

small pond at its east end is probably formed by the blocking of the water. Beyond this, on Wheatlands Manor Farm (Webb's Farm), we come to the spot where the so-called Milestone was dug up. This stone has a square base, about  $1\frac{1}{2}$  feet, the upper part being a rounded column; the height is about 4 feet. No inscription can be found.

Further West, at the present junction of the Blackwater and the Whitewater, the Road again coincides with the county boundary. This continues up to the East gate of Silchester, with a break on the northern bounds of Stratfield Saye; the Park was enlarged in 1845, which presumably involved a modification of the county boundary, and consequent destruction of the Ridge of the Road.

## Notes.

### SOME BERKSHIRE CHARTERS.

Though the following charters are of no great value or interest except to an antiquary working on the particular district, they happen to be hidden away in records, not only unprinted, unindexed and uncalendared, but also unlikely to be searched for traces of Windsor folk.

The Lansdowne MS. No. 434 contains the manor court rolls of the Monastery of Chertsey, from 1327 to 1346. At the end are transcripts of fourteenth century charters, probably produced before the court to substantiate a claim to a villein holding.

- I. Grant by Nicholas atte Leye of Old Windsor to John Morkoc of Eggham for 10s-6d, of various parcels of land in the parish of Eggham, in a place called Eremershs, lying scattered among the lands of Robert Wythemay, William de Toune, William atte Felde, Agnes de Fonte, William de Bakeham and Walter le Honte.

Witnesses : Robert de Imeworth, Thomas de Sodington, Adam atte Burgh, Andomer de Hamme, Thomas atte Hamme, Robert Outred, William Clerk and others. Dated at Eggham on Sunday before St. Matthias, 10 Edward II. (1316-17).

- II. Confirmation by John atte Leye of Old Windsor to John Morkoc, of lands in Egham as above, lying among lands of Wm. atte Felde, Wm. atte Welle, Wm. de Bacham, Walter le Honte.

Witnesses : Robt. de Imeworth, Simon de Rutherwick, Thomas de Sodington, Adam de Sodington, Adam atte Burgh, Wm. de Langley, clerk. Dated at Egham, Friday after St. James's day, 16 Edward II. (1322).

Most of the witnesses were Egham men : Simon de Rutherwick was a relative of John de Rutherwyke, abbot of Chertsey, and Robt. de Imeworth held the manor of Imworth in Egham of the abbot.

- III. Grant by John Godefray of New Windsor to John Mor-koc, of an acre of meadow called Fygerouses in Rone-mead and Rowyklothe (?) 2 E. III (1328).

The Cartulary of Chertsey Abbey (Ex. K.R. Misc. Bks. Vol. 25) contains a charter by Agnes Wodyet of 'Wyndesore' granting to Peter, son of Wm. Prewelle of Egham, lands in Eyremershe and Ronemead, and mentions 12d. rent to be received therefrom. This charter is undated, but we find the family of Wodyet or Wodiet in Datchet in the reign of Ed. III. (*Cal. Ancient Deeds*, P.R.O., Vol. I, A.32), *et seq.*

There is also a grant by John de Hermondesworth, abbot of Chertsey to Philip Mayr of Old Windsor, of land at Infelde in Egham, the modern Englefield Green. This is dated 21 Henry VI, 1443. Philip also figures in a charter in the *Cal. of Ancient Deeds*, A.608.

F. TURNER.

#### THE LAST FATAL DUEL FOUGHT IN ENGLAND.

Frederic Cournet, the victim of the last fatal duel fought in this country, met his death some five hundred yards from the eastern boundary of Berkshire on October 19th, 1852.

Like many another young Frenchman of the period, he had come up against the rising power of Louis Napoleon, the 'Man of Destiny,' whose fitful career came to an inglorious close at

Sedan. Cournet and some hundreds of his compatriots found the neighbourhood of Leicester Square a much healthier place than the boulevards of their beloved Paris. Cut off from home, beset with spies, the life of an exile is not a happy one, and taken as a body, political refugees are not the most amiable of human beings. Cournet was certainly one of the most irascible and quarrelsome of his tribe, and openly boasted of having shot fourteen opponents in duels. Another refugee, Barthelmy by name, was strongly suspected of being in the pay of the Paris police, and Cournet and he were soon at loggerheads. The quarrel was patched up by the intervention of friends, but later on Cournet received a note from Barthelmy asking if he (Cournet) had given currency to certain expressions in Paris respecting Barthelmy. Cournet took this as another affront, withdrew his former explanation and apology, and in the eyes of all good Frenchmen a duel was inevitable.

