

THE SHARDELOES MUNIMENTS—III

AMERSHAM BOROUGH

When William Tothill acquired the manor of Shardeloes in 1595 there went with it only a small part of the town of Amersham, all at the west end; it was not until 1624 that he set about the purchase of that portion of the town which lay east and south of the church. In that year William Hakewill, of Lincoln's Inn, and actually living at Windsor at that time, found that members of Parliament had formerly been returned by Wendover, Amersham, and Great Marlow, but apparently none had been sent for over 400 years. The three places sent a petition to Parliament that their right might be restored; the House agreed but "notice thereof was given to the King's Majesty, who declared himself unwilling to have the number of the Burgesses increas'd, declaring he was troubled with too great a number already."¹ There was then formal opposition on the grounds of the long lapse which had occurred; the reply to this was that "most of the ancient records since 28 Edw. I are lost, which, if they might be found, 'twas conceiv'd would declare that they had sent many times since 28 Edw. I (1300)." The next point put the blame on the possible negligence of the sheriffs; the third was unconvincing; "the use in these ancient times being that the burgesses attending in Parliament were maintain'd at the charge of the Boroughs; when the Boroughs grew poor they, only for that reason, neglected to send their burgesses to the Parliament; therefore now seeing they were contented to undergo that burthen, or to chuse such burgesses as should

¹ Browne Willis: *Notitia Parliamentaria*, 1715, p. 118. Other quotations which concern the revival of the Borough are from the same work, which is "set forth from an abstract of the case drawn 21 Jac. I." (1623-4).

bear their own charges, there was no reason to deny that petition." The fourth, last, and best argument was "that the liberty of sending burgesses to Parliament is of that nature and quality that it cannot be lost by neglect of any Borough." Briefly the Committee for Privileges and Returns accepted Mr. Hakewill's reasoning, the House confirmed it, and writs were duly issued; Mr. Hakewill himself took one of the seats for Amersham, and John Crewe² took the other. The inhabitants of Amersham "being tenants in ancient demesne, Parliament-men are chosen by homage in the lord's Court Baron, which no doubt heretofore was so. The houses of this town that are in the other leets, tho' situate in the middle of the borough, being excluded that privilege; and the lord's tenants of the borough paying scot and lot,³ who are in number about 130, are the only electors."

At the time the Borough was revived the manor of Amersham was administered by Francis, second Baron Russell of Thornhaugh, who, on the death of his cousin in 1627, became the fourth Earl of Bedford. Many of us have met him in the Introduction to that fascinating book *Life in a Noble Household*, which is the story of his son Willam, who eventually became the first Duke of Bedford, brought to life by the skill of Miss Scott Thomson. In a letter to the editor Miss Scott Thomson kindly explains that Edward, the third Earl of Bedford, had been heavily fined for his share in the Essex rebellion; his at-

² This was presumably he who represented Brackley and Northants afterwards and was created Baron Crewe, of Steane, at the Restoration. (Baker's *Northants*, I, 684-5).

³ Dictionaries do not seem to make clear the source of this phrase. Mr. F. G. Gurney has kindly drawn attention to the *Textus Roffensis* of Henry I's time (printed by Stubbs in *Select Charters*) in which payment is mentioned "according to the law of the English" as "onhote et anscoote,"—i.e., 'scot and lot' compounded with prepositions. Broadly it may be taken as meaning any kind of municipal tax.

tempt to raise money by the sale of various properties was opposed by Francis, Lord Russell, as heir presumptive, and Francis was appointed administrator of the Chenies and Amersham estates in March 1618. The sale of Amersham which he negotiated with Mr. Tothill was therefore on behalf of Edward, the third Earl of Bedford, who by that time was a confirmed invalid as well as impecunious. The "Particuler for sale of the Mannor of Agmondesham" is dated 16 May 1624, and the first two items are informative, and modify the figure of 130 given by Browne Willis:

