

Two Doubtful Points of Norfolk History

BY R. W. KETTON-CREMER, M.A.

A book produced in war-time must conform to certain rigid standards of economy. The publisher must obey a variety of restrictions concerning paper, binding, illustrations, and so forth. The author may be required to deny himself the pleasures of copious annotation, elaborate footnotes and appendices, and other learned apparatus. To the general reader, the absence of such features will remain a matter of indifference, perhaps even of actual satisfaction. But the specialist, who wishes to ascertain the source of a statement or quotation, or to follow up some particular line of research, or merely to confute and abase the author, will often regret the absence of footnotes and references. In a recently published book, *Norfolk Portraits*, I was obliged to forego the rather detailed system of annotation which I would have wished to use in normal times. No great harm was probably sustained by the book as a whole; but there were certain passages which would have been the better for some further elucidation. The kindness of the editor of *Norfolk Archaeology* has enabled me to discuss in these pages two doubtful points of Norfolk history on which I would have liked to expatiate at greater length in my book, and which may appear to have been rather superficially treated there.

I.

THE SUPPOSED CURSE ON THE PASTON FAMILY

Among the *Merry Passages and Jestes* of Sir Nicholas L'Estrange (1603-1655), a selection from which was published by the Camden Society in 1839, are two rather crude jokes levelled against members of the Paston family.

The first story was told to L'Estrange by "Mr. Rob. Wall-poole", probably the great-grandfather of the statesman. "Jack Paston began one time to jeast upon Capon (who sat very silent and reply'd nothing), and told him merrily he never met with such a dull clay-pated Foole, that could not answer a word, and bade him remember he out-fool'd him once. 'No, faith,' sayes Capon, 'I were a very Foole indeede, to deak with you at that weapon: I know the straine of the Pastons too well, and you must needs be right-bredd for't, for I am sure your Ráce has not bene witho't a good Foole these fifty yeares and upward".

The second story was ascribed by L'Estrange to his "Uncle Rich. Catline". "Sir Rob. Bell, being in company with Sir J. Hobart, Sir Cha. Grosse, &c. in a merry humour would goe make his will, and give every man a legacie; but when he came to Mr. Paston, sayes he, 'I know not what to bestow on thee: my witt I shall not neede for thou must needs be well stor'd with that, because thou hast the witt of at least three generations',—for his great-grandfather, grandfather, and father were all fooles".

W. J. Thoms, who edited the *Merry Passages and Jestes*, surmised that these stories, implying a strain of insanity in the Paston family, arose from the proved insanity of one of its members, Christopher, the son and heir of Sir William Paston who founded the Grammar School at North Walsham. Christopher Paston was adjudged, at an inquisition taken before a jury at Norwich in 1611, to be *fatuus et ideota* and to have been so for the past twenty-four years. Mr. Thoms concluded that Christopher Paston's unhappy state provided sufficient ammunition for anyone who might wish to attack, in malice or in jest, "Jack Paston" or "Mr. Paston"—neither of whom can be identified with exactitude—or any other member of their family. But recently I came across an obscure little pamphlet, *Postwick and Relatives*, which carries the explanation a stage further. It shows the existence of a strain of lunacy in succeeding generations of the Paston family was a matter of common belief in Norfolk in the seventeenth and eighteenth centuries; and that by the early eighteenth century this belief had attained the status of a legend, accompanied by the time-honoured nonsense of an ancestral curse.

Postwick and Relatives consists of a series of random jottings about Postwick and the neighbouring parishes, written by one Thomas Harrison in 1735/6, and printed at Great Yarmouth by his descendant James Hargrave Harrison in 1855, in a private edition of one hundred copies.* The pamphlet contains a good deal of interesting matter, somewhat discursively related; and it is to one of Thomas Harrison's most irrelevant discursions that we owe the story of the curse on the Pastons. When he wrote, the last of the Pastons of Oxnead, William second Earl of Yarmouth, had been dead for about four years, leaving his affairs in the utmost embarrassment and confusion. After discussing the Paston interests in the Postwick neighbourhood—they had a considerable property at Thorpe—Harrison relates "a prophetick Story received from tradition, and carried on in y^e Neighbourhood of that family, and observed in events as they came to pass, and especially the last and worst which happened in the present age and gained the most regard". The story, "as it was told to this Relator by a Gentleman of good sense and reputation living in those parts", was as follows:

* Since I wrote this article, my attention has been drawn to the fact that Harrison's story of the Prior of Bromholme's curse is noted by R. H. Mason in his *History of Norfolk*, vol. ii, page 131 (note).

