

## V.—FENWICK OF BYWELL.

AN EPISODE IN THE HISTORY OF THAT FAMILY.

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[Read on 29th October, 1924.]

“ Fenwick of Bywell’s away to Newmarket  
 Away to Newmarket, away to Newmarket  
 Fenwick of Bywell’s away to Newmarket  
 And he’ll be there before we get started.”

*Old Song.*

All over Northumberland, but more especially in manors and places radiating from the original seat of the family at Fenwick Tower in the parish of Stamfordham, the name of Fenwick has been, and in some measure is still, a name to conjure with. The story of the main line of Fenwick of Fenwick has never yet been told in an adequate manner, but it may be looked for in the outcoming volume of the new *History of Northumberland*. In 1630 Sir John Fenwick of Fenwick and Wallington, the then head of his ancient house, purchased the manor of Bywell in trust for his half brother Roger Fenwick.<sup>1</sup> This Roger Fenwick died in 1636 and was succeeded by his son William Fenwick,<sup>2</sup> probably the first of his family to make Bywell his home, which his descendants made a household word for hospitality and love of field sports.

<sup>1</sup> Cf. new *History of Northumberland*, vol. vi, p. 96. Roger Fenwick is stated to have died at Gibside (the home of his wife’s family) 23rd February, 1635/6. *Inq. p. m.* 14th April, 1636. His burial is evidently erroneously entered in Register of Burials of Whickham as having taken place 23rd April, 1636. Administration of his personal estate was granted at Durham on February, 163... (with the consent of Margaret his widow) to Robert Watson of Willington, gent. in trust for the said Margaret, and for William, Roger, Margaret and Mary the children of the deceased.

<sup>2</sup> Will of William Fenwick of Bywell, esq., dated 2nd June, 1679: I give to my three sons Christopher, Edward and Lodswick Fenwick each an annuity of £30 charged on my barony, manor or lordship of Bywell and on lands or demesnes of South Middleton, North Middleton and Shortflat. To my three younger daughters, Thomasone, Mary and Dorothy Fenwick £500 apiece. To my eldest daughter Katherine the like sum of £500: she executrix. Pr. at Durham, 1680. Durham Probate Registry.

In the pedigree printed in the new *History of Northumberland*, vol. vi, p. 98, it is set out, on the sufficient authority of an entry in the *Journal* of the House of Lords, 23rd April, 2 William and Mary, that this William Fenwick left issue Robert, his eldest son, and four younger sons, viz., Roger,<sup>3</sup> Christopher, Edward, and Ludovick, and three daughters, Thomasine, Mary, and Dorothy, all of whom were apparently living<sup>4</sup> on the 29th October, 1689. On the authority of British Museum Add. MS. 8942, fo. 86, to these names are added William Fenwick, eldest son of his father, who died young, and three other daughters, Katherine, Ann, and Elizabeth. On the same authority, it is stated in the pedigree that the said Ludovick was President of the English Benedictine *corte*, or congregation, and that the said Roger married "Maud, daughter of — Davis, alderman of London, and widow of Sir Thomas Grene of Cheshire" by whom he had issue a son Roger and a daughter Isabel. These assertions are inaccurate and have to be qualified, as they now may be, by details set out in Mr. C. T. Gatty's work published in 1921, entitled *Mary Davies and the Manor of Ebury*,<sup>5</sup> in which the author vividly relates a great romance of the peerage.

On the 15th of November, 1662, Hugh Audley a well-known London money lender was called to the Great Account<sup>6</sup> possessed of the manor of Ebury and much else. That manor, sometime part of the possessions of the abbot and convent of Westminster was bounded by what is now Bayswater Road and Oxford Street on the north, by the Tybourne on the east, by the Thames on the south, and

<sup>3</sup> This Roger Fenwick was residing in London in 1717 when, as a Roman Catholic, he registered his real estate at Bolam which was let for £125 per annum. Cf. *Northumbrian Documents*, p. 13. Surtees Soc. pub. No. 131. My foot note appended to that page must be corrected in accordance with the better evidence now set out.

