

THE HISTORY OF EPSOM SPA

(BASED ON THE COURT ROLLS OF THE MANOR OF
EPSOM)

BY

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I. THE GROWTH OF THE LEGEND

ALTHOUGH the story of Epsom goes back as far as the eighth century, it is not until the reign of James I that Epsom comes into history as a Spa with the discovery of the medicinal waters on the Common. In consequence it became a place of great resort throughout the seventeenth century. Aubrey,¹ Dorothy Osborne,² Pepys,³ all visited the Well; Evelyn⁴ refers to it, for his brother was Lord of the Manor from 1663 to 1670, and Shadwell wrote *Epsom Wells* in 1672, a poor play but evidence of Epsom's popularity.

Until now, historians have followed Pownall,⁵ author of the first

* Mr. F. L. Clark had completed his work on the Court Rolls of the Manor of Epsom and had worked out his interpretation of this hitherto unused material before his death in December 1956. His family was anxious that the fruit of his research should be made available to those who are interested in English social history and the story of Epsom Spa, and wished to have the work published.

They are greatly indebted to Professor J. G. Edwards, Director of the Institute of Historical Research in the University of London, for the help and advice he has given in preparing this article for publication. They know that Mr. Clark would have wished to express his gratitude for the encouragement he received from the resourceful and scholarly interest in this work of Dr. E. S. de Beer, to whom Mr. Clark owed his acquisition of the earliest known picture of Epsom Old Wells. They would also like to thank Mr. Stanhope Shelton for his continued interest and enthusiasm and for his generous help in making himself responsible for the illustrations and for drafting the maps. Finally they would like to thank Mr. T. H. Porter, Headmaster of Raynes Park Grammar School, for his unstinting help, both before and since Mr. Clark's death.

¹ *Natural History and Antiquities of the County of Surrey* (London, 1718), II, 191 *et seq.*

² *Letters from Dorothy Osborne to Sir William Temple, 1652-54*, edited Parry (London, 1888), 138.

³ *The Diary of Samuel Pepys* (Bell, 1928), III. 208-9, VII. 21. Hereafter cited as Pepys.

⁴ *The Diary of John Evelyn*, edited E. S. de Beer (Oxford, 1955), II. 542, III. 544. Hereafter cited as John Evelyn.

⁵ Henry Pownall wrote as "An Inhabitant" of Epsom. He is said to have been a solicitor. In 1832 he appears in a voters' list for West Surrey as owner of the King's Head in Epsom. He was then living at Spring Grove, Middlesex. He deals with the *Lloyd's* article on p. 58 *et seq.* in his *History of Epsom*, 1825. Hereafter cited as Pownall.

History of Epsom, 1825, in basing their interpretation of the development of the Spa on an anonymous article in *Lloyd's Evening Post*, 1769, entitled: "A concise Historical Account of the Old Epsom Wells on Epsom Common."¹ The anonymous author's account begins with a section of early history in which he deals with Ebba, "the first Christian queen." He goes on: "Somewhat about a thousand years after this period a report was spread that a pond lay open on the Common where poor people for ages had resorted to drink the Waters and wash their old sores and that the cures performed were astonishing. . . . Doctors visited the pond, examined the homely rustics and the gentlemen in the neighbourhood . . . and they returned to London, well satisfied . . . believing the waters worthy of their attention. From this era the waters began to be generally spoken of and soon after were visited by strangers; hence the Lord of the Manor first erected a shed to shelter the sickly visitors and enclosed the pond. . . . About 24 years after the fire of London on account of the great concourse of foreigners and families resorting to the Wells, i.e. about 1690, . . . Parkhurst Esq. enlarged his first building by erecting on the spot a ballroom at least 70 feet long, with other conveniences. . . . Its situation was and now is about half a mile from the center of the town, on a common, . . . commanding a very extensive as well as pleasant prospect over Banstead Downs to the South; woods, valleys and commons on the West; London and Westminster in the North East; parks, gardens, Gentlemen's seats and cornfields from East to West. Here was also planted a long walk of elms from the London Road with several avenues leading different ways, part of which remain to this day." And there still remained when the anonymous author of the *Lloyd's* article was writing in 1769 a small bit of the original wainscoting of the long room.

He goes on to say that about 1692 Epsom waters became known throughout Europe and "hence most of the Nobility and Gentry, not only in England but even foreigners crowded to Epsom." "Magnificent taverns" were built. "Public breakfasting, dancing, music every morning at the Old Wells, the Ring at noon, rustic sports in the afternoon, private parties, assemblies or cards in the evening provided entertainment for those taking the waters. In a word neither Bath nor Tonbridge could vie in Splendour or boast of such noble visitors."

Then came the first setback. According to the anonymous author: "From 1704 to 1714 Epsom waters gradually lost their reputation and must have sunk but the Queen [Anne] keeping her Court at Windsor, the Nobility and Ladies at times came to the balls, rafflings, games and diversions then carrying on at the New Wells." In spite of this support during those years "the Physicians gradually withdrew sending down the diseased, many having returned without receiving benefit. . . . The Faculty stood con-

¹ The article may be found in the British Museum in *Lloyd's Evening Post and British Chronicle* for Aug. 14-16, 1769.

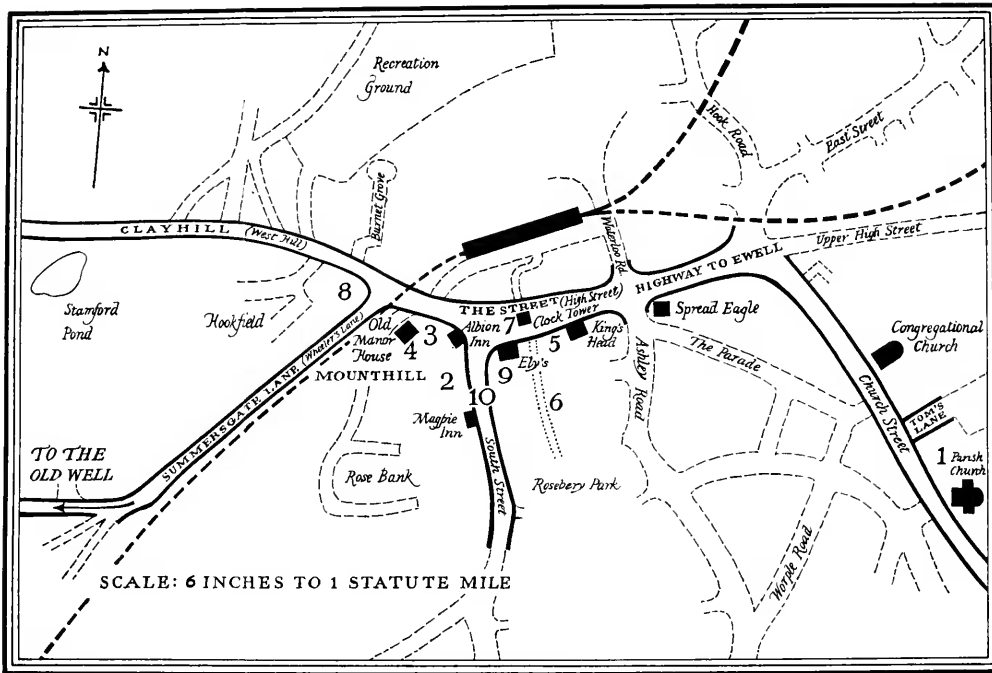
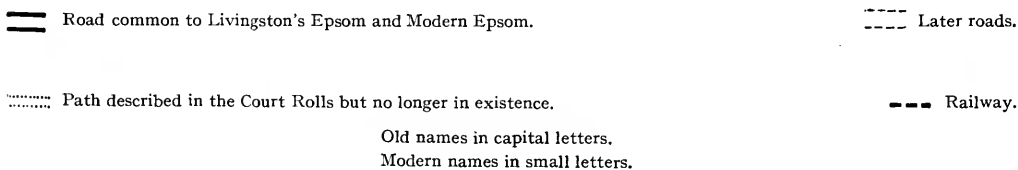


FIG. 1. LIVINGSTON'S EPSOM (1707) IN RELATION TO MODERN EPSOM (1956).



1. First property held by Livingston. 2. Shoulder of Mutton Close which extended from Guilder's Garage to the Magpie Inn. See Fig. 2. 3. Livingston's Grove. 4. The New Wells. 5. The Old Bowling Green. 6. Beccon Soales Lane. 7. The Town Pool. 8. Clayhill Bowling Green. 9. The New Inn. 10. Track described as leading from Clayhill to Woodcote.

founded, the distempered lamenting and the afflicted with painful diseases searched for relief where none was to be found."

However, in 1720, at the time of the South Sea Bubble, "The Alchemists¹ of the times, Dutch, Germans, Jews, etc. again filled the village but this did not last long, though several of the most stately houses were built at this time—among which stood Baron Swasso's.² After this period Epsom became once more almost uninhabited."

The anonymous author attributes all this evil to "one Mr. Levingston, an apothecary." He came to Epsom about 1690. "In about 1706 he bought certain lands lying in the Town of Epsom of Sir John Parsons which were formerly Sir John Bean's." Here he built "a large house with an assembly room, planted a sort of grove," and built small houses for all sorts of gaming. "He made a large bowling green and at the end sunk a well, also put down a pump and laid pipes underground to convey the water down to the foot of the assembly-room." He called all this the New Wells. In this way he "allured the company from the Old Wells and many were induced to drink his waters for a time." However, when the public discovered that his waters were not efficacious they deserted the New Wells for the Old. This spoilt Livingston's schemes. He therefore made a point of acquiring the lease of the Old Well, and soon after closed it.

"Here," says the anonymous author, "we see the reason why Epsom fell into decay, the lodging houses were sold to gentlemen, infirmities crept on without hope of relief." Livingston was the villain, and his "avariciousness midwived designedly the miscarriage of Epsom." One may ask, on a point of style, whether if the style is the man, one is not bound to disbelieve a man who writes like this. His account of the state of affairs after Livingston's death in fact reveals his true purpose in writing the article. For he goes on to say that when Livingston died in 1727, "Parkhurst Esq. repaired the buildings and almost ever since it has been opened, and for years one Mrs. Hawkins has kept it, and to this day the neighbouring families as well as those in Epsom, in the summer season meet on Mondays and breakfast there, keeping up the old custom of music, dancing and carding till about three in the afternoon. I have seen near a hundred in the morning, most of them people of fashion and opulent fortune. About two years since, the Old Well waters were analysed by several of the Faculty, when they were reported to possess the same salutary properties as when they were first celebrated in 1640. Since when it seems as if in time their credit would recover." The purpose of the article, then, was to induce its readers to attend Mrs. Hawkins's Monday breakfasts. It is thus on an advertisement that the history of Epsom Spa has been based.

¹ Company directors.

² But Luttrell under date of 15 April 1710 says that "the Baron Swasso, a rich Portuguese jew has died leaving an estate of £400,000." *Brief Historical Relation of State Affairs 1678-1714* (Oxford, 1857), vi. 570. This superficially convincing detail from the *Lloyd's* article need not therefore be accepted as evidence of what happened in Epsom in 1720.

This is corroborated by an advertisement published in 1754, fifteen years before the *Lloyd's* article, and quoted by Lord Rosebery in his introduction to Gordon Home's book on Epsom. It said: "Epsom Old Well. The Gentlemen and Ladies who did me the honour to breakfast at this place last Monday morning have signified their pleasure of breakfasting here every Monday during the season; I take this opportunity to return my unfeigned thanks for the favour of so genteel an appearance and humbly hope for a continuance of the same which will lay under the greatest obligation their most humble servant Jane Hawkins. Note: The Purging Waters of this place are in excellent order."¹ The broad correspondence of matter and tone between this advertisement and the end of the *Lloyd's* article suggests that the article is the advertisement in an expanded form.

Manning and Bray in their *History of Surrey*, 1809, give the substance of the *Lloyd's* article and seem to accept it.² In his *History of Epsom* which appeared in 1825, Henry Pownall³ gave currency to the story of John Livingston. He tells how the popular watering place began to lose reputation in the first decade of the eighteenth century and how this afterwards appeared to be due to the "knavery of Mr. John Livingston an apothecary."⁴ Livingston opened new wells in the town which drew people away from the Old Well on the Common; he then got possession of the Old Well and closed it, so that from 1715 Epsom was deserted. At the time of the South Sea Bubble in 1720 there was a temporary revival of Epsom's popularity, but when the Bubble burst "Epsom was again deserted and became (as it now remains) a populous, wealthy and respectable village, without retaining any of its former dissipated and vicious sources of amusement."⁵

This sentence might have given pause to a reflective mind, but later writers preferred to tell the good story with which they had been provided and ask no questions.

They confined their originality to the finding of new terms of abuse for Livingston. Thus Brayley (1850)⁶ says he appears to have been "an unprincipled speculator." Swete (1860)⁷ transforms Pownall's "knave" into "a jesuitical sort of clever rogue." Even Malden (1900),⁸ whose account of Epsom in his *History of Surrey* shows some perception of what really happened, calls him "an advertising quack" and says he dealt the first blow at Epsom. (The second was the discovery of sea bathing in 1753.) Gordon Home (1901) calls him a "rascally fellow,"⁹ and Lord Rosebery in his introduction to Home's book, though he deals with the episode

¹ *Epsom, Its History and Surroundings*, Gordon Home (Epsom, 1901), p. 16.

² Manning and Bray, *The History and Antiquities of the County of Surrey*, (London, 1809), II. 609-11.

³ Cf. p. 1, note 5, above.

⁴ Pownall, 64 *et seq.*

⁵ *Ibid.*, 80.

⁶ *Topographical History of Surrey* (London, 1850), IV. 355.

⁷ *A Handbook of Epsom* (Epsom, 1860), 72.

⁸ *History of Surrey* (London, 1900), 301.

⁹ *Epsom, Its History and Surroundings*, 59.

ironically, accepts the story and makes his own contribution to the list of epithets applied to Livingston, describing him as "the wicked apothecary."¹

This legend about Livingston has so far been accepted because the *Lloyd's* article has been till now the only source of our knowledge that Livingston played any part in the history of Epsom. His name has not been traced in the records of the Society of Apothecaries or the College of Physicians and none of the literary sources mentions him. However, there is a very important contemporary source, to which nineteenth-century writers did not have access, the Court Rolls of the Manor of Epsom; and the object of this article is to reconsider the history of Epsom Spa and the legend of the "wicked apothecary" in the light of the evidence which these Rolls afford.

