

The History of St Thomas' Charity

Barnham

&

The Location of the

Charity Lands

By Nicholas A. Wells

1991

A CHARITY IN SUFFOLK

The History of St.Thomas' Charity
in Barnham

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C.B. 1

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Abbreviations

B.St.E - Bury St.Edmunds Record
Office

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Introduction

This is an article about the history and location of St.Thomas' Charity in Barnham. The basic definition of this Charity goes something like this;

Each year, on the Feast Day of St.Thomas,
The Duke of Grafton and the Rector of Barnham
were to pay a rent for pieces of land they
leased from the village community. In 1757
this stood at 40s and 10s respectively. The
money was then to be distributed to the poorest
villagers in Barnham.

In the following pages I hope to clarify and explain the many foggy points which mine the field of a history of the Charity (mixed metaphors aside). But it must be remembered that research into Barnham as a whole is only beginning, and some of the arguments expressed herein may be modified or completely changed as more work is done - in other words, I may be wrong. And as such, I would welcome comments from anybody with ideas for further research etc.

By the way, the Feast Day of St.Thomas is the 21st of December.

PART I

History to 1737

NOTE

In all the documents relating to this part (Appendices I-V) the term "St.Thomas' Charity" is never mentioned. However, I have used it quite liberally throughout. This is because of its conveniency (also being the modern term) and the fact that it descends from these original documents by way of a payment of rent, destined for the poor of Barnham, on the Feast Day of St.Thomas - hence St.Thomas' Charity.

The early stages of the history of St.Thomas' Charity are difficult to trace, and seem to stem from several origins. So far, two definite sources have been identified, while another, the earliest in date, may or may not be associated with the Charity.

The first, and by no means certain piece of evidence comes from the Will of William Furmage, dated the 4th May 1599 ^①. In it his executors, John Shere and James Bland, were directed to use a sum of £10 for the benefit of "the poore of Barnham". The money was to be paid on the Feast Day of St.Thomas; the link that connects it with the Charity.

The Will of Edmund Davy, dated the 29th January 1600 ^② (Appendix I) provides the first solid evidence we have. Not only does he leave £5 for the twenty poorest inhabitants of the village, but also

".... ffourtye pounds [which] shall be employed by the hands of my executors [William Davy and James Kynne] upon a house being ffree holde which theye shall purchase within the towne of Barnehm^m within the terme of one wholle yere next ensuinge after the death of Agnes, my said sister" ^③

Seven or eight men "of most habilitye and credit" were to be elected

① B.St.E.IC 500/1/57/29

② The dating of this Will is slightly problematic as it gives a date of the 29th January 1600 but also states that it was made in "... the xliii yeare of the Reigne of Quene Elizabeth ..". This would put the date at the 29th January 1602 (her 43rd year ran from the 17th November 1601 to the 16th November 1602). However, mistakes like this are common, and it is most probable that the regnal year is incorrect as Edmund Davy would know the calendar year, while perhaps being vague about the regnal year.

③ B.St.E.IC 500/1/58/125 and Appendix I

as trustees of the property, and they were to

".... appointe and place one, twoe or mor of
the nexte kyndred of the saide Edmunde Davy,
soe many as the statute will permitt to dwell
in the same house" ④

The house would remain rent-free for the poorest of the Davy family
until twenty years had passed. Then,

".... the indwellers in the said house from that
tyme forth shall paye unto the said coffeefies
[i.e.the trustees] the yerely rent and pay-
ment of Thirtene shillings and fower pence of
lawfull money of England in everye yeare at
the ffeast of Saint Thomas the Apostle" ⑤

The trustees were then to distribute the rent money among

".... the poorest people inhabiting within the
Towne of Barnehm"" ⑥

Our last piece of evidence is a Deed, dated the 28th February 1659
(Appendix II). Although later in date than the two Wills, it provides
us with another source for the Charity, also dating to 1600, and several
points must be highlighted.

Firstly, the Deed provides us with a list of trustees (Fig 3(i)) for
three pieces of land (one of them a house) bought from William Blasye
in the 41st year of the reign of Queen Elizabeth I (17th November 1599
to 16th November 1600), together with their locations (Fig 1). These
trustees held the land for the

".... sole benefitt, behoose and comon profitt
of the Inhabitants of Barneham" ⑦

④ Ibid.

⑤ Ibid.

⑥ Ibid.

⑦ B.St.E. HA 513/30/436 + 437 and Appendix II

Secondly, the house bought with the legacy of Edmund Davy is mentioned, and the relevant part of the Will is recited. Additionally, we are told that a Robert Davy was living in the house; he was most probably the poorest member of the Davy family in 1659, being placed there (though paying rent) by the trustees. Unfortunately, as in the original Will, the location of the property is not given.

Thirdly, a new set of trustees were appointed (Fig 3 (ii)), and lastly a new clause was added whereby, if there were fewer than three trustees remaining in Barnham, then a new committee of seven or eight should be elected - in this way the Charity would be self-perpetuating.

This 1659 Deed provides us with the third piece of evidence for the Charity; that of the purchase of a property (whose rents went to the Charity) on the 17th May 1600. Unfortunately, of all the 600+ documents relating to Barnham in the Bury St. Edmunds Record Office, none refer to the purchase of land from a William Blasye in 1600 (or indeed at any time). So, it seems that our only clue as to its contents lie in this 1659 Deed.

In summary, there are (so far) three possible sources for St. Thomas' Charity;

- (i) The Will of William Furnage, dated the 4th May 1599.
- (ii) The Will of Edmund Davy, dated the 29th January 1600.
- + (iii) A purchase of land dated the 17th May 1600 mentioned in a Deed dated the 28th February 1659.

I think it is possible to discount (i) for two reasons. We know the history of Edmund Davy's Legacy, so the two Wills cannot be connected. And, judging from contemporary land values in and around Barnham, the £10 donated would not have been enough to buy $3\frac{1}{8}$ acres and a house. (Fig 1). So, unless William Furnage's legacy was used to buy land, which had then disappeared by 1659, we can certainly say that (i) has nothing to do with the Charity, except having a similar 'pay-day'.

A crucial unanswered question lies in the origins of (iii). It is possible, though not certain that, like (ii) the lands mentioned in the Deed may have been provided for in some unidentified benefactor's Will, dating to before the 17th May 1600 when the areas of land were bought. This view is reinforced by similarities between (ii) and (iii); for instance the fact that trustees were nominated to look after the interests of both units of land. Indeed, the 1659 Deed specifically differentiates them, suggesting two similar, but separate origins. The fact that the trustees for (iii) are five in number (Fig 3(i)) while (ii) specifies that seven or eight trustees were to be chosen highlights this. Considering that the 1659 Deed names eight new trustees (Fig 3(ii)) it seems likely that it must be seen as a rationalisation of the Charity, unifying two branches which had identical purposes.

It may not be stretching the facts too far to suggest the existence of a movement among the richer members of the Barnham community, around 1600, desiring to provide for the poorest of the villagers. Certainly the closeness of the dates of (ii) and (iii) make this a very likely argument.

On the back of the 1659 Deed, in a different hand, is a list of new trustees, dated the 4th August 1682 (Appendix II & Fig 3(iii)). Yet another Deed, dated the 12th October 1682 (Appendix III) - just two months later - gives another list of trustees, three of whom are the same as in the August list (Fig 3(iv)). The circumstances surrounding this strange sequence of events is worth looking into.

At the end of the August 1682 list is the revealing phrase "for the time being". Given this, and the fact that a legal document was drawn up very soon after, transferring trusteeship from the survivors of the 1659 Deed suggests that the list is merely temporary - until a legitimate exchange could be made. But why the urgency? What events would necessitate the setting up of temporary trustees for only two months?

The answer may lie in the Bishops Transcripts - Ecclesiastical

copies of the Parish Registers sent each year to the Archdeaconry headquarters (Sudbury in Barnham's case). From 1681 to 1684 the percentage death rate (compared to the other records - baptisms and marriages - in the Bishops Transcripts) is consistently higher than either before or after, reaching a peak of 83% (Fig 4). This would suggest that Barnham was hit by some disease or famine, increasing the death rate almost twofold. In 1674, we know that Cambridge was hit by an early outbreak of the Smallpox, rising to an epidemic, and in 1681 the same hit Norwich. It seems most probable that it was this Smallpox epidemic that hit Barnham in the years between 1681 and 1684.

But other conditions were causing similar problems. John Evelyn (1620-1700) wrote about the 12th June 1681 in his diary;

"There still continues such a drought as has hardly ever been known in England." ⑨

and for the 2nd July 1684;

"An excessive hot and dry spring and such a drought continues as is not in my memory." ⑩

Diseases, particularly the plague and tuberculosis, are at their most deadly in hot weather, and the susceptibility of the poorer people would be increased by low standards of living and malnutrition - tuberculosis being the main culprit.

But how does this tie in with the Charity? We know that the increase in the death rate (Fig 4) was most probably a result of a Smallpox outbreak in Barnham, perhaps aggravated by the unusually hot and dry spring and summers. However, even if all the trustees had died or left the area (we know two still remained in Barnham) why was a temporary set of trustees created only two months before a legal document was drawn up, which had four changes?

⑧ Melvyn-Howe G. "Man, Environment & Disease in Britain" (1972) p123ff.

⑨ Quoted in Melvyn-Howe (1972)

⑩ Ibid.

It is difficult to answer this question with the evidence that we have. But considering that it was deemed necessary to have trustees keeping the Charity going at all times, even appointing temporary ones for only a short time, it seems that the Charity was regarded as being of some importance to the village. Seeing as it owned two houses within the village and over 3 acres outside this is not surprising, and famine and disease brings its own share of hardship and poverty.

By the early 18th Century, in common with most of England, Barnham's landscape was changing. The expansive open fields were being enclosed - subdivided into more compact and less scattered form. Enclosure suited both landowner and farmer, and the majority landholder in Barnham at this time was Charles Fitzroy, 2nd Duke of Grafton. Due to the dispersed nature of the Charity lands (see PART II) the movement towards enclosure would inevitably force a change in them. Such a change happened in 1736.

In a Deed, dated the 21st December 1736 (Appendix IV), the only surviving trustee of the 1682 Deed leased all of the Charity land to the Duke of Grafton, and his successors, for 999 years. They were to pay a yearly rent of 40s. on each Feast Day of St. Thomas at the porch of St. Gregory's Church. This rent was then distributed to the poor of Barnham by the Rector, churchwardens and overseers of the poor, who became, in effect the trustees of the Charity (Fig 3(v)).

Such a shift - from trusteeship of the chief villagers to single ownership under the aegis of the church - is profound, and the reasons for this change must be looked into. The Deed states one of them, as the Duke of Grafton

".... proposes to make severall Alterations
and Improvements in the said Town of Barn-
ham by inclosing great part thereof" (11)

However, to recognise the other, we must look at the economy of Britain

(11) B.St.E. HA 513/30/439 & FL 524/11/1 and Appendix IV

as a whole in the previous decades.

The late 17th century was a period of economic readjustment, particularly in corn and wool production. Barnham, during the mediaeval period was the largest sheep rearing area in Suffolk, wheat being only a minor occupation. High prices for corn, favoured by good summers encouraged many farmers to change to corn, a change that would also have occurred in Barnham. However, the increase in supply of corn in turn brought down the price (although with fluctuations as a result of poor harvests). For farmers this caused much hardship and unemployment, the price of food causing most of the hardship. Barnham would have been greatly affected by this economic fluctuation.

One passage in the 1736 Deed highlights this;

".... it has upon a due consideration had of the yearly value of the said wasted tenements and lands been adjudged that to grant a long lease thereof would be of more service to the Inhabitants of the said Town of Barnham and to the poor thereof for the time being than to continue the same as ffeoffees especially considering the said houses are and for many years have been down and that the land may in time be lost" ⁽¹²⁾

Both houses were now "wasted" and the Charity land's rent value was so low that a lease was regarded as more beneficial. Indeed, in stating that the houses had been down " for many years" this extract suggests that the 1736 Deed was the direct result of the misfortunes of the 1680s. What is clear is that the Duke of Grafton provided a way of survival for the Charity, which was on the verge of dying out, while enabling him to enclose the fields in which the Charity land lay.

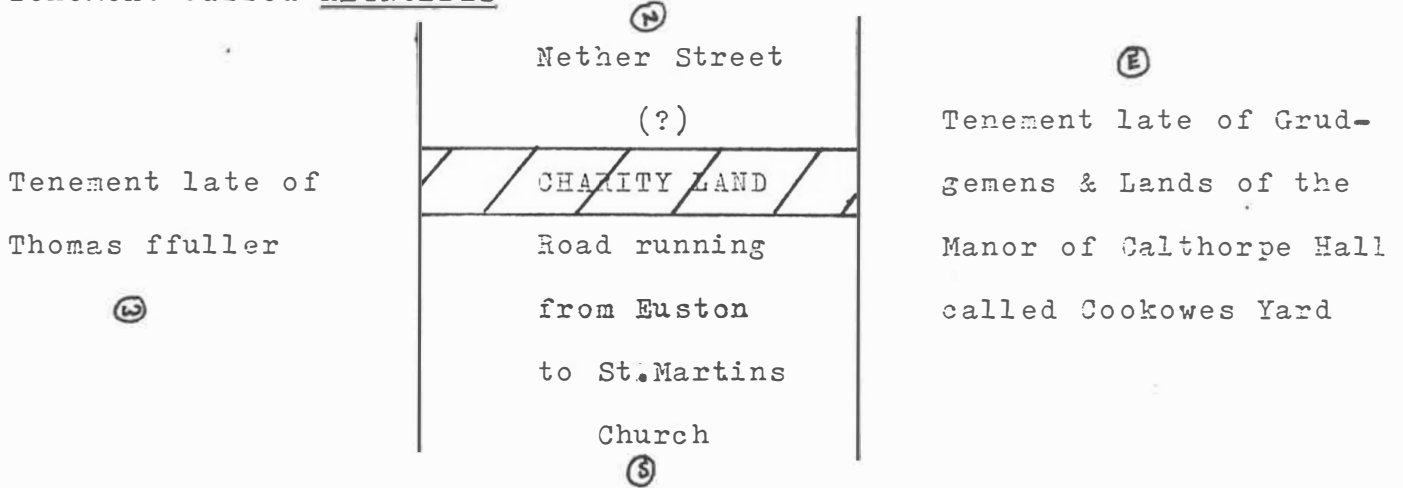
⁽¹²⁾ Ibid.