<sup>4</sup> Cf. new *History of Northumberland*, vol. vi, p. 100.

<sup>5</sup> *Mary Davies and the Manor of Ebury*, by Charles T. Gatty, F.S.A. 2 vols. 8vo. with eight photogravure plates and thirty-one other illustrations. London. To this work the present writer gives his fullest acknowledgments.

<sup>6</sup> Gatty, *Mary Davies and the Manor of Ebury*, vol. i, p. 132.

by the Westbourne on the west.<sup>7</sup> This estate potential of wealth beyond the dreams of avarice came to the old money lender's grand nephew and clerk Alexander Davies of London scrivener. Alexander Davies enjoyed his good fortune only a very short time, for he died of the plague 2nd July, 1665, at the age of 30, and intestate. By his wife, Mary, daughter of Dr. Dukeson, rector of St. Clement Danes, he left issue a daughter and sole heir Mary, born 17th January, 1664/5.<sup>8</sup> The widow married secondly in the month of February, 1666, John Tregonwell of Anderstone near Blandford, in Dorsetshire,<sup>9</sup> to whom she bore four daughters.

Eligible suitors were not lacking for the hand and fortune of the infant heiress. Ultimately a match was arranged with Sir Thomas Grosvenor of Eaton in Cheshire, baronet, the head of the very ancient house of Grosvenor, the bridegroom being of the age of twenty-one and the bride not yet thirteen.<sup>10</sup> Onerous terms were exacted from Sir Thomas by the bride's mother Mrs. Tregonwell and "she prevailed upon him to promise and engage to seal a release in his marriage . . . whereby the profits of the lady's estate in that time were discharged unaccounted for, and also to allow her £500 per annum for two years then to come for the lady's maintenance whether she staid with her so long or not, it being likewise agreed that they should not cohabit together of two years from the marriage; and also Sir Thomas was to pay her and her friends £9,000 in money for her consent."<sup>11</sup> The marriage took place at St. Clement Danes 10th October, 1677.<sup>12</sup>

Sir Thomas Grosvenor, of whom nothing but good is recorded, died in the month of June, 1702. Immediately after his death, it is stated before his funeral, lady Grosvenor, who had become a Roman Catholic some years

<sup>7</sup> *Ibid.*, vol. i, p. 15. The manor of Ebury still rests with Hugh, duke of Westminster, lineal descendant and heir of lady Grosvenor and of her father Alexander Davies.

<sup>8</sup> Gatty, *Mary Davies and the Manor of Ebury*, vol. i, p. 169.

<sup>9</sup> *Ibid.*, vol. i, pp. 170, 197.

<sup>10</sup> *Ibid.*, vol. i, p. 222.

<sup>11</sup> *Ibid.*, vol. ii, p. 185.

<sup>12</sup> *Ibid.*, vol. i, p. 222.

previously, appointed as her domestic chaplain Ludovick Fenwick a Benedictine, brother of her friend Mrs. Turnour.<sup>13</sup> In the month of September the young widow announced her intention to travel first to Paris, thence to Rome, with Ludovick Fenwick as her major-domo and director, and she set off about the end of October.<sup>14</sup> Already either the chaplain or Mrs. Turnour had presented to the young widow their brother Edward Fenwick who speedily obtained her good graces, and in the words of the Lord Chief-Justice she taking a mighty great liking and disposition towards him.<sup>15</sup>

Edward Fenwick, born in Northumberland about 1664,<sup>16</sup> a disbanded officer, a younger brother and heir presumptive of his brother Sir Robert Fenwick of Bywell, had been educated at Douai and had served as a cornet in the regiment of horse commanded by the earl of Arran, afterwards duke of Hamilton.<sup>17</sup> He speedily conceived a design to marry the widow. In this scheme Edward Fenwick had the ready help or sympathy of his kindred and of other North-Country men who, with a clannishness worthy of our neighbours on the other side of the Border, joined him in the chace as whole heartedly as they would have hunted on the Northumbrian fells. The names of the following have been preserved:—