In the following chapters the present writer intends first to examine the form and nature of the Court Rolls and then to prove from them that there are many errors in the story of Epsom Spa as it has so far been understood. For instance, Livingston's motives and methods will be differently interpreted. There is also a fundamental error in antedating Epsom's great period, since Parkhurst was not Lord of the Manor in 1690, did not become so until 1707, and undertook no building until after that date. Humphrey Beane is wrongly named Sir John Bean by the *Lloyd's* writer, who also errs in speaking of the "nobility . . . crowding to Epsom."² Defoe, writing in 1724, says: "As the nobility and gentry go to Tunbridge, the merchants and rich citizens go to Epsom; so the common people go chiefly to Dulwich and Stretham."³ Finally, there is no evidence for a desertion of Epsom either in 1715 or after 1720, and a great deal against it. The new evidence will show an Epsom that prospered in the reigns of Queen Anne and George I. It may be hoped that the story of Epsom Spa will no longer be the story of a villain, and that it will be possible in future to do justice to Livingston. It was he who raised Epsom to the status of a Spa. When he died the Spa collapsed. This is the pattern which will emerge from an examination of the Court Rolls.

II. THE COURT ROLLS

The constructive part of this work is based chiefly on the Court Rolls, which provide an authoritative and hitherto unused source for the history of Epsom. The Court Rolls are sheets of vellum or parchment, roughly 24 inches in length and 10 inches wide. These sheets, called membranes, are stitched together at the top, and, as their name implies, rolled up into cylinders for storage. Until recently they were in the possession of the lawyers of the manor, and only persons who had some legal interest in their subject-matter could consult them. Now, however, they are in the charge of the

¹ *Ibid.*, 15.

² See p. 2 above.

³ Defoe's *Tour through England and Wales*, Everyman Edition, i. 157. Hereafter cited as Defoe's *Tour*.

County Archivist in the Surrey Record Office at County Hall, Kingston-upon-Thames, and are available for study.

Throughout the following pages the initials K.R.O. will refer to the Surrey Record Office at Kingston, where the reference number of the eleven Court Rolls of Epsom Manor is 31/1/1-11. They cover the following years:

Roll 1.	14 October 1663—6 November 1679	(27 membranes).
Roll 2.	11 March 1679/80—30 November 1685	(17 membranes).
Roll 3.	18 March 1685/86—27 February 1691/92	(16 membranes).
Roll 4.	10 March 1691/92—29 October 1697	(18 membranes).
Roll 5.	28 October 1698—2 July 1705	(20 membranes).
Roll 6.	17 November 1705—14 October 1712	(18 membranes).
Roll 7.	29 December 1712—4 April 1716	(17 membranes).
Roll 8.	20 September 1716—1 November 1717	(8 membranes).
Roll 9.	27 October 1718—19 October 1721	(13 membranes).
Roll 10.	19 February 1721/2—7 December 1724	(13 membranes).
Roll 11.	5 March 1724/25—26 May 1725	(5 membranes).

After 1725 the Rolls are replaced by books to which reference is made by the page and number of the book, but no detailed description of them is needed, since the bulk of the evidence presented in the following pages has been drawn from the years before 1725.

For the purposes of reference all the transactions referred to may be found in the Rolls under the date of the Court in which they occurred. All the dates of the Courts are therefore according to the unreformed Calendar in which the year began on March 25, and which was eleven days behind the Gregorian Calendar by 1700. Where necessary for clarity, the year, New Style, has been given, as well as the day and year, Old Style. Although English is used occasionally for presentments made by the Homage and for the transcription of Wills, the Rolls are written in abbreviated Latin until 1733. Where there are quotations from the Latin sections of the Rolls, a literal translation has been given.

There are two Courts to be considered, the Court Leet and the Court Baron. We are concerned chiefly with the latter, and all references are to transactions in the Court Baron unless otherwise stated. However, the Leet comes into the picture once or twice, and calls for a word of explanation. The Court Leet, or View of Frankpledge as it is always alternatively called, was originally a sort of police device, the production before the Sheriff of groups of persons each responsible for the others' keeping the peace. The jurors of the Court were sworn in the name of Our Lord the King. It was the Court of persons living in the district, and everyone not a freeholder had to attend. It looked after the general interests of the community, such as the presentment and punishment of offences and nuisances, the regulation of the quality and price of provisions, and it kept an eye on the amenities of the district. In it were elected the Constable, the Tithing-man and the Aletaster. The Rolls show that Woodcote was at one time an entirely separate community, for separate

officers were elected for Epsom and Woodcote, but there was only one ale-taster between them. At each Court the constables for both places paid a common fine of 3s. 4d.¹

The records of the Court Baron are the more important. This was a manorial court whose origin goes back to Saxon times, and its procedure was formalised under the Plantagenets. The term "manor" came to mean an estate, an almost self-sufficing economic unit, in which all the tenants were bound to the lord. The free tenants paid rent and did service to the lord, and the unfree tenants rendered regular weekly service to him on the land, which, as conditions changed, was gradually commuted for rent. In the course of time custom ruled; the amounts of service to be rendered, the heriots due on the death of a tenant, the fine payable by the heir, the mode of succession, all were according to custom. The Court has been called the Customary Court. The lord had the freehold of the manor and dealings in land.

In theory the lord was not compelled to carry out his tenants' wishes, but in practice he was bound to act according to the custom of the manor, and in time the common law evolved a remedy for tenants dispossessed or otherwise wronged by the lord in defiance of custom. They could bring an action for trespass against him. Thus Sir Edward Coke, the great champion of the Common Law, could say: "Then let the lord frown, the copyholder cares not." All these elements of early land-holding persisted, and men in the seventeenth century bought and sold and mortgaged land according to the old formulas.

The supervision of the Court Rolls was entrusted to men of weight. The Steward of the Epsom Court was Sir Edward Thurland. Called to the Bar in 1634, he was M.P. for Reigate in the Short Parliament, 1639-40, and from 1661 to 1672 in the Cavalier Parliament. He was solicitor to the Duke of York and was knighted about 1661. In 1672 he became Serjeant-at-Law and in 1673 Baron of the Exchequer. He was Recorder of Reigate and Guildford. He was a friend of Evelyn's and of Jeremy Taylor, author of *Holy Living and Holy Dying*.²

As an example of how things were done we will now analyse the first entry concerning the land on which the Marquis of Granby now stands.

- (1) The Homage, a kind of jury representing the tenants, consisting of two or more of them, "presented" the facts of the case.

¹ No evidence has come to light about the origin of these fines. The word "finis" means "end," and mediæval fines were payments to "end" some matter or other. Fines in the Middle Ages were always negotiated, not imposed by the court as modern fines are. In these local courts there was often a struggle between the officials who tried to transform these single payments into customary ones and the suitors of the court who maintained that this or that payment "should not be drawn into a custom." In this case the officials seem to have won.

² *Dictionary of National Biography*.

- (2) On 5 November 1664, out of court, Simon Mason, gentleman, customary tenant of the manor, "surrendered" through the Steward into the hands of the lord of the manor all that cottage, orchard and one small piece of land pertaining to it, containing 1 acre more or less, with a barn situated in Clayhill.
- (3) The surrender was "to the use of" George Frank (elsewhere described as a weaver) and Maria his wife and their heirs in perpetuity "at the will of the lord" and "according to the custom of the manor."
- (4) George and Maria Frank sought admission to the land.
- (5) The Court granted them admission "by copy of the rolls" at the will of the lord according to the custom of the manor at the rent and services formerly owed by the law of custom.
- (6) George and Maria Frank were then formally admitted and took seisin by the rod and paid a fine of £6. (Seisin by the rod was the ceremony of taking possession of the land symbolically by receiving from the seller, sometimes as in Roman Law a clod of earth standing for the whole, or as here a twig or rod.)

Thus the Court Rolls are legal documents, and entries in them must be accurate. In them we overhear, as it were, the men of the time going about their business. In every entry the rights of property were involved because the Rolls served as a registration of title, and the persons concerned could see that the entry correctly described what had taken place, for they received a copy of it, on which their legal right depended. They do not tell us all we should like to know. For example, in this case just cited, the cottage and orchard are situated at Clayhill. To us this is a vague description of the site. To our predecessors on the spot all was as clear as day, because the cottage was probably the only one thereabouts. This 1 acre probably included all the land from the Marquis of Granby to where the road from the station comes into the main road on the town side of the railway bridge. However, sites cannot always be identified. But in 1680 and 1755 Surveys of the manor were held. These give the names and holdings of all the tenants of the manor, freehold as well as copyhold. As holdings are usually described as abutting on other properties on the east or west, north or south, the whole body of entries can be arranged in the manner of a jigsaw. We can say who lived next to whom all along the High Street in these years. The passage of two or three centuries makes it a rash proceeding to identify what now exists with what existed then. But sometimes certainty is possible.

These remarks will, it is hoped, suffice as an introduction to the following attempt to discover hitherto unknown sites and to reconstruct Epsom Spa as it existed in the first two or three decades of the eighteenth century. The word "Spa" will be used to stand for the organized social life that the word denotes, and not for either the general life of Epsom or the taking of waters at the Old Well. It is intended to bring forward evidence to show that John Livingston

was the pioneer of Epsom Spa and probably rather its creator than its destroyer.

III. JOHN LIVINGSTON AND "THE GROVE"

The only contemporary evidence available to nineteenth-century writers that Livingston existed is the record of his burial in the parish registers on 24 May 1727, though no one seems to have bothered to check the date of this one certain event in his history. His name also appears on the benefaction table of the parish church, where he is said to have given half an acre of land on which the parish erected an almshouse about the year 1703. But even this evidence is not strictly first-hand or contemporary, for the Charity Commissioners in 1824, after stating the "reputed" fact just mentioned, go on to say that the benefaction table "at the time of our inquiry was inaccessible having been accidentally buried in a heap of stone and lumber collected for the rebuilding of the Church."¹

In the Court Rolls of Epsom, the name of John Livingston appears for the first time in the Court Leet of 13 October 1692² when he is elected "decennarius" or tithingman for Epsom. The correct spelling of his name is that given here, for it is thus that he signed his will in 1724. In the Court Baron of 28 October 1695,³ it is recorded that he lent £150 at 6 per cent. to J. King, husbandman, on the security of the latter's house and half acre of land. This was situated in Church Street, north of the church, with one half-acre property between it and the church. On 28 October 1696⁴, Livingston was admitted to the property, and became the true holder and a tenant of the manor in the Court Baron of 29 October 1697.⁵

Did Livingston already have in mind the possibility of opening wells in the town? On 27 October 1690,⁶ the jurors of the Court Leet declared that a bridge "in the place leading to the Church" was in a state of decay and the task of repairing it one that rightly fell on the inhabitants of Epsom as a whole. Further, in 1711, Toland refers to the "now uncertain springs in Church Street."⁷ It looks as if there were springs above the church that formed a stream wide enough to need bridging in order to give access to the church. These springs were almost certainly due to the "Earthbourne," an intermittent spring rising through a stratum of greensand overlying the chalk. However, although Livingston retained the property for some time there is no indication of his developing it.

We next find Livingston buying property at the opposite end of the town. In the Court Baron of 7 November 1701⁸ he bought a messuage and half an acre of land in Shoulder of Mutton Close.⁹ This close was a piece of ground roughly triangular in shape, with its

¹ Letter from Charity Commissioners.

² K.R.O., 31/1/4.

³ *Ibid.*

⁴ *Ibid.*

⁵ *Ibid.*

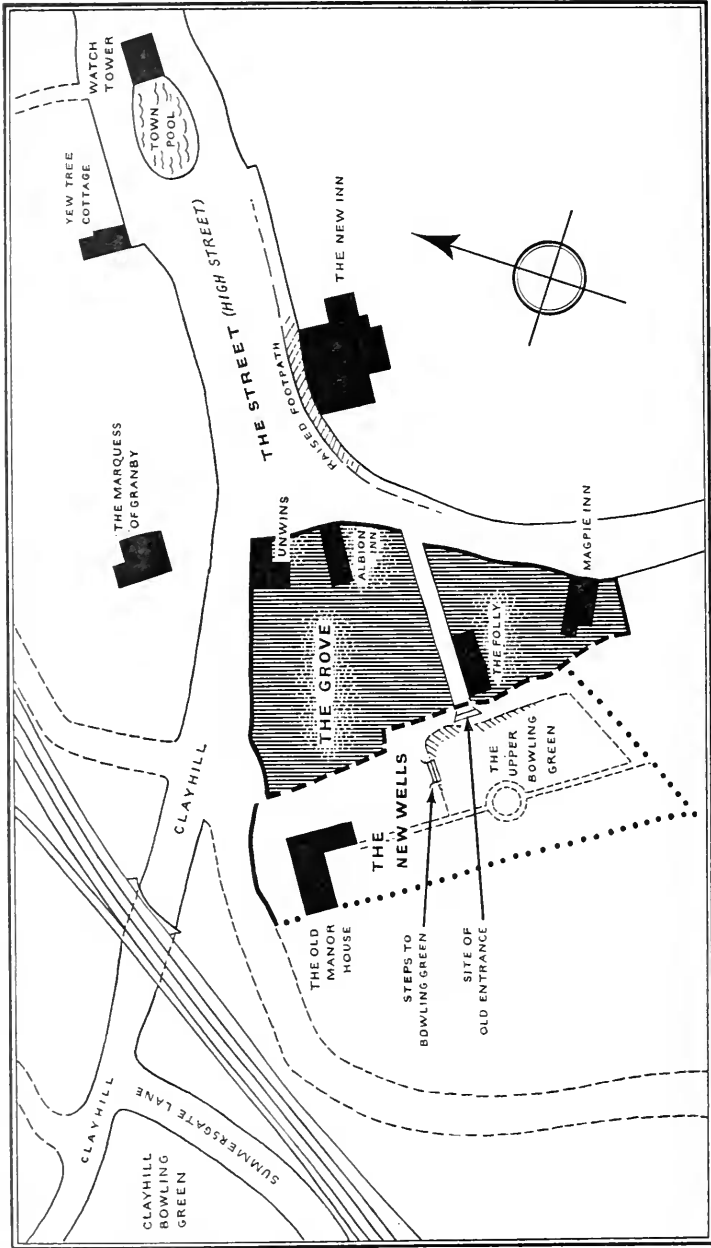
⁶ K.R.O., 31/1/3.

⁷ "Description of Epsom" in *A Collection of Several Pieces of Mr. John Toland* (London, 1726), II. 102. Hereafter cited as Toland.

⁸ K.R.O., 31/1/5.

⁹ See fig. 2.

THE NEW WELLS



SHOULDER OF MUTTON CLOSE



WALL BETWEEN LIVINGSTONE'S GROVE AND HIS NEW WELLS



FIG. 2.

northern side running westward from High Street to the foot of Mounthill (*i.e.* where Guilder's Garage is today), and its western side along the line of the brick wall running south-eastward from there to the Magpie Inn. The eastern side of the close ran along the curve of South Street, then a mere track, leading in the words of the Court Rolls "from Clayhill to Woodcote." In the Survey of 1680¹ the Close was pasture land, belonging to Katherine Beane, Humphrey Beane's widow, with only one small house and shop on it, probably on the northern side.

