

In the organ loft, on the W wall. Not normally visible.
Recorded during restoration work on the organ, May 1994

VPON FRANCES CROKER THE
WIFE OF IOHN CROKER OF HOOK
NORTON ESQVIRE THE DAVGHTER
OF SIR WILLIAM KINGSMELL, WHO DE
CEASED THE FIRST OF IANVARYE
1627, IOHN CROKER HER YOVN
GEST SONNE HATH PLACED
THIS MONVMENT

UNDER THIS MARBLE STONE THESE ASHES LYE

[The rest of the inscription is hard to decipher.
This transcription is taken from Antony Wood's MS in
the Bodleian Library, MS Top Oxon 165, f251. See also
Wing, Annals of Steeple Baron and Westcot Barton, p34]

Which are the embers of eternitye
No embers covch more sparks of fire than she
Had lights of virtve, now asleep they bee
But yet shall rise againe, and hee whose breath
First raised her ovt of novght shall ovt of death
Then shall those flames shine brighter than the svnnne
And like it burn withovt consvption

The memorial was recorded, in 1676, as being against
the east wall of the chancel on a table between two
pillars of black marble

On wall of church

IN EVER LOVING MEMORY OF
NIGEL STEWART RIACH
14TH BATTN ARGYLL AND SUTHERLAND HIGHLANDERS
YOUNGEST AND DEARLY LOVED SON OF COLONEL & MRS
STEWART RIACH OF THE GRANGE CHARLCOMBE
WHO DIED 30TH SEPT 1918 OF WOUNDS RECEIVED IN
ACTION
AT ST ELOI NEAR TO YPRES ON 28TH SEPT 1918
AGED 19 YEARS
HIS BODY RESTS IN THE CEMETERY OF ST BARTHOLOMEW AT
POPERINGHE IN BELGIUM

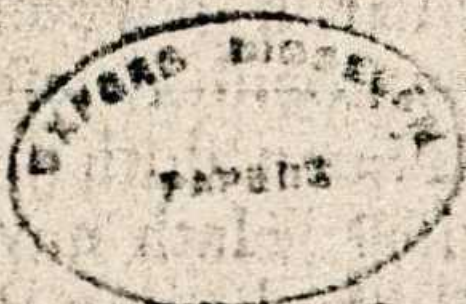
I heard the voice of Jesus say
Come unto me and rest

IN MEMORY OF
MAJOR PHILIP FLEMING
1889 - 1971
CHURCHWARDEN 1933 - 1970
TO COMMEMORATE HIS AFFECTION FOR THIS
CHURCH & VILLAGE TO WHICH HE CONTRIBUTED
SO MUCH

[1]

To the Minister of the Parish of *Steeple Barton*

SIR,



BEING desirous to obtain as particular a Knowledge as I can of the State of my Diocese, in Order to qualifie my self for being more useful in it, I send you the following Questions: under which if you please, after making due Enquiry concerning them, to write the proper Answers, to sign them with your Name, and put them into my Hands at the Visitation, sealed up if you think fit, you will greatly assist and oblige

Your affectionate Brother and Servant,

May 30. 1738.

THO. OXFORD.

I. **W**HAT is the Extent of your Parish? What Villages or Hamlets, and what Number of Houses doth it comprehend? And what Families of Note are there in it?

The Parish of *Steeple Barton* is judged to be at least two Miles over every way. It consists of three Villages, called *Suswille's Barton* - more commonly *Sheldon's Barton*, *Steeple Barton*, and *Middle Barton* as this last lies just between *Steeple Barton* and *Westcote Barton* the next Parish. In the three Villages there are about 60 Houses, and no Family of Note lives in the Parish.

All *Suswille's Barton* belongs to Mr *Sheldon* a Catholic as I am informed who lives at *Weston* in *Warwickshire*. His Estate here is about £400 a year Great Tythe-free - All Vicarial Tythes in full.

Steeple Barton belongs to The Bishops of *Malborough*, Mr *Jushier Pags*, The Rev Mr *Taylor* who claim alternately the Right of Presentation to the Vicarage, and likewise to Mr *Mitchill*.

The Estate of the Bishops of *Malborough*, Tythe-free, about 60 a year who has the Great Tythes of *Middle Barton* about £80 now.

The Estate of Mr *Jushier Pags*, Great Tythe-free, about 260 a year. Vicarial Tythes Wool & Lamb One in 30. All other Tythes in full.

The Estate of Mr *Mitchill* about 90 a year, the same Holding with Mr *Jushier Pags*. And Mr *Taylor's* is uncertain.

Middle Barton about £300 a year belongs chiefly to several Persons of no Distinction.

[3]

IV. Are there any Quakers in your Parish, and how many? Is their Number lessen'd or increased of late Years, and by what means? Have they a meeting House in your Parish duly licenced, and how often do they meet there? Do any of them, and how many in Proportion, pay your legal Dues without Compulsion? If not, do you lose such Dues? Or how do you recover them? And what Facts do you know, which may help to set their Behaviour towards the Clergy, or that of the Clergy towards them in a true Light?

There are two Women Quakers in the Parish - Mary Fletcher & Hannah Hall. And there is a Meeting House which the Quakers from the neighbouring Towns come to once a Month, but I cannot learn whether or no it is duly licenced. I have no Disputes with them concerning the payment of any legal Dues, because they are poor.