Rowland Belasyse of "Smithells in Lancashire."<sup>18</sup>

Joseph Byerley, an officer of the exiled James ii dwelling at St. Germain.<sup>19</sup>

William Delaval, of Seaton Delaval, an officer in the army who in 1702 was dwelling in Paris in the street called Rue de Boucherie.<sup>20</sup>

John Errington of Beaufront who was staying in Paris in 1702.<sup>21</sup>

Mrs. Forster, cousin of the Fenwicks.<sup>22</sup>

<sup>13</sup> *Ibid.*, vol. ii, p. 55. <sup>14</sup> *Ibid.*, vol. ii, p. 56. <sup>15</sup> *Ibid.*, vol. ii, p. 112.

<sup>16</sup> In the examination of Edward Fenwick before the Lieutenant Criminal of the city of Paris on 8th April, 1702, it was stated that he was a native of Northumberland, "aged 38 years or thereabouts." *Ibid.*, vol. ii, p. 90.

<sup>17</sup> *Ibid.*, vol. ii, p. 110.

<sup>18</sup> *Ibid.*, vol. ii, p. 66.

<sup>19</sup> *Ibid.*, vol. ii, pp. 81, 86.

<sup>20</sup> *Ibid.*, vol. ii, pp. 84, 117.

<sup>21</sup> *Ibid.*, vol. ii, pp. 59, 60.

<sup>22</sup> *Ibid.*, vol. ii, pp. 56, 112, 117.

William Lawson of "Stillenham, Yorks," a Roman Catholic.<sup>23</sup>

Francis Radcliffe of Dilston.<sup>24</sup>

Thomas Radcliffe, brother of Lord Derwentwater "cousin" of the Fenwicks.<sup>25</sup>

Mrs. Elizabeth Selby, on the recommendation of Ludovick Fenwick made waiting woman to Lady Grosvenor, who "called cousins" with the Fenwicks, though she knew not how.<sup>26</sup>

Mrs. Dorothy Turnour, wife of Charles Turnour and sister of Edward and Ludovick Fenwick.<sup>27</sup>

After visiting Rome Lady Grosvenor returned to Paris which she reached on Sunday, 12th June, 1701, and put up at the Hotel Castile, Rue St. Dominique,<sup>28</sup> where on the night of the following Friday—or rather in the early hours of the Saturday morning—she was married by her chaplain Ludovick Fenwick, in the presence of witnesses, to his brother Edward Fenwick.<sup>29</sup> Shortly afterwards she continued her journey leaving her husband behind her to settle up his own business, for he had been governor of lord Radcliffe, the eldest son of lord Derwentwater. She arrived in London on the 7th July.<sup>30</sup>

Lady Grosvenor with her relatives now repudiated the marriage—which was confessedly irregular—alleging that she had been drugged.<sup>31</sup> An action at law was begun in the spiritual court of the Dean and Chapter of Westminster, which action was removed to the Court of Delegates,<sup>32</sup> then the chief ecclesiastical court—notoriously dilatory in its proceedings. Meanwhile an action was raised in the court of Queen's Bench<sup>33</sup> by which Fenwick

<sup>23</sup> *Ibid.*, vol. ii, pp. 66, 67. Perhaps the fourth son of Sir John Lawson of Brough, first baronet.

<sup>24</sup> *Ibid.*, vol. ii, pp. 110, 113.

<sup>25</sup> *Ibid.*, vol. ii, pp. 56, 67, 110, 112.

<sup>26</sup> *Ibid.*, vol. ii, pp. 114, 125, 126, 130-136, 148. Elizabeth Selby had a sister a mantua-maker in Leicester Street, London, *ibid.*, 168.

<sup>27</sup> *Ibid.*, vol. ii, pp. 55, 56, 112. <sup>28</sup> *Ibid.*, vol. ii, p. 68.