“There was one of y^e family of y^e Pastons of Paston, a Gentleman of great Note, who founded, or at least much augmented the endowment of Broom Holm Abby, now vulgarly called Bromwell Abby, many considerable remains whereof continue still shewing its primitive Grandeur.

“But upon that Gentleman’s Death his heir looking into y^e evidences belonging to y^e estate fallen to him, found that what his predecessor had granted to y^e Abby, was some of y^e inheritance originally entailed upon y^e heir of the family, and consequently his unalienable right and property, and thereupon resolved to resume it from y^e Abby, and let y^e Abbot know it.

“This surprise caused great consternation in y^e whole society, and put all upon earnest application to y^e Gentleman, to come off from his sacrilegious intention as they call^d it. It seems they often repeated their address with great Zeal, but all to no effect: Whereupon y^e Abbot caused all y^e Monks to go with him in their proper Religious Habits, and so prostrating themselves to y^e Ground upon their knees upon y^e floor, earnestly with tears and one loud voice besought him to change his purpose, offering strong arguments, and particularly not to expose himself and family to y^e anger of y^e Blessed Virgin and y^e Saints, and y^e curse of God: But the Gentleman continued obstinate and imoveable. Hereupon all rising up, the Abbot said to y^e Gentleman—‘Sir, since you are thus inexorable and cruel to us, and our Brethren, and house, you shall certainly from henceforth always have one of your Family a Fool, till it is become poor’. This said, they all turn’d out.

“This story whether first only an invention to magnify or gain reputation for that sort of religious holy people, is rather to be guessed at, than now certainly known. However, it has gain’d a long Tradition, which hath caused the more observation by Events, for it hath been reported as known truth, that for many generations successively there hath been a Male of that Family that always went in long coats, whatever Females there might be unobserved of that sort besides. And even in y^e last Generation, the last Earl had a younger Brother so weak of understanding as to be made sport of by y^e Ladies in conversation for that defect; And from that time tis remark^d and very well remembered, especially by many Tradesmen and others, who yet want the Moneys justly due to them or their Executors. How much y^e last part of y^e Abbot’s curse is come to pass, is well known at this day.”

The story is a characteristic specimen of the legends so often attached to monastic buildings and lands, and to great families which have entered upon their decline. Its historical improbabilities are obvious, and need not be stressed here. And in the long period of the history of the family covered by the *Paston Letters* first published by Sir John Fenn, there does not appear to have been any suggestion of lunacy in the family. There was, however, a persistent strain of insanity in the later generations. Christopher Paston, as we have seen, was a lunatic for many years. His son and heir, Sir Edmund Paston (1585-1632), was

seriously ill for the last fourteen years of his life; and although it does not specifically appear from the *Correspondence* of his wife Katherine Knyvett (ably edited for the Norfolk Record Society by Miss Ruth Hughey in 1941) that he was actually insane, he was certainly unable to attend to his business affairs for many years before his death. Sir Edmund's eldest son, Sir William (1610-1663), was a man of high intellectual ability; but the second son, Thomas, is stated by Miss Hughey to have been incapable of managing his own affairs after 1634. Sir William's eldest son and heir, Robert first Earl of Yarmouth (1630-1683), was also a man of considerable ability; nothing seems to be known about his younger brothers and sisters, and it is possible that they died in infancy. Of the six sons of the first Lord Yarmouth, one—either John or Edmund—was that younger brother of the last Earl (1652-1732) whom Harrison mentions as being mentally defective. In short, far-fetched though the story of the Prior's curse—for Bromholme was governed by a Prior and not by an Abbot—must seem to us now, it is easy to see how the sinister legend gathered in force as the generations passed, until the ancient family finally collapsed in hopeless ruin.