[*Rawl. B. 400 b. fo. 133.*]

At the west end of the church:—

William Watson / Richard Tayler / churchwardens anno.
do. 1684.

On the south side of the altar is a Holy Water Pot.

BARFORD ST. MARTIN.

[*Rawl. B. 400 f. fo. 56*]

Lords of the manor, Dr. Cummins, and one part to Woodstock. Patrons of the living [—]. Incumbent, Mr: Aspin. Church tolerable, 3 bells. Wake kept the Sunday and Monday after Michaelmas Day.

STEEPLE BARTON.

[*Rawl. B. 400 c. fo. 211.*]

This mannor house was built by John Dormer as has been mentioned about 1524, whose family were then merchants of the staple, and whose arms are twice or thrice on the wall of the Court before the House; great alterations were made in it by Mr. Ralph Sheldon in the years 1678 and 1679.

In the parlour window: Sab., 2 griffins ramp. back to back arg., beak'd and clawed or.; armes with quarterings of Edward Duke of Somerset Protectour. Armes with quarterings of Markham of Allerton in Nottinghamshire (Edward son and heir of Ralph Sheldon of Beolie married into that family). But these armes were taken afterwards from hence by Ralph Sheldon of Weston near Long Compton in Warwickshire, and sett up in a window of his house. Over the door leading to the stables is this writt: Thinke and Thanke an. 1570.

[*Wood, C. 10 fo. 58, 12 Oct. 1676.*]

In ye Chancell:—

Against ye east wall a monument for Fraunces Croker wife of Joh. Croker of Hokenorton Esq. daughter of Will. Kingesmyll. She died 1 Jan. 1627.

Or., on a chev. az. 3 mullets of ye first between 3 choughs sab. (Croker), impaling, Ar., crusuly fitch. sab. a chevron erm. between 3 mill-rinds sab., a chefe erm. (Kingsmyll.)

Against the north wall a monument of free stone for John Blundel citizen & merchant of London, who died 20 Sept. 1559 leaving issue 5 daughters by Alice his wife.

(Az.) chevron between 3 English [—] (gules) impaling a castle.

Against ye said wall another monument for Joane Humfrey daughter of Andr. Inkforbie, wife of Laurence Humfrey D^r of Div. Born at Ipswich in Suffolk, married at Geneva beyond ye seas, & had by the said Laurence 7 sons & 5 daughters, Justina Dormer her daughter put up ye monument.

Or, on a chevron between 3 fls. de lis sab. 3 bezants, impaling, Azure, cresuly or, a fleur de liz arg.

Another monument against ye said wall joyning to ye former for Justina Dormer wife of Jas. Dormer Esq. dau. of D^r Humfrey. She died 5 July 1627 aet. 69. Laurence Humfrey her brother put up ye said monument.

Az., 10 billets 4. 3. 2. 1. a cheif or, charged with a demy lyon sab. impaling Armes of Humfrey.

Against ye south wall is a faire monument having ye effigies of a man & woman kneeling with a deske between them erected for John Dormer Esq. son of S^r Michael Dormer kt., sometimes Ld. Mayor of London, & Elizab. wife of ye said John of ye family of ye Goddards. By wh. Elizab. ye said John had 7 children, viz.: Timothy, Gasper, William, Joan, Elizab., Fraunces & Margaret. He died 3 May 1584.

Dormer as before, impaling sab., a chevron vair between 3 cressants, arg.

Against ye said south wall is a free stone monument for Rob. Walter (son of William by Katherine Levson his wife) lately secretary to Ld. Burleigh Treasurer of England. He died 15 Oct. 1595. Ralph Sheldon of Beoly in Worcestershire (in whose house he died) put up ye monument.

Fess indented between 3 eaglets displayed. (Walter.)

Three pole axes or Halberds & an annulet at ye top. (Hacklet.)

Qu. whether this Rob. Walter was related to Edm. Walter of Ludlow in Salop who married ye dau. & heir of Hacklet.

On a flat marble lying on ye ground near ye said monument:—

Here lyeth S^r Philip Constable of Everingham in ye county of York Barronet whose whole estate was confiscated by ye usurpers for his loyalty to K. Ch. I. He died ye 25 Feb. 1664.

This S^r Philipp was father to Katherine wife of Edward Sheldon of Steeple Barton Esq. which Edward was son of

Ralph Sheldon, son of Edward of Bely in Worcestershire, son of Ralph Sheldon wh. last Ralph purchased one of the 3 manor houses in Steple Barton of ye Dormers & is now possest by Ralph Sheldon son of Edw. Sheldon by Katherine Constable his wife.

In ye south Isle joyning to ye body of ye church is a flat marble stone & on it this inscrip.: Here lyeth ye body of Bridget Sheldon wife of Ralph Sheldon Esq. who died 25 June an. 1670. Sheldon impaling Morgan.

At ye west end of ye body of ye church neare the belfry, is on a flat stone ye proportion of a man between his two wives on brass plates, with this inscription under them: Pray for ye soules of William Fox & Alice & Mabyll his wives, on whose soules Jesu have mercy Amen. Under are ye proportions in brass of 10 sons and 10 daughters standing.

In ye manor house belonging to Mr. Sheldon in ye parlour window: Sab., two Griffins ramp. back to back arg. beck'd & clau'd or.

The Armes with quarterings of Edw. D. of Somerset.

The mannour house belonging to the Sheldons was built as is said by one . . . Sheers merchant of ye staple but when tis uncertaine.