	£ s. d.
The freeholde tenantes belonging to this Mannor which owe fealtie unto the cheife lord are 148, whose rent per annum is	} 019-16-04
The coppihold tenantes fineable at the will of the lord are 25, whose rent per annum is	} 006-14-08

A kind of summary on a separate sheet of paper has as its concluding words:

Returning Burgesses to Parliament

The next items in the Particulars deal with the woodlands:

The severall woods in the survaighe mencioned and in the present possession of the Lo. Russell containe 167 ac. 3 roo. 12 po. Worth per ann.	} 060-02-08
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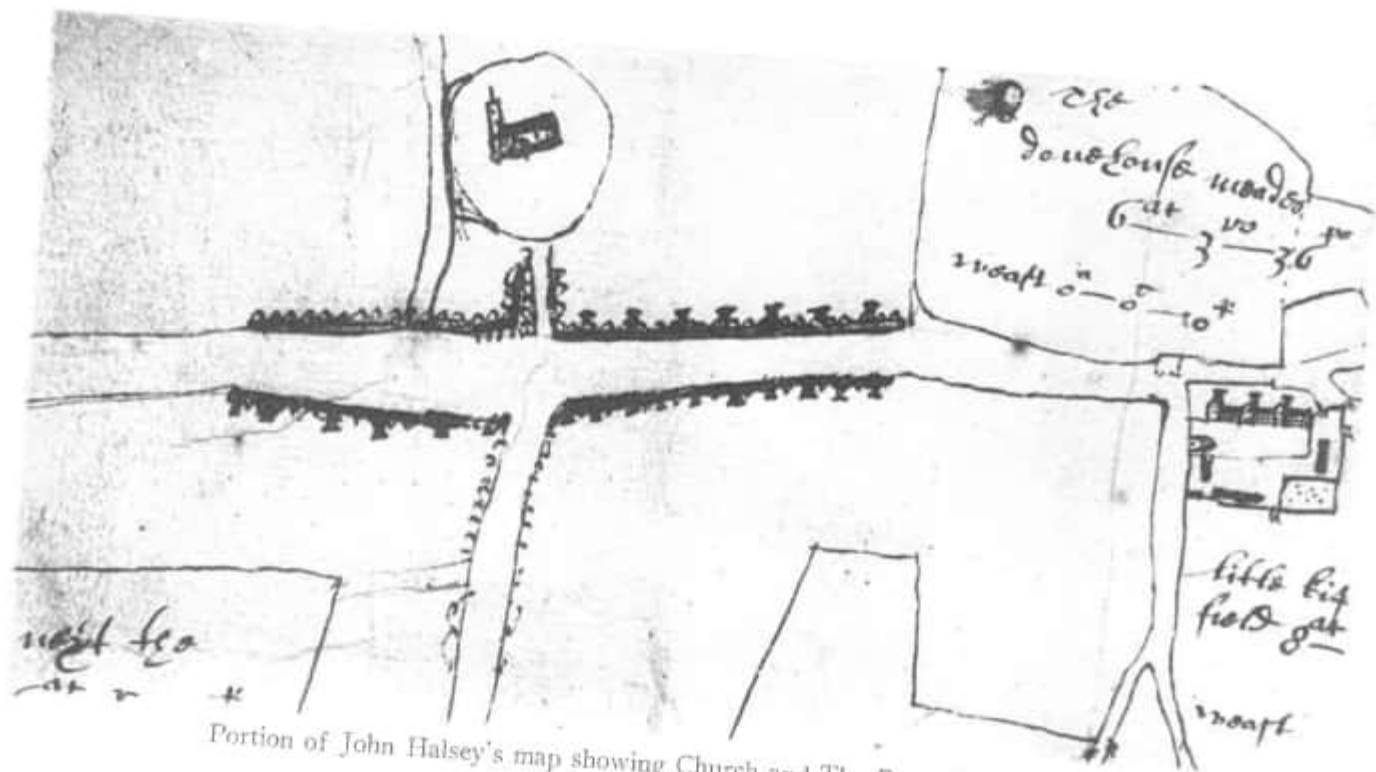
The underwood in this woods is worth 403-05-08