Humphrey Beane is wrongly named "Sir John Bean" by the *Lloyd's* writer.² He was a cordwainer, Master of the Cordwainers' Company in 1667-8, and in 1667 an Alderman of the City of London. In the Court of 8 April 1670,³ he bought property in Epsom and came to reside here. He bought from T. Newton of 'Stoake near Guildford,' gentleman, and Sir Samuel Starling, Lord Mayor of London, one messuage and 32 acres, and one messuage and 4 acres. Most of the acres were strips in the common fields. The first-mentioned house the writer believes to have been on the site of the present Clock House in the Dorking Road, with a field of 3 acres opposite to it then called "Warrens." The other house was on the west side of Church Street, probably on the site of Silver Birches.

Humphrey Beane's death is recorded at the Court of 11 March 1679-80.⁴ In the Court Baron of 21 March 1680/81,⁵ there is a quotation from his will. Because it refers to John Parsons and to a piece of land which comes into the story later, this passage from the will may be quoted. It runs: "I give and bequeathe the Field and Building over against the new house⁶ where my sonne Parsons and I now co-inhabit in Ebbisham being about three acres more or less wherein is a Well of water which cometh with pipes across the road to my washhouse upon which ground my son Parsons hath built coach houses and stables I say I give it to my wife Katherine Beane to sell it outright and to receive the sum for the same for the Use or Uses hereafter specified. But because my sonne Parsons hath built thereon with some of my materials I would he should have it paying one Hundred and Fifty pounds for it and the fine to the Lady. And so I desire my executors hereafter named may make Sale and Surrender accordingly. And if my sonne Parsons do not purchase it at the termes I have set in six months after my decease then to any other Chapman that will buy it reserving the benefit and Use of my well to the house as it now is. I give and bequeathe my Executors to sell One Acre of land at Clayhill⁷ that I am intreat for selling to John Steer of Ebbisham if it be not sold before my decease my wife to enjoy the money to answer debts and legacies which if either my wife or daughter Julian dye that estate to my grandchildren of John Parsons by this will appointed." The Court adds, "And the aforesaid John Parsons paid to Katherine Beane £230 according to

¹ K.R.O., 31/4/1.

² *Cf.* p. 3, above.

³ K.R.O., 31/1/1.

⁴ K.R.O., 31/1/2.

⁵ *Ibid.*

⁶ Probably the Clock House.

⁷ The land on which the New Wells were later built.

the true intention of the will. And the said Katherine Beane surrendered the aforesaid tenements lands and premises to the use of the aforesaid John Parsons and Elizabeth his wife and their heirs within six months after the decease of the said Humphrey Beane." A fine of £30 was paid to the Lady of the Manor. Such was the man whose land presently became the site of John Livingston's "Grove" and New Wells, and such the first mention of the land in question.

This acre of land that Humphrey Beane "was intreat for selling to John Steer of Ebbisham" will indeed come into the story later. The development of Shoulder of Mutton Close must be dealt with first. In the Court of 6 November 1679,¹ a short time before his death, Humphrey Beane sold most of the Close, except apparently the northern strip along Clayhill, to one Stacey of Leatherhead, a blacksmith. Stacey, in the Court of 27 August 1692,² sold the southern tip (on which later the Magpie Inn was built) to a carpenter from Ewell, W. Gaston. The shank Stacey kept for himself and his son and erected a blacksmith's shop on it. The space between this and the northern strip he sold on 11 March 1679/80,³ to W. Parkhurst, coachman. The fine was £4. When Parkhurst let it on September 30 of the same year, *i.e.* 1680, it was "with stables thereon erected." In the Court of 21 October 1686,⁴ he sold it, now described as "one messuage and three roods of ground in occupation of Daniel Linchford," to John Elmer, of St. Andrew's Parish Holborn, gentleman. It was Parkhurst, then, who erected the first house on the site between 1680 and 1686. The fine this time was £36, nine times what it had been six years before, presumably because of the new house. The occupier on Elmer's admission as tenant of the manor in October 1686 is called Daniel Lashford. His name caused some trouble, for when Stacey took out a mortgage in the Court of 29 October 1688⁵ his property is described as abutting on the north on the messuage in occupation of D. Lechford, whose business is given this time. He was a "maulster."

Shoulder of Mutton Close in 1692 was therefore divided between four owners. Humphrey Beane's executors held most of the northern edge, what is now the row of houses from Messrs. Unwin to Messrs. Guilder. The southern tip belonged to Gaston, the Ewell carpenter, the "shank" to Stacey the blacksmith from Leatherhead, and the piece between the "shank" and the northern edge to Elmer, the London gentleman. Elmer's parcel must have comprised the Albion Inn and the house itself.

No more is heard of Linchford, Lechford or Lashford, the maltster who occupied the house erected by Parkhurst, till 1701. At the Court Baron of 7 November 1701,⁶ J. Elmer, gentleman, now living at Banstead, surrendered one messuage, barns, stables, gardens and lands, occupying half an acre, with all appurtenances, "now in the occupation of D. Lashford," to the use of John Livingston, apothecary. The fine was £20. The situation of the property is described

¹ K.R.O., 31/1/1.

² K.R.O., 31/1/4.

³ K.R.O., 31/1/3.

⁴ *Ibid.*

⁵ *Ibid.*

⁶ K.R.O., 31/1/5.

with some elaboration. It abutted on the highway on the east, *i.e.* on the High Street, and on the house and garden of John Grant on the south. Grant was a joiner, whose original property was on Clayhill, where the new Burnet Grove is now, and who had bought Stacey's property in 1692. On the west, Livingston's new estate abutted on the land or garden of Anne Emerson, and, on the north, on the row of houses now erected on "Clayhill." The names of the occupiers are given: Frank Wood, George Holdsworth, John Potterton, Henry Edge, William Bluck, John Page and John Lenton. Livingston also bought two other small bits of land apparently to make sure that his property marched with that occupied by Anne Emerson. This land became the "sort of grove," that was made by Livingston according to the *Lloyd's* writer. It was still called "The Grove" as late as 1875, when the row of houses to the south of it, known as "The Folly," was enfranchized, *i.e.* made freehold instead of copyhold.

This account of the development of Shoulder of Mutton Close is a reconstruction by the writer, and, though it seems consistent, is in some respects conjectural; but as regards the house where the maltster lived there is fortunately another piece of evidence which is conclusive. The Albion Inn was enfranchized in 1898, and its ownership can be traced back through the Court Rolls. In 1871 it was "formerly used as a coffee house but is now known and distinguished as the Albion Hotel."¹ In 1844 it was "now used as a coffee house."² It was a coffee house in 1817, 1809 and 1797. In this last year it was occupied by William Morris, son of John Morris, deceased, "coffee man."³ John Morris had bought it in 1769 from Cuthbert Parkinson, who had acquired it in 1768 from John Tod,⁴ the grandson of Livingston, the inheritor of Livingston's property. Livingston, then, was the owner of the house first built by Parkhurst the coachman, on the site of the Albion Inn, and with the house went originally the whole space behind it, on which he planted his "Grove". Livingston had bought it from Elmer, not Parsons as the *Lloyd's* writer states. Here was one half of Livingston's property, the Grove. The other half was the New Wells, built, as we are about to show, on the land occupied by Anne Emerson, which abutted on the Grove to the west. Livingston had taken care that the two properties marched together.

IV. THE OPENING OF THE WELLS

The next step in Livingston's story was his acquisition of the land on which the New Wells were built, the acre that Humphrey Beane was "intreat to sell" to John Steer, the baker. This land lay west of the Grove and was bought from Sir John Parsons, who had bought it from the executors of Humphrey Beane's will. He was Beane's son-in-law and living in his father-in-law's house in 1680.

¹ The Court Roll Books of Epsom Manor. K.R.O., 31/2/20, p. 326.

² *Ibid.*, 31/2/15, p. 278. ³ *Ibid.*, 31/2/8, p. 151 ⁴ *Ibid.*, 31/1/16, p. 47.

The career of this Epsom citizen who was also an eminent Londoner is noteworthy. He was a Commissioner for Victualling the Navy between 1683 and 1688, Master of the Brewers' Company in 1689-90, and Prime Warden of the Fishmongers' Company, to which he was admitted in 1703, from 1706-8. His admission to the Fishmongers' Company was necessary as he was to be Lord Mayor; and the Lord Mayor had to come from one of the twelve great Livery Companies, of which the Fishmongers' was one and the Brewers' not. He became Lord Mayor of London in 1703, and was in office when the great Thanksgiving for the victory of Blenheim was held in 1704.

He was a High Churchman, for the Church party in the City, says Luttrell in September 1699, "make interest to have Sir John Parsons elected Lord Mayor for the year ensuing," but he had to wait for election till 1703. That his standing was high in the Tory party is shown by his being one of four men who stood for bail for the Earl of Clarendon when the latter was accused of complicity in Jacobite plots in 1691.

He was an active member of Parliament. He was member for Reigate in the only parliament of James II's reign, 1685-7. In the Epsom Court Rolls he is henceforth described as "of Reigate." He lost his seat on petition in the election for the Convention of 1689-90, but was elected for the parliaments of 1690-5 and 1695-8. Apparently he did not put up for that of 1698-1700. He was in the last Parliament of William's reign and sat for Reigate throughout Queen Anne's reign and George I's reign until his death in 1717.

Parsons was also a sportsman. His horse won the Prince's Plate at Newmarket in 1706. In 1707 his "fine horse called Plowman, for which he was lately bid 500 pistolls, broke his leg in the stable, and is since dead," as Luttrell reports under date May 22.¹ Thus Parsons anticipated a later phase of Epsom's life.

All this public activity was based on his business of brewing. It was his porter brewed in Aldgate to which Goldsmith referred in his *Description of an Author's bedchamber*, in the lines:

Where Calvert's butt and Parson's black champagne
Regale the drabs and bloods of Drury Lane.

These verses were written in 1760. The business was carried on after Parson's death in 1717 by his son Humphrey, obviously named after his grandfather Beane, who continued to own land which his father had bought of Katherine Beane, and a house or two in Epsom. He was a remarkable man, very famous in his day. He was twice Lord Mayor of London, a rare distinction, a member of Parliament, and, unexpectedly, a friend of Louis XV of France.²

Now John Parsons had married Elizabeth, daughter of Humphrey Beane, and John and Elizabeth had six daughters, as we learn from Humphrey Beane's will, in which he gives a life interest in his copy-

¹ *A Brief Historical Relation of State Affairs* (Oxford, 1857), vi. 174.

² *Dictionary of National Biography*.

holds to his wife Katherine subject to a charge of £20 for his daughter Julian Arthur. After her death his copyholds are to go to "the six daughters of my son and daughter Parsons share and share alike." Katherine enjoyed her husband's estate for fifteen years. The details of all the properties that now belonged under trust to the daughters of Sir John Parsons may be ignored. It may be mentioned that the bulk of the estate in Epsom was sold in 1701. At least the 1 acre to which Humphrey Beane had drawn attention in his will remained in the family, for Sir John had bought this from the executors of the will. Steere the baker had not after all bought the land, but Parsons between 1680 and 1687 had built on it four houses, one of which was the Old Manor House, as appears when a family rearrangement of the property was made in 1687, on the marriage of Elizabeth Parsons to one Antony Sturt, when the property was described as 1 acre with four messuages.¹ Now this acre lay westwards of Shoulder of Mutton Close, adjacent to Livingston's Grove, and on it he was going to make his New Wells.

At this point John Parkhurst became Lord of the Manor. His first Court was held on 7 November 1707. On 3 December 1707 a Special Court was held.² Special Courts were not infrequent and their proceedings were recorded in the same way as those of ordinary courts, engrossed afterwards in a law hand, it may be presumed from notes made at the actual court. But the transactions of the Court of December 3 are recorded on a smaller sheet of parchment than is usual, and not in a law hand but in cursive script. Its form is correct: Ludovic Buckle, the Steward, was present and a homage of four, an ordinary number—only five, for example, attended Parkhurst's first Court in the previous month—while two seems to have been a quorum. The significant point about this court is that it is concerned only with Livingston's affairs. An explanation of the difference in the style of the record may be that Livingston called at the Steward's office beforehand, had what he wanted drawn up there and presented the record complete to a specially called homage; and the obvious reason for this procedure is that Livingston wanted the transactions registered as quickly as possible.³

The business transacted was straightforward enough. Livingston sold his property in Church Street to Christopher Tallman of All Hallows, London, surgeon. Then the homage found that on 20 November 1707⁴ Nathaniel Castleton, London, gentleman (to whom Parsons had mortgaged all his Epsom houses in 1696 for £1,000),⁵ and John Parsons, Knight and Alderman of the City of London, and Elizabeth his wife, sold to Livingston the piece of land lying westwards of the piece he had bought in 1701. It is described thus: "All that customary messuage or tenement, stable, coach house and parcel of land going with it lately in occupation of Anne Emerson, spinster

¹ K.R.O., 31/1/3. (20 October 1687).

² K.R.O., 31/1/6.

³ Cf. *Pepys's Diary*, 10 February, 1664: "I to Sir Robert Bernard's chambers and there did surrender my reversion in Brampton lands to the use of my will."

⁴ K.R.O., 31/1/6.

⁵ K.R.O., 31/1/4. (28 October).

at an annual rent of £30 and now in the occupation of John Livingston of Epsom, apothecary, or his assigns, part of which land is now made a bowling green, together with all structures, outbuildings and edifices lately first erected and built on the aforesaid parcel of ground by the aforesaid John Livingston or his assigns with all appurtenances, etc." Livingston was admitted and paid a fine of £45. An addition to the usual formula of seisin by the rod and so on was made. The Steward agreed that Livingston should be allowed to nominate another life or person to augment his standing in the premises so that such a life or person should hold in common with Livingston and not as joint tenants.¹ Joint tenants were such that the survivor should have the entire tenancy, the heirs of the others having nothing. But the heirs of tenants in common would share the estate.

Now it has been shown that the land bought in 1701 abutted on the land of Anne Emerson on the west. Livingston had taken special care that the two properties should march together.² On the land occupied by Anne Emerson Livingston had now built a bowling green. The site of the Grove has been identified beyond a doubt in Chapter III, and the site of the New Wells as lying immediately west of it may be identified with equal certainty. The house and garden of what is now the Old Manor House is that site. The significant thing in this record is that on the land that Livingston now bought he had already made a bowling green and erected some buildings. That is, before the land was legally his, while it still belonged to Sir John Parsons and while Anne Emerson was Sir John's tenant, Livingston had made entry upon it. There seems something a little odd about this, and what happened next points in the same direction.