The armes of ye Staple Merchants are twice or thrice on ye wall of ye court.

Over ye doore leading to ye stables & so to the House, is this written: Think & Thanke an. 1570 whether ye house itself was then built [*end*].

[*Rawl. B. 400 c. fo. 209.*]

On a brass fixed to the ground was this inscription now lost:—

Johannis Bolderne Artium Magistri et Ecclesiae / Barton-iensis ministri epitaphium / anno salutis 1577 Maii 18 [also 8 Latin verses].

Other inscriptions:—

Katherine, wid. of Edward Sheldon, died Ap. 30 1681. On whose soule Jesu have mercy.

Winefride Walker, wid. of Stuart Walker, dau. of Sir Wm. Cobb. of Adderbury, born Dec. 20 1618, died Jan. 2nd. 1688.

Alice, wid. of Gerard Croker, dau. of Sir Wm. Cobb of Adderbury, born Feb. 10 1619 died Ap. 21 1696.

Lucy, wife of Fernando Gough, dau. of Thos. Marten late of Rousham, died Ap. 30 1706, aged 56.

MS Top Oxon 165'

Inscriptions .

Steeple Barton ff. 251-6

Westgate Barton f. 257^{rr}

f. 251.

from Antony Wood's MS E1.

In Chancel against E wall on table between 2 pillars of black marble.

Upon Frances Coker . wife of John Coker of Hook Norton Esq.

d. 1 Jan. 1627.

inscription & arms.

Freestone monument against N. wall

John Blundell . late citizen & merchant of London . 20 Sept. 1559
arms .

West end of body of church . near the Belfrie . on a flat stone

the proportion of a man between his 2 wives . in brass plates .

Pray for the souls of William Fox and Alice and Mabyll his wives .

under are proportions in brass of 10 sons & 10 daughters .

f. 252

On black marble table against N. wall .

Joane Humphrey daughter of Andrew Inkefordby , wife of

Lawrence Humphrey 27. Aug 1611. her eldest child

Justice Dormer placed this small monument D.O.M.S.

Latin inscription & arms .

Another monument against said wall . a table between pillars of black marble

Justice Dormer .

5 July 1627

Latin inscription & arms

f. 253/4

Against S. wall of Chancel . effigies of man & woman praying -

Dormers Latin inscription . & arms .

On a brass fixed to the ground is this

To the Bolderne artium magistri et

ecclesie Bartonensis ministr; Epitaphium

Anno salutis 1577 Maii 18

Latin inscription

On a freestone monument and pillars against said South Wall
xv die octobris 1595

Robert Walker

Latin inscription & arms.

In an Ile on the S side of the chancel Arms Sheldon impaling
Constable in a lozenge

Here lies the body of Katherine widdow of Edward Sheldon
late of Streeple Barton. she was daughter to Sr Phillip Constable
of Everingham in the County of York.

30 April 1631

On a flat marble laying on the ground near the last monument
Here lyeth Sr Philip Constable

Note by Wood. wch last Ralph purchased one of the 3 manors in
Streeple Barton of the Dormers. with the house belonging thereto.
built by John Dormer ...

On a flat marble stone in S. Ile joyning to the body of the
Church.

Here lyeth the body of

Bridget Sheldon wife of Ralph Sheldon.

25 June 1670.

arms.

In Antony Wood's MS c. 10.

In the manor house belonging to Mr. Sheldon.

In the parlor window.

S 2 griffins ramp. back to back, arg. beak'd & chained or

The Arms with quarterings of Edw. Duke of Somerset Protect.

The Manor house belonging to the Sheldons was built, as is said,
by one Sheers, Merchant of the Staple, but when he uncertain.

The Arms of the Staple Merchants are twice or thrice on
the wall of the court.

Over the door leading to the stable and so to the house is
written Think and Thanke An. 1570. whether the house itself
was then built - query

256 The following are from Rawlinson MS.

On a black marble gravestone in the chancel.

Here lieth the body of ^{Winefride} ~~Stuart~~ Walker, widow of Stuart Walker

late of the City of London ^{born 20 Dec. 1618} d. 2 Jan. 1688

daughter of Sr William
Cobb of Adderbury

On another black marble gravestone near the former.

Here lieth the body of Alicia Croker widow of

Gerard Croker late of Hook Norton, d. of Sr William Cobb
^{born 10 Feb. 1619}
of Adderbury 21 April 1696

On a black marble gravestone in the middle aisle

Here lyes the body of Lucy the wife of Ferdinando

Gough and daughter of Thomas Marten late

of Rowcham Gent. 30 April 1706. aged 56.

Frances Coker.

John Coker her youngest son hath placed this monument.