As the usual rate for such a sale was twenty years' purchase, the standard timber was valued at £1202-13-4, and the underwood is a third of this, as no annual value is set against it,

The item which follows the woods is of particular interest for several reasons:

	£ s. d.
The Bury house with the outhouses about the same is worth	} 133-06-08
Balle's tenement and outhouses worth	} 033-06-08
The arable land, ley ground, wood, soile, and meadowe belonginge to the Bury farme containeth, as by perticuler appeareth, 732 ac. 1 roo. 10 po., worth per annum	} 365-03-00
The present rent whereof is 84 quarters of malt per annum, which valued at 1 ^u the quarter is	} 084-00-00
Which £84 per annum at 20 yeares purchase is	} 1,680-00-00
The remainder then beinge £281-03 ^s per annum and valued at twelve yeares purchase, for that there are twoe lives in beinge is	} 3,373-16-00
There are upon the farme 1329 trees of oke, ashe, elme, and great beech, worth	} 159-04-04
The underwood upon this farme is worth	} 147-06-08
The total value of this farme presently to be sold is	} 5,527-00-04

The "twoe lives" were those of Sir Thos. Saunders, and Francis Saunders; Francis became a delinquent in 1642, and his brother Sir Thomas was called upon to pay the fine of £1000 levied upon him. A pedigree of the Saunders family of Amersham is in the Visitation of 1634 (p. 110 *Harl. Soc.*).



Portion of John Halsey's map showing Church and The Bury, dated 27 Apr. 1637

Various small properties follow which cannot be identified apart from the names of the tenants, except

	£ s. d.
Saunders his watermille, and mille meade contayneth 2 ac. 2 ro. 35 po. worth per annum	} 020-00-00
The present rent whereof is per annum	} 006-00-00
which valued at 20 yeares purchase is	} 120-00-00

This is not the mill at the west end of the town, but one near to the point where the road to Chesham turns off; it will be seen that in 1624 this mill was in very bad repair.

The important thing about this is that the Bury was clearly the manor house of Amersham, its owner was the "cheife lord" to whom the 148 tenants owed "fealtie," and, by the recent decision, they could return two burgesses to Parliament. The actual house called the Bury still stands, but has suffered so many alterations that little of its 16th century glories can be found; on 27 Apr. 1637, Mr. John Halsey, of Great Gaddesden, Herts, prepared a plan of the whole estate, and the portion which covers the Borough is given here. Too much stress must not be laid on the representation of the house, but it shows three gables, there are now only two. The Historical Monuments Commissioners suggest that the plan was "rectangular or with a south-west wing," but they admit alterations or re-building. It was the house in which Mary Pennington and her family lived about 1666-1672, according to W. H. Summers's *Memories of Jordans*, (p. 103); he gives a good illustration of the south side of the house.

Before finishing with Lord Russell's Particulars some of the facts on what has been called the summary should be mentioned:—

	£ s. d.
The wast called Colleshill Grene containeth 15 ac. whereon are 72 trees worth	} 04-12-00
The wast called Wickham Heath containeth 250 ac. whereon are 174 trees worth	} 26-06-00
The wast called Agmondesham Heath contained 200 ac. whereon are 28 trees worth	} 03-06-00
On Beckonsfield Way are 22 trees worth	} 05-03-00
On Puddifattes Way are 32 trees worth	} 05-05-00
On Tomlins Way are 4 trees worth	01-00-00
Total of acres	1.455-01-17
Present rent	{ In money 47-07-08 { In profittes of woods 60-02-08 { In malt 84 quarters
Improved rent	518-09-04

Mr. Tothill's action on receiving the Particulars was to call in a surveyor, his "cosen" Carter, and apparently another surveyor, for there are several valuations carefully worked out in detail which seem to reach totals of £4,690, £4,716, and £5,479. Mr. Tothill does a little figuring on his own account, and drafts a letter after a meeting he had with Lord Russell early in 1625:

At our meeting yesterday I desyred a price, for none was in the particuler. My lord asked his surveyor, who said it was trew it was not

in the particuler, but it came to 8,800^{li}. My Lord asked what I would give him; I sayd half the som, for the particuler was unresonable. He said he would abat 800^{li}. I desired my Lord to think of it & I would [acquaint] my Lord Chef Justice' with my mind uppon an account of this meeting. I am willing to give as before I went to my Lord Chef Justice'. If it may be, or a little more, I shall perform my Lord Chef Justice's order. Francis Carter, my surveyor, hath promised to talk with Lo: Russell, and perhaps he will here him, for ther is no reson in my Lord Russell's surveyer,—he will never bring it to a bargin. I desire, & so doth my wife, to here of my Lord Chef Justice's helth.

5 Feb. 1624.

My Lord Russell was plesed to com to the 6 Clerks Hall yesterday, being Fryday a prandio, when the passages were ut supra, of which I acquainted my Lord Chef Justice this morning, who wished my cosen Carter should spek with Lord Russell herein, and then he would spek with Cosen Carter.⁴

The Lord Chief Justice at this time was Sir Ranulph Crewe, who was uncle of the John already mentioned,—afterwards Lord Crewe of Steane. Mr. Tothill left legacies of £100 each to Sir Ranulph and Sir Thomas, John's father. Mrs. Wm. Tothill was a daughter of Sir John Denham who had been one of the Barons of the Exchequer since 1617, and father of the poet chiefly known to us to-day as the author of lines on the Thames.

How negotiations proceeded after 1625 (N.S.) there is nothing to show, but the fine completing

⁴ The hastily written memorandum, with its contractions and erasures, has been made intelligible by the great kindness of Mr. F. G. Gurney.

the transaction did not pass until 1637⁵; meanwhile Mr. Tothill had died on 30 Oct. 1626, and his son-in-law Francis Drake was sitting as one of the Members in that year. The cause of this long delay, and the amount finally paid are not known, but it is clear that the transaction was remote from the "borough-mongering" which aroused Cobbett's ire two hundred years later, and was dismally instanced at Wendover.

The number of electors we have already seen was limited to 148 in 1624; unfortunately time has spared few papers at Shardeloes which deal with the elections, but the figures for four or five which will be quoted show that the number of voters was never as high, and sometimes less than one half. The *Victoria County History* (vol. III, p. 145) refers to an attempt by Algernon Sidney to capture a seat, though a stranger to the borough. In this he succeeded by calmly accepting other votes than those of freeholders; there is a printed "State of the case of the Borough of Agmondesham as to the right of the choice of Burgesses there to serve in Parliament."

It sets out the position clearly:

In the last Parliament, when Sir William Drake and Sir Roger Hill⁶ were chosen and returned, Mr. Sydney, who with the other two (according to right and usage), polled and accepted such Inhabitants of the Borough as did not receive Collection,⁷ tho' they did not pay to the Church and Poor, as having an equal right

⁵ The *Victoria County History* gives this date but unluckily supports it by a reference to the Feet of Fines of 13 James I; the actual reference at P.R.O. is: bundle 527, Michaelmas, 13 Charles I (Divers Counties). The reference to the Bury in V.C.H., III, 150, is also not happy, and speaks of its purchase "by Sir Wm. Drake before 1690."

⁶ Sir Roger Hill (1642-1720) was the son of a Baron of the Exchequer, but distinguished himself in our eyes by building the beautiful Denham Place, of which he was himself architect and clerk of the works at the cost of £5,549. (*Country Life*, 18 Novr., 1905, and *The Ways of Yesterday*, 1930, p. 35).