The final touches of the Charity's present form were added in a Deed, dated the 21st December 1737 (Appendix V). The Duke of Grafton leased 1 rood of land, a part of that which had been leased to him a year earlier, to the Rector of Barnham for 950 years. Arthur Kynnesman (the Rector until 1770) was to pay a yearly rent of 10s. on the Feast Day of St.Thomas at the porch of St.Gregorys Church. The churchwardens and the overseers of the poor were then to distribute the money to the needy in Barnham.

Fortunately, the Deed gives us the location of the leased land (Fig 2), filling in a noticeable gap in the historical record of the Charity. The reason for this lease is not too clear, but perhaps a clue lies in the probability of the land lying next to the Rectory House, the residence of Arthur Kynnesman (see PART II).

This concludes the first part of the history of St.Thomas' Charity. In its early history up to 1737 the Charity reflects the fortune of the village itself: from the legacies of rich men in a prospering community, through famine, disease and economic decline, and eventually to the reorganisation of the old land tenure system under the Dukes of Grafton. PART III will continue its history through to the present day, but first we must turn to the locations of the various components of the Charity.

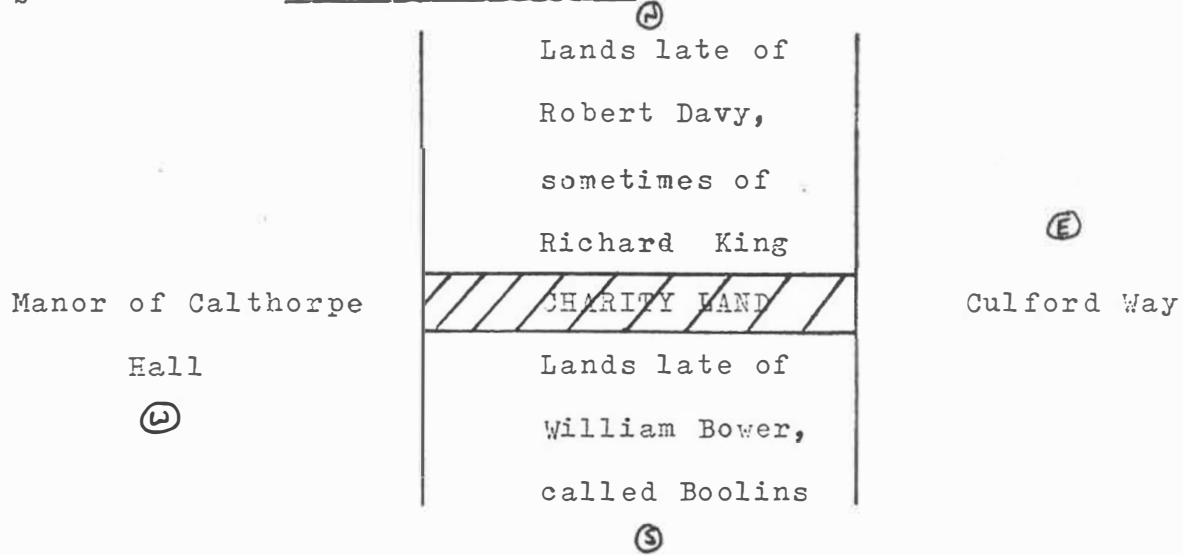
Tenement called REYNOLDES



3 Acres called BOOROWGH FFIELD



$\frac{1}{2}$ Rood called CRANDELL FFURLONGE



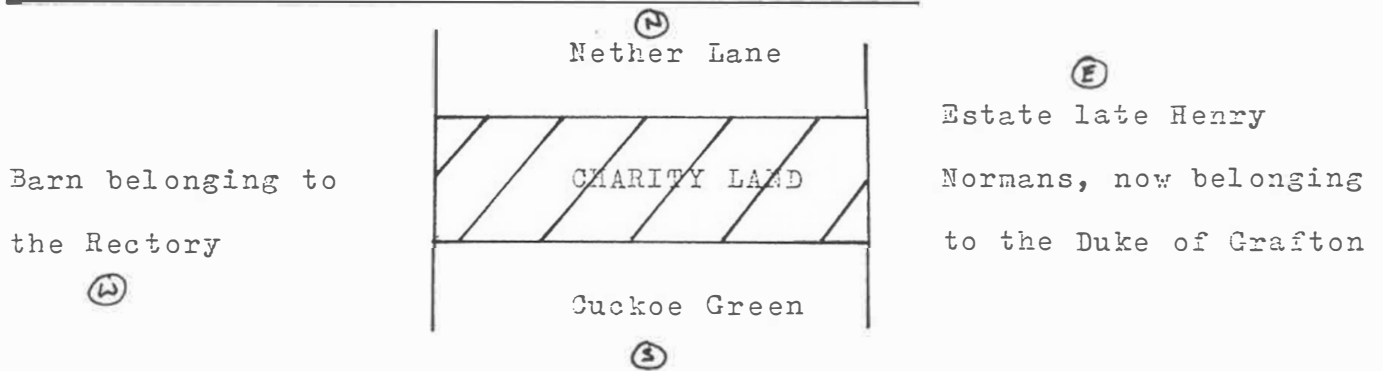
(Land Units in 1659)

FIG 1. Land Purchased in an Unknown Deed

Dated 17th May 1600

(B.St.E HA 513/30/436 and 437)

1 Rood of Land BELONGING TO THE POOR of Barnham



(Land Units in 1737)

FIG 2. Land Leased to the Rectors of Barnham

on 21st December 1737

(B.St.E. FL 524/11/2)

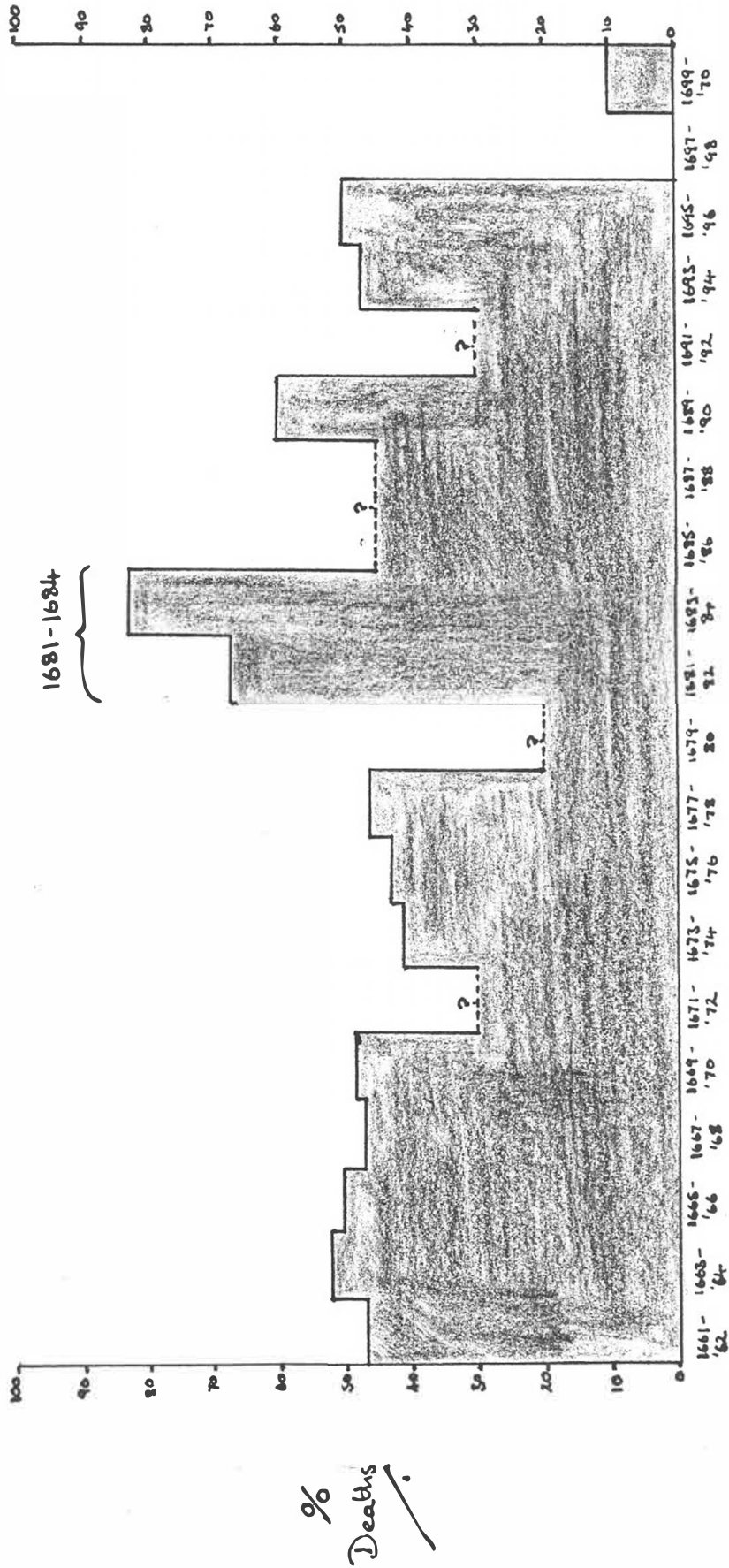
(i)	(ii)	(iii)	(iv)	(v)
17 th May 1600 (Urbanian)	28 th February 1659	(4 th August 1682)	12 th October 1682 →	21 st December 1736
John Bowser - son Richard Andrewes John Belgrave Robert Davy * William Davy - son	John Bowser = ? Chris. Harrison the Elder * John Bullock the Younger Matthew Davy Will. Davy the Younger * Edm. Bots the Younger Thomas Bots Robt. Bots the Younger	John Bowser John Cooke = Rich. Pauslet (Rector) Thomas Davy Robt. Davy the Elder Robt. Davy the Younger Willm. Hinsty the Elder Willm. Hinsty the Younger	* Thomas Coge John Cooke John Morley John Davy Isaac Davy Robert Davy William Hinsty †	Rector, Churchwardens + Overseen of the Poor 21 st December 1737 (as above)

* surviving trustees who exchanged to the next generation.
† replaced by John Kinsby between 1682 and 1736

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Trustees of St. Thomas' Charity

(R. St. E. HA S13/30/436+437, HA S13/30/438, HA S13/30/439
and FL S24/11/1 and 2)



Percentage Deaths in the Barnham Bishops Transcripts

(B.St.E. FAB 500/E14/3/28-32)

Fig. 4.

PART II

Locations of the Charity Lands

As has been related in PART I, St. Thomas' Charity can be divided into four parts ;

- (i) $\frac{1}{2}$ rood of land in "Crandell ffurlonge".
- (ii) 3 acres of land in "Bocrowgh ffiield".
- (iii) A tenement (basically a house and garden) called "Reynoldes".
- (iv) A tenement provided for by Edmund Davy.

The field and house names that we have date to 1659, and their location has been lost over the centuries. At the present state of research finding the whereabouts of (i) and (ii) can be little more than educated guesswork. However, there are some clues, and it is fairly certain that the placing of (iii) and (iv) are correct. On the whole it is possible to place the old Charity lands on the modern map, but only further research can bear out the conclusions expressed below.

At the beginning of the 17th Century the 'open field' was, and had been for many centuries, the most common type of field. These fields were huge, often hundreds of acres in extent, creating the effect of an endless, almost barren horizon of fields stretching in all directions. The 'strip' was the common unit of cultivation, varying in size depending upon the nature and lie of the land. A block of these strips, all running in the same direction, was known as a 'furlong'. Therefore the field - the largest unit of all - was made up of many furlongs of different sizes, which were in turn made up of hundreds of strips. ①

Our modern field pattern is the result of the enclosure of these open fields, whereby they were subdivided into smaller components by adding hedgerows and walls. So when we look at an Ordnance Survey map, somewhere among those field boundaries lie the limits of the mediaeval open fields. Many Estates or Parish Churches have what are called 'Enc-

① See Hoskins W.G. "The Making of the English Landscape" (1955)

losure Award Maps' which give valuable clues to the size, location and names of these old open fields. However, in Barnham's case we are unfortunate as no such map exists, ② and we have to rely on land boundaries given in such documents as Glebe Terriers (lists of Church lands) and private land deeds.

'Crandell ffurlong'

The Charity held $\frac{1}{2}$ a rood of land in Crandell Furlong, and the name itself suggests that this $\frac{1}{2}$ a rood was set in a block of strips - a furlong - itself in a field called 'Crandell'. Indeed, given its size, the Charity land here is probably one of the strips, being $\frac{1}{8}$ of an acre. In 1613 we know that St. Martins Church in Barnham owned 1 acre of land in 'Crandell hill' and that St. Gregorys owned $\frac{1}{2}$ an acre of land in 'Crandell ffurlong' ③. Both of these units are bounded on the east by 'Culford way' and on the west by 'Bibelsmer ffurlong' ④. Both churches owned land in 'Bibelsmer', and in both cases its eastern boundary lies on the fascinatingly named 'Crandell heaved' ⑤. This almost certainly establishes that a 'Crandell' field, and therefore a strip of land belonging to the Charity, lies between 'Bibelsmer' and the trackway leading

② This may not be the case. Mr. David Heading of East Farm was in possession of a map dating back to the 18th Century and it was lent to the Euston Estate who have since lost it. An abstract of Deeds relating to various properties in Barnham, dating to sometime in the 19th Century (B. St. E. FL 524/3/) mentions a 'Parkers Map 1767', and the information that is given suggests that this is the Enclosure Award Map. Therefore there is the possibility the map lost by Euston Estate is in fact the Enclosure Map.

③ From the 1613 Terrier; B. St. E. E14/4/1 Barnham St. Gregory & St. Martin.

④ Ibid.

⑤ Ibid.

to Culford.

The earliest extant map of Barnham is a Tithe Map, dating to 1836/1837 ^⑥. It is a beautiful piece of cartography giving all the field names and acreage of land in the parish, together with the landowners, tillers and the amount of tithe to be payed. It is important to us in this context because several fieldnames coincide with those in the 1613 Glebe Terrier, and therefore help us to identify the Charity land.