Under this marble stone those ashes lye

Which are the embers of eternitie

No embers couch more sparks of fire than she

Had lights of virtue, now asleep they bee

But yet shall rise againe, and see whose breath

First raised her out of night shall out of death

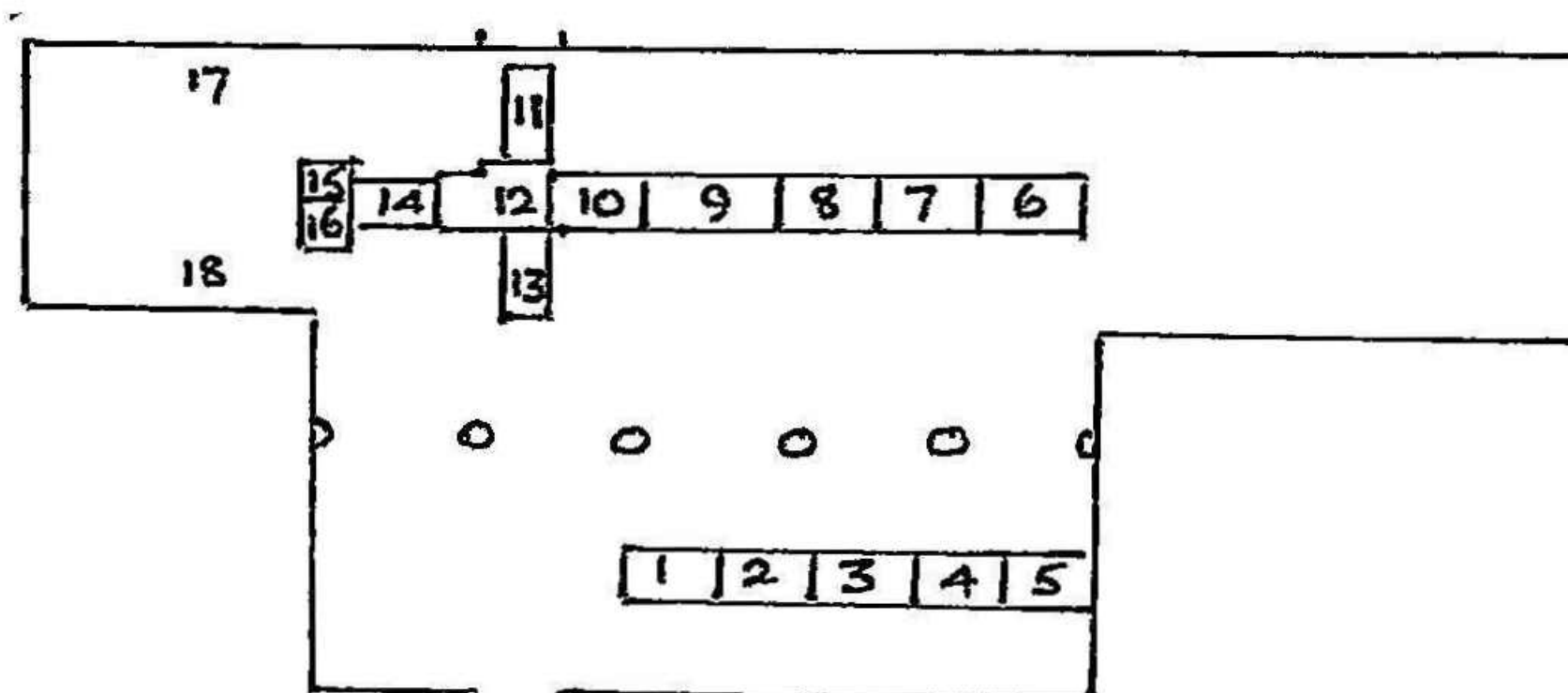
Then shall those flames shine brighter than the sun

And like it burn without consumption.

Pray for the soules of William Fox and Alice a Mabyll
his wifes on whose soules Jesu have mercy. Amen.

Of Philip Constable, ... Baronet. whose whole
estate was confiscated by the Usurpers for his loyalty
to Charles the first He dyed 25 Feb^r. An 1664

MEMORIAL INSCRIPTIONS on the floor of St Mary's Church, Steeple Barton



Nos 7, 8, 12, 14 and 16 are indecipherable

- 1 HERE LYETH S^R PHILLIP/CONSTABLE OF EVERINGHAM/IN THE COVNTY OF YORKE/
BARRONET WHOSE WHOLE/ESTATE WAS CONFISCATED/BY THE VSVRPERS FOR HIS/
LOYALTY TO KING CHARLS/THE FIRST/HEE DYED FEB THE 25/A^O D^N 1 1664

Sir Phillip's Constable's daughter Katherine married Edward Sheldon. Between 1600 and 1782 seven generations of Sheldons, a Roman Catholic family, lived in the house later rebuilt and now known as Barton Abbey

- 2 HERE LIETH/THE...OF/ELIZABETH/MAR...NN/.../WILLI.../WHO.../THI...AN/14
ANN ...17.. [Elizabeth Marten, wife of William, buried 17th Jan 1707]

- 3 Here lyeth the body of Bridget/wife of Ralph Sheldon/of Barton ..qr who
Dyed June/ye 25 Ann dⁿ 1 1670

- 4 In Memory of/CASTLE Son of/FRANCIS and/ANN BRANGWIN/who died 9 Oct 1790/
Aged 15 Years

Brangwins became landowners in Middle Barton in the 1730's, and they built the house in the centre of the village now known as Manor Farm

- 5 Here lyeth the body of LV../the wife of FERDINANDO/GOVGH & dau...er of/
THOMAS .ARTENN .../rhowsHAM.../April 30 1706 [Lucy daughter of Thomas Martenn late of Rousham]

- 6 no name

- 9 Here lies the Body of Katherine/Widdow of Edward Sheldon late/of Steeple
Barton in y^e County of/Oxon Esquire/She was daughter to S^r Phillip/
Constable of Everingham in the/County of York Barronett/She departed this
life on y^e last day/of April MDCLXXXI/On whose soule Jesu have mercy/Amen

- 10 Here Lieth the Body/of JOHN BRANGWIN Gent/who died Nov ye 20 1766/Aged 66
Years/...[and Mary his wife]/who Departed this life July ye 18 1798