The spot chosen for the encounter was a secluded hollow on Priest's Hill, Egham, close to the county boundary; a position which indicates a knowledge of English law, for in case of interference by the local police, the parties had only to go a few yards, and could then defy their pursuers. This manoeuvre was often resorted to by the prize-fighters of the time.

Cournet won the toss for choice of position, pistols, and the right of first fire. He advanced ten paces, fired, and missed. Barthelmy advanced ten paces, which brought him within twenty of his adversary, and reminded him that he was now at his (Barthelmy's) mercy. He offered to waive his right to fire if Cournet would agree to finish the fight with swords. The offer was refused, and Barthelmy was reminded by his opponent that he had still the right of another shot if Barthelmy should fail. Whereupon the latter raised his pistol and pulled the trigger, but only the cap exploded without igniting the charge. Another cap was inserted and a second attempt made, with the same result. Again Barthelmy appealed to Cournet to finish the duel with the sword. Cournet not only declined, but also offered the use of one of his pistols. The offer was accepted, and the pistol being loaded by the seconds, was placed in Barthelmy's hands, who discharged it with fatal effect. Cournet was carried to The Barley Mow, Englefield Green, upon a hurdle, and died shortly after.

Barthelmy and the seconds fled, but were arrested and tried at Kingston, but notwithstanding the law and the known malice, the Jury returned a verdict of manslaughter. Barthelmy, however, did not escape the gallows for long, for in 1855 he was hanged at Newgate for the murder of Mr. Moore and Mr. Folkard.

The fact that Barthelmy's pistol failed to explode gave rise to suspicions of foul play, and on the charge being withdrawn it was found that a piece of linen in the breach had effectually prevented an explosion, but it appeared that the weapons were hired, and the seconds, finding them foul, had wiped them out in each other's presence.

An eye-witness, long since dead, described the interment as a 'strange atheistic funeral.' From The Barley Mow to Egham Church, a distance of a mile and a half, the coffin was shouldered by relays of six Frenchmen, followed by some hundred and fifty refugees walking two abreast, and headed by a red flag bearing the inscription, 'Republique Democratique et Sociale.' There was no burial service, but an address eulogising the deceased was given at the graveside, after which, as the body was lowered into the grave, there came an united shout of 'Liberté, Egalité, Fraternité! Vive la Republique!'

Owing probably to the omission of any religious service, the burial was not entered in the parish registers.

Cournet was said to have been of good family and to have served in the French Navy. His grave is well-nigh forgotten, but a flat stone bears the following inscription:

' LA DÉMOCRATIE FRANÇAISE '

A

FREDERIC COURNET

PROSCRIT

NE A L'ORIENT LE 21 FEVRIER 1808

MORT LE 19 OCTOBRE 1852.

The event caused great excitement in the district, and Queen Victoria and Prince Albert went a few days later to Priest's Hill, when the spot where Cournet fell was pointed out to them. The Prince, by the way, had been mainly instrumental in getting a clause inserted in the Articles of War prohibiting duelling.

Duelling in England was brought to an end more by the force of public opinion than any act of the legislature or the War Office. It was, in reality, a sad perversion of one of the finer instincts of human nature—the belief that certain principles were dearer than life itself; but it became the sport of the bully and hothead, and men of sense and honour had to bow to the custom. Bacon's good advice had been ignored: 'It were good that men did harken to the saying of Consalvo, the great and famous commander, that was wont to say "a gentleman's honour should be *de tela crassiore*—of a good strong warp or web—that every little thing should not catch in it."'

For a long time after the Cournet duel the field where it took place was known as 'Barthelmy's Piece,' and the encounter itself ranked as the last duel fought on English ground, but the writer himself has come across another encounter which took place at Malvern Wells in 1859-60. Unfortunately the informant, though his information could be trusted implicitly, declined to give the names of the combatants, for the honourable reason that some of their relatives were still alive. It appears that one of them was a Frenchman, the other an Englishman.

F. TURNER.

#### FISHERY RIGHTS OF EARLY ABBOTS OF READING.

Two early documents relating to the rights of the Abbot of Reading in the water of Thames do not seem to have been published hitherto.