Figure 5 shows the relevant fieldnames and boundaries in the Tithe Map. 'Cranhill' is most probably a contraction of the earlier 'Crandell hill', there certainly can be no coincidence that the name only occurs to the south where the land begins to rise. 'Biblesmere Close' - the mediaeval 'Bibelsmer' - lies to the west. To the north lay the mediaeval open field of 'Stanwell'; the 1613 Terrier mentions a 'Stanwell hill' bounded on the west by 'Bibelsmer ffurlong' and on the east by 'culford way' and 'crandell way' - most probably one and the same thing. ^⑦ Unfortunately no similarities occur between 'Stanwell' and any field names in the Tithe map.

The location of 'Culford way' poses some problems. There are two possibilities; either the present-day main road to Bury St. Edmunds is 'Culford way' (as Culford lies on this route, although slightly to the west of the main road), or the mediaeval trackway lay somewhere in the middle of Fig. 5 and is now lost. We can discount the former theory as the 1613 Terrier distinguishes a separate trackway called 'Bury way' lying on the eastern boundary of St. Martins Glebeland in 'Lampitt ffurlong' ^⑧.

So it seems that there was a 'Crandell way' lying right in the middle of the 'Crandell' mediaeval open field. Again, a clue to its location

⑥ B. St. E. T99/1 & 2.

⑦ B. St. E. E14/4/1 Barnham St. Gregory & St. Martin.

⑧ Ibid.

Location of "Crandell" Fields

based on the 1837 Tithe Map

(B. St. E. 299/1+2)

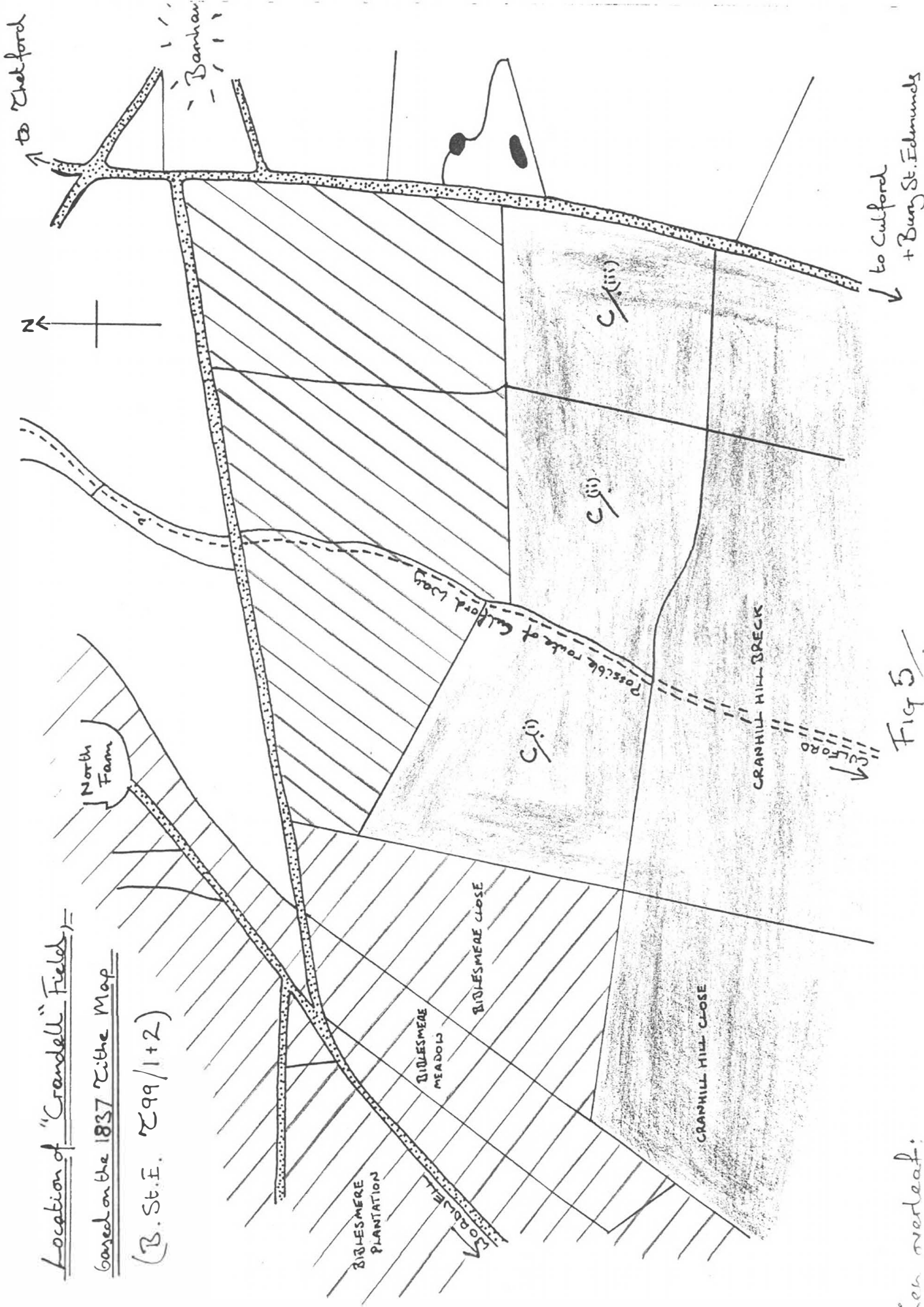







Fig 5

Ken overleaf

Key to Fig 5

-  - Hypothetical Crandell open field
-  - Hypothetical Biblesmer open field
-  - Hypothetical Stanwell open field
-  - 1837 Field Boundaries.
- BIBLESMERE CLOSE** - 1837 Field Names
-  - 1837 Tracks

lies in the Tithe Map. A trackway leads north from the direction of Culford, and joins the Dukes Ride just below 'Cranhill Hill Breck'. In Fig.5 the possible Charity land areas are denoted by C/. The boundary between C/(i) and C/(ii) is irregular compared to most other field boundaries in the map, and if the line is continued northwards it continues to be irregular. ^⑨ Therefore it is very possible that it represents the line of the old trackway called either 'Crandell way' or 'Culford way', preserved in the modern field boundary.

If this hypothesis is correct, then the location of $\frac{1}{2}$ a rood of the Charity land lies somewhere in the area marked C/(i) in Fig.5

'Boorowgh field'

'Boorowgh field' or 'Burrough Field', as it is called in the 1682 and 1736 Deeds (Appendices III & IV), is more difficult to locate. The only similar field-name in the 1613 Terrier is 'Borowefield on Worsted thorne ffurlonge' ^⑩. This has an eastern boundary lying on 'Wordwell way', which is also true of land held by St.Gregorys church in 'Wosted-thorne ffurlonge' ^⑪. We know that the northern boundary of 'Boorowgh field' lay on 'Booroughway' - another trackway - so, if we accept that the 1613 'Borowefield' is the 1659 'Boorowgh field' then we have two fixed points to work on; 'Booroughway' lying to the north of 3 acres of Charity land, and 'Wordwell way' lying to the east.

If 'Boorowgh field' is 'Borowefield', then it seems likely that 'Booroughway' is the same as the 1613 'Borow way'. If so, then we know that a field called 'Haxershill' lay to the north of 'Borowefield' in 1613, ^⑫ and that to the north of this lay a trackway called 'Rydgeway'.

⑨ B.St.E. T99/1

⑩ B.St.E. E14/4/1 Barnham St.Gregory and St.Martin.

⑪ Ibid.

⑫ Ibid.

Following on from this, a 'Rydgeway ffurlonge' lies to the north of 'Borow way'. To the south of 'Borow way' lay 'littell how ffurlonge', but to the west or east of 'Borowefield' we do not know ⁽¹³⁾.

The only certainty in all this is the location of 'Wordwell way'. The Tithe map shows a trackway leading from the North Farm area south-west to the parish of Wordwell. ⁽¹⁴⁾ It still exists in the 1st Edition 6" Ordnance Survey map of 1890/1 and can even be traced on the modern 1:250000 Ordnance Survey map ⁽¹⁵⁾. Therefore, if 'Borowefield' is 'Boorough field' and 'Borow way' is 'Boorough way' then 3 acres of Charity land lie to the west of this ancient, but still preserved trackway.

'Rydgeway' is a common name all over England, usually denoting a trackway running along the ridge or crest of a slope. If we are to take this meaning for the 'Rydgeway' mentioned in the 1613 Terrier then we must look for a ridge running east-west to the west of 'Wordwell way'. Figure 6 shows that the 'Rydgeway' could only exist along the spur running west from present day Triangle Plantation along the trackway called Mildenhall Road Slip. Indeed, the 17th Century 'Rydgeway' may be preserved in this modern track.

South of 'Rydgeway' lay the field of 'Hakershill' which in turn had its southern boundary on 'Borow way'. If, as is evident from the above, most of the modern trackways are preservations of mediaeval equivalents, then it is reasonable to argue that the modern Dukes Ride, which is the next east-west trackway to the south, is the mediaeval 'Borow way'. We cannot be certain about this, but it is interesting to note that at the point where the Dukes Ride meets the traditional route of the Ickniel Way is a place called Barrow's Corner, and nearby, to the east along the line of the Dukes Ride is a place called Barrow's Corner Clump (See

⁽¹³⁾ Ibid.

⁽¹⁴⁾ B.St.E. T99/1.

⁽¹⁵⁾ O.S 144

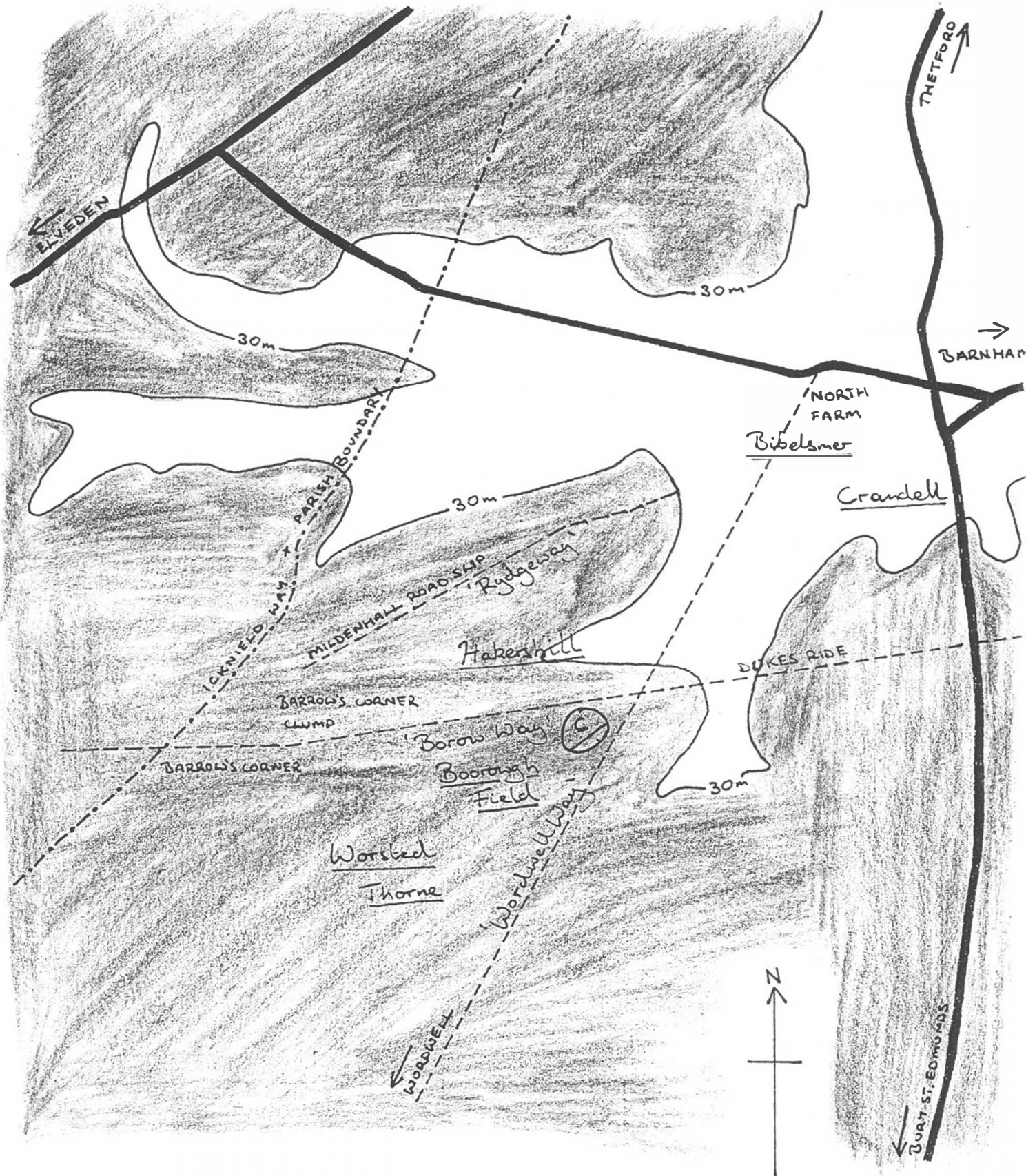


Fig 6. Location of 'Borough Field'

Key Overleaf:

Key to Fig 6



- Modern roads

BARNHAM

- Modern names

Crandell

- Mediaeval open fields

'Borrow Way'

- Mediaeval trackways



- Land above 30 metres

Fig 6). 'Borow' may be a form of the word 'barrow' and so would make the identification of the Dukes Ride with 'Borow way' almost certain.

So, by following the above argument, we can place 'Boorowgh field', and therefore 3 acres of Charity land at the south-eastern point of the intersection between 'Burrough way' and 'Wordwell way' - ~~C~~ on Figure 6.

'Reynoldes'

The identification of the tenement named 'Reynoldes' is made easier by the fact that the 1659 Deed states that it lies

".... in the Streete there called nether
streete" ⁽¹⁶⁾

and we know that the modern Water Lane was called, prior to the 20th Century, 'Nether Street' ⁽¹⁷⁾ (See Fig.8). Unfortunately, the Deed does not say whether the tenement lay to the north or south of the street, complicating matters somewhat. But what it does say is that the southern boundary was the road running from Euston to St.Martins church ⁽¹⁸⁾. This would seem to imply that 'Nether streete' lay to the north of 'Reynoldes'. However, there is evidence against this assumption.