At the court held a year later on 8 November 1708³ another departure from routine happened. The jurors present two Memoranda. The first runs as follows:

I Anne Emerson doe hereby declare that I rented for several years together All that house I now live in on Clayhill in Ebbisham alias Epsom in the county of Surrey with the Coach-houses stables courtyards backsides garden and ground Abutting on the Queen's Highway on the North and on the grounds now in occupation of James Hadaway Mary Edge John Livingston Robert Bunting and John Newins on the East and on the ground now belonging to John Simmonds on the South and on the ground now in occupation of George Hawkins and a house and ground now in occupation of Sara Park on the West part I say that I hereby declare I rented all and every part and parcel of the premises aforesaid of the said Sir John Parsons at the yearly rent of £30 and I also declare that John Livingston of Ebbisham did lately make a Bowling Greene and also erected several other buildings in part of the premises aforesaid Witness my hand the 8th day of November 1708 Anne Emerson Witness present T. Adkins his mark.

The aforesaid Anne Emerson was sworn in Court by the aforesaid Steward.

And in the margin is written "Delivered to Mr. Livingston."

The second memorandum is as follows:

¹ K.R.O., 31/1/6. (3 December 1707).

² Cf. p. 13 above.

³ K.R.O., 31/1/6.

I John Steer of Epsom alias Ebbisham in the County of Surrey do hereby declare that the Acre of Land which I was formerly about buying of Mr. Humphrey Beane Lyeth on Clayhill in Ebbisham aforesaid Abutting on the Queen's Highway on the North on the ground now in occupation of James Hadaway Mary Edge John Livingston Robert Bunting and John Newins on the East and on the ground now belonging to John Simmonds on the South Part And the full Acre thus bounded on the North East and South parts was to extend and be measured off and out of a field or close that then contained about four acres more or less that lay from thence westward I also further declare that some time after the death of the said Humphrey Beane Sir John Parsons built the House that Anne Emerson now lives in on part of the said acre of land and John Livingston aforesaid hath lately made a Bowling Greene on part of the same Witness my hand this eighth day of November 1708 John Steer Witness present Thomas Franke Thomas Adkins his mark

The aforesaid John Steer was sworn in Court etc.

Also in the margin is written "Delivered to Mr. Livingston."

It is difficult to say precisely why the memoranda were "delivered to Mr. Livingston." They are unique in the Court Rolls down to 1750. Anne Emerson's declaration seems to stress the fact that she has rented the land for several years from Sir John Parsons and in particular that she rented all and every part of the premises and that Livingston's bowling green is actually on a part of the premises. John Steer emphasizes the fact that the land was really the property of Sir John Parsons and before him of Humphrey Beane and that on this land Livingston had made a bowling green. It seems impossible to avoid the inference that doubts had been cast on the validity of Livingston's title, on his right to be on the land at all. Perhaps he had arranged with Anne Emerson to build the New Wells under the impression that she was owner and not tenant. Or perhaps he had persuaded her that she could sublet to him, when her lease did not permit it. At all events Livingston called on Anne Emerson to swear that she had paid rent to Sir John, and on John Steer to swear that this was the very piece of ground which 29 years before he had been thinking of buying from Humphrey Beane. Thus John Steer's declaration gave Livingston a title going back for a generation.

There was more work done at this court. After the presentation of the two memoranda, Livingston surrendered what may be described as Anne Emerson's land with his New Wells upon it to the use of himself for life and then to the use of Sara Livingston his eldest daughter, in trust however for Livingston and his heirs and assigns. Similarly the Shoulder of Mutton Close property on which his Grove was planted, described in the same elaborate terms as before, was surrendered to his own use for life and then to that of Margaret, his second daughter (born in February 1707), again in trust for Livingston and his heirs and assigns. One can only suppose that this method of tying up the property was regarded as more secure than the method of tenancy in common which had been contemplated the year before. A fine of £16 was paid for the bowling green and £10 for the Grove. Evidently Livingston was making his hold on the land as strong as possible. Many details have

been brought forward. In view of the important part Livingston played in the history of Epsom this seemed desirable. There is however one more fact of great interest. An advertisement is quoted from a newspaper of the time that runs thus:¹

1707. The New Wells at Epsom, with variety of Raffling Shops will be opened on Easter Monday next. There are shops now to be let at the said Wells for a Bookseller, Pictures, Haberdasher of Hats, Shoemaker, Fishmonger and Butcher; with conveniences for several other Trades. It's designed that a very good consort of Musick shall attend and play there Morning and Evening during the Season; and nothing will be demanded for the Waters drunk there.

Here is an important date in Epsom history, that of the opening of the New Wells. It was Easter Monday, 25 April 1707.

Is there a civilized touch in Livingston's advertisement? Was he not aiming at providing a centre of social life as the eighteenth century conceived it? A gentleman might spend an hour or two there in a manner befitting a gentleman—a turn or two in the Grove, chatting of affairs of the day, an inspection of the latest books, dallying with pictures and prints, or listening to a very good concert of music. Further, the writer is indebted to Mr. Bastian for drawing his attention to the passage from Aubrey quoted by Sir Henry Lambert in his *History of Banstead*. Mr. Hind, Vicar of Banstead, died in 1714 and Aubrey says "In one of the arbours remains a table of Italian marble, the only Relique of a large collection of Curiosities in Antiquity, Art and Nature, which his sister sold for 20 shillings to Mr. Livingston an apothecary at Ebbisham."² Perhaps Livingston was himself something of a connoisseur. Anyhow, Livingston intended to provide these opportunities for a cultivated leisure, in addition to the bowling green and the gaming shops. We do not know whether he did establish them in fact.

This advertisement had been read by Lord Rosebery, who summarises it but does not give the date. On the last sentence he comments, "As nothing was charged for the waters it may perhaps be said that their want of quality constituted no direct fraud on the public."³ It may however be suggested that if one of the inducements to enter the premises was that waters could be drunk there, it was implied that they had some value and fraud was committed in some degree. The legal point may be left after two and a half centuries.

To summarize the facts about Livingston's acquisition of the land on which he built the New Wells: he opened them on 25 April 1707, on land which still belonged to Sir John Parsons and was occupied by Anne Emerson. Not till November 7 did he take any steps about his legal position. Then he acted. Within a fortnight after Parkhurst's first court in November, Livingston concludes his bargain

¹ Ashton, *Social Life in the Reign of Queen Anne*, p. 333.

² Aubrey, *Natural History and Antiquities of the County of Surrey*, II. 107. Quoted in Lambert's *History of Banstead*, p. 224.

³ Introduction to Gordon Home's book on Epsom, pp. 14–15, (p. 4, note 9, above).

with Parsons and has the deed drawn up in the Steward's office; within another fortnight he causes a Special Court to be summoned to register the transaction, and then a year later he registers Anne Emerson's and John Steer's two memoranda, and, finally, puts the property into trust. This sudden burst of activity in November 1707, followed up by the consolidating measures of a year later, suggests that Livingston had felt his legal position insecure and perhaps even threatened. At any rate what he did seems to have been sufficient, for there is no more trouble concerning his title to the land.

Two traces still remain of Livingston's New Wells. Standing on the path in front of "The Folly," and looking at the high retaining wall of the Old Manor House and garden, one may observe directly in front a short section of wall constructed in Flemish bond.¹ On the right and left the two long sections of the wall are in English bond, an earlier style of brickwork. Now Celia Fiennes tells us that the Upper Bowling Green, which she visited about 1717, was "many steps up."² Here then was the direct communication between Livingston's Grove and his New Wells and here, just north and west of the Folly, the flight of steps must have stood. Moreover, in the garden of the Old Manor House, a few yards in from the newer section of the wall, are some steps rising to a level grass plot that must have been the Upper Green.³ Again, Mr. Thorowgood, proprietor of the Old Manor House, informs the writer that when he built the present dining-room on the site of an old kitchen, which had to be pulled down (so old and dilapidated was it) at the south-east corner of the house, he found beneath the floor an old well with a long piece of old piping. The *Lloyd's* man says that Livingston sank a well and laid pipes underground to convey the water to the foot of the assembly room. If the *Lloyd's* version be accepted, Livingston's well was by the bowling green at some distance from the house. But the lead-piping found suggests that the water was taken from the house and carried to some other point. There is no certainty, therefore, about exactly where the well was that provided the supposedly spurious waters. But the site of Livingston's bowling green and of Celia Fiennes's "many steps up" can now be identified beyond question.

V. JOHN PARKHURST AND THE OLD WELL

Hitherto nothing has been known of Parkhurst, except that he came from Catesby in Northamptonshire and inherited the Manor of Epsom under the will of Mrs. Evelyn, the estate passing by remainder to him.

¹ See plate IV, *b*.

² *Journeys of Celia Fiennes* (Cresset Press, 1947), p. 350. Hereafter cited as Celia Fiennes.

³ See plate IV, *a*. Since this article was written, a block of flats has been built on this part of the Old Manor House Garden. The retaining wall with its section of Flemish bond remains, but the site of the Upper Bowling Green has disappeared.

Pownall¹ tells us that one of his forebears was tutor to Jewel, Bishop of Salisbury in Elizabeth I's reign, presumably while he was a Fellow of Merton College, Oxford, and himself became Bishop of Norwich in 1560.² This scholarly strain in the family tradition re-emerged later, for our John Parkhurst's great-grandson John (1728–1797) was a Hebrew scholar of note, and he resided in Epsom. His tomb by Flaxman is in the parish church. He did not become lord of the manor, for after his father's death courts were held in his mother's name till 1769, when the manor was sold.

The present writer has gleaned a few facts about Parkhurst. First there is an allusion by Pepys, on 27 April 1668. Pepys dined with Lord Crew and there met a "fine lady, Mr. Parkhurst and his wife, that was but a boy the other day."³ It looks as if Pepys had no eyes for anyone except the lady, but at any rate he knew Parkhurst and remembered him as a boy. That it is Parkhurst later of Epsom may be inferred from the fact that Lord Crew was host. At the opening of the Diary he was Mr. Crew, and in April 1660 was elected as county member for Northampton. He was created Baron in 1661. Parkhurst came from Northamptonshire and was about 26 years of age in 1668, and a few years later was to be member for the same county. Pepys shows us therefore Parkhurst—or at least his wife—dining in London with a neighbour from Northampton.

It was in fact ten years later that he became a member of Parliament. He was county member for Northampton in the last three parliaments of Charles II, the first of which passed the Habeas Corpus Act in 1679, while the third was the short-lived parliament dissolved at Oxford in March 1681. He was not a member of James II's parliament, but was elected for Brackley Borough in Northamptonshire in the Convention of 1689. He was again county member in the parliaments of 1690–5, 1698–1700, and in that of 1701. He was not returned for later parliaments.⁴

A little more light is thrown on his career by Luttrell. Parkhurst was on the Commission for Prizes. According to Luttrell, the Commission in 1698 were said by public rumour to have "applied great sums of money to their own use."⁵ In 1699 the Commission was dissolved and John Parkhurst and a Mr. Paschal were ordered to get in the arrears. In April 1701 it seems that the two men had been in the Tower of London for some time, because they petitioned for their release. They had evidently submitted some accounts, but these did not satisfy the Commissioners of the Public Accounts and a Bill was prepared by the Commons, which included a clause confirming the order for their imprisonment. This clause however, was rejected by the House of Lords. The House of Commons nevertheless still

¹ Pownall, Appendix 4, p. 155.

² Died 1574, bequeathing to Guildford Corporation two fine pieces of plate and the library which formed the major part of the chained library in the Royal Grammar School.

³ Pepys VII, 383.

⁴ Return of Members of Parliament.

⁵ *Brief Historical Relation of State Affairs* (Oxford, 1857), iv. 465.

pressed for accounts to be presented in the proper form. The Solicitor-General was instructed to take action against Parkhurst and Paschal; and the last sight we catch of them is that the Commons left them, and the rest of the Commissioners of Prizes during the late war, to the law. This was in January 1705. For seven years Parkhurst was under this cloud, for part of the time at least in the Tower. But it should be noted that the Lords did not take an extreme view of his misdemeanour, for they evidently permitted his release from custody.

Before discussing Parkhurst's contribution to the development of Epsom, it may be asked what had been done before his time. As regards the Old Well, the answer seems to be practically nothing. That the Old Well was on the Lord's waste there is no doubt. Pepys in 1667 tells us that the women at the well paid £12 a year rent to the Lord of the Manor.¹ Again in the Court of 21 October 1668,² the Rolls record that a wall erected by Richard Evelyn, then lord of the manor, round a well near the main well had been broken down, and that the tenants thought the breaking down prejudicial to the lord and tenants and "to such persons as come hither to drink the waters." This extract shows that the Well was under the control of the lord, and that more than one well existed. Hence the plural title "Epsom Wells," which was used by Shadwell for his play and came into general use.³

In the Court Baron of 16 October 1675,⁴ when Mrs. Evelyn was Lady of the Manor, it is recorded that "a building is intended to be erected and annexed to the public wells in the Common within this manor for accommodation of such gentry in an open walk as shall drink of the same waters," and it was ordered that this building should not be used for any other purpose. This is the only official record of the building at the Well and it was clearly nothing very ambitious. It was this "open walk" made after 1675 that Celia Fiennes saw in 1701. She describes it as "a house built in which the well is, and that is paved with brick to walk in the wet weather."⁵ This seems all that had been done by 1701.

A possible explanation of Mrs. Evelyn's failure to develop the Old Well is to be found in Evelyn's dairy. When Richard Evelyn died of the stone on 6 March 1670, John says his illness was "caused perhaps by his drinking too excessively of Epsom Waters, when in full health and that he had no need of them, being all his lifetime of a sound and healthy constitution."⁶ If Mrs. Evelyn rightly or wrongly thought that her husband's death was caused by his taking too much Epsom salts, and this seems to have been the opinion of the family, it is easy to understand that she would prefer to let the Old

¹ Pepys VII, 22.

² K.R.O., 31/1/1.

³ The first official mention of Epsom Wells is to be found in an order of Quarter Session, in July 1665, that the lord of the manor should shut down the well to prevent the spread of the plague.

⁴ K.R.O., 31/1/1.

⁵ Celia Fiennes, p. 388.

⁶ This is in E. S. de Beer's edition only: John Evelyn III. 544-5.

Well fall into a state of neglect. But as the Old Well was at the height of its popularity about 1675, she made a small and grudging concession to popular demand by building a well-house and constructing a brick walk for visitors.