⁷ To receive "collection" was equivalent to the poor relief of later times, though it will be seen that a person could have such relief without an entry in the Poor Book.

with those that paid to both. . . . It is hoped that the Antient way of electing by all inhabitants of the Borough generally, not receiving collection may be continued. . . . As to the present members returned, and the Competitors in this present Election

Sir William Drake had 77 Voices

William Cheyney had 47 Voices

In which Number they have the Majority of Voices, even of those that pay to Church or Poor, and are within the number of Scott and Lott men, as they doubt not but to make appear

And Sir Roger Hill had but 41 Voices

Algarnon Sydney Esq. had but 31 Voices.

Sidney's election was declared void in 1680^a and the right of election was limited to the inhabitants paying scot and lot. Sir Roger Hill transferred his activities to Wendover, where he was unseated for corruption in 1702, though he sat there later until defeated by no less a person than Sir Richard Steele in 1721; he tried first at Amersham in 1700, but Lord Cheyne and Sir John Garrard^b were returned. A petition followed and Sir John Garrard's brief contains several interesting particulars; they indicate that Hill was out in any case:

Of Persons qualified to Poll

There polled for ye Lord

Cheine 110

For Sr. John Garrard 079

For Sr. Roger Hill 069

Off Scot and Lott

For Sr. Jo. Garrard 45

For Sr. Roger Hill 37

^a The M.P.'s for Amersham given by Lipscomb from 1640 to 1680 are wrongly dated.

^b He represented his grandson, Mountagu Garrard Drake, then a minor; Sir John died in November, and Col. John Drake took his place.

So that Sr. John Garrard had the Majority of Sr. Roger Hill by 10, and therefore duely elected. An objection to one of Hill's voters was that he "had no right to vote, for haveing noe Chimney,—an Inmate." A doubtful vote on the other side was met by this:

If they Object against Jno. Winch for receiveing Collec̄on money, it is allowed he did twelve month before ye Elec̄on, being then very much Impoverished by Sickness, but has long before and alwayes since by his labour and Industry, provided for himselfe and family without receiveing any such collec̄on money, and is not in the Poore's Book.

Another irregularity suggested against Sir Roger Hill was:

That Henery Gould Esq'e, a Justice of the Peace, comeing to the Elec̄on and finding the ward Sett (as usuall att Elec̄ons) by the Constables of the Burrough, he sent for one Wm. Rutt out of another Liberty, & swore him Constable, and ordered him to goe and dismiss the aforesaid Wardsmen and place others in their stead, which caused a Tumult.

A marginal note to this is:

Note. That ye Towne consists of 2 Libertys, The Burrow & that called the Franchesses.

The "franchesses" mean franchises of leets (the manorial court which dealt with what are now police-court cases), belonging to manors other than the Bury; freeholders in these franchises had no title to a vote.

The attendance of Mr. Broome, "no Inhabitant in the Towne and comeing from London with Intent as was supposed to make some disturbance," was re-sented by a voter, and Mr. Gould (of Iver, the

Sheriff), "tore his Cravat, or Neckcloath, from off his Neck."

Against the words "Treats note" it is stated:

Sir Roger Hill, before the Dissolution of ye last Parliament came in person to Amersham and spent there in treating the voters neare thirty pounds the night before Mr. Drake was buryed,¹⁰ in order to his Elecōn dureing that vacancy.

Then follows a curious anecdote about William Cheyne, afterwards Viscount Newhaven,¹¹ who was elected knight of the shire in 1698, and ever since he has kept treating at Boyes, which is his owne seat, and at Amersham on Sr. Roger Hill's account by his Servant Mr. Tippin,—and has declared he did it because it was not for him to suffer two of the family of Shardeloes, which is Mr. Drake's seat, to be chosen for ye Towne. On Munday December ye 26th 1698 my Lord Cheine comeing from London to Boyes was mett on ye Road by many of Sr. Roger Hill's party who waited on his lordshipp and Sr. Roger Hill to Boyes, and were there treated Munday, Tuesday, and Wensday, but those of Sr. John Garrard's freinds were excluded and turned out of Doores when my Lord and Sr. Roger Hill by arguments could not persuade them to vote for Sr. Roger Hill.