It may be remarked that no mention of the Prior's curse is made in Sir Henry Spelman's *History of Sacrilege*, in which the author related so many dismal stories about Norfolk families which had received monastic lands or had otherwise fallen under monastic displeasure. Spelman described how Edward Paston, of the junior branch of the family which had acquired Binham Priory, "was desirous to build a Mansion-house upon or near the Priory, and attempting for that purpose to clear some of that Ground, a Piece of Wall fell upon a Workman, and slew him", after which warning he decided to build his new mansion many miles away at Appleton. But nothing was said about the doom pronounced on the family by the Prior of Bromholme. This rather suggests that the story of the curse grew up at a later date than 1632, when the *History of Sacrilege* was written; for it is precisely the kind of story that Spelman delighted to relate about his Norfolk neighbours.

II.

THE ALLEGED LEICESTER-TOWNSHEND DUEL

IN 1759

During the Seven Years' War, as an urgent measure of national defence, it was found necessary to revive the virtually dormant Militia system; and an Act reconstructing the Militia was introduced in Parliament in 1757 by the Hon. George Townshend (1724-1807), afterwards fourth Viscount and first Marquess Townshend. The scheme met at first with considerable opposition in the country, and many of the old-fashioned Whigs were never reconciled to it. Besides carrying the measure through the House of Commons, in which he represented the county of Norfolk,

Townshend was largely responsible for organizing the two battalions of Militia raised in Norfolk, one of which he commanded. A leading opponent of the Militia scheme in Norfolk was Thomas Coke, first Earl of Leicester (1697-1759). In 1759 the disagreement between these two men led to a violent quarrel, in the course of which Townshend challenged his elderly opponent to a duel. A legend has grown up in Norfolk, and has been perpetuated in certain books, that the duel was actually fought, and that Lord Leicester died from wounds sustained in it. In *Norfolk Portraits* I expressed my belief that this legend is wholly without foundation, and that no such duel ever took place. I propose here to give my reasons for this belief in somewhat greater detail, and with the necessary references.

I have not seen the supposed duel mentioned in print prior to 1908, when Mrs. Stirling's *Coke of Norfolk and his Friends* first appeared. Unless some earlier instance has escaped me, it might be regarded as conclusive evidence against the duel that the barest mention of such an event, which would have caused a tremendous contemporary sensation, failed to appear in print in any form for almost 150 years after its alleged occurrence! Mrs. Stirling had access to copies of the letters between the two protagonists, and quoted from them at some length.¹ This correspondence consists of: (1) A singularly ill-tempered and abusive letter from Townshend, dated January 24th 1759, challenging Leicester to fight him; (2) A very lengthy reply (undated) from Leicester, written in a conciliatory but perfectly dignified tone, denying that he had ever used the expressions against the Norfolk Militia and its officers of which Townshend had accused him, and declining to fight his challenger owing to the complete disparity of their age and physique; (3) A rejoinder (undated) from Townshend, somewhat ungracious in tone, but accepting the explanations furnished by Leicester. Mrs. Stirling gave full consideration to the evidence supplied by these letters; but she still thought there was something in the story of the duel, and that Lord Leicester's death on April 20th, 1759, almost three months after the interchange of letters, was directly connected with it. Townshend sailed for Canada with Wolfe in February 1759, after accepting Lord Leicester's explanations. His words were: "Your Lordship having in your letter declared it was not your intention to insult the Corps of Militia Officers by treating the Militia in the light you have done, I apprehend my duty towards my brother officers discharged by what has now happened." Two months after Townshend had left England,

¹ This correspondence was printed in full by Walter Rye in *Norfolk and Norwich Notes and Queries*, ii. 444-8 (October 3rd, 1903). Mr. Rye printed the challenge from a document in his own possession, which he apparently regarded as the original; the other two letters were printed from copies at Wolterton Park, lent to him by the Earl of Orford. There are also contemporary copies of all three letters at Felbrigg Hall, which I used for my quotations in *Norfolk Portraits*.

Lord Leicester died at Holkham. There is not a shred of evidence that the dispute boiled up once more, or that a duel took place, or that Lord Leicester died of his wounds two months afterwards.