After Mrs. Evelyn's death in 1692 her trustees, Sir Christopher Buckle and his son, held courts without intermission till 1707. Now it is all but impossible that they spent any capital sum on building, for the duty of trustees was not to take risks but to conserve the property and hand it over to the ultimate owner in the same condition as that in which they received it. The additions noted by Celia Fiennes about 1717,¹ and described in part by the correspondent of *Lloyd's Evening Post* in 1769, were therefore the work of John Parkhurst, and were erected after he became lord of the manor in 1707.

What then did Parkhurst do at the Old Well? The *Lloyd's* writer says that he built a large ballroom there. That something was built is certain, for there is the authentic ring of first-hand information in the *Lloyd's* statement that "though the long room has often been repaired, yet there is near the upper end on the right hand a piece of old wainscot remaining into which several had cut the initial letters of their names, with the year, purporting, it is supposed, the æra some cure was performed." If only the author had given copies of these inscriptions, with their dates, he would have gone a long way towards establishing some sort of chronological foundation for the building of the Old Well and fixed the period of its greatest popularity. He might even have done something for his own reputation as a writer on historical matters. However, his picture of the old bit of wainscot with its initials cut into the wood is vivid, and calls for gratitude. Celia Fiennes gives an even more complete picture: "Now the Wells are built about and a large light room to walk in bricked, and a pump put on the Well, a coffee house and two rooms for gaming and shops for sweetmeats and fruit."² Further confirmation comes from the second edition of Defoe in 1738, which refers to the "Halls, Galleries and other public apartments,"³ by that date, however, in a state of decay. John Parkhurst, Lord of the Manor, therefore, did his duty by the Old Well and made the place as attractive as he could. He also added to the attractions of the town by planting trees and making a walk in the High Street. This is dealt with more fully in Chapter VI.

VI. THE OLD BOWLING GREEN AND THE NEW INN

What, it may now be asked, had been done in the town itself for visitors before Livingston opened his New Wells? The starting point is Pepys's observation of 1663. He and Creed "rode through Epsom, the whole town over, seeing the various companies that were there walking; which was very pleasant to see how they are there without

¹ Celia Fiennes, pp. 349-350.

² Celia Fiennes, pp. 349-350.

³ Defoe's *Tour* (5th Edition), i. 239.

knowing almost what to do, but only in the morning to drink waters."¹ By this date, then, nothing had been done. The first move towards providing entertainment came a little later with the opening of the bowling green in the town. The Court Rolls at last make it possible to identify its site. It is first mentioned in the Court of 6 April 1671,² when William King of the King's Head bought an acre of land to the westward of the Inn, and this acre we are told abutted on the west on the Bowling Green. Later on we find there were five messuages on this acre. It is certain, therefore, that the Bowling Green lay just west of Messrs. Langland's office, on the site now³ occupied by Messrs. Stevenson and Rush, with presumably some land behind it. In 1678 its owner, William Glover, died, holding "a Parcel of land now a spheristerium in English a Bowling Alley containing two acres called Phillips Close."⁴ Then Glover's heir sold the property to John Haynes, citizen and waxchandler of London, in 1680.⁵ It abutted on the King's Head on the east and the highway on the north and west. The northern highway was the High Street and the westerly one a footpath leading south to the common fields called Beccon Soales Lane. (This was diverted in 1827.) This Bowling Green did good business. On the sale in 1680⁶ Haynes paid a fine of £43. He died in 1685 and the fine demanded of his widow in the Court of 7 November 1685 was £160.⁷ She refused to pay. There was a good deal of trouble about it. "Several meetings have been held by agents on both sides," says a presentment of the homage on 18 March 1685/6, and Sarah Haynes was declared to have forfeited her property.⁸ Nevertheless on 29 October 1688⁹ it is recorded that Sarah Haynes surrendered a messuage and bowling green to the use of Randolph Ashenhurst of London Esquire and Michael Cope of London gentleman, and the fine paid was £161 5s. On 25 June 1694¹⁰ Cope and Ashenhurst (Thomas, brother of Randolph who had died in 1689) were able to borrow £1,060 on the property from two London goldsmiths. The money was repaid by 29 October 1697,¹¹ when another mortgage for the same amount was taken out. On 25 October 1700 still another mortgage was registered in the Rolls for £1,648 to Thomas Guy Esquire of St. Mary Woolnoth.¹² It seems likely that this was not repaid, because on 1 November 1717¹³ Guy appears as a vendor, with the heirs of Cope, to W. Fish. The price is not recorded nor the fine. This first bowling green proved very successful then, beginning to attract customers between 1680 and 1685 and continuing to flourish for forty years or more. Various buildings were erected on the site including a long room for dancing. The windows of this room faced south over the Green and the High Street front was of brick, with a row of trees whose branches were interlaced to form

¹ Pepys, III. 210.

² K.R.O., 31/1/1.

³ At the time of writing, i.e., 1956. Since then the King's Head has been demolished and a shopping arcade erected.

⁴ *Ibid.* (17 April).

⁵ K.R.O., 31/1/2. (11 March 1679-80).

⁶ *Ibid.*

⁷ K.R.O., 31/1/2.

⁸ K.R.O., 31/1/3.

⁹ *Ibid.*

¹⁰ K.R.O., 31/1/4.

¹¹ *Ibid.*

¹² K.R.O., 31/1/5.

¹³ K.R.O., 31/1/8.

a roof to an arcade. Celia Fiennes tells us this in 1717,¹ but when the long room was built is not known. It does not seem to have been there in 1701 on her first visit. Cope and Ashenhurst almost certainly did not build it because they seem to have used the Bowling Green as a source of ready cash. The most likely hypothesis is that it was built after 1707 in answer to the success of Livingston's New Wells.

The Court Rolls reveal for the first time that there was another bowling green in the town. In fact Livingston's was the third in order of time, not the second. According to the Survey of 1680² George Richbell, yeoman, held two messuages and "one close of meadow now a Bowling Green," 2 acres in all, abutting on Clayhill on the north-east and Summersgate Lane on the south-east. (Summersgate Lane became Wheeler's Lane.) This green was not successful, perhaps because it was bought by Randolph Ashenhurst. In the court of 29 October 1688³ he and W. Fox paid £86 for it. His brother Thomas Ashenhurst, who inherited it, surrendered it to Tabitha Bucknall on 23 November 1713, a transaction which was recorded in the Court of 30 March 1714.⁴ This second green is not referred to by any other of the contemporary writers, and on 27 June 1727⁵ Tabitha sold it to Randolph Knipe, Knight and Alderman of the City of London, as a "former bowling green," and it was absorbed into the Hookfield estate. We may place it somewhere at the eastern foot of Clayhill.

For a place of public resort inns and taverns were a necessity. Apart from the King's Head, where Pepys took dinner in 1667,⁶ there were only two inns in the High Street, the Crown (1688) and New Inn, and there was a Golden Ball⁷ in Hudson's Lane. These are all that we hear of before 1700.

The history of the New Inn is very significant. It is first mentioned in the Court Baron of 19 April 1672,⁸ when W. Richardson, gentleman, of Bell Yard, London, redeemed the mortgage he had taken out in 1662 from Peter Evans of Ashted, who had bought it of one Chamlett. The price in 1662 was £200. As this included 20 acres of land, the house was probably rather small. On 20 October 1687⁹ Richardson sold it to William Stewart, barber-surgeon, of London, the fine being £32.

Now Sir William Stewart, like Sir John Parsons, became a prominent man in the City of London. He was Sheriff in 1711-12 and was knighted in the latter year. A member of the Company of Barber-Surgeons, he rose high in his profession, being President of St. Bartholomew's Hospital from 1712 till his death in 1723. But he was a man of business too. A Director of the New East India Company from 1698 to 1701 and again from 1704 to 1708, he was director of the United East India Company from 1716 to 1720.

¹ Celia Fiennes, 341.

² K.R.O., 31/4/1.

³ K.R.O., 31/1/3.

⁴ K.R.O., 31/1/7.

⁵ K.R.O., 31/1/12.

⁶ Pepys, vii. 21.

⁷ K.R.O., 31/1/3. (21 October 1686).

⁸ K.R.O., 31/1/1.

⁹ K.R.O., 31/1/3.

Transferring to the Goldsmiths' Company in 1720, he was made its Prime Warden in that year and Lord Mayor in 1721. We may say that Sir William Stewart was a man of high professional competence and of financial and business eminence. It was this man who built the New Inn, still the dominant architectural feature of Epsom High Street.

At the Court Baron of 17 October 1716¹ there was enrolled a memorandum which states that on 1 August 1716 John Parkhurst Esquire, Lord of the Manor, granted a licence to William Stewart, Knight, "to destroy or demolish such part and as many of the outhouses and stables and parcels of the premises aforesaid in any way and to such extent as the said William Stewart shall please, except a stable containing twelve stalls . . . and also to include and take in seven hundred feet of the waste of the manor lying on the north part of the orchard of the premises and extending in length from the messuage to the end and western part of the orchard, and also five feet and a half or thereabouts in front of the area of the messuage, the said William Stewart his heirs and assigns to pay to the lord of the manor the annual sum of sixpence beginning at Michaelmas last."

At the Court Leet of the same date the jurors consent that the land taken in over against the New Inn shall remain thus enclosed. Sir William Stewart however is to make a railing on the footpath to the width of 5 feet before the said enclosure, and to pay six shillings a year to the lord of the manor. Here we see the Court Leet performing its function of looking after public amenities. There was a considerable drop from the level of the buildings there to the level of the road, and in the prints of about 1825 some of the posts² erected by order of the Court Leet in 1716, when the frontage of the New Inn was brought forward and the path therefore narrowed, are shown as still standing along the top of the bank that dropped to the road.³

Not till 1716, therefore, was the original New Inn demolished, a small place lying perhaps somewhat to the east of the present building, and the New Inn constructed whose external form still remains. This is an important date in the history of Epsom Spa. To Sir William Stewart, an experienced man of affairs, Epsom appeared to be a place likely to provide a good return on capital invested in a large tavern in the year 1716. In this year, then, Epsom was flourishing and not deserted as the *Lloyd's* writer says it was after 1715.⁴

The story of the Spread Eagle supports this view. It is first mentioned by name in 1717. At the Court of 23 March 1716/7⁵ Elizabeth North, widow of Henry North, cook, deceased, and her

¹ K.R.O., 31/1/8.

² See plate I, and fig. 2 (p. 10).

³ On 26 October 1723 (K.R.O., 31/1/10). Benjamin Heris was granted licence to erect posts on the waste at a distance of 3½ feet from the fence of the messuages of the said Benjamin Heris situated near to the north side of the Pond. These posts still stand outside Yew Tree Cottage and its neighbours.

⁴ Cf. pp. 2-4 above.

⁵ K.R.O., 31/1/7.

son Blackwell North made over the property to Elizabeth for life and then to Blackwell and his heirs. It is described as "all that common messuage or tenement . . . commonly called le Black Spread Eagle." Now Henry North had bought the property in 1710, but it had no name then.¹ It is significant that Toland does not mention the Spread Eagle in 1711, but does so in his *New Description of Epsom*² which was published probably before 1718, when we know that he left Epsom and went to live at Putney. It seems certain therefore that Henry North, cook, was the first owner of the Spread Eagle and made it a going concern between 1710 and 1717.

The other taverns (they were probably taverns though not described as such) that appear in the Court Rolls, and the dates when they are first mentioned, are as follows: Golden Ball, in Hudson's Lane, 21 October 1686;³ Crown, on the north side of the High Street towards the west end, Court Leet 29 October 1688;⁴ Swan, near the Crown, 3 November 1704;⁵ Nagg's Head, near the Crown, 26 May 1713;⁶ Red Lion, on the road to Ewell, 23 March 1716/7;⁷ Horse and Groom, later the Marquis of Granby, 7 April 1719;⁸ Blue Bell, probably near the town end of Hudson's Lane, 2 November 1726.⁹ These taverns may have been opened some time before they are mentioned in the Rolls. For example, the Golden Ball is mentioned because John Drew encroached on the land of T. Lambert "over against the Golden Ball." Still, one may notice that most names do appear first in the reigns of Queen Anne and George I and not in the reign of Charles II.

Livingston was not Epsom's only apothecary, and it is interesting to have the names of some others. Medical men also, like the inns, appear for the most part later than the tradition allows. In 1680, when the first Survey was made, there were only two barber-surgeons in the town, William Pinck in Church Street, who retired as a gentleman in 1701, and Robert Saunders, who sold his property on Stamford Hill in 1687.¹⁰ William Stewart, also a barber-surgeon, bought the New Inn in 1687, but he let it in 1693. Livingston's appearance was in 1692. Antony Bill, apothecary, was here from 1700 till his death in 1706.¹¹ In the Court of 3 December 1707¹² Christopher Tallman, surgeon, bought Livingston's place in Church Street, but died in 1708. Not until 1715 are more members of the faculty heard of. In the Court of 9 October of that year¹³ two members of old Epsom families, Robert Mitchell and John Potterton,

¹ This transaction is dealt with in the Court Baron of 10 April 1712 where a complaint was made that the sale to Henry North in 1710 had not been recorded in the Court Rolls: it was duly entered as having occurred on 29 May 1710. (K.R.O., 31/1/6).

² Toland, II. 96.

³ K.R.O., 31/1/3.

⁴ *Ibid.*

⁵ K.R.O., 31/1/5.

⁶ K.R.O., 31/1/7.

⁷ K.R.O., 31/1/8.

⁸ K.R.O., 31/1/9.

⁹ K.R.O., 31/1/12.

¹⁰ He is mentioned in the Court of 20 October 1687 as having sold land to J. Elmore on 13 June. (K.R.O., 31/1/3).

¹¹ K.R.O., 31/1/6 (8 November 1706).

¹² K.R.O., 31/1/6.

¹³ K.R.O., 31/1/7.

are described as barber-surgeons. On 4 April 1716¹ J. Hyett, a member of the Society of Apothecaries, bought a house which he already occupied near the Spread Eagle, and J. Hobbs, apothecary, is mentioned in the Court of 20 September 1716² as the occupier of a house near the Horse and Groom. On 22 October 1724³ James and Thomas Higgs, apothecaries, occupied a house north of the Watch House. Thus in 1700 only two apothecaries are known in Epsom. After 1715 two barber-surgeons and five apothecaries appear. Again the reign of George I seems to have been the period when Epsom was pretty full of people.