Though scarcely in the spirit of Christmas it is perhaps not surprising that Nathaniel Maycock called John Restall "Shabby, beggerly Dog! do you come and eat of Sr. Roger Hill's meat and cannot afford to give him a Voice?"

¹⁰ Montagu Drake died on 27 June, 1698.

¹¹ Owner of Chesham Bois (the manor house was pulled down a century ago); he is buried at his other property, Drayton Beauchamp, where a noble effigy by Woodman commemorates him.

The petitioners themselves did not make very good witnesses::

Thomas Nash haveing signed the Petiçon was asked what he signed? he answered he could not tell, but it was something to reconcile ye King and Parliament, but when he understood it was a Petition against the Elecçon he went after ye persons that took his hand and desired them to strike it out againe.

Whilst James Bourton vaguely declared he thought the petition was "against the Constables,"—who were no friends to him.

The number of voters seems to have varied, as has been said: thus there is a map of Amersham dated 1742, accompanied by a list of names showing "Every person as lives in the rents of W.D." Houses coloured yellow in the map belonged to William Drake, those marked red belonged to his mother, and those which were "blew" to Henry Marshall.¹² There are 48 red and yellow houses in the area covered by the Bury Manor on the map, and 45 red and yellow houses N.W. of the Market House; the list gives 88 names and some vacant houses, which agrees with the 93 (48 & 45) on the map

A list of voters in 1753 shows 99 names; in 1774 there were only 59, and in 1780 only 67; these may be merely the lists of those who actually gave their "voice," and not of those *entitled* to do so. A letter exists from the Rev. B. Robertshaw, the Rector, to William Drake, who was only 17 at the time; the letter is dated "St. Paul's day, 1740/1" and is concerned with the offer of a house, "which will cost you 20 pounds or more to put it into such a condition as may probably be expected, and then it will not fetch above 5 pounds per annum rent. We judge it

¹² He was Lord Mayor in 1745; William Drake's mother was Isabella, daughter of Thomas Marshall.

dear enough at 110 pounds. But unless a man was in absolute need of an house, I think no wise man wou'd give so much for it. These are ye Houses upon which your Mamma had once a mortgage for 70^{li}, & which Eeles like a good prodigal bought out of her hands of Mr. Batchellor, his wife's brother. I think nobody will bid more than 110 unless ye spirit of opposition shou'd become as strong amongst us as it has been formerly; which I have reason to believe we have so conjured & subdued as that it will hardly ever rise again if tolerable care be taken."

A further reference to the part played by Mr. Robertshaw is given in his "Narrative," which will be drawn on still more in the next article:

John, commonly call'd Collonel Drake—I was very well acquainted with for about 13 or 14 years; and I attended him in extremis at his house in ye bottom, beyond or above ye Pond Gardens. He represented ye Borough of Amersham in several Parliaments, during ye minority of his great-nephew, Montague Garrard Drake; which he did not out of choice, but to keep ye family interest from sinking; for they had not then above half so much property in ye Borough as they have now; which made it more difficult and expensive for them to get into Parliament; and often cost more at one Election (to be repeated once in 3, or 7 years) than one fourth of ye Houses in Town were worth. This I hope has been gradually cured by my advice; & tho' ye purchase of old houses is no very gainfull bargain, yet as it may prevent a monstrous expense in case of an opposition; & may also be means of keeping peace and good neighbourhood in ye Borough, I hope it has been & will forever prove no bad council,

For all practical purposes the Drakes were able to return two members to Parliament for two centuries, and William, the builder of the present Shardeloes house, sat for exactly one quarter of that period himself. Throughout these 200 years none of the family ever held an office of profit under Government, both William and his son usually voted in Opposition; and such small evidence as has survived suggests that they were far more independent of any external influence than any M.P. to-day can possibly be. They were both highly educated men of considerable wealth, and their characters are quite ably summed up in a newspaper extract, which is unluckily undated, but must be earlier than 1795, when the younger William died.