Five Deeds all relating to the same property, dating from 1725 to 1738 ⁽¹⁹⁾, give a northern boundary of 'the lane leading to Eustone' while the western and southern boundaries were the parsonage house and its lands. We know the site of the parsonage house at this time ⁽²⁰⁾ and

⁽¹⁶⁾ B.St.E. HA 513/30/436 & 7 and Appendix II.

⁽¹⁷⁾ From a map in a bundle of documents relating to the transfer of properties between the Duke of Grafton and James Devereux Hustler, Rector of Barnham, in 1830/1. See B.St.E. FE 500/3/Barnham/1 and Figure 8.

⁽¹⁸⁾ B.St.E. HA 513/30/436 & 7 and Appendix II.

⁽¹⁹⁾ B.St.E. FL 524/3/12.

⁽²⁰⁾ B.St.E. FE 500/3/Barnham/1 and Fig 8.

its northern boundary is 'Nether Street' (Fig 8). Therefore, as the parsonage house is adjacent to this piece of land along the east-west line, they must have a common northern boundary. So 'Nether Street' is also 'the lane leading to Eustone', and following from this it seems certain that the southern boundary of 'Reynoldes' is actually 'Nether Street' - today's Water Lane, and that the 1659 Deed merely repeats itself rather than differentiates between 'Nether streete' and the road running from Euston to St.Martins church.

Today, Water Lane extends only as far as the level of the Sewage Works. But all the evidence that we have so far, together with local sources, indicate that Water Lane, the mediaeval 'Nether streete' did not terminate there, but continued eastwards running towards Euston. Figure 7 shows this and, as we have seen in 'Brandell ffurlong' and 'Boorowgh field' above, the modern field boundaries often preserve the mediaeval trackway. We know that up to c.1450 the village extended northwards as far as the river, and eastwards as far as Copper Beeches, and that there were houses along this line up to the 18th Century. Indeed, if you look carefully, you can make out the rectangular tenement boundaries evident in very slight banks and ditches. These can be found all over the fields immediately to the east of the village.

It seems that this trackway was in use well into the 19th Century. The 1801 and 1854 Glebe Terriers mention the southern boundary of 40 acres of land called 'Severals' as being the road from Barnham to Euston (21). This cannot be the present main road as the Tithe map of 1837 shows the southern boundary of this field somewhat north of this road (22) (Fig 7). Indeed, it seems that in the mediaeval period 'Nether Street' was the 'main road' running through Barnham!

This does not help us that much in finding 'Reynoldes' as there may

(21) B.St.E. FL 524/3/7 & 8.

(22) B.St.E. T99/1

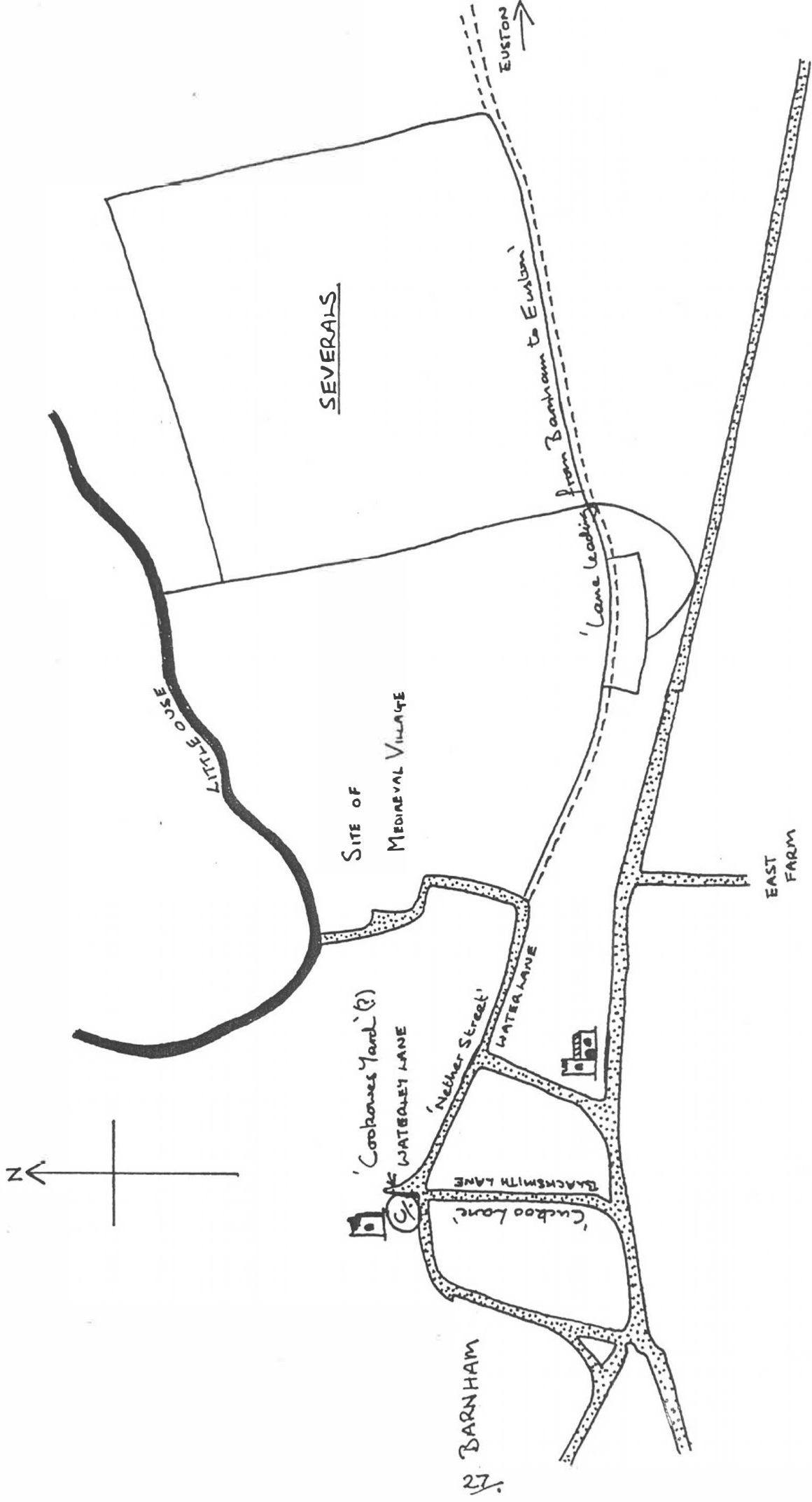


Fig 7. Location of 'Reynolds', based on
 the 1837 Tithe Map
 (B.St.E. T 99/1+2)

Key to Fig 7



- 1837 Field Boundaries



- 1837 Roads

SEVERALS

- Modern Names

'Nether Street'

- Mediaeval Names

have been many houses along 'Nether streete' around 1600. However, we know that to the east lay

".... lands of the Manor of Calthorpe hall
called Cookowes Yard" (23)

Again the 1831 Exchange map helps us here as it shows that what is now called Blacksmith Lane was then called 'Cuckoo Lane' (24). The house cannot be actually on 'Cuckoo Lane' as we know that 'Reynoldes' lies to the north of 'Nether streete' - the other side of the road. But it must be near, and there is the possibility that what is 'Waterley Lane' in Figure 8 may have been 'Cookowes Yard' as it lies opposite the junction between 'Nether Street' and 'Cuckoo Lane'.

This is, of course, merely hypothetical. But if one follows the above arguments then the tenement called 'Reynoldes' lies where the Tower Cottages now stand - C on Figure 7.

Edmund Davy's Legacy

Finally we have the tenement provided for by the Will of Edmund Davy (25). We are not given its boundaries until 1737 (26) and there is the possibility that this strip of land is the derelict 'Reynoldes' site. There are similarities between the two descriptions of boundaries (cf. Figs 1 & 2), but it has been argued above that 'Nether Street' lay to the south of 'Reynoldes', and we shall see that Edmund Davy's legacy lay to the south of 'Nether Lane' (27).

In fact, this the only piece of Charity land we can place with any degree of certainty. From Figure 8 we know where 'Nether Lane' and

(23) B.St.E. HA 513/30/436 & 7 and Appendix II.

(24) B.St.E. FE 500/3/Barnham/1 and Fig 8.

(25) B.St.E. IC 500/1/58/125 and Appendix I.

(26) B.St.E. FL 524/11/2 and Appendix V.

(27) Ibid.

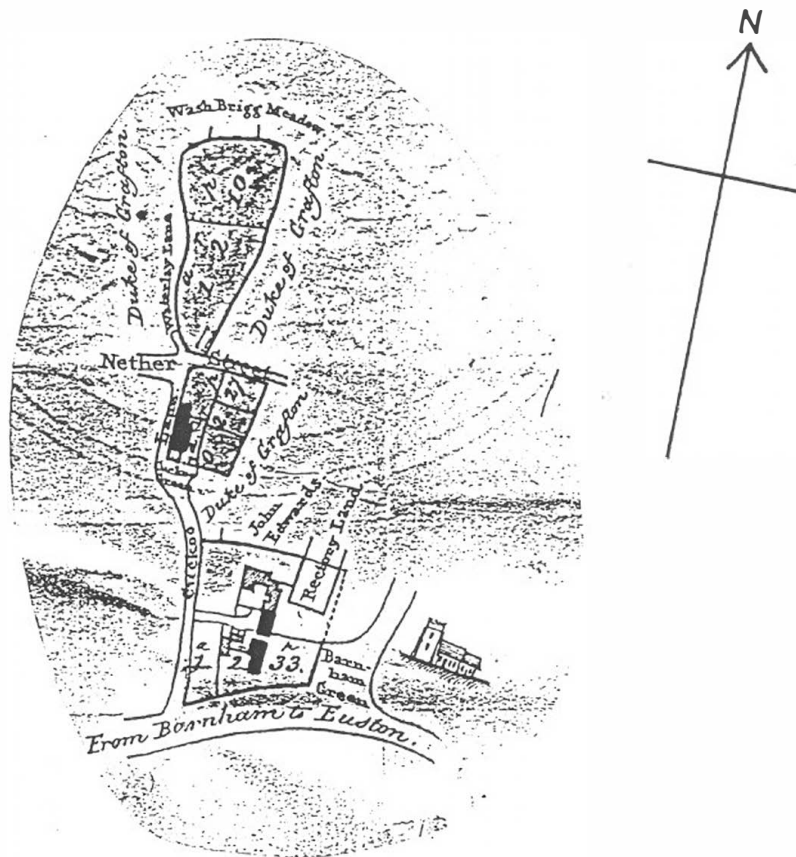


Fig 8

Map from a Deed of Exchange
Between George Henry, Duke of Grafton &
James Devereux Hustler, Rector of Barn-
ham, Dated the 30th July 1831.

(B. St. E. FE- 500/3/Barnham/1)

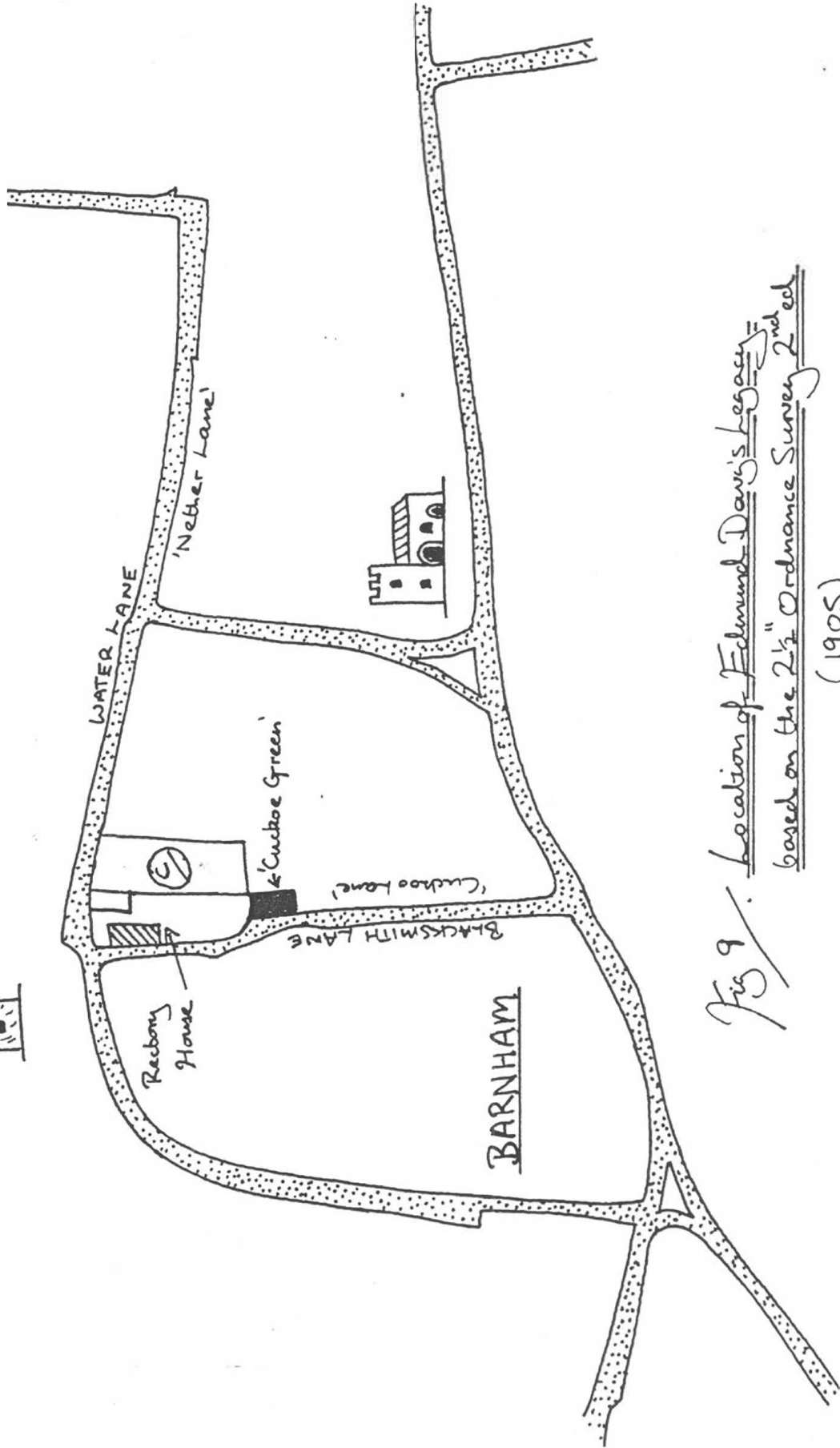
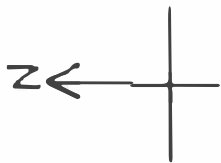


Fig 9. Location of Edmund Davy's legacy
based on the 2 1/2" Ordnance Survey 2nd ed
(1905)

Key to Fig 9



-

Modern roads



-

Tenement boundary

WATERLANE

-

Modern names

'Cuckoo Lane'

-

18th Century names

'Cuckoe Green' - the northern and southern boundaries respectively - are, while to the west lay

".... the Barn belonging to the Rectory
of Barnham" (28)

Of course, from Figure 8 we know where the Rectory was too, and from the 1801 Glebe Terrier we know that the Parsonage House of St. Gregory had its eastern boundary on

".... the Ground belonging to the Town
of Barnham" (29)

and that this Parsonage House also included a yard, a garden, a stable and a barn, this latter must be the one referred to in the 1737 Deed (30).