Another aspect of Epsom's life in this period, hitherto unrecorded, is presented by advertisements in the *Daily Courant* of 1708. The issue of 5 May mentions performances at the New Cockpit by Mrs. Mynn's Company; that of 20 May, Powell's new playhouse in Hudson's Lane. Powell was a well-known actor at Drury Lane. He played Macduff to Betterton's Macbeth in April 1708, and Hotspur to Betterton's Falstaff in October. Whether the new playhouse can be identified with the New Cockpit, or whether Powell joined Mrs. Mynn's Company, are questions that cannot now be answered. Again, another company in 1724 played in "Epsom Walks," which may mean in the New Inn. From the present point of view it is only possible to note that the first company of players came to Epsom just after the New Wells were opened, and that after the South Sea Bubble, when Epsom was supposed to be in a state of decay, a travelling company thought it worth while to give performances here.⁴

Parkhurst having improved things at the Old Wells also put the finishing touches to the town. In Toland's *Description* (1711) he refers only to the paved and tree-shaded terrace on the southern side of the High Street. In his *New Description*, written most probably before 1718, he speaks of the new Terrace opposite to the first, "lately wrought over a paved walk of considerable length . . . called the New Parade."⁵ This was almost certainly Parkhurst's work. Again, the *Lloyd's* writer says that Parkhurst planted a long walk of elms running through the town and out to the Old Well. That the avenues were the property of the lord of the manor, and therefore the planting of them his work, is shown by Pownall's story of Sir Joseph Mawbey's destruction and sale of the trees about 1805, when he made a promise, never fulfilled, to give £200 towards the building of a market-house, and to make the market toll-free for seven years.⁶ Parkhurst then played his part as Lord of the Manor both at the Old Well and in the town. Epsom by the second decade of the eighteenth century was no longer a mere country village but a developed spa. It had all that was wanted in the way of diversions in a setting of natural charm.

¹ K.R.O., 31/1/7.

² K.R.O., 31/1/8.

³ K.R.O., 31/1/10.

⁴ The writer is obliged to Miss Rosenfeld, joint Hon. Secretary of the Society of Theatre Research, for this information.

⁵ Toland, ii. 101.

⁶ Pownall, 61.

VII. THE CLOSING OF THE OLD WELL

There is only one version of the closing of the Old Well, that of *Lloyd's* anonymous contributor. "At this time," he says (*i.e.* just after the opening of the New Wells in 1707), "the Old Wells were held by lease for seven years by John Grant, John Maynard and Daniel Ellicar." The Court Rolls tell us something about these men. John Grant, joiner, was the owner of the land just south of Livingston's Grove. He may have been the builder of the Folly. He lent money and bought property on mortgage. He made a businesslike settlement of property when his son John, a soap-boiler, married Barbara Carr, of London. He died in 1712.¹

John Maynard, gentleman, lent money on mortgage on 13 October 1693 to J. Steer, the baker, who lived on the north side of High Street and who once had considered buying land from Humphrey Beane. In 1694 Maynard died, and in the Court of 25 June 1694 his widow granted a new mortgage to Steer.² On 28 October 1698 Steer sold the two messuages occupied by himself and his son to Maynard the younger.³ In 1711 John Maynard, son of the widow, died and she was granted a licence to let her property for twenty-one years.⁴

Daniel Ellicar, bricklayer, bought 6 acres of land from J. Mathew, a carpenter, on 27 October 1694. In 1711 he died.⁵ Now, assuming, as is most likely, that these deaths were reported at the next courts following, Ellicar died between November 1710 and May 1711, Maynard between May and October 1711, and Grant between April and October 1712.

The *Lloyd's* man goes on, "To these, then, Livingston made application to purchase the remainder of the lease, on condition they could get another for twenty-one years, to commence after the expiration of the first, which would be in 1715." Now, if Livingston made his arrangements with these men themselves, his taking over the lease must have occurred not later than May 1711, when the first death, that of Ellicar, was reported, and probably some time earlier.

A very natural question arises here. Why did not Livingston himself approach the lord of the manor to secure the new lease that was to begin in 1715? The speculation may be hazarded that Livingston had engaged in sharp practice in connection with Anne Emerson's lease when he started his New Wells, that this had been pointed out by Parkhurst at the time, and that Livingston felt in consequence that the lord of the manor would not grant the lease to him. Another guess is that the lord was annoyed by the success of the New Wells and would have prevented, had he known what was in the wind, his own Old Well, on which he was spending a good deal of money, from falling into the hands of his business rival. It may be noted that Livingston's insistence that the three lessees should get

¹ K.R.O., 31/1/6. (14 October 1712).

² K.R.O., 31/1/4.

³ K.R.O., 31/1/5.

⁴ K.R.O., 31/1/6. (11 October 1711).

⁵ *Ibid.* (22 May 1711).

the long lease before he would take over the remainder of the short one enabled him to avoid coming into contact with the lord of the manor at all. It looks like an underhand business. Twice Livingston seems to have engaged in sharp practice by the manipulation of leases.

To return to the main argument. Livingston took over the lease of the Old Well before 22 May 1711, when the death of Daniel Ellicar is recorded. Now *Lloyd's* writer's argument is that Livingston shut down the Old Well "soon after" he got possession of it. This is the crux. How long did Livingston leave the Old Well open? If he shut it down at once, then he was the "wicked apothecary." If he kept it open for an appreciable time, then he was a business man who owned two enterprises and wanted both to do well.

In the opinion of the present writer Celia Fiennes provides the proof that Livingston kept the Old Well open for a considerable time. On her second visit to Epsom she went to the Old Bowling Green in the town and says: "this is belonging to the great tavern or eating house."¹ Now Miss Fiennes had seen the earlier New Inn in 1701 and was noting a change that had occurred since her last visit. She could not possibly have described the former building, a small affair which with 20 acres of land cost only £200 in 1662, and on which William Stewart had paid a fine of only £32, as a "great tavern." She must have had before her eyes the present imposing structure. Now, we have seen that the date of the licence for demolishing the earlier inn was August 1716.² Allowing some months for building the new place, the date of Celia Fiennes' second visit may be put at the earliest in the summer of 1717.

Again, on this second visit she went also to the New Wells. "The Upper Green," she says, was "many steps up, where are gentlemen bowling, Ladies walking, the benches round to sit, there are little shopes, and a gaming or dancing room; the same man at the Wells keeps it."³ Therefore, after the present New Inn was built, *i.e.* after August 1716, and almost certainly in the summer of 1717, John Livingston was in possession of both the Old Well and the New Wells, and kept both open to visitors, for Miss Fiennes saw also at this time the new buildings that Parkhurst had erected there.⁴ Livingston therefore kept the Old Well open for at least six years after getting possession of the leases in 1711. Six years is not "soon after," as the *Lloyd's* man says, but a considerable period of time, amply long enough for Livingston to discover whether the Old Well was paying its way.

It is worth while to dwell on this crucial point. Why did Livingston want to control the Old Well in addition to the New Wells? We can only suppose that he aimed at monopoly. His New Wells had been open for four years and were prospering. It is a gratuitous assumption that he got possession of the Old Well for the purpose of closing it. It is surely more probable that he acquired the Old Well

¹ Celia Fiennes, p. 350.

³ Celia Fiennes, p. 350.

² *Cf.* p. 25, above.

⁴ *Cf.* p. 22, above.

in the hope it would flourish, so that he might get a return on the money spent on buying the twenty-one years' lease. What conceivable reason could there have been for killing one of his geese, if both were laying golden eggs? In fact, as we have seen, he waited for six years, by which time he was well able to judge that to keep the Old Well open any longer would involve him in monetary loss.

There are certain general considerations to be taken into account here, which make this extremely likely. First, conditions in Epsom must be considered. The present writer has shown elsewhere that the supply of water from the Old Well ran short from time to time.¹ Then Parkhurst put a pump on the Old Well before 1717, when Celia Fiennes saw it, and this would tend to use up the water more quickly. Again, Epsom was a place of summer resort only. In the winter, says Defoe, are "good houses shut up . . . the walks out of repair . . . the people out of the town."² Yet again, Celia Fiennes notes that, "Epsom shall be cluttered with company from Saturday to Tuesday and then they many times go, being so near London, so come again on more Saturdays."³ The probability is that week-end visitors for only half the year did not bring enough money into the town to keep all its establishments going. And the first place to suffer would be the one farthest off. Why trudge out nearly a mile across the Common, when you could get your fun in the town?

By Queen Anne's time it was fun that people wanted, or, more accurately, organized diversions. Spas were becoming social communities in which pleasure was the aim, but pleasure civilized and urbane. The mere drinking of the waters was not enough. The growth of this fashion is illustrated by Defoe. He says, "At Epsom and Tunbridge they go more for the diversion of the season, for the mirth and company, for gaming or intriguing or the like," whereas "here [Sydenham Wells] they go for mere physic."⁴ In his account of Tunbridge Defoe says again, "the coming to the Wells to drink the water is a mere matter of custom; some drink, more do not and few drink physically"⁵ (that is, for medical reasons). And of Epsom itself he says, "Then you drink the waters or walk about as if you did."⁶ We may take it then that the fashion of drinking the waters was now passing. This being so, the Old Well was too far from the town for week-enders, and itself began to pass out of fashion. And when Toland says that the medical men of Epsom were recommending people rather to attend the social functions of the town than to drink the waters of the Old Well⁷ he is surely sounding the knell of the day that is passing. Thus, if Livingston "allured"⁸ people away from the Old Well, he did it by offering them something that they wanted, not the mere formality of drinking the waters but an organized social life. The Old Well was not the victim of Livingston's malevolence. Visitors to Epsom killed it by neglect.

For at least six years John Livingston had kept the Old Well

¹ *New Light on Epsom Wells*, p. 17.

³ Celia Fiennes, 350.

⁶ *Ibid.*, i. 160.

⁴ Defoe's *Tour*, i. 157.

⁷ Toland, ii. 104-5.

² Defoe's *Tour*, i. 162.

⁵ Defoe's *Tour*, i. 126.

⁸ *Cf.* p. 3, above.

open. People had had the opportunity to patronize it, but had not done so for the reasons just noted. The picture is that of a business man who had done his best but failed. The cost of upkeep of the apparently quite extensive buildings that Parkhurst had erected was greater than the income derived from its patrons. Economic necessity was too strong for him, and after at least six years he found himself compelled to close down the Old Well.

It is in this context that the spurious waters about which the *Lloyd's* writer is so indignant should be considered.¹ People took them, or pretended to, as Defoe says, but without concern. What they were interested in was the excitement of the social life concentrated in the town. Gambling, bowls, the social hour in the tavern or the coffee house, music, dancing, conversation, flirtation, these were the pastimes of the age.² Horse riding over the Downs and expeditions to Box Hill and Dorking were the more active forms of recreation for Londoners, and the impetus to these developments came from Livingston. He was the first in the field. His New Wells were the focus of social life, and it is certain that Epsom's flourishing period as a spa did not begin until after their opening in 1707. It is true that Parkhurst did his best to improve and popularize the Old Well at about the same time, but the facts of geography compelled a decision between the Common and the Town as the centre of Epsom Spa. It was not possible to combine them as at Bath, where the Pump Room was also the centre of society. They were too far apart for both to flourish. The Town won.

It must be noted, too, that all seems to have depended on the New Wells. Defoe's evidence proves that Epsom and the New Wells were flourishing in 1724, though the Old Well had been closed for some years. Livingston died in 1727, and it is clear from the second edition of Defoe's *Tour* that Epsom Spa must have begun to decline at once. For in 1738 all that the new editor can find to say of Epsom is this. "Epsom, a well-built and handsome village, which abounds with fine houses, the retreats principally of the London Merchants. It was very much frequented a few Years ago, on account of the Mineral Waters, which issue from a rising ground nearer Ashted than Epsom; but they are now though not impaired in their virtues, yet pretty much so in their reputation; possibly owing more than anything else, to the place being too near London for a Journey for the Quality and Gentry; according to the old Saying, "Far-fetched and dear bought is fittest for the Ladies." The Hall, Galleries and other public apartments are run to decay; and there remains but one house on the spot, which is inhabited by a countryman and his wife, who carry the Waters in Bottles³ to the adjacent places."⁴

¹ See note on p. 32.

² For description of pastimes at Epsom Spa see Defoe's *Tour*, i. 159 *et seq.*

³ There is in Guildford Museum a bottle, found on Woodcote golf-course (plate V), which Mr. Bernard Rackham, F.S.A., thinks is almost certainly an example of these bottles.

⁴ Defoe's *Tour* (5th Edition), i. 239.

This contemporary epitaph on Epsom Spa stresses two geographical facts. First, that the Old Well was nearer to Ashstead than to Epsom, implying that it was too far from the town. Second, that Epsom was too near London to have an independent life of its own. "The Quality and Gentry" wanted to go further afield than Epsom, while wealthy Londoners found too many of their own class already residing here. When they wanted a holiday they demanded a change of society. At all events Epsom was already the place where many London merchants had built their fine houses. And in the residential character of Epsom lies the key to its proper development, as Toland saw.

Special Note on The Spurious Waters

These spurious waters remain a mystery. I have tried in this work to make no statement that is unsupported by evidence. I therefore stress the speculative nature of the following suggestion by reducing it to a note and using the first person. In the years 1707-11, when the Old Well was in the hands of Grant, Maynard and Ellicar, Livingston may have bought the Old Well water, in quantity perhaps, and mixed it with the water from the New Well. After all, the public had been buying the Old Well water in bottles since the time of Pepys. In the period 1711-17, when both places were Livingston's, it was simpler still to transfer the water. Then, from 1717-27, when the public neglected the Old Well and it was closed, to transport the water was, as it were, a domestic matter. One may suppose that the carrying of the water was not done too openly.

How, then, was it used? The *Lloyd's* writer, the only authority for the existence of the spurious waters, says that the water was conveyed to the end of the Assembly-room by underground pipes. Now, nothing could be simpler than, at some point in the system of pipes, to introduce the Old Well water and let it flow with the water from the New Well into the "basin" built in the Assembly Room. Thus, the public had the genuine waters, but in a diluted form.

None of the literary sources carries any hint that there is any difference between the waters of the Old and New Wells. Toland and Defoe speak of the New Wells as if the waters were the same as that of the Old. And Celia Fiennes above all was, one may say, an expert in medicinal waters. In her journeys she visited some twenty places where there were springs and wells and makes comparisons of the waters. Barnet and Shooters Hill, for example, were like Epsom. In 1717 she went to both the Old Well and the New Wells and makes no comment. I feel sure that had there been any marked difference in the waters Celia Fiennes would have noted it. It seems to me, therefore, that the waters of the New Wells were not spurious, but the genuine Old Well water in a diluted form. This hypothesis has at least the merits of simplicity and economy.

VIII. JOHN TOLAND AND EPSOM SPA

What then was Epsom Spa like? John Toland's *Description of Epsom, with the Humours and Politicks of the Place: in a letter to Eudoxa*, written in 1711, gives the full picture. This, the work of a scholar and a professional author, has been treated as carelessly as was the Lloyd's article. Just as the latter was uncritically allowed to become the source of the legend of the wicked apothecary, so the picturesque "period" passages of Toland's essay have been quoted, sometimes at length, but only as illustrative matter, and again uncritically. Toland gives solid information about Epsom Spa, and his clear and vivid statements of what he himself observed can be accepted as authoritative in contrast with the blurred outlines and and insinuations of the anonymous writer for the press, who was in any case writing sixty-two years after the opening of the New Wells.