- 11 Here lieth the body of Winefride/Walker widow of Stuart walker/Late of the
City of London Gent who/Was the daughter of S^r William Cobb/of Adderbury
She was born the 20th of/December Anno Domini: 1618/And died Ianuary the
2nd Anno Domini 1688

- 13 Here lieth the body of Alicia Croker/Widow of Gerard Croker late of/
Hooknorton Esq who was the daughter/of S^r William Cobb of Adderbury/She
was born the 10th day of February/Anno Domini 1619/And died April the../
Anno 1696

Crokers owned land in Steeple Barton and also the gift of the living of the Church

- 15 In Memory/of Elizabeth Daughter/of JOHN BRANGWIN/Gent/and of...his wife/
who... [Mary buried 9 April 1848]

- 17 HERE RESTETH/WILLIAM/MA...NN [William Marten buried 29 Nov 1715]

- 18 ...1715?

STEEPLE BARTON CHURCH. INSCRIPTIONS IN THE ORGAN LOFT

In the organ loft, on the east wall

Black marble

HERE LIETH THE BODIE OF IOANE HVMFREY,
DAVGHTER OF ANDREW INKFORBIE, WIFE OF
LAVRENCE HVMFREY DOCTOR IN DIVINITIE.
SHE WAS BORNE AT IPSWITCH IN SVFFOLKE,
MARIED BEYOND THE SEAS AT GENEVA, HAD
SEAVEN SONNS AND FIVE DAVGHTERS: LIVED
A WIFE THIR̄TIE YEARES AND WIDDOW TWE
TIE THREE. SHE DIED THE 27 OF AVGVST IN Y^E
YEARE OF OVR LORD GOD 1611 BEINGE
SEVENTIE FOVR YEARES OLD. IN WHOSE PIOVS
MEMORIE, HER BELOVED DAVGHTER IVSTINE DORMER
ELDEST CHILD HATH PLACED THIS SMALL MONVMENT

D . O . M . S .

DE ME, PAVCA LOQVAR, CONCEDE MODESTIA, DE ME,
SIT MIHI FAS, SALVO, VERA PVDORE, LOQUI.
HVMFREDI CONIVNX, ENPHORBI FILIA, DOCTA,
NATA, IN-NVPTA, DOMO: PIGNORA DOCTA DEDI.
SANCTI ADERANT MOREIS, MIHI FORMA NEC ABFVIT, OMNIS
NEC PERIT; HANC SOBOLES VIVA TABELLA REFERT.
GENEVA, OXONIA, ET BARTONIA CONSCIA NOSTRI
HAEC THALAMI, HAEC VITAE TESTIS ET HECOBITVS.

The memorial was recorded, in 1676, as being on a table
of black marble against the north wall of the chancel

SHELDONS

The Sheldons were a Catholic family who, for nearly 200 years, owned and lived in what is now Barton Abbey.

The house bought by Ralph Sheldon from the Dormers at the beginning of the 1600's was very different from the present house, although a small part of the house he bought and altered does still remain. The family lived there for seven generations and the property was passed down from Ralph to his son Edward, to the second son Ralph, to son Edward, to son Ralph, to son Edward, then, a change of name, to son William. Finally William's son Ralph sold it in 1782.

The Sheldons and members of their staff, as Catholics, refused to take the protestation oath in 1641 and throughout the century were reported as recusants.

Members of the family were, however, buried here and their memorials in the Church are among the most interesting that remain. There is also a very well preserved stone to the memory of Sir Phillip Constable of the County of Yorke "whose estate was confiscated by the vsrpers for his loyalty to King Charls the First" and who died in 1664.

Sir Philip was the father of Katharine who married Edward Sheldon, and he had a large estate at Everingham, about 16 miles from York, and another at Middle Rasen in Lincolnshire. Both estates were taken away from him in 1642 in the first year of the Civil War. The family, however, succeeded in buying them back and Sir Marmaduke, Sir Philip's eldest son, returned to Everingham.

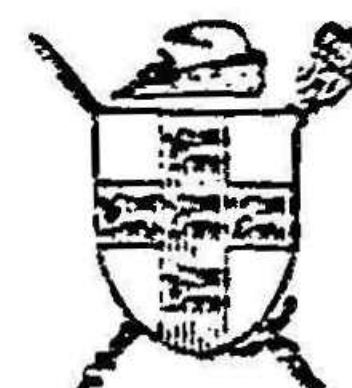
Sir Philip, after his wife's death, came to live with his daughter at Steeple Barton. He went to Everingham at Christmas 1662 for a family celebration, but died at Steeple Barton two years later.

His will included legacies of money to his daughter Sheldon and her daughters, and £8 towards his funeral and to such poore as his sonn Sheldon shall thinke fitt. He left his Velvet Coat to his daughter, his silver Tobacco box to his sonn Sheldon and his watch to his god or grand son Ralph.

An account of the 1662 celebrations and the will are in Steeple Barton Church

Information from the Journal of the Catholic Record Society

City of York



CITY ARCHIVIST

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Our Ref M.T.

