

NOTES ON THE HISTORY OF THE MANOR OF WITLEY.

BY

EDMOND FOSTER.

(Being the substance of a Paper read at the Annual Excursion of the Surrey
Archeological Society in July, 1903.)

IN writing a short paper upon the former associations of Witley, I think that I may fairly say that few similar parishes can claim a more distinguished or interesting number of historical personages as having been connected, in some cases very closely, with what is a comparatively small and isolated village.

For many centuries the manor was among the possessions of royal and noble persons, and there are various memorials of them in the church which will be mentioned more in detail later on, and special privileges were enjoyed by the tenants of the manor, as part of the ancient demesne of the Crown.

I will now give a rough list of the holders of the manor from the earliest time to the present day.

Earl Godwin (died 1053), held Witley at the time of Edward the Confessor: but after the Conquest the lordship was granted to the Norman family of de Aquila, who held it with, or as part of, the honour of that name for about a century and a-half, though with several intervals of forfeiture. Eugenulph, a member of this family, is said to have fallen at the battle of Hastings; and it is supposed that the manor of Witley was granted to his son Richer. According to *Domesday Book* (circ. 1081-6), Gilbert, the son of Richer de Aigle, then held Witley, which doubtless descended with the other de Aquila estates to his son Richard and grandson Gilbert. This Gilbert married a sister of the

Earl of Warren, and early in the reign of John forfeited Witley and his other estates.¹ Dugdale suggests that he died. In April, 1226, a protection was granted to him or another Gilbert de Aquila who had gone abroad; and, in the following December, he had permission to pass to and from Normandy, so long as he served the King faithfully.² In 1226-7 he recovered the estates after a period of escheat.³ This Gilbert, with a body of his retainers, was abroad with Henry III about 1230,⁴ but his estates soon after again fell into the hands of the Crown⁵ by forfeiture, or perhaps in consequence of his death, without heirs capable of holding lands under the English Crown. He appears to have been identical with one Gilbert de Aquila who, under a licence of May, 1229,⁶ founded the priory of Michelham, Sussex, for the health of the souls of himself, his wife Isabella, and his children, &c.⁷; and, it may be remarked, directions were given in 123½ for an enquiry into his lands, with a view to the grant of dower to his wife Isabella.⁸ One Peter de Rivallis received a grant of the de Aquila estates in 1232,⁹ subject to compensation in the event of the King restoring them to the right heirs of Gilbert by a peace, or of his free will; and in 1234¹⁰ they were granted to Gilbert Marshall, Earl of Pembroke, subject to compensation on the occurrence of a like contingency; as also, apparently, to a restoration to the Crown in the event of the King restoring to the Earl his own estates in Normandy. This last provision is of interest, as pointing to a possible reason for the later escheats of the de Aquila estates, viz., that the great Norman nobles had to make their choice between retaining their English

¹ See Dugdale's *Baronage*, and the Testa de Nevill (*circ.* 1212).

² Patent Rolls, 10 Henry III, m. 6, and 11 Henry III, m. 12.

³ Rot. Fin., 11 Henry III, Part I, m. 12.

⁴ Patent Roll, 14 Henry III, m. 3d.

⁵ Rot. Fin., 16 Henry III, m. 7.

⁶ Patent Roll, 13 Henry III, m. 7.

⁷ Dugdale's *Baronage*.

⁸ Patent Roll, 16 Henry III, m. 9.

⁹ Charter Roll, 16 Henry III, m. 5 (June and July).

¹⁰ Charter Roll, 19 Henry III, m. 16.

estates by allegiance to the English Crown, or their Norman estates by transferring that allegiance to the King of France, who was then in possession of Normandy. Witley was undoubtedly part of the estates granted to the Earl of Pembroke.¹ He subsequently fell into disgrace, but in 1240 made his peace, on the condition of restoring the de Aquila possessions to the King.²

In the following year, the honour of Aquila with its appurtenances was granted to Peter of Savoy, the uncle of the Queen, Eleanor of Provence, to hold during pleasure; and, in 1246, to him and his heirs.³

The new lord seems to have dealt with his tenants in an arbitrary manner, and (*circa* 1258-9,⁴) they appealed to the law courts against an addition of £18 : 7s. 6d. to the rents which they had been accustomed to pay when the manor had been in the hands of the kings of England. Peter, however, pleaded that the manor had never been part of the ancient demesne of the Crown of England; and, strangely enough, gained the day by an appeal to the *Domesday Book*, a record which appears to have been held to prove the contrary in the reign of Henry IV.