The first is an agreement and final concord made between Simon, Abbot of Reading, and the monastery of that place, before the itinerant justices, headed by the Lord Richard Gay, Bishop of Sarum, and Geoffrey Marmion, Lord of Chakyndene and Stoke Marmion (now Little Stoke). Geoffrey 'recognises that the half of the water of Thames between Cholsey (Causcia) and his demesnes are the right and domain of the Abbot, saving that Geoffrey and his heirs are to have their weir (*gurgitem suum*), mills, islands, improvements, etc., for their part, provided that they shall not be to the injury of the Abbot and his men. Similarly, the rights of the Abbot and his men are saved, over their mills, islands, waters, fisheries, improvements, etc., in the waters aforesaid. Each party is to have

their own "bucks" and other engines in their part of the water for catching fish (*Burrocas suas et alia ingenia ad capiendos pisces*), and when there is fishing by net and by boat (*per rete et batellum*) whatever is caught in mid-stream shall be divided equally between the parties. Each party shall study the advantage and benefit of the other (*profectui et indemnitati alterius*) in the aforesaid waters, and will do nothing to injure them.' A straightforward and gentlemanly settlement, conceived in a thoroughly good spirit. Cholsey was one of the original grants by Henry I. to the Abbey at its foundation in 1121. The date of this convenio is fixed within ten years by the fact (1) that Bishop Richard Gay (generally known as Richard the Poor) was translated from Chichester to Sarum in 1217, and from Sarum to Durham in 1225, (2) Simon was Abbot of Reading 1213—1226.

The second document, although more than two centuries later (the date is 1446) is also of interest, and relates to the same water of Thames. Edmund Rede, armiger, Lord of the Manor of Chakydene, grants 'to John, by divine permission, Abbot of Reading, and the monastery of that place, his mill called Littlestok mill, and the water called Littlestokewater, with the fishery, the islands, weirs, pools and the ditches on the south side of the road called le Millewey, leading to the mill aforesaid, at an annual rent of 40s. lawful money of England. If the aforesaid rent is in arrear, in part or in whole, Edmund and his heirs have the right of entrance and distraint, and may drive off, carry away, and remove the animals distrained from the one county to the other. till such time as full satisfaction is given. Edmund, his heirs and assigns, and his tenants of Littlestoke, are given free access to the water near the mill with and for their sheep for washing, at all suitable and convenient times. The Abbot, etc., grant to Edmund and his tenants the right every year to have, mow and carry away, in a certain place called Seynt Petrus bedde in the water aforesaid, so much green stuff growing there (*tantum de viridi ibidem crescente*) as they consider suffices for strewing the church of Chakydene and their own houses, as many times soever (*toiciens et quociens*) as they please. The Abbot, etc., shall not, under colour of this agreement, fish or take birds or cut down trees in the meadow of Littlestoke, nor in the meadow called

Le Townmeadowe adjacent to the water aforesaid. They shall not raise the level of the water (non exaltabunt aquam) so that the meadow aforesaid shall be injured or damnified. If at any future time any individual having a right or title power of the property shall evict the Abbot, etc., from any part of the property, apart from any fraud, negligence, defect and malice of the Abbot, then a proportionate reduction shall be made in the annual rent of 40s.'

This Edmund Rede, husband of (1) Agnes Cottysmore and (2) Catherine Greene, was son of Edmund Rede, of Boarstall, and Cristina James, and grandson of John and Cecilia Rede, both of whom were buried in Checkendon Church. Cristina, in 1434, was granted one-fourth of the Manor of Checkendon and Stoke Marmion, with other property in Stoke Basset (North Stoke), Ipsden and Mongewell. Edmund, who was armiger when this deed was drawn up (1446) was created Knight of the Bath on the Coronation of Elizabeth Grey, Queen of Edward IV, 26th May, 1465.

The Abbots of Reading appear to have had fishing rights both up and down stream, *e.g.* at Windsor—compare *Etoniana*, p. 608 (1921). John Thorne was Abbot 1446-86.

A. H. COOKE.

#### BERKSHIRE DRAWINGS IN THE BRITISH MUSEUM.

In the British Museum in a portfolio of Berkshire drawings is a beautiful drawing of old Southcote House, outside Reading, which has just been pulled down, and of which recent generations have known only a small section. The drawing shows what the house was like when it was inhabited, with the iron gate in position that many will remember. There is also a drawing, made in 1822, of Calcot Park House, and another of the interior of the east drawing-room of that mansion.

G. P. C.

#### EARLY POTTERY FOUND AT FINCHAMPSTEAD.

Some workmen engaged in digging gravel at Finchampstead came across some pottery—alas all broken!—which was brought to Mr. Hautenville Cope, who forwarded it to Sir Arthur Smith-Woodward, the late keeper of the Geological Department, the Natural History Museum (British Museum),

South Kensington. Sir Arthur, who pronounced the 'find' to be 'very interesting,' forwarded the pieces of pottery to the Keeper of the British and Mediaeval Antiquities at the British Museum, who reported that 'the pieces representing the base and the neck of the vessels and also the smallest of the plain sherds are early British wares, probably of the first century B.C. The two larger fragments of plain ware might be of the same date, but we think it more likely that they belong to an earlier period, perhaps the end of the Bronze age.'