Therefore, for once, finding the location of this Charity land is relatively straightforward and can be seen marked C on Figure 9. However, as is apparent from a comparison with Figure 8, this location is exactly the same as part of that land exchanged between the Duke of Grafton and the Rector of Barnham in 1831 (31). The reason for this will be discussed in the next part - PART III - which looks at the history of the Charity from 1737 to the present day.

(28) Ibid.

(29) B. St. E. FL 524/3/7.

(30) B. St. E. FL 524/11/2 and Appendix V.

(31) B. St. E. FE 500/3/Barnham/1 and Fig 8.

PART III

History from 1737 to the Present Day

Between 1737 and 1770 the landscape of Barnham was irrevocably altered. The Dukes of Grafton, in enclosing the old expansive mediaeval open fields, created an entirely different field pattern - the one familiar to us today. So, whereas a farmer in 1600 would hold land scattered about the parish - one strip in one field, maybe four strips in another, after enclosure all his land would be in one field, bounded on all sides by hedgerows and situated near, or at least on a route to, his farmstead. The enclosure movement was a rationalisation of the old land tenure system.

As has been shown in PART II part of the Charity land - $\frac{1}{2}$ a rood in 'Crandell ffurlong' and 3 acres in 'Boorowgh field' - was dispersed in the western half of the parish. Any enclosure of the open fields containing them would have to take account of their presence. We know from the Duke's own words that

".... his said Grace of Grafton is now become owner of all and every the Mannors, Messuages, Lands, Tenements and heredicaments in the said parish of Barnham" ①

So in order to be able to enclose these fields he would have to purchase them from their trustees. This he clearly could not do as the land belonged to the Barnham community, and so, as the 1736 Deed indicates, he took a long lease on the land ②, paying a yearly rent of 40s, thus enabling him to enclose the respective fields.

By 1736 both tenements - 'Reynoldes' and Edmund Davy's legacy - were 'wasted' ③, that is derelict or ruined. In this condition they were of little value to the Charity as a significant proportion of the total Charity money must have come from the leasing out of these properties -

① B.St.E. HA 513/30/439 & FL 524/11/1 and Appendix IV.

② Ibid.

③ Ibid.

we know that 13s 4d was the stated rent of one of the houses in 1600 ^④ and 'Reynoldes' would have had a similar value. The two combined account for almost $\frac{3}{4}$ of the total value of the Charity land, expressed in 1736, of 40s. Without buildings on the land, their rent value would drop significantly. The Duke of Grafton's leasing of these two areas would enable him to develop them, much as is happening today in Barnham. Certainly there was a house on the site of 'Reynoldes' by 1837 ^⑤ and the development of Edmund Davy's legacy was postponed until recent times by the sub-leasing of that land to the Rectors of Barnham ^⑥.

The Duke's interest in the Charity lands may also be purely charitable in nature, rather than entrepreneurial. As has been shown in PART I (pp 6.- 9) Barnham was going through a series of crises during the late 17th and early 18th Centuries. Land values had tumbled and the Charity land itself was, as has been suggested above, in decline. The long-lease of the Charity lands by the Duke of Grafton can be seen as an act of benefaction, providing a steady income for the Charity. This can be seen again in the fact that in 1737, although he sub-leased part of the land to the Rectors of Barnham, the rent (10s) also went to the Charity, not to the Duke ^⑦.

Before 1736 the Charity had been administered by the leading citizens of the village and they were, with only one exception, purely secular in occupation (although one or two may have been churchwardens). The exception was Richard Pawlett in 1682 ^⑧ (Fig 3(iii)) who was Rector of Barnham from 1663 to 1708. However he was only one of the temporary trustees, and is not mentioned as one in the 1682 Deed ^⑨ except as a witness. However, in 1736 the trusteeship was effectively transferred

④ B.St.E. IC 500/1/58/125 and Appendix I.

⑤ B.St.E. T99/1 & 2.

⑥ B.St.E. Fl 524/11/2. ⑦ Ibid.

⑧ B.St.E. HA 513/30/436 & 7 and Appendix II.

⑨ B.St.E. HA 513/30/438 and Appendix III.

to the church - the Rector, churchwardens and overseers of the poor (Fig 3(v)).

Throughout the rest of the 18th Century there is no mention of the Charity ⁽¹⁰⁾, except for a Deed dated the 28th September 1738, between Henry Cocksedge and Arthur Kynnesman, the Rector of Barnham ⁽¹¹⁾. It mentions

".... a piece of Land belonging to the Towne
of Barnham" ⁽¹²⁾

which formed the eastern boundary of land being leased for a year to the Rector. This is interesting as we have already seen Arthur Kynnesman rent that part of the Charity land from the Duke of Grafton in 1737 ⁽¹³⁾. The land referred to in this deed lay between the Charity land (Edmund Davy's legacy) and the Parsonage House and, for reasons we do not know, the Rector was clearly renting the land most immediate to the Parsonage House. The fact that he was renting this piece of Charity land explains why it was not built upon until relatively recently, but also it helps to show how it became 'lost'.

By renting it, the Charity land came to be regarded as Church land, and when the site of the parsonage house and some other glebe land was being exchanged for the site of the present parsonage house in 1831 ⁽¹⁴⁾ the Charity land became mixed up with the Church land. This becomes evident when we look at the 1801 Glebe Terrier ⁽¹⁵⁾. It states that the total amount of land in which the Parsonage house is set comes to one rood. However, from Figure 8 we see that the land in which it is set

⁽¹⁰⁾ At the present state of research.

⁽¹¹⁾ B.St.E. FL 524/3/12.

⁽¹²⁾ Ibid.

⁽¹³⁾ B.St.E. FL 524/11/2 and Appendix V.

⁽¹⁴⁾ B.St.E. FE 500/3/Barnham/1 and Fig 8.

⁽¹⁵⁾ B.St.E. FL 524/3/7

amounts to two roods twenty-seven perches. Clearly the church has gained an extra rood somewhere along the line. Where it came from is apparent when we look at the 1737 Deed which says that the Charity land contains

".... by estimation one rood" ⁽¹⁶⁾

of land. From this it is obvious that this part of the Charity land was included, by accident or design - we do not know - in the 1831 Exchange.

Considering that it was the churchwardens' duty to administer the Charity, a useful source for a history would be the Churchwardens' Account Books. We are fortunate in having two account books running from 1754 to the 1890s, but we are unfortunate in that they contain no reference to the Charity. ⁽¹⁷⁾ However, in the first book, running from 1754 to 1827 is a slip of paper entitled 'Poor' which gives a list of all the poor in Barnham, together with the numbers in their families. This is interesting as an indicator of the numbers of poor in Barnham - whether they were the majority or minority we cannot yet be sure, but, allowing for possible repetitions there are 112 people regarded as poor: the population of Barnham in 1801 was 303 (by 1841 the population had rased to 411 souls !) - apparently $\frac{1}{3}$ of the population of Barnham were 'poor'. The document is reproduced in Figure 10, but its dating is unsure. Handwriting comparison puts it to the last two decades of the 18th Century, but we cannot be more specific than that.

The next mention of the Charity is in 1844 ⁽¹⁸⁾ and provides us with another line enquiry, referring to returns made to Parliament in 1776. These returns have not been examined yet, and so their usefulness is not certain. In 1895 there are two references to the Charity. The first gives a total acreage of Charity lands and states that the income at

⁽¹⁶⁾ B.St.E. FL 524/11/2 and Appendix V.

⁽¹⁷⁾ B.St.E. FL 524/5/1 & 2.

⁽¹⁸⁾ Page.A."Supplement to the Suffolk Traveller" (1844) page 766.

5	Wm Clarke	3	Saml Catchpole	Tho Bannock
8	Tho Gant	1	Peachey	Wm Syer Senr.
5	John Gibbs	3	Ted Banham Jnr.	Wm Symonds
4	James Catchpole	1	Wm Belsham	Ed Goddard
3	Wm Syer Jnr.	3	John Nunn	Robt Mulley Senr.
5	John Prick	2	Tho Gant	John Bafs (?)
	John Mulley	2	Wm Leech	
3	Tho Naylor		Tho Baker	Widdow Thurston
5	Edmund Davy		Ted Banham Sen.	Prick
	James Belsham			Gould
6	Saml Wite		John Steward	Belsham
2	Jacob Olley		John Beck (?)	Munn
4	Tho Gould		Ed Dedman	Nalls (?)
4	Rob Minns		Robt Leech	Borley
3	Ned Gibbs		John Barnok (?)	Clarke
4	Briggo (?)		Wm Bind	Mary Olley
2	John Symonds		James Gant	
2	John Belsham		David Prick	Old Men 3
			John Catchpole	Man and Wife 4.4.2
			Wm Steward	
			Robt Borley	
			Robt Mulley Jnr.	
			Wm Speelman	

No Families

Fig 10 List of the 'Poor' of Barnham, from the Churchwarden's
Account Book, 1754-1827.

(B.St.E. FL 524/5/1)

the time was £2 10s -d ⁽¹⁹⁾. The second reiterates the basic description of the Charity while saying

".... the validity of the demises appears questionable, as amounting to an absolute alienation; considering, however, the smallness of the property, and other circumstances, it does not appear to us expedient to recommend the adoption of proceedings for setting aside the leases" ⁽²⁰⁾

It then suggests that the Duke of Grafton should pay £4/year rather than the 40s due to

".... the increased value of real property since the date of the lease" ⁽²¹⁾

The rent payed by the Rector, it concludes, still reflected the value of the land.

How did the Charity lands become lost if they were being referred to in official documents at the end of the last century? It seems that the locations of the lands were already vague at the beginning of the 19th Century, and considering that they were part of a mediaeval landscape which had long since disappeared, this is not surprising. What seems to be the case is that people knew that there were these lands, for which a rent had to be payed on the Feast Day of St. Thomas, and that they were somewhere in the parish. The documents gave it legal backing, and it did not matter where the lands were, just so long as the rent was payed. Indeed, St. Thomas' Charity has more of a feel of custom rather than law.

⁽¹⁹⁾ "An Account of the Endowed Charities in West Suffolk" (1895) p15.

⁽²⁰⁾ "Further Reports of the Commissioners for Enquiring Concerning Charities" Vol XXII (1895) p122.

⁽²¹⁾ Ibid.

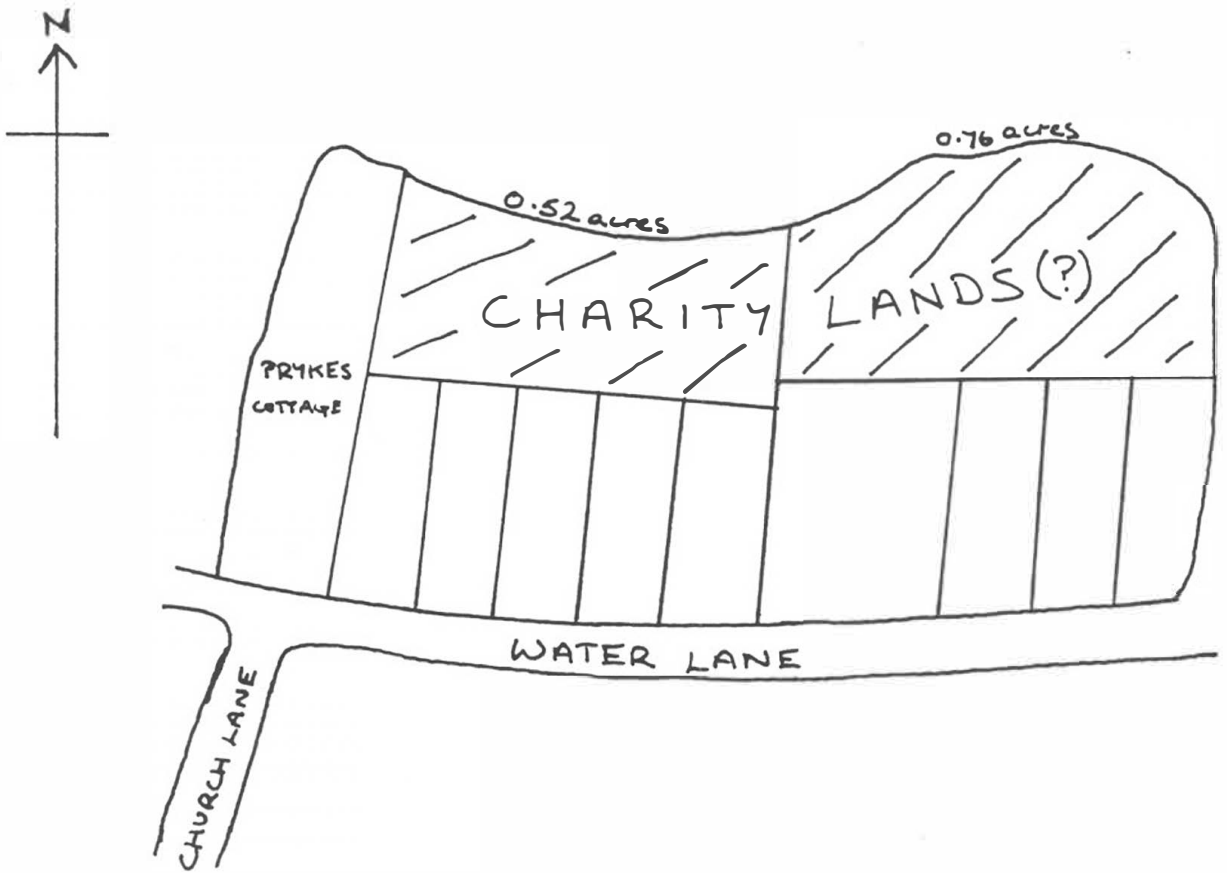


Fig 11 Charity Lands According to
Euston Estate.