In 1264, after Peter's death, his English estates were granted to Gilbert de Clare, Earl of Gloucester, to hold during pleasure, and to account for the proceeds to the King,⁵ and in 1268, Henry III and Queen Eleanor bestowed the honour "Del egle" with all the appurtenances upon their dear son Edward and his heirs, kings of England.⁶

It seems, however, that the manor of Witley remained in, or came into the possession of Queen Eleanor, either

¹ Placita de Corona, Mich., 19 & 20 Henry III.

² *Annales Monastici* (Dunstable), Vol. III, page 151, and Charter Roll, 24 Henry III, m. 2.

³ Patent Roll, 25 Henry III, m. 2, and Charter Roll, 30 Henry III, m. 6, schedule.

⁴ Placit de Jur. and Ass., 43 Henry III.

⁵ Patent Roll, 48 Henry III, m. 8.

⁶ *Ibid.*, 53 Henry III, m. 24.

as heir to her late uncle Peter of Savoy,¹ or as part of her dower.² In her letters patent of 12 January, 1272,³ she recognised that her late uncle, being thereto moved by some of his acquaintance for a certain contempt of the tenants, had possessed himself of the profits of their tenements, &c.; and that, by a blameable attempt, customs and other subsidies had been enacted of them; and, being sensible that it is a pious thing, and highly pleasing to God, to remit in mercy those things which are introduced through passion, to the depression of any state, she remitted for ever the increase of the profits, together with the arrears, for the salvation of the souls of her late Lord and King Henry and of the said Peter, &c. The tenants were to continue the small rent, labour, and custom previously rendered, and forgive the rancour and oppressions of the said Peter, and yearly perform some service to the honour of God and the glorious virgin his mother, in the church of Witle, for the souls of her aforesaid Lord and King Henry and her uncle Peter.

Grants of the manor were made by the Queen to her steward, Guy Ferre (*circ.* 1275), and to Guy and his wife (*circ.* 1278); and, although it was exchanged for other property, the husband, then *Sir* Guy, received another grant for life (*circ.* 1289).⁴ In the interval, viz., in 1283, the King gave directions for the holding of a market every Friday.² The Queen Eleanor died in 1291; and on 25th June, 1294, Witley had the honour of a visit from Edward I, in the course of a journey to Portsmouth.⁵

The manor appears to have remained for a time in the hands of the King, and there is a very interesting account of the receipts and expenditure, especially in connection with the farming operations, between the 9th April and Michaelmas, 1303.⁶

¹ Repert. Placit de quo Warranto, Hilary T., 12 Rich. II.

² Close Roll, 11 Edward I, m. 7.

³ Recitals in Charter, 16 Elizabeth.

⁴ See Patent Rolls, 4 Edw. I, m. 36; 7 Edw. I, m. 23; 8 Edw. I, m. 27; and 17 Edw. I, m. 1.

⁵ Patent Roll, 22 Edward I, m. 14.

⁶ Ministers' Accounts, 33/10.

Margaret, the second wife of Edward I, held the manor and park, apparently as part of her dower,¹ and in 1313 she was required to supply 5 oaks from her Park of Wytteley fit for making shingles to cover the King's great hall at Westminster.² Moreover, in 1313 and 1314, commissions were issued for enquiry into the conduct of persons who had broken into her closes and hunted without license, &c.³

On 29th July, 1324, Witley was visited by Edward II, on his way from Porchester to Windsor,⁴ and in 1329 the park at least was held by his widow, Isabella, on whose complaint a commission was issued to enquire concerning persons who had broken into the park.⁵

Philippa, the celebrated wife of Edward III, probably came into possession of the manor in February, 133 $\frac{2}{3}$, as there is an account of sums collected by her Receiver between the 4th day of that month and 24th January, 133 $\frac{6}{7}$;⁶ and, in 1363, she granted a lease thereof to one Andrew Tyndale for the term of her life at an annual rent of £20, he keeping the storehouses in repair.⁷ After her death in 1369, the King granted another lease to the said Andrew, then described as his valet, for 20 years, at an increased rent of £33.⁸

One Mundana Danos or Denys of Aquitaine, nurse of Richard II, held the manor from 1378 to at least as late as 1423; and in 138 $\frac{0}{1}$, William Rauf, the King's tailor, who had married her, was granted the reversion in the event of his surviving her; a contingency which does not appear to have arisen.⁹ During the reigns of Richard II and Henry IV, the tenants obtained the

¹ The Honor of Aquila with its Hundreds, Manors, &c., formed part of her dower. See Rymer's *Fœdera*, Vol. I, Parts 3 and 4.