Mrs. Stirling quoted in support of her view a letter in *Memoirs of a Royal Chaplain* (edited by Albert Hartshorne, 1905) from the Rev. Edmund Pyle in London to the Rev. Samuel Kerrich at Dersingham. Writing on May 20th, 1759, Mr. Pyle says: "Lord L. is dead since you wrote. I wish, with 1000 more, that his antagonist were in the shades too (provided his family were no sufferers :) for I hold him, and his brother Charles, to be two most dangerous men; as having parts that enable them to do great mischief, and no principles that lead them to do any good. The challenger was (by confession of his friends) drunk when he wrote to Lord L.—of whom, notwithstanding what I have said here, I was never an admirer. But in the case under consideration, how can one help being of his side? He spoke contemptuously of the Militia—very true—and so do thousands. It has been burlesqued in publick papers, over and over again, and treated with the highest scorn and satire. Yet because Lord L. was a little severe upon it at his table he is to be challenged, truly!—and by whom—why, by G.T., a man whose licentious tongue spares not the most sacred characters This is the man, that denounces death to any one that shall dare to scout a silly project that he thinks fit to espouse—and insists on being received seriously by the English nation. In troth, my good friend, things, at this rate, are come to a rare pass. Noble or ignoble, old or young, are all to look with awe and reverence, on whatever this spark shall think fit to declare for, at the peril of their lives".

Surely there is no possible justification for interpreting Mr. Pyle's remarks to mean that Townshend had actually killed Lord Leicester, or that a duel had in fact taken place. The writer was disgusted at Townshend's impertinence in challenging, when drunk, a man who had disagreed with his opinions. If Lord Leicester had been killed in the duel, Pyle's expressions of horror would have been much stronger, his whole tone far more grave. The controversy between these two prominent personages had aroused wide interest in Norfolk; and they could well be described as "antagonists" without having given up their pens for more dangerous weapons. Clergymen were naturally shocked at an elderly and infirm civilian being challenged to a duel by a hotheaded young officer. Pyle may have also felt that Lord Leicester's death was possibly brought on by the worry and agitation of the dispute. The late Mr. C. W. James, in his *Chief Justice Coke, his Family and Descendants at Holkham*, whilst expressing considerable doubt about the duel, thought that there might have been "a personal encounter of some sort which aggravated Lord Leicester's already enfeebled health, and, in truth, hastened his death." This indeed may have been the case, although the tone of Lord Leicester's reply to the challenge seems to show that he was not much perturbed by Townshend's menaces.

In any case, the conclusive point against the duel is the entire lack of definite contemporary evidence. A fatal duel between the representative of the Cokes and the heir of the Townshends would have caused an immense sensation, not only in Norfolk, but in London and throughout the country. Yet in the histories, memoirs and letters of the time there is no mention whatever of any such occurrence. Horace Walpole, whose ambition it was to record in his letters and memoirs the whole vast panorama of contemporary English history, would have written pages on pages about such a duel if it had actually taken place. Nothing escaped those inquisitive eyes, that tireless pen; but he says not a word about it. Nor did Townshend's numerous enemies ever bring the matter up against him. Later in 1759 he came under a fire of criticism for his conduct to Wolfe during the campaign which ended at Quebec. His assailants would have been delighted to add to his misdemeanours the fact that, just before he sailed, he had mortally wounded an elderly and inoffensive nobleman; but they said nothing of the kind. Some while afterwards the Norfolk satirist, Richard Gardiner, fell foul of Townshend, and devoted himself to vilifying him for years. Yet in all Gardiner's writings against Townshend, I have only found one reference to his dispute with Lord Leicester:

“Much injur'd Shade of L—E—ST—R, see!
Thy full revenge is taken . . .”

(*Raynham in the Dumps*).

This is no stronger than Pyle's “antagonist”. If Gardiner had thought that Townshend had killed Leicester in a duel, his pamphlets and poems would have rung with epithets of which “murderer” would have been among the mildest.

Finally, there can be no question, as has been suggested, that the duel took place and was “hushed up”. Considering the high station of the participants, it would have been the sort of occurrence that no influence or power could have “hushed up” for a single day. And in any case, though it would have been in the Townshend interest to keep the matter dark, there could have been no reason for the Cokes to conceal the monstrous injury done to the head of their house. The Leicester-Townshend duel must take its place among the many picturesque and dramatic episodes in English history which did not actually occur.