<sup>29</sup> *Ibid.*, vol. ii, pp. 77, 114, 178. <sup>30</sup> *Ibid.*, vol. ii, pp. 68, 70, 91, 113.

<sup>31</sup> *Ibid.*, vol. ii, pp. 87, 128, 138. <sup>32</sup> *Ibid.*, vol. ii, pp. 72, 74.

<sup>33</sup> *Ibid.*, vol. ii, pp. 76, 106.

endeavoured to obtain the management of his wife's property. Here witnesses were produced to give evidence as to his character.

The duke of Hamilton, Fenwick's former commanding officer, deposed :—

I have known him this 16 years, he served under my command when I commanded a regiment of horse in the late King James's service. . . . I saw him divers times and was very conversant with him when under my command. I always observed that he behaved himself extremely well, and on all occasions thought him to be a man of honour, and did esteem him one that was not capable of doing anything unbecoming a gentleman.<sup>34</sup>

Thomas Radcliff deposed that Edward Fenwick was— as good a gentleman as any in Northumberland [and that his father] though a younger son yet had an estate of £1,400 a year.<sup>35</sup>

Fenwick's counsel opened his case by saying his client hath had as good an education as any gentleman in England. He is the younger brother of Sir Robert Fenwick who is possessed of an estate of £1,400 a year of which he is the next heir . . . . were it not for her estate he was more than an equal match for the lady.<sup>36</sup>

In the court of Queen's Bench Fenwick obtained judgment in February, 1702/3;<sup>37</sup> but the sentence of the court of Delegates, given at Serjeants Inn, Fleet Street, 19th February, 1704/5, was against the validity of the pretended marriage.<sup>38</sup> Lady Grosvenor whose mind continued to be, or became, disordered, lived until the month of January, 1730.<sup>39</sup> Edward Fenwick returned to his native Tyneside, and was buried at Bywell St. Andrew on the 6th May, 1715.<sup>40</sup>

The duke of Hamilton who gave evidence in favour of Edward Fenwick was James Douglas who as earl of Arran is described by Macaulay as a chief of almost regal dignity.<sup>41</sup> He became duke of Hamilton in 1698 on the

<sup>34</sup> *Ibid.*, vol. ii, p. 110.

<sup>35</sup> *Ibid.*, vol. ii, p. 110.

<sup>36</sup> *Ibid.*, vol. ii, pp. 111, 112.

<sup>37</sup> *Ibid.*, vol. ii, p. 150.

<sup>38</sup> *Ibid.*, vol. ii, pp. 179, 181.

<sup>39</sup> *Ibid.*, vol. ii, p. 195.

<sup>40</sup> 1715, May 6th. "Mr. Edward Fenwick of Bywel hall," bur. Bywell St. Andrews Registers. His will is not to be found in the Probate Registry at Durham, so it is probable that he died dependent on his nephew or other of the family.

<sup>41</sup> Macaulay, *History of England*, vol. ii, chap. x.

surrender of her title by his mother 'Ann in her own right duchess of Hamilton. His portrait drawn by the master hand of Thackeray may be found in *Esmond*.<sup>42</sup>

It is a matter for conjecture whether Thackeray can have been acquainted with the story of Ludovick Fenwick the Benedictine who might well have served as a type for Holt the Jesuit who also has a place in *Esmond* where he is described as "the most unlucky of men" who "never played a game but he lost it; or engaged in a conspiracy but 'twas certain to end in defeat."<sup>43</sup> The one schemed for his family, the other plotted for his church.

Ludovick Fenwick the Benedictine is stated to have been buried at Chelsea.<sup>44</sup>

<sup>42</sup> Thackeray, *Esmond*, Book III, chap. iv. Cf. Lord Rosebery, *Miscellanies Literary and Historical*, vol. ii, p. 80.

<sup>43</sup> Thackeray, *Esmond*, Book III, chap. xiii.

<sup>44</sup> Gatty, *Mary Davies*, vol. ii, p. 213.