² Close Roll, 6 Edw. II, m. 15 and m. 14.

³ Patent Rolls, 7 Edw. II, m. 23d and 22d; and 8 Edw. II, m. 29d.

⁴ Close Rolls, 18 Edw. II, m. 38.

⁵ Patent Roll, 3 Edward III, Part II, m. 19d.

⁶ Ministers' Acc., 1091/1. ⁷ *Ibid.*, 1015/9. [304.]

⁸ *Rot. Originalium in Curia Scaccarii Abbreviatio*, Vol. 2, page

⁹ Patent Rolls, 1 Rich. II, Part IV, m. 11; 4 Rich. II, Part II, m. 13; 1 Henry IV, Part III, m. 34; and 1 Henry VI, Part III, m. 6. See also Exch. K. R. Inquis. (Various), File 302.

recognition of a right to be exempted from contribution towards the expenses of knights attending Parliament, on the grounds that the manor was part of the ancient demesne, and that they had not been accustomed to contribute, &c. In the course of the proceedings, a copy of *Domesday Book* was ordered (1401) to be exemplified, and Queen Eleanor's charter was confirmed (1405).¹ In 1421, Henry V granted the reversion of the manor to one John Ferriby, King's clerk, but afterwards Controller of the Household, for life.² Some subsequent grant appears to have been made to him in conjunction with a Sir Bryan Stapylton, who survived him; and in 144 $\frac{2}{3}$, the prospective reversion, on Sir Bryan's decease, was granted to James Fenys, Esq.,³ who, as Lord Say and Sele, was seized by the rebels under Jack Cade and beheaded on 4th July, 1451.⁴ His widow, Emmeline, and son, Sir William Fenys of Say, appear to have held the manor for a time without due licence.⁵ In 1453, Henry VI granted it to his uncle, Jasper, Earl of Pembroke,⁶ who was deprived of his estates by Act of Parliament in 1461. In August, 1462, Edward IV granted Witley to his uncle, William Neville, Earl of Kent,⁷ and, immediately after his death, on 9th January, 146 $\frac{3}{4}$, to the ill-fated George, Duke of Clarence, his brother.⁸ A revised grant was made to the duke in 1474,⁹ and in anticipation of crossing the sea on the King's service he had a licence, in 1475,¹⁰ to grant the manor, &c., to the Archbishop of Canterbury and others, in accordance with an Act of Parliament, 12 Edward IV.

¹ Brit. Mus. Add. Charters, 27,744 and 5. Recitals in Letters Patent, 16 Elizabeth, &c.

² Patent Roll (Inspeximus), 1 Henry VI, m. 18.

³ Patent Roll, 21 Henry VI, Part I, m. 18.

⁴ The emblazonment of the Say and Seale Arms in the lower part of the north-east window of the manor chapel was placed there in 1844 by the late Rev. John Chandler, the then vicar (died 1876).

⁵ Patent Roll, 8 Edward IV, Part II, m. 14.

⁶ Ibid., 31 Henry VI, Part II, m. 26.

⁷ Ibid., 2 Edward IV, Part II, m. 7.

⁸ Ibid., 2 Edward IV, Part II, m. 6.

⁹ Ibid., 14 Edward IV, Part I, m. 5.

¹⁰ Ibid., 15 Edward IV, Part II, m. 23.

The Duke's connection with Witley is marked by a small unfinished tablet on the north wall of the chancel, bearing an inscription which has been reproduced in print with variations. I take that printed in Brayley and Britton¹:—

“ ANNO : DNI : MILL^{MO} M.C^{MO} LXVIII : GEORGH
 DUCIS CLARENCE & DNS DE VYTL E AC FRATRI
 EDOUARDI : QUARTI : REGIS ANGLIE & FRANC
DIE...S : DNS : BERNENSWAR”

Manning and Bray give the date as 1468. The first two lines are carved, but the lower ones are only marked out. Aubrey is stated to have traced the inscription as far as the word “ac,” and it may be that a friendly hat-peg—referred to at an excursion of the Surrey Archæological Society in 1869—not only hid the lower lines but preserved them for later archæologists.²

