I cannot decline to contemplate the events which have swept over those storm-proof old hills. As I gaze, with one more spring, on the delicate pea-greens of those larchen woods, and the bright red browns of their young bark, and thank God for their beauty; I cannot think of the past of a thousand years merely as a dreamy and a dreary waste, nor turn a meaningless eye to the vista it unfolds, but would learn from it the lessons of wisdom which it is intended to convey. So can I all the more readily join in the prayer that Burwash may bear her part in the great hereafter; that she may henceforth hold a conspicuous rank for all that is "honest and of good report" among the villages of our county; and that "Excelsior" may be the motto engraved alike upon her clergy and her people.

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