St.Thomas' Charity continued in the 20th Century much as it had done before; we have a list of recipients of 'St.Thomas' Dole' dating from 1921-3 ⁽²²⁾ and there are account books concerning the Charity right up to the 1970s. The Duke of Grafton now pays £40 a year while the Rectors have not payed since the 19th Century, professing to be mystified as to why they should. The Euston Estate regards the Charity lands as lying to the west of Prykes Cottage, and the north of the line of houses on Water Lane. This is clearly wrong (see PART II) and the land only totals just over one acre (Fig 11). There has been some question cast over the legality of the Charity. As can be seen from this article such a question is groundless, and the most important point is that, whether the Charity is 'legal' or not, it is regarded so by those who use it and those who pay for it; and it has been so since 1600 - almost 400 years.

⁽²²⁾ From the Service Register B.St.E. FL 524/3/2

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Vol XXII (1895)

APPENDICES

NOTE

What follows are my copies of the original documents. I have kept the original spelling - so no, I don't spell as bad as that - the intention being to give the feel of the original which is so often lost in transcription to mundane typescript.

The problem of the dating of Edmund Davy's Will (Appendix I) is discussed above (page 3, note ②).

APPENDIX I

Will of Edmund Davy, Dated
January 29th 1600(?)

(B.St.E. IC 500/1/58/125)

⁴⁹
In Dei nomine Amen. The xxixth daye of January in the yeare of o^r lorde
 God 1600, and in the xliii yeare of the Reigne of o^r sove^rigne lady
 Elizabeth, by the grace of god quene of Englande, ffrance and Irelande,
 Defender of the faith. I, Edmund Davy, of Barnehm^π in the County of
 Suff, Singleman, beinge at Barnehm^π in perfect mind and memory at the
 date hereof. Revokeinge all my former Wills, gyfts and bequeathes by
 mouthe or wryghting by me heretofore had or done, doe nowe ordeine and
 make this to be my Last will and Testament by wryghting to be Declared
 and made knowen in maner and forme ffollowinge. ffirst I Comende my
 soule and body unto the mercye of allmightie God Thoroughe the meritte
 of Jesus Christe o^r onely Savio^r and Redemer, and my bodey is to be
 buried in Christian buriall in the Church yearde of Saint Marten in
 Barnehm^π aforesaide, when it shall please god by death to call me. Item
 I will, gyve and bequeath unto Twenty of the poorest people and house-
 holders in the parishes of St. Marten and St. Gregory vs. unto eveye of
 the sayd householders untill the some of ffyve pounds of lawfull money
 be to them payed by the handes of my executors, within the terme of
 one wholl yeare next cominge after my death. Item I will, gyve and beq-
 ueath unto Robert Davy, my naturall brother, all the depte and somes of
 moneye that he owe unto me, whether it be by bondes obligatorye or
 any other waies to me due or perteinginge whatsoever. Item I will, gyve
 and bequeath unto the said Robert, my brother, Three poundes of lawfull
 moneye of England to be payed unto him by the handes of my executors
 within the terme of one wholl yeare next after my death. Item I will,
 gyve and bequeath unto Margery, my natural sister, ffyve poundes of
 lawfull moneye of England to be paid unto her by the handes of my exec-
 utors within the term of one wholl yeare next after my death. Item I
 will, gyve and bequeath unto Marye, the daughter of Marye, my late
 syster, ffyve poundes of lawfull money of Englande to be paied unto her

by the hands of my executors within the terme of one wholl yeare next after my death. Item I will, gyve and bequeath unto Jane, the daughter of Henrye Davy, my brother whilest he lyved, ffyve poundes of lawfull moneye of Englande to be paid unto her by the handes of my executors within the terme of one wholl yere next after my death. Item I will, give and bequeath unto Robert Davy, the youngest sonne of Robert Davy, my naturall brother, ffyve shillings of lawfull moneye of England to be paied unto him by the handes of my executors within the terme one wholl yeare next after my death. Item I will, gyve and bequeath unto Elizabeth Davy, the daughter of the said Robt Davy, ffyve shillings of lawfull money of England to be payed unto her by the hands of my executors within the terme of one wholl yere next after my death. Item I will, gyve and bequeath unto Thomas Davy, the sonn of William Davie, my brother whilest he lyved, ffyvetene poundes of lawfull moneye of England which he is indepted to paye unto me as by bonds obligatory thereof made appeareth upon Condicion and forme followinge, that is, if the said Thomas Davy, his heires and assignes, doe and shall suffer my sister, Agnes Davye, to have, occupie and use to her selfe in all peasable manner, that Chamber in the north ende of his dwelling house in which the said Edmunde Davy dwelled in at the daye of his death, and the same to holde to her proper use during and contynuing all the terme of her naturall lyfe with ingress, egress and regress at all tymes in peaceable maner during all the said terme, but otherwise, if the said Thomas, his heires or assignes, doe or shall refuse to suffer her to dwell there in maner and forme beforesaid, Then I will, and my meaninge is that the sayd Thomas, his heires or assignes, shall paye unto the said Agnes Davy ffyve pounds of lawfull money of England within the terme of one wholl yere next after that refusall. Item I will, gyve and bequeath unto the said Agnes, my sister, ffyve poundes of lawfull moneye of Englande to be paied unto her within the terme of one wholl yeare next after my death by the handes of my executors. Item I will, gyve and

bequeath unto Agnes, my sister aforesaid, ffower poundes of lawfull
moneye of England to be paied unto her by the handes of my executors,
Cominge of the Rent of ffourtye poundes of lawfull moneye which is deue
to be paied unto the said Edmunde Davy as by wryghtings obligatory
thereof made more at large appeareth within the terme of one whole
yeare after my death, and the use forth yerely ffrom yere to yere,
one yere next ensuinge after an other at the ffeaste of Saint John the
baptist, Comonly called midsomers day, and the ffeast day of the Nat-
yvitie of o^r Savio^r Christe, Comonly called christmas daye, by even
portions untill the said ffower poundes be paide duringe and contynuing
all the naturall lyfe of the said Agnes. Item I will, gyve and bequeath
unto the said Agnes, my sister, my bedd standinge upon the Chamber
before specified which I remayned in at the day of my death, Complet
with all the furniture to the same bedd nowe at the same daye belonged,
and Twoe hutches remaying upon the same Chamber to hold to her prop
use duringe the terme of her naturall lyfe and then immediately after
the decesse and death of the said Agnes, my will and meaninge is that
the said Bedd and furniture and huttches shall remaine unto Thomas
Davy and his assignes forever. Item I will, gyve and bequeath unto the
said Agnes, my sister, my two Cloakes to be delyed unto her by my
executors immediately after my death. Item I will, gyve and bequeath
that ffourtye pounds declared whereof the said fower pounds of lawfull
moneye the Rent whereof is appointed to be payed unto Agnes, my sister,
the sayd ffourtye pounds shall be imployed by the hands of my executors
upon a house beinge ffree holde which theye shall purchase within the
towne of Barnehm^π within the terme of one wholle yere next ensuinge
after the death of Agnes, my said sister, and then at the said state
to be had and taken, seaven or eight men of the said Towne beinge of
most habilitie and credit shall be together named coffeffies in the
said deede of state and then the saide cofeeffyes shall appointe and
place one, twoe or mor of the nexte kyndred of the saide Edmunde Davy,

soe many of them as the statute will permitt to dwell in the same house,
imediately from and after the sayd yere untill the full ende and terme
of Twentie yeres ffully to be expired, upon Condicion the said indwel-
lers doe and shall maintaine the said house with necessary reparacions
during all the saide terme of Twenty yeres, but otherwise, if any of
the said indwellers shall refuse to doe or cause to be done all suche
necessary reparacions duringe all the terme aforsaid, Then my will and
meaninge is that the said coffeffies shall at their discretion shall
ioyntly together place others of my next kyndred to dwell in that said
house and then to do the reparacions which the others shoulde have
done during all the said terme, and moreover after the ende of the sayd
Twenty yeres ffully expired I will, ordayne and my meaninge is that
allwayes the poorest of my kyndred, if any suche shall be lyvinge, to
have the use of the sayd house contynually from tyme to tyme, one yere
imediately next ensuinge after another contynuinge solonge as the
wourlde shall endure, allwaies at the discretion of my coffeffies and
then the said xx^{ti} yeres beinge expired, the indwellers in the said
house from that tyme forth shall paye unto the said coffeffies the
yerely rent and payment of Thirteene shillings and fower pence of lawfull
money of England in evere yere at the ffeast of Saint Thomas the Apostle
which cometh next before the natyvitie of o^r lorde and Savio^r Christe,
yere and yerely for longe as the worlde shall contynue, which yearly
rent and payment the sayd coffeffies shall bestowe upon the poorest
people inhabiting within the Towne of Barnehm^{te} imediately at their
discretion, and the said coffeffies shall gyfe in their accounts yearly
unto the minister of the parish Church of Saint Marten in Barnehm^{te} and
to the residue of the sayd parishoners for that tyme their beinge.
Item I will, gyve and bequeathe unto William Davye the some of Tenn
poundes of lawfull moneye of Englande. Item I will, gyve and bequeathe
unto James Kynne the some of Tenn poundes of lawfull moneye of Englande.
The which saide Willyam Davye and James Kynne I Doe constitute, ordeine,

Read and delyved unto the executors according to the effect
herewithin written, in the presence of the witnesses
above written and hereunto they have set their markes.

APPENDIX II

Deed Dated 28th February

1659

(B.St.E. HA 513/30/436
and 437)

This Indenture made the eight and Twentieth day of ffebruary in the
Yeare of our Lord Christ accordinge to the Computation of the Church of
England One thousand Six hundred ffifty and nine. Betwene Willyam Davye
of Barneham in the county of Suffolk, yeoman, of the one parte, and
John Bower, Willyam Davye the younger, Edmund Booty the younger sonne
of Edmund Booty, Thomas Booty, Mathew Davye, John Bullard the younger,
Robt Booty the younger and Christopher Harrison the elder, all of them
Inhabitants of the Towne of Barneham aforesaid, yeomen of the other
parte. Witnesseth that whereas the aforesaid William Davye with John
Bower, Richard Andrewes, Robt Davye and John Belgrave, all of them late
Inhabitants of Barneham abovesaid deceased were cofeoffies together
in trust to the sole benefitt, behoose and comon proffitt of the Inhab-
itants of Barneham aforesaid. Of and in a terraine Tenement called
Reynoldes in Barneham aforesaid in the Streete there called nether
streete, betweene the Tenement late of Thomas ffuller towards the west,
and the Tenement late of Grudgemans and the lands of the Manor of
Calthorpe hall called Cookowes yard towards the east, the south head
thereof abutteth uppon a comon way leadinge from Eweston towards the
Church of St. Martin in Barneham aforesaid. And of and in Three acres of
land lyinge in the ffieldes of Barneham aforesaid called Boorowgh
ffield between the lands called Roger Rushbrookes on both parts East
and West, the North head thereof abbutteth upon Booroughway and the
South head thereof abbutteth uppon the landes of Baggotts hall. And
one other peece of land leyinge in the ffurlonge called Grandell ffur-
longe contayneinge in itt selfe halfe a rood of land, as it layeth bet-
weene the landes nowe late of Robert Davye, sometymes Richard Kinge
towards the North, and the landes late of William Bower called Boolins
towards the South, the East head thereof abbutteth uppon Culford way
and the west head uppon the Manor of Calthorpe hall. Which said Tenem-
ent and landes theaforesaid John Bower, Richard Andrewes, Willyam Davye,
Robt Davye and John Belgrave late bought and purchased of one Willyam