The manor probably reverted to the Crown, on the attainder or death of the Duke in 1478, and remained in the King's hands until the close of his reign in 1483; for in 147 $\frac{7}{8}$ he bestowed the stewardship on Sir George Browne for life,³ and in 148 $\frac{2}{3}$ granted £10 a year to one Sybil Aylemer out of the issues.⁴

Jasper, Earl of Pembroke (afterwards Duke of Bedford), appears to have recovered his estates after the accession of his nephew Henry VII in 1485; but he died without male issue in 1495, and the manor doubtless reverted to the Crown, or was granted to Sir Reginald Bray (died 1503), who is said to have held it for life, at some time during this reign.

A fragment of stained glass, bearing the hawthorn bush and crown, with the initials *H. E.* underneath, formerly marked the connexion of the manor with Henry VII,⁵ and may possibly have been placed in the church at the same time as the existing fragments

¹ Brayley and Britton, Vol. V, 256.

² *Surrey Standard*, 14th August, 1869.

³ Patent Roll, 18 Edward IV, Part I, m. 20.

⁴ *Ibid.*, 22 Edward IV, Part II, m. 18.

⁵ Brayley and Britton, Vol. V, 255.

in the north-west window of the manor chapel, which bear the Royal Arms of England and France quarterly. Manning and Bray conjecture that the stained glass was placed in the church by Sir Reginald Bray (*temp.* Henry VII).

Future research may lead to the discovery of grants of the manor in the reign of Henry VIII; but it appears to have remained in the hands of the Crown. And there are sundry entries in a Survey [1547-9], which show that the demesne lands were largely held by yearly tenants and tenants-at-will; and that one Thomas Jones, who subsequently obtained a series of leases, was one of the yearly tenants. He was the son of another Thomas by his wife Joane Ellyot,¹ and the father was doubtless identical with the Thomas Jonys, one of the Sewers of the Chamber to Henry VIII, whose memory, with that of his wife Jane, is commemorated by the pre-reformation epitaph inscribed on the brass now lying under the low north arch of the chancel.

These Jones' do not appear to have held the manor of Witley at any time; although Thomas, the son, purchased the Rectory manor in 1544² and sold it in 1571.³

Witley manor and park were in the hands of the Crown at the time of the Survey [1547-9], the park being in the custody of Thomas Jones, the son; but on 16th November, 1551,⁴ they were granted to Sir Edward Fynys, Lord Clinton and Saye, and on the following day⁵ Sir Edward had license to sell to Sir Richard Sackville and Winifred his wife, and the heirs of Sir Richard. On 10th May, 1553,⁶ Sir Richard conferred the stewardship of the manor on Sir William

¹ Herald's Visitation. Harl. MS. 1561, fo. 35.

² Patent Roll, 36 Henry VIII, Part XXVII.

³ Close Roll, 13 Elizabeth, Part XXIX.

⁴ Patent Roll, 5 Edward VI, Part VII.

⁵ *Ibid.*, 5 Edward VI, Part II.

⁶ Manning and Bray, Vol. II, page 42, where it is stated that Sir William resigned his patent to Queen Elizabeth in 157 $\frac{1}{2}$.

More of Loseley. If this date is correct, it would seem that the right of disposing of the demesne lands remained vested in the Crown during Sir Richard's tenure; for, on the 1st March, 155 $\frac{2}{3}$,¹ the king granted a lease to Thomas Jones (the son) of the site and capital messuage of the manor, four closes adjoining to the same called Courtlands; the Lord's Mead, near the heath; the Lord's Pond; and two crofts called Bedell Crofts, with a garden lying near Parker's Acre; to hold for 21 years from the ensuing Michaelmas.

From some cause or other the manor and park fell into the hands of the Crown sometime before the death of Sir Richard Sackville (1556), for in 1554 Queen Mary granted them to Sir John Gage, Lord Chamberlain of the Household, for life, with reversion to his son Robert.² Sir John Gage died in 1557,³ in which year Thomas Jones (the son) obtained a lease from the Crown of a tenement, &c., called Berylands, in Thursley, and a tenement and certain parcels of meadow in Scottenham, for 21 years from the previous Feast of the Annunciation.⁴

This and the previous lease of 155 $\frac{2}{3}$ were however subsequently vacated, and in May, 1568, the lands, &c., comprised in both were again leased to Mr. Jones for 21 years from the previous Feast of the Annunciation;⁵ that period being extended in 1578 by a further grant for 21 years from the Feast of the Annunciation, 1589;⁶ and again (after his death) by further grants to his nephew, William Stoughton, viz., in 1588 for 21 years from the date of expiration of the previous leases,⁷ and in 1595 for another 21 years, from the Feast of the Annunciation, 1631;⁸ in other words, down to the year 1652. These leases, or such of them as were unexpired,

¹ Recital in Patent Rolls, 1 Mary, Part XIII, and 10 Elizabeth, Part III.