Toland has his place in the history of English thought. The Deist movement of the eighteenth century, which occupied the controversialists for a generation, is one of the less stimulating phases of the age-long debate between the champions of reason on the one side and of revelation on the other. It is not necessary to deal with it here. It is sufficient to note that Toland's *Christianity not Mysterious* (1696), with its provocative title, has been called the "signal gun which brought on the general action."¹ Although Locke was drawn early into the battle, more heat than light was generated, and Toland came to be regarded as the typical freethinker, and was the main target of the orthodox disputants. It is said that for a time it was dangerous to speak to him. His book was condemned by a Middlesex jury and he fled to Ireland, where persecution was again his lot.

Toland's life could hardly have been a happy one. He was born in Ireland and at the age of 16 was converted to Protestantism. Supported by a group of dissenters, he studied at Glasgow, Leyden and Oxford. His chief work was published when he was 25 years old, a year after he left Oxford. Then for some years he seems to have been a bookseller's hack. However, in 1701 he was taken by Lord Macclesfield on a deputation that presented the Act of Settlement to Sophia, Electress Dowager of Hanover. Macclesfield's death soon afterwards was a setback to Toland's hopes. He was back in London in 1705 and writing to Harley to ask for a job. Again he went abroad, visiting Hanover, Düsseldorf, Vienna, Prague and Holland, where he met Prince Eugène. He was back in England in 1710. In 1711 came his *Description of Epsom*. For the next six years he seems to have divided his time between Epsom and London, and was actively writing pamphlets on topical subjects, in favour of the Hanoverian Succession, against Sacheverell and so on. In 1718 he moved to Putney, where he lived in lodgings at a carpenter's. He still wrote

¹ Stephen: *History of English Thought in the Eighteenth Century*, Cap. I.

actively, now, however, rather on religious and philosophic themes. He died at Putney in 1722, being supported toward the end by Lord Molesworth.¹

One may imagine that in 1711, at the age of 41, the essentially solitary and uncertain sort of life he had been living left Toland unsatisfied. In the Epsom of Queen Anne's reign he found what he needed. As he says in the *Description*, "As I prefer Retirement to Solitude and so would have it in my power to be alone or in company, I cou'd be nowhere better fitted."² But again, Toland was by nature a student, and so, he tells Eudoxa: "You'll imagine to see me wandering as void of care as of ambition, and always a book in my hand or in my head."³

There is in the British Museum what is obviously an early and perhaps the first draft of his Letter to Eudoxa. It looks as if it survived only by accident, for it is written on the back of a piece of Greek prose that is in beautiful script. Headed simply "Epsom" in the top left-hand corner, it consists of a series of jottings concerning country pleasures. The first group shows Toland feeling after the beauty of landscape, with the parallel of Sculpture in mind "muscling as well as colouring and drapery," and so on. Then follows a section on rural seclusion—"No disposition so fit as to read Horace and Virgil as that in which they wrote, retirement." Reference is made to Epicurus. In short it is a collection of clichés drawn from the classical tradition: Oreads, Muses, the Graces, silvered moss, flowery thyme and the rest. His experiences of foreign courts and his attempts to obtain a post from his great acquaintances had alike been disappointing, and in Epsom he found, in the words of the draft; "refuge from the toil, the noise and impertinence of the world." But Epsom had more to give than a merely negative escape from the difficulties of living.

He tells us he lived at Woodcote. Perhaps this first draft was written soon after his arrival there and sets out the first impressions made on a student of the classics by its quiet, rural beauty. Presently he walked to Epsom and there he found a society with its own intrinsic virtues, worthy of the attention of a philosopher. His final account of Epsom therefore consists largely of a description of of the social scene and contains a great deal of information that has not yet been extracted from it, and it is now proposed to do this, arranging the facts under three headings: the organized life of the Spa, the closing of the Old Well, and the advantages of Epsom as a place of residence.

First, the life of Epsom Spa falls into an easy and natural rhythm. In the mornings people amuse themselves on the two bowling greens and to them they return in the evenings. The ladies with their escorts stroll through the Grove, mount the steps to the New Wells and listen to Livingston's consort of music, or watch the men at bowls or take coffee, while other groups move in the opposite

¹ *Dictionary of National Biography*.

² Toland, ii. 115.

³ *Ibid.*, ii. 118.

direction, to the Old Bowling Green in the High Street. The groups meet and gossip together and pass on; a lively scene, which can now be imagined as set in a defined area of Epsom ground.¹ The evening dances were elaborate affairs, for they did not occur every night, and the dancers made a point of looking their best.

More active persons went horse-riding on the Downs. The present race-course² had just been planned and was used as a sort of Rotten Row to which people went in their coaches in order to see the cavalcade. Sunday was the day for this.³

All this seems to have been rational routine. A more difficult discipline was demanded of the frequenters of coffee-houses. In that party-ridden age self-control had to be exercised by both sides. In Epsom coffee-houses Tories did not stare and leer at a Whig, and Whigs did not look sour and whisper when a Tory came in.⁴ Nor were differences about religion allowed to cause dissension. Abstract principles were subordinated to the peace of society. A spirit of social virtue reigned in Epsom coffee-houses, and so these became a school of tolerance and good manners. On this subject we may take Toland's word, for on toleration in religion and tolerance in politics he felt strongly and wrote much.

Even from the Letter to Eudoxa these great themes could not be excluded. For, immediately after his description of the good manners in Epsom coffee-houses, he bursts into a tirade that begins:⁵ "Curst be these Priests and Politicians (as they are sure to fall sooner or later a victim to good sense) who so industriously propagate Discord and Inhumanity in Britain."⁶ He continues in this strain for some pages, and at the end of it excuses himself for thus departing from the urbanity of tone that prevails in the rest of the Letter by saying: "A just indignation at our senseless quarrels has extorted this censure, like some episode in a poem."⁷ Evidently Toland thinks of the Letter as something different in kind from his usual argumentative and polemical pamphlets, a composition, indeed, comparable with a poem, and he justifies this attack on intolerance as a passage that arises by way of contrast to the behaviour of people in Epsom coffee-houses, but is in form separable from the main theme. Epsom society seems to have exhibited just those standards of conduct that Toland admired and wanted English society in general to adopt. These standards were maintained, it seems, by the influence of a master of ceremonies. "I am pritty sure," he goes on, "I shall be forgiven for this transport for unity by our Governor himself. So we usually call, MADAM, a Gentleman of our society here, that for good humour, good breeding and good living, is esteemed by all those who possess or understand these qualities. He's a perfect enemy to all party disputes, he's the arbiter of all differences, and in

¹ Toland, II. 102-3.

² Malden, *History of Surrey*, p. 302.

³ Toland, II. 112.

⁴ Toland, II. 105.

⁵ This passage is omitted by Parker in his transcript of the Letter in his *Surrey Anthology*.

⁶ Toland, II. 106.

⁷ *Ibid.*, II. 108.

promoting the interests of this town 'tis plain that he looks upon virtue as its own reward."¹ Epsom, then had its Beau Nash.

Perhaps it was he who controlled the gamblers. For even at gaming tables, though to Toland who was no gambler the crowds seemed no better than a rout, the greatest order that could be expected was preserved.

There is one final and almost decisive mark of a regulated life in Epsom Spa. In a postscript to his letter to Eudoxa Toland adds: "I forgot to tell you, MADAM, that we have prayers on Wednesdays and Fridays, and two Sermons every Sunday, not to speak (unless among friends) of a Dissenting Meeting-house."² It seems that the legendary picture of Epsom as a place to which people came in order to escape from the trammels of respectability needs modification. The life here in Queen Anne's reign was natural and healthy, sensible and civilized. People spent much of the day in the open air, playing bowls and riding; frequenters of coffee-houses were expected to behave themselves and did so; gamblers sometimes quarrelled, but "Our Governor" was at hand to settle disputes; there were concerts daily and, at least at weekends, organized dances; and finally, the duties of religion were established as part of the normal life of the Spa.

Toland also throws light on that crux of Epsom's history, the closing of the Old Well. Notice first his phrase "the two rival Bowling-greens."³ Here the operative word is "rival." It hints at the economic realities behind the smooth social façade. The Old Bowling Green on the south side of the High Street was competing with Livingston's bowling green at the New Wells. Each had its gaming room, its little shops and so on to attract customers. Now, if there was competition between the two bowling greens, both in the town, there must have been *a fortiori* competition between the New Wells in the town and the Old Well on the Common. Toland uses a significant phrase in this connection. Having spoken of the town, he goes on: "Nor is my pleasure diminished by excursions out of it. . . . The Old Wells at half a mile's distance, which formerly used to be the meeting place in the forenoon are not at present so much in vogue."⁴ There are three clear implications here. First, that the Old Well was still open in May 1711. Second, that in 1711 the Old Well was not regarded as part of the Epsom scene but as a place outside the town, for to get to it was an excursion. Third, that the Old Well was out of favour. It was the meeting place "formerly." Though Parkhurst had done much to improve the amenities there, they were not sufficiently attractive to make the Old Well an integral part of the life of the Spa. The journey to it was no longer thought to be worth while. This evidence of Toland's fits in with and confirms

¹ Toland, II. 108.

² This is the earliest mention of the Congregational Church. Under the will of Mrs. Fawkner the present site was given to the Church as a freehold under trust in 1721. K.R.O., 31/1/9. (20 February 1720/1).

³ Toland, II. 102.

⁴ Toland, II. 111.

the tendency to neglect the drinking of the waters which was noted in Chapter 5. Livingston's New Wells, which had now been open for four years, provided what people wanted, for all diversions were found in the village "in greater perfection."¹ Before the Old Well was closed, therefore, it was no longer a normal part of the life of Epsom Spa. The change of public taste is incidentally shown by Toland's later remark that the hunting of a pig at the Old Well "is infinitely more becoming the boys who perform it than the spectators who employ 'em."² Evidently, such bucolic amusements were beneath the attention of men of taste. It was not worth while to make the journey out to the Old Well for this sort of thing.

But perhaps the most significant statement of all regarding this change of fashion, and the one that gives the strongest reason for the closing of the Old Well, is this. "Our Doctors, instead of prescribing the waters for the vapours or the spleen, order their patients to be assiduous at all public meetings, knowing that (if they are not themselves of the number) they'll find abundant occupation to laugh at bankrupt fortune-hunters, crazy or superannuated beaus, marry'd coquets, intriguing prudes, richly drest waiting maids and complimenting footmen."³ This sounds like the list of characters in an eighteenth-century comedy. According to Toland, then, it was "as good as a play" to observe the variety of persons at the gaming tables or assemblies of Epsom. Doctors advised their patients not to bother about the waters, not to make the excursion out of the town to take them, but to get rid of their "blues" (which the writer takes to be the modern equivalent of vapours and spleen) by active participation in the varied and pretty sensible social life of Epsom Spa. It is no matter for surprise, therefore, to find that the attendance at the Old Well was falling away.

Lastly, Toland had a purpose in writing. The *Lloyd's* man over half a century later was to try to make the Old Well a place of resort and fashion once again. Toland in 1711 was not merely praising Epsom Spa but was also setting forth the advantages of Epsom as a place of residence, and was looking to the future as much as to the present. The Spa was a good thing. But Toland looked through it to the underlying excellence of Epsom as a place of residence. Writing to a lady, he emphasizes the abundance of supplies, the peasants calling at the houses with vegetables, game and meat,⁴ the daily market in the town,⁵ the shops well stocked with useful and fancy goods.

Then towards the end of his letter, he asks Eudoxa to communicate it to "noblest Cheruscus",⁶ who had decided to buy a house in Epsom. For the gentleman, Toland urges the rural sports available, such as riding, hunting, horse-racing, fishing and cricket, and the

¹ Toland, II. 111.

² *Ibid.*, II. 112.

³ *Ibid.*, II. 104-5.

⁴ Toland, II. 109.

⁵ *Ibid.*, II. 110.

⁶ Toland, II. 114. Misprinted in Parker as "noble St. Cheruscus." The Cherusci were the German tribe that destroyed the legions of Varus in A.D. 9. Was Cheruscus a soldier?

walks and excursions offered by Woodcote, Ashstead, Box Hill and the yew groves of Mickleham. For all these: "Epsom is the place you must like above all others",¹ and Cheruscus must remember that all these country pleasures lie within easy reach of London, by stage-coach, wagon and the ordinary post.

Having reminded Eudoxa that in his lodging at Woodcote he always has "a bottle of Hermitage and a plate of olives for a select friend, with an early rose to present a young lady as an emblem of discretion no less than of beauty",² he comes to his peroration, in which Toland says he is happier in his rural retreat than in the courts of princes. And so "you may depend upon it that as none is higher in my esteem so none is oftener in my thoughts than the every way incomparable Eudoxa." He remains her "faithful, obedient, devoted servant, BRITTO-BATAVUS."

We have shown that Toland's letter to Eudoxa is something more than a quaint period piece. Nor is it wholly eulogistic. He says: "It is plain we are not in Heaven here, though we may be justly said to be in Paradise, a place co-habited by innocence and guilt, by folly and fraud from the beginning".³ Enough, it is hoped, has been said to establish it as a serious documentary source for Epsom's history, and not as a mere bit of picturesque, illustrative writing. Let justice be done to "poor Toland."

It has been said that Toland saw the true future of Epsom as a place of residence. We will conclude by extracting from the Court Rolls some facts tending to show that Toland was right. The Congregational Church was established on its own freehold land in 1721.⁴ Again in the Survey of 1680 the parish school in Church Street is mentioned. But a more advanced school was set up in George I's reign. A James Heacock, sometimes referred to as "ludi Magister", sometimes as "writing master", set up a school here in 1715,⁵ a sign that Epsom was acquiring a settled population. Heacock's first place was in Church Street, but on 26 April 1720 he sold it, and bought and enlarged some property in High Street. However in 1724 he seems to have left Epsom, for he sold the property in the Court of 22 October. Still, for nine years in the reign of George I Epsom supported a small academy. Perhaps the South Sea Bubble made things look rosy in 1720, and he enlarged his school in that year; but there may have been a corresponding contraction in the following years. At any rate there it was for nine years.

But the final and decisive proof of Epsom's development as a residential town is to be found in a comparison of the two Manorial Surveys of 1680 and 1755.⁶ In 1680 we find ten persons described as Esquires or Gentlemen; in 1755 there are thirty-three persons thus described. In 1680 there are nine people whose domicile is given as London; in 1755, twenty-four. For the class of yeoman, there were

¹ Toland, II. 115.