Blasye by a certaine writeinge of bargajne and sale of feoffment and
grannt bearinge date the seaventeenth day of May in the One and four-
tieth yeare of the Reigne of our late Queen Elizabeth, and allsoe of a
certaine other Tenement in Barneham in the occupation of Robt Davye
which was purchased with certeyne money Given by the aforesaid Edmund
Davye to the uses, intents and purposes declared in his last will and
Testament in writ writeinge bearinge the date the nine and Twentieth
day of January in the yeare of our lord one thousand and six hundred,
and in the three and ffourtieth yeare of the Reign of our late Queen
Elizabeth. The termes of which said last will and Testament conteininge
the premisses is declared and sett forth in these wourds which next
followeth. That is to say Item I will give and bequeath that that ffourty
poundes declared whereof the said ffoure pounds of lawfull money, the
Rents whereof is appointed to be paid to Agnes, my Sister, the said
ffourty poundes shalbe imployed by the hands of my Executo^s upon a
house beinge freehoulde which they shall purchase within the Towne of
Barneham within the terme of One whole yeare next ensueinge after the
death of Agnes my sister, and then at the said State to be had and taken,
seaven or eight men of the said Towne beinge of most abilitie and cred-
itt shalbe together named Cofeoffies in the Deed of state. And then the
said Cofeoffies shall appoint and place one, two or more of the next
kindred of the said Edmund Davye, for many of themas the Statute will
permitt to dwell in the said house immeadiately from after the said
yeare untill the full end of Twenty yeares fully to be expired upon
condicon the said Indwellers doe and shall maynetaine the said house
with necessary reparacons duringe all the said terme of twenty yeares.
But otherwise if any of the said Indwellers shall refuse to doe or
cause to be done all such necessary reparacons duringe all the terme
aforesaid, Then my will and meaninge is that the said Cofeoffies shall
at their discretion shall jointly together place others of my next
kindred to dwell in the said house and to doe the reparacons which the

others should doe and have done duringe the said terme. And moreover after the end of the said twenty years fully expired, I will and ordeyne and my meaninge is that allwayes the poorest of my kindred, if any shalbe liveinge to have the use of the said house contineually from tyme to tyme one yeare next immediately enseuinge after another contineually for longe as the wourld shall indure, allwayes at the discretion of my Cofeoffees. And then the said twenty yeares beinge expired, the Indwellers of the said house from that tyme forth shall pay unto the said Cofeoffees the yearly rent and payment of thirtene shillings and foure pence of lawfull money of England in every yeare at the ffeast of St.Thomas the Appostell which cometh next before the nativitie of our Lord and Savio^r Christe, yeare and yearely for longe as wourld shall continue. Which yearely Rente and payment the said Cofeoffees shall bestowe uppon the poorest people inhabittinge in the Town of Barneham immediately at their Discretion. And the said Cofeoffies shall give in their account yearely unto the Minister of the parish Church of St.Martins in Barneham, and to the residue of the parishioners for that tyme there beinge. And whereas theaforesaid John Bower, Richard Andrewes, Robt Davye, John Belgrave, Cofeoffies with the said William Davye are all diseased and onely the said William Davye is nowe the surviveinge ffeoffie, and he desiringe, and as much as in him, is indeveringe that theaforesaid Tenements and landes before menconed may be disposed of and used, and the Rente thereof which is to be paid may be employed to the uses, intents and purposes aforesaid which, in the aforesaid deed and by the beforementioned last will and Testament are expressed and declared. This present Indenture now further witnesseth that the said Willyam Davye hath granted, enfeoffed, yealded upp and confirmed, and by these presents doth grant, enfeoffe, yeald upp and confirme to the aforesaid John Bower, Willyam Davye, Edmund Booty, Thomas Booty, Mathew Davye, John Bullard, Robt Booty and Christopher Harrison and to their heires and assignes Theaforesaid Tenements and landes above

menconed wherein the said Willyam and the other ould ffeoffies were seized with their and every of their appurtenances, And all the right title, estate, property and demand of him, the said Willyam Davye of and in the said premisses Revercon and Revercons, Remainder and Remainders thereof. To have and to hould the said Tenements and landes above grannted or menconed to be grannted with all and single their appurtenances unto the aforesaid John Bower, Willyam Davye, Edmund Booty, Thomas Booty, Mathew Davye, John Bullard, Robt Booty and Christopher Harrison, their heires and assignes shall thereafter dispose and improve all and every the said premisses accordinge to the minde, will and intent of the aforesaid Edmund Davye, as in and by wourdes before writed of his above menconed last will and Testament is expressed and declared and to none other uses, intent or purpose or in any other manner whatsoever. And the said Willyam Davye doth by these presents covenant and grannt for himselfe, his heires, executo^s and administrators, to and with the said John Bower, Willyam Davye, Edmund Booty, Thomas Booty, Mathew Davye, John Bullard, Robt Booty and Christopher Harrison and every of them, their heires and assignes, that he, the said Willyam Davye and his heires Theaforesaid Tenements and landes above grannted with their appurtenances to the aforesaid John Bower, Willyam Davye, Edmund Booty, Thomas Booty, Mathew Davye, John Bullard, Robt Booty and Christopher Harrison, and their heires and assignes, to the uses and behooses abovenamed against him and his heires, will warrant and defend forever by these presents. And theaforesaid John Bower, Willyam Davye, Edmund Booty, Thomas Booty, Mathew Davye, John Bullard, Robt Booty and Christopher Harrison and every of them for themselves and their respective heires, executo^s, administrato^s and assignes doe by these presents covenant and grannt to and with the said Willyam Davye, his heires, executors and administrators, and to and with all other the Inhabitants of the said Towne of Barneham for the tyme beinge, and their Successo^s and every of them, that if they the said John Bower, Willyam Davye,

Edmund Booty, Thomas Booty, Mathew Davye, John Bullard, Robt Booty and Christopher Harrison or any of them shall at any tyme hereafter remove, goe or depart away from the said Towne of Barneham to any other place to inhabitt and dwell, and dwell out of the said Towne of Barneham. That then such and soe many of them, the said eight ffeoffies above named, which shall soe depart shall not after his or their departure thence take, receive or dispose the said premisses or any of the Rentes or proffitts thereof. And it is further intended, meant, concluded and agreed upon betweene the aforesaid partyes to these presents That when and for often and at whatsoever tyme and tymes hereafter, six of the aforesaid eight ffeoffies before named in and by his wourdes of his last will and Testament above recited, mentioned, expressed and declared. That then and soe often it shall and may be lawfull to and for the cheifest and most substantiall Inhabitants of the said Towne of Barneham for the tyme beinge to name, elect and chuse seaven or eight other discrete conscionable persons of abilitye and creditt inhabittinge within the said Towne of Barneham for the tyme beinge to be ffeoffies in trust and to stand seized of the premisses aforesaid, to the uses, behooses, intents and purposes above declared, and to be substituted and putt in the place and roome of the former ffeoffies. And in like manner and forme election and elections of the said ffeoffies to be made aforesaid from tyme to tyme forever, soe often as shalbe requisite. And that after such election or elections of such seaven or eight persons to be ffeoffies as aforesaid made by the Inhabitants of the Towne of Barneham aforesaid, such and soe many of the former ffeoffies as shalbe then liveinge at the reasonable request, costes and charges of the Inhabitants of the said Towne of Barneham for the tyme beinge, shall by Infficient deed or deeds, conveyances and assureances in the (?) grant, convey and assure theaforesaid Tenements and lands with their appurtenances to the said seaven or eight Inhabitants soe newly chosen, and to their heires and assignes. To the uses, behooses, intents and purposes above

declared with such covenants, conditions and provisors therein contained as shalbe thought meete and requisite to the said cheifest part of the Inhabitants of the said Towne for the tyme beinge, or their counsell learned in the Lawe discharged of and from all titles, charges and incombrances, had, made or done or to be had, made or done by them or any of them contrary to the last will and Testament of the aforesaid Edmund Davye and the true intent and meaninges of these presents. In witness whereof the parties abovesaid have to these present Indentures interchangeably sett their handes and seales the day and yeare ffirst abovewritten.

Willym Seal Davye

On the Reverse

Read, sealed and delivered, And allsoe State seizen and peaceable possession of the premisses within grannted and taken, had and delivered by the within named Willym Davye, the surviveinge ffeoffie to the neue ffeoffies within named accordinge to the tenno^r force, form and effect of this present Indenture within written in the presence of us

Minister of

Jo: Legate Barnham

John Cocks
Robert Booty
Edmund Booty

ON COUNTERPART

The marke of
John  Bower


The marke of
Will  Davie

Edmund Booty

Thomas Booty

The marke of
Mathew  Davie

Robert Booty

The marke of
Christopher  Harrison

On the Reverse

Sealed and delivered in the
presence of us

Do: Legate Minister of
Barnham

John Cocks
Roberts Booty
Edmund Booty

[In a different hand]

4: August 1682

Wee whose names are subscribed have nominated and elected the 8 persons hereunder next written to be Co-ffeoffies in trust for our Town in the room of those that are deceased.

Robert Davie the Elder

Thomas Davie

Robert Davie the Younger

William Hinsbie the Elder

William Hinsbie the Younger

John Cooke

John Bower

The Minister of Barnham for the time being

Witness our hands

R. Pawlets Rector

Signum

Thomas + Davie

Signum

Robert J Davie junior

(?) hense(?)

Signum

Willm ✓ Hinsby Senior

Signum

Thomas + Case

George Ireland

John Clarke(?)

Signum

Robert Z Davie senior

APPENDIX III

Deed Dated the 12th October

1682

(B.St.E. HA 513/30/438)

[Badly smudged and torn]

This Indenture made the Twelfth day of October in the foure and thirtieth yeare of the Reigne of our Sovereigne Lord Charles the Second, by the grace of God of England, Scotland, ffrance and Ireland King, defender of the ffaith (?) Annoq Ind 1682. Betwene Edmund Booty of Barnham in the County of Suff, yeoman, and John Bullard of the same Towne, yeoman of the one part, And Robert Davy of Barnham aforesd, yeoman, John Davy of the same Towne, Yeoman, John Cooke of the same Towne, Yeoman, John Morly of the same Towne, yeoman, William Hinsby of the same Towne, Yeoman, Thomas Cage of the same Towne, yeoman and Isaack Davy of the same Towne, Yeoman of the other part. Whereas William Davy, John Bower, Richard Andrewes, Robert Davy and John Belgrave, late Inhabitants of Barnham aforesd were Cofeoffies together in Trust to the use, benefitt, behoose and comon profitt of the Inhabitants of Barnham aforesd, of and in a certaine Tenement called Reynolds in Barnham aforesd in the street there called Nether Street. And of and in Three acres of Land lying in the ffields of Barnham aforesd called Burroughfield. And one other part of Land lying in the ffurlong called Crandell ffurlong containing in it selfe halfe a rood of land. As the same are particularly abuttalled and exprest in an Indenture of ffeofment thereofmade bearing date the eight and twentieth day of ffebruary a^o Ind 1659. Which sd Tenement and Lands the aforesd John Bower, Richard Andrewes, William Davy, Robert Davy and John Belgrave late bought and purchased of one William Blasye, As by a certaine Indenture bearing date the seventeenth day of May in the One and ffortieth yeare of the Reigne of Queen Elizabeth appears. And also of a certaine other Tenement in Barnham which was purchased with certaine money given by Edmund Davy, late of Barnham aforesd To the use, intents and purposes declared in his Last Will and Testament in writing, bearing date the Nine and twentieth day of January a^o Ind 1600: The teno^r of which sd Last Will and Testament concerning

the purposes declared and sett forth in these words following. That is to say Item I will, give and bequeath That that fforty pounds declared whereof the sd ffoure pounds of lawfull money, the rent whereof is appointed to be paid to Agnes my sister. the sd fforty pounds shall be employed by the hands of my Executor upon a house being ffreehold which they shall purchase within the Towne of Barnham within the terme of one whole yeare next ensueing after the death of Agnes, my sister. And then at the sd state to be had and taken Seven or Eight men of the sd Towne beinge of most ability and credit shall be together named Cofeoffies in the deed aforesd. And then the sd Cofeoffies shall appoint and place one, two or more of the next kindred of the sd Edmund Davy, So many of them as the Statute will permit to dwell in the sd house immediately from and after the sd yeare untill the full end of Twenty yeares fully to be expired. Upon condicon the sd indwellers doe and shall maintaine the said houses with necessary Reparacons during all the sd terme of Twenty yeares. But otherwise if any of the sd Indwellers shall refuse to doe or cause to be done all such necessary reparacons during all the terme aforesd Then my will and meaning is That the sd Cofeoffees shall at their discrecon joyntly together place others of my next kindred to dwell in the sd house and to doe the Reparacons which the others should doe and have done during the sd terme. And moreover after the end of the sd Twenty Yeares fully expired, I will and ordaine, and my meaning is That the poorest of my kindred, if any shall be living, to have the use of the sd house continually from time to time next immediately ensuing after another continually so long as the world shall endure, alwayes at the discrecon of my Cofeoffees. And then the sd twenty yeares being expired, the Indwellers of the sd house from that time forth shall pay unto the sd Cofeoffees the yearly Rent and payment of Thirteen Shillings and foure pence of lawfull money of England in every yeare at the ffeast of St. Thomas the Apostle which cometh next before the Nativity of our Lord and Saviour Christ, Yeare

and Yearly so long as the world shall continue. Which yearely Rent and payment the sd Cofeoffees shall bestowe upon the poorest people inhabiting in the Towne of Barnham immediately at their discre^{con}. And the sd Cofeoffees shall give in their account Yearely unto the Minister of the parish Church of St.Martin in Barnham And to the residue of the parishoners for that time there being. And the sd ffeoffees being all deceased excepting the sd William Davy who was the surviving ffeoffee. He the sd William Davy according to his trust for preserving the uses in the sd deed and Will expressed Did by his Indenture bearing date the Eight and twentieth day of ffebruary a^o Ind 1659: Grant, enfeoffe and confirme to John Bower, William Davy, Edmund Booty, Thomas Booty, Mathew Davy, John Bullard, Robert Booty and Christopher Harrison, the Inhabitants of Barnham aforesd, and to their heires and Assignes the aforesd Tenements and Lands above men^{con}ed, with their appurtenances, And the Rever^{con} and Rever^{cons}, Remainder and Remainders thereof. To hold the same Tenement and Lands with the appurtenances unto the aforesd John Bower, William Davy, Edmund Booty, Thomas Booty, Mathew Davy, John Bullard, Robert Booty and Christopher Harrison, their heires and Assignes. Upon Trust That they the sd ffeoffees, their heires and Assignes, should . . hereafter dispose all and every the sd p^{misses} according to the minds, Will and intent of the aforesd Edmund Davy As in and by the words before recited of his sd Last Will and Testament is expressed and declared, and to noe other use, intent and purpose whatsoever with sundry Covenants in the same Indenture exprest. In Which it is declared That when and so often as six of the aforesd eight ffeoffees beforenamed should be dead or depart out of the Towne of Barnham to dwell elsewhere, or shall not dispose of the p^{misses} and the Rents and profitts thereof accordinge to the minde, will and intent of the sd Edmund Davy in and by his sd Last Will and Testament expressed and declared, That then and so often it should be lawfull for the cheifest and most Substantiall inhabitants of the sd Towne of Barnham, for the time being, to name,