Your Ref

Date 24.2.1986

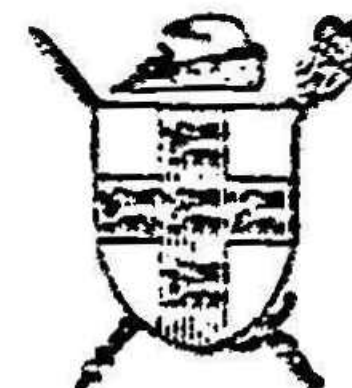
The Children of West Kidlington C.P. School

Thank you for your letters about Sir Philip Constable of Everingham. Everingham is in Humberside, near the small town of Pocklington, 16 miles from York. There were several branches of the Constable family in this part of Yorkshire about the time of the Civil War and the Constables of Flamborough were on the side of Parliament, while the families at Constable Burton and Everingham were Royalists. Sir Philip got into trouble because he was also a recusant - a Catholic, and he had to pay fines because he refused to attend church, even before he was fined by Parliament for supporting the king.

The Everingham estate consisted of 3,000 acres and Sir Philip also owned another estate of 3,000 acres at Middle Rasen in Lincolnshire, which was also taken away from the family at the same time. Sir Philip's son Marmaduke had fled to the continent after the king was defeated, but the family succeeded in buying up the Everingham estate when it was sold to pay Sir Philip's fines. Eventually Sir Marmaduke got back the Everingham estate, and also proved that the Middle Rasen estate had been left to him by his mother. The Constables returned to Everingham and built a new house there in 1764 which still stands.

P.T.O.

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P.T.O.

in similar activities on behalf of Lord Arundel;¹⁶ the latter, with Rushworth, was a member of the loosely-knit syndicate which operated on behalf of royalists and delinquents. He too bought many estates in the North, sometimes in collaboration with Rushworth. On this occasion, though the purchase was made in Rushworth's name only, Crouch acted as London agent for the family, and conducted much of the legal and financial business which preceded and followed the actual purchase.¹⁶

There were a number of reasons why the assistance of these men was necessary. Their careers, particularly in the case of Rushworth, made it easier for them to gain the confidence of those government officials who were prepared either to turn a blind eye to their activities or actively to assist them. At the same time they were less open to the suspicion of those who were likely to do neither of these two things. There is evidence that as early as 1650 the Constables had friends among the London civil servants, and Crouch's accounts for 1653 and 1654 suggest that their silent co-operation could be bought.¹⁷ Furthermore, the experience of these agents made them completely familiar with the complicated legal and administrative machinery which had been erected since 1642, and thus they were fully able to arrange matters on behalf of the families concerned.¹⁸

Before Rushworth began contracting for the purchase of the property, Marmaduke claimed that, by a provision in the Act for Sale, the lands in Holderness, which had been granted by Letters Patent of Henry VIII in 1535, ought merely to be subject to a composition fine. His petition was successful, the sequestration of the property was discharged, and it was returned to the family after the payment of a fine equal to a third of its capital value, which was £758.¹⁹

Rushworth signed the first contract to buy on March 22nd, 1653, and by the end of May had obtained the whole estate and paid half the purchase money.²⁰ The Government used these sales of Royalists' land as a means of paying its debts. Their creditors were invited to double the amount of their existing loans to the state. As a result, they were to receive security in the form of land for the total value of their loan. Alternatively, they could use the whole of their loan to pay for land which the Government wished to sell. This system was known as "doubling".²¹ Soon after the recognition by the Government in March 1653 that the estates were to be sold only for the lifetime of Sir Philip, Rushworth began buying items of government debt with a view to "doubling" them. The holding of sufficient debt to be able to "double" for the whole property was one way of ensuring that the estate was purchased intact by Rushworth, and there is ample evidence that most, if not all, of the Constables' land was paid for in "doubled" bills.²² The formal Deed of Sale was signed and sealed on June 7th 1653, and the last instalment of the Holderness fine was paid in the middle of August.²³

On June 9th the private legal manoeuvres began. Firstly, Sir Philip,

Marmaduke, and Rushworth leased the whole of the estate to three Catholic trustees, Richard Shirburne senior, Humphrey Weld, and Dame Anne Osborne, for £12,488 and a term of ninety-nine years. £7556.16.0 of this was the purchase price of the estate as set by the Government. The remainder was for the payment of the debts of Sir Philip and Marmaduke. That same day father and son implemented an agreement which they had arrived at in the previous February. In return for ceding his life estate and the majority of his goods and chattels to Marmaduke, Sir Philip was granted £200 per annum for life, and the power to grant up to £500 by his will, while the responsibility for his accumulated debts passed to his son.²⁴ A few days later, on June 13th 1653, the three trustees leased the estate back to Marmaduke and Rushworth for a term of ninety-eight years eleven months and twenty days. Marmaduke covenanted to repay the £12,488 at six months' notice and, in the meantime, to pay at the rate of £600 a year. Finally, on August 5th, Rushworth issued a Letter of Attorney giving Robert Shirburne and his two deputies power to administer the estates in his absence.²⁵ The fabrication was complete.

Equilibrium was at last restored to a situation which previously had been in constant fluctuation, and for two years all went well. The central authorities were helpful when called upon to resolve difficulties, and otherwise remained unconcerned. However, towards the end of 1655 for some reason they became suspicious. A Bill for the "discovery" of Sir Philip's estate was filed in Chancery. Robert Shirburne and Rushworth swore before the Court that no trust for Sir Philip remained in the estate.²⁶ In January 1656 Rushworth wrote to Richard Darley, a prominent Parliamentarian who served on several national committees and who had an estate on the borders of the East Riding at Aldby and Buttercrambe, assuring him that what had once been Sir Philip's estate was now vested in Rushworth, and not merely to his "use". The "use" was for "divers creditors and for payments of great sums as by deeds by me sealed may appear".²⁷ Despite this letter, Sir Philip was summoned for interrogation before the Yorkshire Commissioners for Securing the Peace of the Commonwealth.