² *Ibid.*, II. 116.

³ Toland, II. 105.

⁴ K.R.O., 31/1/9. (20 February 1720/1).

⁵ Purchase of land recorded K.R.O., 31/1/7. (9 October 1715).

⁶ K.R.O., 31/4/1, and 31/4/2.

eleven in 1680 and twelve in 1755; but of these twelve, seven are only cottagers and four others are domiciled elsewhere. But a remarkable figure is that for husbandmen: in 1680 there were eleven, in 1755 none. These figures show that Epsom was becoming less an agricultural village and more a place of residence for the gentry and Londoners.

Toland, then, had analysed the life of Epsom Spa and found it satisfying in its ease, freedom and variety. But here also, he saw, could be found those permanent pleasures of the countryside that the country gentleman of the century just opened believed to be essential to the good life. For these "Epsom is the place you must like above all others." It was true two centuries ago and is true today.

IX. CONCLUSION

Epsom was a watering place for just over a century. There is now contemporary evidence to show when the mineral waters were discovered. In August 1629 Abram Booth with two other Dutchmen visited Nonesuch and Epsom Wells.¹ He says the Well was first found a few years before his visit—"is over eenige jaeren eerst gevonden." This is imprecise, but is clearly evidence for a date about 1620. Booth describes the sick who had come considerable distances to drink the water, and says there are always people to be found on the great heath where the Well is, who offer the waters to visitors in glasses and other vessels. Here is a contemporary picture—and the earliest—of the primitive origin of the watering place.²

The Well, then, was discovered about 1620. It was much frequented during the Commonwealth and in Restoration times by the kind of people described in Shadwell's play, presumably, a raffish sort of people who had nothing in particular to do. No steps were taken to entertain visitors till 1670, when the Old Bowling Green in the town was opened. In 1675 the Well was roofed over and an open walk constructed by the Lady of the Manor.

Not till the century was turned did things begin to move. Livingston bought the land for his Grove in 1701, joined it to his New Wells (the Old Manor House) by a flight of steps, and opened the whole to the public on Easter Monday 1707. In the same year Parkhurst became Lord of the Manor, and began to erect extensive buildings at the Old Well and plant his avenues of trees in the town. Four years later came Toland's *Description of Epsom*, which shows a flourishing Spa in existence.

Next came building in the town. The former New Inn was

¹ *Een Diener der Oost-Indische Compagnie te London in 1629. Journal van Abram Booth, &c., A. Merens, The Hague, 1942.* Dr. E. S. de Beer, the editor of the definitive edition of Evelyn's Diary, sent the relevant extract to the writer. This by-product of his wide researches has settled the date of the discovery of the Well, for which guesses ranged from the reign of Elizabeth to 1640. The present writer gladly expresses his thanks to Dr. de Beer.

² The first known drawing of Epsom Old Wells is shown in plates II and III.

demolished in 1716 and the present building erected by Sir William Stewart. This is a critical date. It disproves the legend that Epsom was deserted in 1715, and the legend that magnificent taverns were built here about 1690. It also shows that Celia Fiennes's second visit occurred in 1717 and therefore that Livingston kept the Old Well open for at least six years. The Spread Eagle, too, began to flourish about the same time. In and after 1715 the number of barber-surgeons and apothecaries increased. In the same year Heacock opened his academy. We hear of J. Lancaster, "coffeeman," in 1716.¹ His coffee-house was on the site of the now-demolished café just south of the Albion, and the pavement from here to the Magpie was known as Coffee-House Walk within living memory.² Incidentally the row of shops facing east along the High Street was called "Crosse End" at that time.

Before giving a final estimate of Livingston's work and character, one must quote one more entry about him from the Court Rolls. It does not mention the title of the "New Wells" but it gives a fairly full description of them in legal terms.

On 1 November 1717 it is recorded that Livingston mortgaged his New Wells to Elizabeth Greene of Sydenham, widow, for £3,000. The property is described as "all that common messuage or tenement with appurtenances, houses, &c as the same had been in occupation of Anne Emerson and then of Elizabeth Lewis, part of which was a Bowling Green, all of which messuages &c had been bought by John Livingston from John Parsons, Knight, and le long roomes as occupied by Margaret Bowes, widow, and other messuages or tenements used for a Coffee-house (Kuphipolium)³ in occupation of R. Williams, all erected by John Livingston." (The above passage is placed between inverted commas for convenience. It is in fact a free translation and omits a good deal of verbiage.) In this entry we have the first description of the fully-developed New Wells. Hitherto there has only been mention of the bowling green, but now we have the long or dancing room, and the coffee-house. It is not necessary to suppose that the New Wells were becoming a liability, since at this same court Livingston bought land from J. Lening, draper, London, and J. Ryall, victualler, London. The land consisted of parcels or strips in the common fields, about 22 acres in all. Livingston was therefore investing in agricultural land, a perfectly normal proceeding.

Thus, the accumulated evidence all weighs in the same scale. Epsom was no Spa until Livingston opened the New Wells. After 1707 appear life, variety, organization and competition. There was competition between the Old Well, newly equipped by Parkhurst, and the New Wells; between the Old or Lower Bowling Green and the new or Upper Green, between Lancaster's coffee-house and Livingston's Kuphipolium. Public demand was satisfied with what

¹ K.R.O., 31/1/8. (17 October 1716).

² Verbal information from Mr. A. Furniss, now deceased.

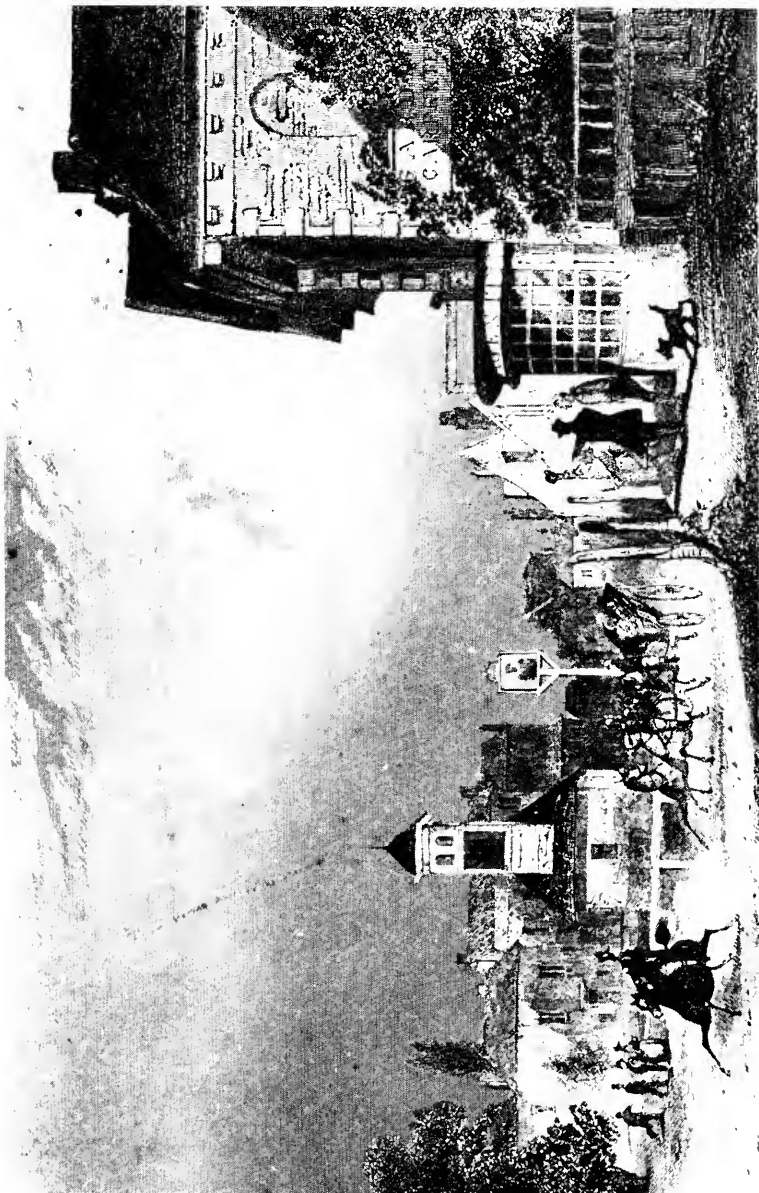
³ This is a modern Greek word.

was provided in the town and found the Old Well superfluous. Livingston kept the Old Well open for at least six years, proved that it was losing money and so closed it.

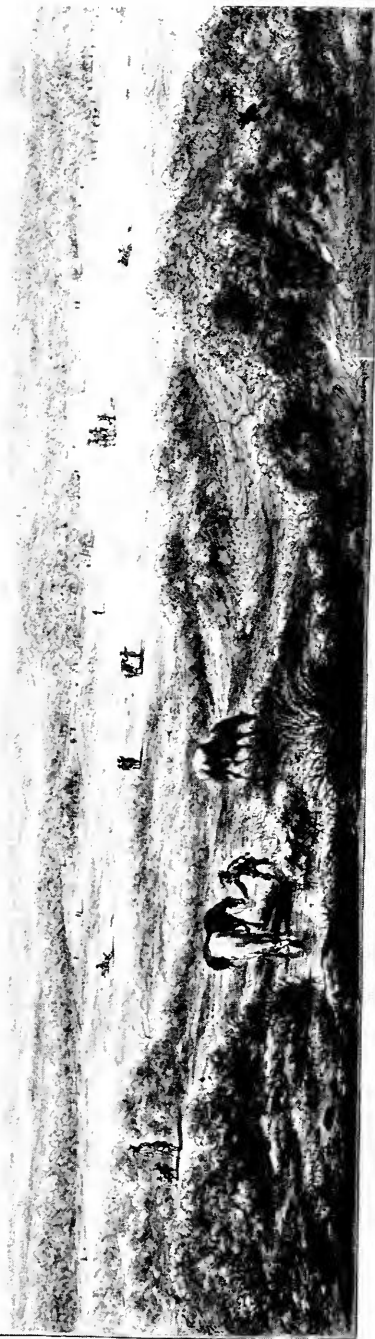
The final judgment on John Livingston must be that he was a resourceful man who did in fact create Epsom Spa. We may say that he manipulated leases. But the first time in connection with Anne Emerson's land he seems to have had no difficulty in concluding his bargain with Sir John Parsons. If it was the new Lord of the Manor who made Livingston act so hurriedly, well, the lord himself was in no unassailable moral position, and one cannot see that any serious legal or moral crime had been, or might have been, committed. On the second occasion, Livingston merely avoided coming into contact with the lord. This was diplomacy.

Livingston was the man who, after the townsfolk had neglected the visitors for some eighty years, set about doing something for them and succeeded brilliantly, as Toland shows. The townsfolk followed his lead, as did the Lord of the Manor, and for twenty years Epsom Spa was a true Spa, with an abundant life, fulfilling all the functions which the age demanded. Then on 24 May 1727 Livingston died, three weeks after his wife. With his death the Spa collapsed, and Epsom developed instead into a country town where wealthy London merchants built their residences.

The anonymous writer in *Lloyds* made his case for the revival of the Old Well depend on the blackening of Livingston's reputation. Surely it was possible to advertise Mrs. Hawkins's Monday morning breakfasts in some more seemly manner. The result of the present research is that Livingston must be acquitted completely of the charge urged against him by the *Lloyd's* writer of destroying Epsom Spa. On the contrary he created it.



EPSOM: VIEW SHOWING THE NEW INN ON THE RIGHT, IN FRONT OF IT ARE THE POSTS ERECTED BY ORDER OF THE COURT LEET.
See page 25.



THE OLD WELL ON EPSOM COMMON

Wash drawing of 1662 - signed by W. Schellinks (original 18 $\frac{1}{4}$ × 5 $\frac{3}{4}$ inches). See p. 39. Note: the two plates overlap slightly.

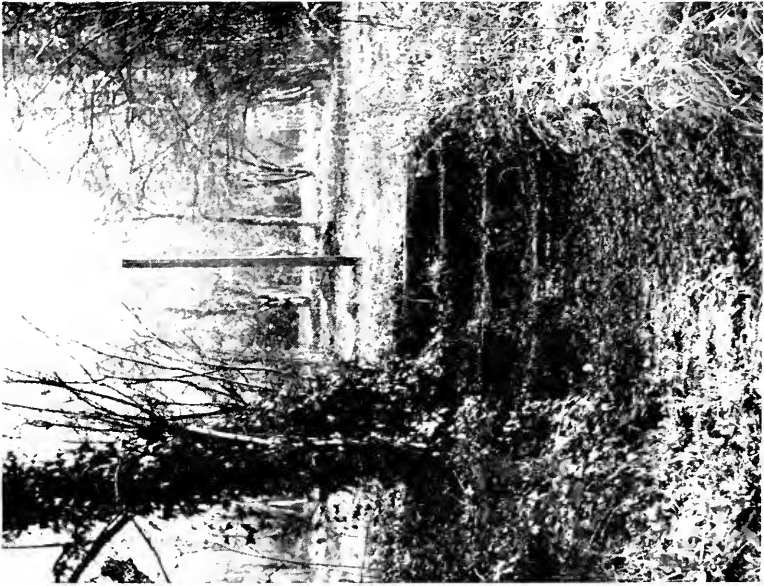


1. The cabin near the well.
 2. A height where much thyme grows, called "The Ladies-garde of the Rosmarcijn-Lane". This is where the women go. (Extreme right of Plate III.)
 3. The place where the men gather (rear of clearing 1 1/2 inches left of hut).
 4. A place to water the horses (left foreground Plate II).
 5. The road to Epzom (right foreground Plate III).
 "Epzom - ten miles from Loudon where people drink water from the well".

The caption translated reads:

1. This is the Cabin near the Well.
2. A height where much thyme grows, called "The Ladies-garde of the Rosmarcijn-Lane". This is where the women go. (Extreme right of Plate III.)

3. The place where the men gather (rear of clearing 1 1/2 inches left of hut).
 4. A place to water the horses (left foreground Plate II).
 5. The road to Epzom (right foreground Plate III).
- "Epzom - ten miles from Loudon where people drink water from the well".



a. EPSOM: STEPS TO THE UPPER BOWLING GREEN
See page 19.



b. FLEMISH BOND IN THE WALL WHERE STEPS LED UP FROM
LIVINGSTON'S GROVE TO HIS NEW WELLS. See page 19.



Photo: F. C. Morris

BOTTLE FROM WOODCOTE GOLF-COURSE THOUGHT TO HAVE BEEN USED
FOR EPSOM SPA WATERS AND NOW IN THE GUILDFORD MUSEUM.
See page 31.