elect and chuse Seven or eight other discreet, conscionable persons of ability and creditt inhabiting within the Towne of Barnham to be ffeoffees in trust, And to stand seized of the p^smisses aforesd to the uses, intents and purposes abovedeclared, And in like manner Kleccoon and Kleccoons of the sd ffeoffees to be made aforesd from time to time for ever, so often as shall be requisite. And whereas all the sd Last named feoffees are deceased Excepting the sd Edmund Booty and John Bullard, partys to these p^sents (?) (?) the surviving ffeoffees of the sd Tenements, Land and p^smisses. Now this Indenture witnesseth That the sd Edmund Booty and John Bullard, in performance of the trust in them reposed, and for the upholding and continuing the uses above declared, have, with the consent of these Inhabitants of the sd Towne, elected the sd Robert Davy, John Davy, John Cooke, John Morly, William Hinsby, Thomas Cage and Isaack Davy, all of them Inhabitants of the sd Towne of Barnham to be ffeoffees of the sd Lands and Tenements for the p^serving the charitable uses above specified. And for that purpose have granted, infeoffed and confirmed, and by these p^sents doe grant, infeoffe and confirme unto the sd Robert Davy, John Davy, John Cooke, John Morly, William Hinsby, Thomas Cage and Isaack Davy and their heires the sd Tenements, Lands and p^smisses with their appurtenances. To have and to hold the sd Tenements, Lands and p^smisses with their appurtenances to the sd Robert Davy, John Davy, John Cooke, John Morly, William Hinsby, Thomas Cage and Isaack Davy and their heires. To the use and behoose of the sd Edmund Booty and John Bullard, the two surviving ffeoffees, and of the sd Robert Davy, John Davy, John Cooke, John Morly, William Hinsby, Thomas Cage and Isaack Davy, their heires and Assignes for ever. Upon trust and to the intent That they the sd Robert Davy, John Davy, John Cooke, John Morly, William Hinsby, Thomas Cage and Isaack Davy together with the sd Edmund Booty and John Bullard shall from time to time imploy the profitts of the sd Tenements, Lands and p^smisses as is above declared and appointed and give an account as

aforesd. And that when and so often as there shall be two of the sd
ffeoffees living, That the same two surviving ffeoffees shall grant the
same Tenements, Lands and p^smisses to seven or eight other of the cheife
and honest Inhabitants of the sd Towne of Barnham and their heires,
who together with the two surviving ffeoffees shall have the ordering,
managing and disposing of the sd Tenements, Lands and p^smisses To the
uses above declared And to noe other use whatsoever and so to continue
for ever. Provided alwayes, and it is agreed by all the sd partyes,
That if any of the sd ffeoffees who by vertue hereof are interested in
the management of the p^smisses shall happen to depart out of the sd
Towne of Barnham, That the party or partyes so departing shall not after
that intermeddle in the p^smisses, or receive any of the Rents or prof-
itts of the same or have any voice in the disposing thereof of anything
herein to the contrary notwithstanding. In witness whereof the partyes
abovenamed to these p^sent Indentures have interchangeably subscribed
and sealed the day and yeare first abovewritten.

Edmund Booty

John *J* Bullard
his marke

On the Reverse

[Different hand]

We agree to this ffeoffment although made
wth out our privities

Robert (?)e

the marke of

Thomas *J* Cage

the marke of
William  Hinsbye

subscribed in the p^sence of

Tho: Covell
Rich: Pawlet Rect^r

[In the same hand as the Deed]

Sealed and delivered and quiet and peaceable possession
state and sasin(?) of and in the Tenements, Lands and p^smisses
withinmenconed with the appurtenances was delivered and
executed by the withinnamed Edmund Booty and John
Bullard, surviving ffeoffees, unto Robert Davy one of the
new ffeoffees withinnamed To hold according to the
purport, forme and effect of the deed within written in
the p^sence of

Thomas  Baxter
his marke

John  Battely
his marke

[In a different hand to the right of the above]

John  Davie
his marke

John  Morly

his marke

Isaack  Davie

his marke

[Further below in another different hand]

John Cooke of Topham(?) only surviving ffeoffee

APPENDIX IV

Deed Dated 21st December

1736

(B.St.E. HA 513/439/439
and FL 524/11/1.)

> VI pence
stamps

This Indenture made the twenty ffirst day of December in the Tenth Year of the Reign of our Sovereign Lord George the Second, by the Grace of God of Great Brittain, ffrance and Ireland King, Defender of the ffaith and so forth. And in the Year of Our Lord One Thousand Seven Hundred and Thirty Six. Between John Cooke the Elder, Yoeman, only surviving ffeofee for the Parish of Barnham in the County of Suffolke, Arthur Kynnesman, Clerk, Rector of the said parish, Thomas Titsell, John Chambers, Thomas Harvey and John Evans, Churchwardens and Overseers of the poor of the said parish of Barnham of the one part, And the Most Noble Charles Duke of Grafton of the other part: Wheas by a Deed of ffeofment bearing date on or about the Twelfth Day of October which was in the year of our Lord One Thousand Six Hundred and Eighty Two, made or mentioned to be made Between Edmund Booty and John Bullard, both of Barnham aforesaid of the one part, And Robert Davy, John Davy, John Morley, John Kinsby, Thomas Cage and Isaac Davy, all since deceased, and the said John Cooke of the other part Renting therein severall former feoffments and wills made of the messuages, lands, tenements and hereditaments therein and hereinafter mentioned. They the said Edmund Booty and John Bullard, for the upholding and continuing the Uses and Trusts in them reposed did grant, infeofe and confirm unto the said Robert Davy, John Davy, John Morley, John Kinsby, Thomas Gage and Isaac Davy All that Messuage or Tenement called Reynolds in the said parish in the Street there called Nether Street (long since wasted) and three Acres of land in the ffields of Barnham aforesaid called Burrough ffield, And one other piece of land lying in the ffurlong called Crandell ffurlong, containing in itself half a rood of land, And also all that Tenement in Barnham which was purchased with certain money given by Edmund Davy, late of Barnham aforesaid (also long since wasted). To hold to them, the said Edmund Booty and John Bullard and the other ffeofees abovenamed for the uses, intents and purposes in the said

ffeofments and will declared. And whereas all and every the said last mentioned ffeofees are long since dead (except only the said John Cooke, who is the only surviving ffeofee of the said ffeofment, and in whom the Estate in law in all and every the said Tenements and Lands thereby enffeoffed and hereby intended to be Sett and Lett is vested). And whereas his said Grace of Grafton is now become owner of all and every the Mannors, Messuages, Lands, Tenements and heredicaments in the said parish of Barnham. And whereas his said Grace proposes to make severall Alterations and Improvements in the said Town of Barnham by inclosing great part thereof. And whereas it has upon a due consideration had of the yearly value of the said wasted tenements and lands been adjudged by the said John Cooke, Arthur Kynnesman, Thomas Titsell, John Chambers, Thomas Harvey and John Evans, and also by the other Inhabitants of the said Parish of Barnham That to grant a long lease thereof to his said Grace of Grafton and his heirs of and under the clear yearly rent of fforty shillings would be of more service to the Inhabitants of the said Town of Barnham and to the poor thereof, for the time being, than to continue the same as ffeofees, especially considering the said houses or tenements are, and for many years past have been down, and that the land may in time be lost in consideration whereof and of the rents and covenants hereinafter mentioned on the part and behalf of his said Grace, his heirs and Assigns to be paid, done and performed. He, the said John Cooke, by and with the consent and Approbation of the said Arthur Kynnesman, Thomas Titsell, John Chambers, Thomas Harvey and John Evans Testified by their being parties to and their signing and sealing hereof hath demised, leased and to ffarm Lett on and by those presents doth demise, lease and to ffarm Sett unto the said Duke, his heirs, Executors, Administrators and Assigns. All and singular the aforesaid tenements or tofts, lands and premises herein before mentioned together with all ways, easements, rights, libertiés, priviledges, ffeedings and Appurtenances whatsoever to the same belonging or any

wise appertaining. To have and to hold the said wasted Messuages, Lands, Tenements or Tofts and premises with their and every of their appurtenances hereby demised or intended so to be from the day of the date hereof unto the said Duke, his heirs, Executors, Administrators and Assigns for, during and unto the full end and term of nine hundred and ninety nine years from thence next ensuing and fully to be compleat and ended. Yielding and paying therefore yearly and every year during the said term unto the minister, churchwardens and overseers of the poor of the said parish of Barnham, for the time being the yearly Rent or Summe of fforty shillings of lawful money always on or upon the ffeast day of Saint Thomas the Apostle in every year at or in the porch of the parish church of Barnham aforesaid. Provided always that if it shall happen the said yearly Rent or summe of fforty shillings or any part thereof shall be behind or unpaid in part or in all by the space of tenn days next after the said ffeast day of Saint Thomas on which the same ought to be paid as aforesaid, being first demanded at Eustone Hall, the present seat of his said Grace, that then and in such case it shall and may be lawfull to and for the said John Cooke or the Minister, Churchwardens and Overseers of the said Town of Barnham for the time being, and their Successors and Assigns to enter into and upon not only the said messuages or tenements, Lands, hereditaments and premises hereinbefore and hereby demised, But also into and upon any other Messuages and like quantity of land belonging to his said Grace in Barnham aforesaid and the same to hold and enjoy, and the rents, (?)as and profitts thereof to receive and take with until they be fully satisfied and paid all such rent and arrears as shall be then due, together with full costs of law, any thing hereinbefore contained to the contrary thereof notwithstanding. And the said Duke of Grafton for himself, his heirs, Executors and Administrators and Overseers of the poor of the parish of Barnham, for the time being, that he, the said Duke of Grafton, his heirs, Executors, Administrators and Assigns, or

some or one of them shall and will well and truly pay or range to be paid unto the said John Cooke or to the minister, churchwardens and overseers of the said parish of Barnham, for the time being their successors and Assigns, the said summe or yearly rent of fforty shillings reserved as above at the time hereinbefore limited and appointed for payment thereof according to the true meaning of these presents. And, that in default or ffailure thereof, it shall and may be lawful to and for the said John Cooke or the Minister, Churchwardens and Overseers of the poor of the said parish of Barnham and their successors and assigns for the time being, to enter upon all or any part of his, the said Duke of Grafton's Estate in Barnham aforesaid, and hold and enjoy the same until they be fully satisfied and payed the said rent and Arrears and all reasonable Charges. In Witness whereof the parties first above named have to these present indentures interchangeably sett their hands and seals the day and year first above written.

Grafton Seal

On the Reverse:-

Sealed and delivered, the parchment being first duly stampd in the presence of Us

Hen Cockesedge
Newesoll

John Cooke the Elder and Others

----- to -----

His Grace the Duke of Grafton

Counterpart of a Lease for 999

Years

APPENDIX V

Deed Dated 21st December

1737

(B.St.E. FL 524/

11/2)

This Indenture made the twenty first day of December in the Eleventh Year of the Reign of Our Sovereign Lord George the Second, by the Grace of God of great Brittain, ffrence and Ireland King, Defender of the ffaith. And in the Year of our Lord One Thousand Seven Hundred and Thirty Seven. Between the most Noble Charles Duke of Grafton of the one part and the Reverend Arthur Kynnesman of Bury St. Edmunds in the County of Suffolk, Rector of the Parish of Barnham in the said County of Suffolk of the other part. Witnesseth that the said Duke, for and in consideration of the Rents and Covenants hereinafter mentioned and agreed to be by him, the said Arthur Kynnesman and his Successors, Rector and Rectors of the said parish of Barnham observed, performed, paid and kept. And for the more and better conveniency of him and them, also the said Duke hath demised, Sett to farm, Lett And by these presents Doth for himself and his heirs, Execut^{es} and Administ^{es} Demise, Sett and to Farm Lett unto the said Arthur Kynnesman and his Assigns, Exclusive of any Right of Common, All the piece or parcell of Ground belonging to the poor inhabitants of Barnham, containing by estimation one rood be the same, more or less lying and being in Barnham aforesaid between the Barn belonging to the Rectory of Barnham aforesaid West, and the Estate late Henry Normans, now of the said Duke East, and abutt upon Cukoe Green South and upon Nether Lane Street North. And now is in the tenure or occupation of the said Arthur Kynnesman, his Assignee or Assigns which said piece or parcell of the ground was amongst the Tofts demised, Sett and to farm Lett to the said Duke, his Execut^{es}, Administ^{es} and Assigns for the term of Nine hundred ninety nine years as by Indenture bearing date the twenty first day of December last past. And made between John Cooke the Elder, the said Arthur Kynnesman, Thomas Titsell, John Chambers, Thomas Harvey and John Evans with their severall additionsof the one part, and the said Duke with his additions of the other part. Relation being thereunto had, may and doth appear To have

and to hold the said piece or parcell of Ground herein before mentioned and abuttalled. And hereby intended to be demised, exclusive of any right of Commonage unto the said Arthur Kynnesman and his Assigns and his Successor and Successors, Rector and Rectors of the said parish of Barnham for the time being, and his and their Assignee or Assigns from the day of the date hereof and during the full time and term of nine hundred and fifty years. Yielding and Paying therefore yearly and every year unto the Churchwardens and Overseers of the poor of the parish of Barnham, for the time being in or at the porch of the parish Church of Barnham aforesaid, for the Use and Benefitt of the poor inhabitants of the said town of Barnham, for the time being the yearly rent of ten shillings always upon the Feast Day of Saint Thomas the Apostle in every year during the said term of nine hundred and fifty years. Provided always and upon Condition nevertheless That if it shall happen that the said yearly Rent of Ten Shillings or any part thereof shall be behind or unpaid in part or in the whole by the Space of ffive days next after the said day of payment, that then and in such case it shall and may be lawfull to and for the said Churchwardens and Overseers of the said Parish of Barnham, for the time being, into the said demised Premisses to Reenter, And the same to have again, Retain, Repossess and Enjoy as in their former Estate Anything herein before contained to the contrary in any wise notwithstanding. And the said Arthur Kynnesman Doth for himself, his Heirs, Execut^{es}, Administ^{es} and Assigns Covenant, promise and agree to and with the said Duke of Grafton, his heirs and Assigns by those presents That he, the said Arthur Kynnesman, his Execut^{es}, Administrators or Assigns, or Some or One of them shall and will for so long Time of the Term as he, they or any of them hold and Enjoy the said piece or parcell of Ground pay to the Churchwardens and Overseers of the Town of Barnham for the time being for the use of the poor there the said yearly Rent of Ten Shillings at the day and place hereinbefore mentioned for payment thereof according to the Reservation

aforesaid And true meaning of these presents. In Witness whereof -----
The partys first above named have to these present Indentures inter-
changeably Sett their hands and Seals the day and year first above writ-
ten.

Grafton Seal

[Counterpart]

Art: Seal *Kynnesman*

On the Reverse:-

Sealed and delivered, the parchment being first
duly stampd in the presence of us -----

Hen. Cocksedge
Newesoll

His Grace the Duke of Grafton
----- to -----
The Rev^d M^d Arthur Kynnesman

Lease for 950 Years

Dated the 21st of December
1737