When Robert Shirburne appeared on Sir Philip's behalf, he referred the Commissioners to the oaths which he and Rushworth had sworn before Chancery. The Commissioners sent for a copy of the Court's proceedings and asked Rushworth to give them full details of the debts which remained to be paid. In April they promised to discharge the estates at their next meeting in May if the tenant at Rasen, Christopher Bentley, satisfied them that no part of the Lincolnshire estate was vested in Sir Philip and that none of the profits accrued to him. Bentley assured the Commissioners that he let his land from Rushworth and that he had received orders from him with regard to stocking the estate. They were not satisfied with this reply, and ordered Rushworth to make a full report to the Major General of his county so that they could "come to

in Oxfordshire, Marmaduke assumed control of family affairs. Shirburne also left his estates to his heir and took up residence with his daughter. Meanwhile Anne's cousin, Robert Shirburne, had moved to Yorkshire to act as chief steward of the Constable estates. One reason for this rearrangement was the family's rapidly worsening financial situation, the prospects for which deteriorated when their property was again sequestered because of Sir Philip's recusancy and his supposed delinquency.⁶

Marmaduke attempted to save part of the estates from confiscation by personally claiming the title to the property at West Rasen. By Sir Philip's marriage settlement of 1638 this had been granted to Marmaduke after the death of his mother, who had died in 1644. His petition was refused because the estates had been sequestered in 1642, two years before the terms of the settlement came into force in 1644. Sir Philip's own appeal against this second sequestration was also rejected. Marmaduke continued to pursue his claim and, after leasing his title to one of the family's creditors for £500, besieged the authorities with petitions in the name of the new owner. Had these efforts been successful, the property would in fact have been held by the Constables, for the lessee was a distant relative of the family, but they were not. In April 1652 the whole of the Lincolnshire estate was let by the County Commissioners to an Army officer.⁷

Meanwhile, the Yorkshire Commissioners had seen nothing incongruous in leasing all the lands and tithes in East Yorkshire to Philip Constable, knowing him to be Sir Philip's second son. After the usual fifth had been allowed to the delinquent dependants, Philip paid £617 per annum for lands which had an annual value of £636.⁸ The house in York was let to a relative, and although no fifth was allowed from the land in the West Riding, it was leased to two long-standing tenants of the family. In fact, the income from the property in both York and the West Riding came to the Constables as the official lessees were acting on their behalf, though it is not clear whether the authorities were aware of this. However, any satisfaction which the family may have derived from gaining control of the whole of their Yorkshire estate was blunted by the increasing burden of the rent demanded for their property. Within a year of the first lease to Philip Constable it was increased by £56 per annum. The gap between the Commissioners' 1651 valuation and the original rent was less than half this sum, so the family was forced to choose between increasing the rents of their tenants and sinking further into debt. Moreover, the Government forbade any increase in sub-tenants' rents to be more than proportional to the rise in the overall rent. Thus, had there been scope for a greater increase in rent than that made by the Commissioners, and had the family been eager to bring this about, they were forbidden to do so. Philip Constable concentrated on lowering costs by petitioning for the allowance of all the outpayments from the estate which reduced the gross rental of the property, and in June 1652

he was allowed all those under £2 each. In the following September he was allowed a list of specified items above that sum.⁹

A month later all these efforts were frustrated by the inclusion of Sir Philip's name in the third Treason Act. His name had appeared in the original drafts of the first two Acts but, after frantic petitioning, had been removed. When the third Act was brought before Parliament, all the names, except Sir Philip's, were inserted without discussion. However, during debates on the amendments, Sir William Constable of Flamborough, Colonel in the Parliamentary Army, and Regicide, twice divided the House on the question of whether his relative's name should be inserted in the Bill. On each occasion the ayes defeated the noes. Sir Philip's estates were forfeited to the Commonwealth for Treason, and were to be sold.¹⁰

Efforts were now directed towards two ends: firstly, to get the Government to recognise that, by a deed of 1619, Sir Philip had entailed his estates on his eldest son and that, therefore, his interest and title were for life only. Realising that his recusancy was a major bar to the success of this move,¹¹ Marmaduke took the Engagement before the Middlesex Justices on January 15th 1653. Three days later the petition was submitted. It was granted on March 2nd, after surviving witnesses to the deed of 1619 had been mustered, and Sir Philip had declared under oath that he had done nothing to prejudice the settlement.¹²

The second objective was to ensure that the estates were sold to someone who would be content to pose as the owner while allowing the Constables or their agents to administer the property and receive the profits. Both Richard Shirburne and Sir William Constable of Flamborough approached John Rushworth, who specialised in enabling Catholic Royalists to avoid sequestration or total confiscation. He was related to the Shirburnes,¹³ and Sir William knew him as the one-time secretary of his wife's brother, Lord General Fairfax. He had long been a servant of the Parliamentary cause, firstly as clerk-assistant, messenger and secretary to the Commons, then as secretary to various committees and, for a short time in 1650, as secretary to Cromwell himself. In 1651 he was employed by the Council of State, and in the following year was placed on the Committee for the Reformation of the Law, his own profession. He was later to become one of the major contemporary historians of the Civil War and Interregnum. The Calendars of the Committee for Compounding reveal his unofficial career. Between 1643 and 1655 he helped numerous Royalists in all parts of the country, although his activities were concentrated in Durham and his native Northumberland. The number of estates which officially he bought from, and unofficially bought on behalf of, various people runs into double figures.¹⁴ There were two more accomplices, Humphrey Weld and Gilbert Crouch. The former was a "prominent City businessman" who engaged