² Patent Roll, 1 Mary, Part XIII.

³ Dallaway's *Sussex*, Vol. I, page 338.

⁴ Recital in Patent Roll, 10 Elizabeth, Part III.

⁵ Patent Roll, 10 Elizabeth, Part III.

⁶ *Ibid.*, 20 Elizabeth, Part IX.

⁷ *Ibid.*, 30 Elizabeth, Part IV.

⁸ *Ibid.*, 37 Elizabeth, Part II.

are stated to have been invalidated by the sale of 1599, referred to later on.

In the meanwhile the Crown would seem to have held the manor, and the tenants succeeded in obtaining a charter declaring their right of exemption from serving on juries at other than their own manorial courts; again, on the plea that the manor was part of the ancient demesne of the Crown, and that they had not been accustomed to such service.¹

On 19th September, 1599,² George Austen of Guildford and William Mynterne of London obtained a grant of the manor with the rights, &c., late of Richard Sackvyle deceased, and formerly of the Duke of Bedford; and all rents of assize of free tenants (£22 . 5 . 3), all customary rents and customary laws (£3 . 0 . 3½), and all rents arising from hens (valued at 10s.); also the site and capital messuage of the manor and the other lands, &c., which have been previously referred to as leased to Thomas Jones and his nephew; and further, the custom, rent or sums of money called "Grayside," and Witley Parke.

This was followed on the 24th of the same month by a deed³ between Messrs. Austen and Mynterne of one part, and Sir Thomas Egerton, Kt., Lord Keeper of the Great Seal of England, and Dame Elizabeth his wife, of the other part, whereby the whole of the above property was conveyed to the said Dame Elizabeth and her heirs for ever; and, in or about 160½⁴ Sir Francis Wolley, her son and heir by her former husband Sir John Wolley, appears to have conveyed the estates to Sir George More of Loseley.

This Sir George, and his son, Sir Robert, sold the park to Sir Edward More in 1613;⁵ and in the following May⁶ conveyed to Henry Bell of Rake, Esq., the manor,

¹ Letters Patent, 16 Elizabeth and 37 Elizabeth.

² Patent Roll, 41 Elizabeth, Part XXI, m. 20.

³ Close Roll, 41 Elizabeth, Part XXI.

⁴ Fine, Hilary Term, 2 James I. and Bray and Manning.

⁵ Close Roll, 11 James I, Part XXXVI, No. 3.

⁶ Close Roll, 12 James I, XXV, No. 23.

the messuage called the Court House, near the parish church of Witley, and all barns, &c., lands, &c., to the said messuage belonging, called Court Lands, the Lord's Pond, Bedelles, *alias* Bewell's Crofts, the Lord's Mead, &c.

From Henry Bell (died 1634) the manor descended to Anthony Smith, his great-nephew. This gentleman was Pensioner to Kings Charles I and II, and died on 6th October, 1669, leaving large benefactions to Witley and Thursley, his name and generosity being recorded on a tablet in the church, with a quaint 17th century inscription in somewhat indifferent Latin.

From Anthony the manor descended to his brother, Thomas Smith (died 1689-90), leaving a son, Allen Smyth (died 1694). This Allen devised the manor¹ to his eldest son, Allen, who died during minority, leaving his brother and heir-at-law, Thomas (died 1761).

Mary, the only surviving daughter and heir of this Thomas, married Philip Carteret Webb, and the manor descended in the Webb family to the late Lieut.-Col. Robert Smith Webb, an old Peninsular officer (died 1868), to whose memory the stained glass was placed in the east window of the manor chapel, and from him to his son, Robert William Webb of Milford House, who within the last few years has sold the manorial rights.

In closing this paper, I wish to express my warmest thanks to a member of the Society, for the main part of the facts mentioned therein, and without whose help it would have been impossible to publish it with any confidence in its correctness.

¹ Probate, Arch. C. of Surrey, 23 Dec., 1695.