It has been the uniform and honourable pride of the Drakes never to have been the slaves of any administration, nor to have connected themselves with any party. The late Earl Temple¹³ took great pains to enlist this gentleman under the banners of the Chatham party; but tho' Mr. Drake uniformly supported the measures of that great statesman, he never could be prevailed upon to form a partial connection which might deprive him of the constitutional freedom of sentiment which *ought* to be the characteristic of a British senator. In parliament he votes always with opposition, but has never taken an active part out of the House. He has zealously promoted every effort to conciliate a peace with America. He has twice declined the honour of being advanced to the peerage. Mr. Drake may be esteemed one of the wealthiest Commoners in England, his fortune being totally unincumbered, and continually accumulating.

¹³ He died on 11 Sept., 1779, so the paper appeared between that date and 18 May, 1795. One is inclined to place it in the younger Pitt's first administration which began at the close of 1783.

Of the younger William Drake the article says that he "pursues the same line of political conduct as his father he takes no part in politics but most commonly votes with Opposition." From another source¹⁴ we learn that the younger William was "a very independent legislator, opposing an increase in the duties on newspapers and advertisements, and in 1792 the Government Lottery Scheme."

The elder William certainly respected the younger Pitt, and there is a letter from that great man which is as near a "whip" as he could venture to go. It was written from Berkeley Square on 28 Dec. 1783:

I take the liberty of acquainting you that the House of Commons will proceed immediately on their Meeting on the 12th of January to Business of the greatest consequence. The importance of the present Situation is such that I flatter myself Independent Men will think it claims their attendance. It is on that Ground only that I presume to trouble you with this Information.

On the whole one receives a very different impression of what a "close borough" meant from the picture of One—vote in Peacock's *Melincourt*, if all boroughs had as clean a record as Amersham had, the speech of Mr. Sarcastic would be meaningless, and Sir Oran Haut-ton's candidature would have been impossible.

As to the entertainments which went on, old William's last election in 1790 may furnish an example:

	£ s. d.
1790, June 18.	
The Griffin, bill for the Election entertainment	88- 9-4
The Crown	73- 7-6

¹⁴ Robert Gibbs: *Worthies of Bucks*, 1888, p. 137—Gibbs had radical sympathies, but any defender of journalism would appeal strongly to him.

	£ s. d
The King's Arms	63-16-0
The Swan	39-18-0
The Hare & Hounds	26-16-6
The Saracen's Head	25-17-0
Mr. Weller for 2 hogsheads of strong beer given away at the Market House	} 6-11-0
Matthias Line for 2 hogsheads of strong beer given away at the Chequer	} 7- 4-0
To eight Carriers	8- 8-0
To six Wardsmen	0-15-0
To Music at the Griffin (six men)	1- 1-0
To the Under Sheriff	5- 5-0
To Mr. Marshall	5- 5-0
To William Kestell the Cryer	0- 5-0
To the Ringers	5- 5-0
	358- 3-4

The bills for the election of 1796 cost £395-11-8, the difference being more than made up by John Fowler's bill at the "Crown," of which the details are offered as illustration:—

Dinners and suppers	40- 0-0
Beer, cyder, & tobacco	9-10-0
Wine	72-10-0
Punch	8-10-0
Tea & coffee	3- 3-0
Fruit	1-11-6
	£135- 4-6

As a Parliamentary Borough, Amersham escaped the gross scandals which occurred at Wendover, and the smaller irregularities at Buckingham, High Wycombe and Aylesbury.

The somewhat desultory facts collected in the paper,—all that can at present be discovered in the borough, and manor,—must suffice until further evidence is forthcoming ; but they do at least indicate very clearly that the parliamentary borough was identical with the chief manor of Amersham within the town,—that the freeholders of the manor were the burgesses,—and that the somewhat faded house still called the Bury was the 'site,' or responsible centre of the manor.