34. Wing G 1167. There is no recent biography of Goodwin, but see Haller, *op. cit.* as well as his *Rise of Puritanism* (New York, 1938).
35. Goodwin, 6.
- 35B. Biddle found a defender in *The Spirit of Persecution broken loose* (London, 1655. Wing S 4992). On Biddle see J. John McLachlan: *Socinianism in Seventeenth century England* (Oxford, 1951) ch. 10. It was the two Jesuits, Matthew Wilson and John Floyd, who in their controversy with the Anglican William Chillingworth in the 1630's, popularized the use of "Socinian" as a term of theological derision. See A. & R. 323, 893, 895.
36. Goodwin, 59.
37. Wing A 3557 and G 1203.
38. *op. cit.* 227. See also Wm. Clyde: *The Struggle for the freedom of the press* (London, 1934), 265ff.
39. Siebert, *op. cit.* 230ff.
40. *Cal. S.P. Dom.* 1655, 393. The Council ordered the matter to be looked into. Nevertheless the book did appear in 1656, though with no publisher's name. It was Isaac de La Peyrère's *Men before Adam*. Wing L 427-8.
41. London. Printed by A.M. for Thomas Underhill. Published 31 October 1656. Wing T 64.
42. p. 3.
43. pp. 4-5.
44. Joseph Frank: *The beginnings of the English newspaper* (Cambridge—USA—1961), 253.
45. *Catalogus Librorum in diversis Italiae locis emptorum*. Londini. 1637. STC 4789. *Catalogus librorum in omni genere insignium quorum copia suppetit Octaviano Pulleyn*. Londini, 1657. Wing P 4201. I wish to thank Professor T. A. Birrell for this reference.
46. This had been published in English translation in 1632, A. & R. 653. There are several references to an earlier (MS??) translation circulating in England in John Gerard's *Autobiography* (ed. Philip Caraman. London, 1956), 29, 56, 174.
47. On the first of these books see Ruth Clark: *Strangers and Sojourners at Port Royal* (Cambridge, 1932), 2-3. The others are noticed at the appropriate places in Gillow's *Bibliographical Dictionary*.
48. Plomer, *op. cit.*, 149-150.
49. The letter is dated London, 14 May 1647. P.R.O. (Roman transcripts) 31/9/94. No. 156. The Allestree mentioned is presumably the same James Allestrye who later became a prominent London printer.
50. For this and much other help in the preparation of this article I wish to thank Dr. Rogers.

THE CONSTABLES OF EVERINGHAM THE FORTUNES OF A CATHOLIC ROYALIST FAMILY DURING THE CIVIL WAR AND INTERREGNUM¹

by PETER ROEBUCK

Of the three major branches of the Yorkshire family of Constable, one, the Constables of Flamborough, was Parliamentary and Puritan at the outbreak of the Civil War; the other two, those of Burton Constable and Everingham, were Royalist and Catholic. This article is concerned with the fortunes of the Everingham branch, who, by 1642, were owners of substantial amounts of landed property in both Yorkshire and Lincolnshire. Their house at Middle Rasen in Lincolnshire, where they spent most of their time before the War, was surrounded by an estate of 3000 acres, while the Yorkshire estate consisted of 3000 acres in and around Everingham in the East Riding, 1000 acres at Drax in the West Riding, land in Holderness and a house in York.²

In 1642 the head of the family was the ageing Sir Philip Constable. When the War broke out his two sons left for the Continent and two of his brothers and a brother-in-law were subsequently killed fighting for the King, but, being in his sixties, he took no part in the hostilities. Nevertheless, the Parliamentary authorities regarded this well-known recusant as a leading delinquent, and his estates were sequestered during the first year of the War. After his house in Lincolnshire had been damaged, he lived for a while in York, and later, as Everingham Hall had been looted and occupied, he took refuge in Newark. When that garrison surrendered to the Parliamentary forces in May 1646, he made strenuous efforts to have a composition fine substituted for the sequestration on the grounds that he "never was in arms", left York before it became a Royalist garrison, and only went to Newark because he was unable to live in either of his two country houses.³ These early petitions failed, but by 1649 a fine had replaced total confiscation.

The removal of the sequestration allowed Sir Philip to sell wood or land, if he so wished, to pay off his mounting debts. The regular payment of recusancy fines before 1642 had not financially embarrassed him, but by 1649 a decrease in income, due to long confiscation, and an increase in expenditure, resulting mainly from the loss of £4000 in goods for the payment of arrears in the composition fine which had accrued since the beginning of the war, combined to drain his resources and make further borrowing essential.⁴ One of his main sources of capital at this time were York businessmen; the other was Richard Shirburne of Stonyhurst in Lancashire. This gentleman had given financial aid to Charles I, and his estates had been sequestered because of his wife's recusancy, though they were later discharged.⁵ In 1650 Sir Philip's eldest son Marmaduke married Richard's daughter Anne and, when his father went to live with Marmaduke's newly-married sister

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