

## VCH Gloucestershire - Cheltenham

*Note:*

*The Gloucestershire County History Trust is working towards another publication in the VCH paperback 'Shorts' series, presenting research on Cheltenham before it was transformed in the 18th century by the discovery and exploitation of the spa. We plan to publish it in Autumn 2017. This is a draft text, posted now for comment, which still contains a few matters of uncertainty for checking, and is subject to academic review. It has been researched and written by Dr Beth Hartland (to 1540) and Dr Alex Craven (from 1540), and edited by Dr John Chandler.*

*This history is written in 'red book' format, and a version will in due course be reordered and incorporated into VCH Glos, vol. XV, which will include histories of Cheltenham and nearby parishes. Because of this it is our intention to publish in the 2017 paperback not only a version of this text, but also numerous text boxes alongside it, which will describe our methodology, explain difficult or obscure passages, and highlight topics of particular interest. The book will be fully illustrated, including colour, and will include a range of maps.*

*Most abbreviations in footnotes follow the conventions of VCH Glos XII and XIII, and will be fairly self-evident. Exceptions may be CCC (=Corpus Christi College, Oxford), DC (=Duchy of Cornwall Archives) and MCA (=Madresfield Court Archives, Worcs.)*

*If you have comments on this draft we should very much like to hear from you. Please email us at [vchglos@btinternet.com](mailto:vchglos@btinternet.com).*

*John Chandler, Consultant Editor, VCH Glos.*

## CHELTHENHAM BEFORE THE SPA

Medieval and early modern Cheltenham was a small market town 12 km. (7½ miles) north-east of Gloucester and 11 km. (7 miles) south-east of Tewkesbury, sitting within the north-eastern portion of its large rural parish.<sup>1</sup> This parish lies on the flat plain of the Severn Vale, surrounded on the east and south by the steep escarpment of the Cotswold edge, which one 17th-century observer described as rising above the town like an amphitheatre.<sup>2</sup> Although of little note for much of its history, there has probably been continuous settlement in the vicinity of its minster church since the 8th century. The active promotion of a spa in the town in 1738, and particularly the visit of George III in 1788, caused a rapid growth in its size and importance. Modern expansion has meant that the town has spilled over the borders of the neighbouring ancient parishes of Prestbury, Swindon, Leckhampton, and Up Hatherley. Charlton Kings, a village and chapelry of Cheltenham which was often treated as a distinct parish, was not formally severed from the parish of Cheltenham until the early 19th

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<sup>1</sup> This account was written between 2014 and 2015 and revised in 2017.

<sup>2</sup> *HMC Portland*, ii, 303.

century, but its history, except when bound up with Cheltenham manor, is not considered in this account.<sup>3</sup>

#### BOUNDARIES AND DIVISIONS

The ancient parish of Cheltenham, which measured 3,740 a. (1,514 ha.) in 1831,<sup>4</sup> was the largest contained within the hundred of the same name, and bordered nine other parishes. Where the boundary coincided with those of the hundred, along the northern and western edges of the parish, it followed clearly defined features, such as the many streams which flow westwards across the parish towards the river Severn.<sup>5</sup> Elsewhere, this parish boundary was not marked by any distinctive features and its course is suggestive of the division of fields previously held in common. In the north-east and south-east corners of the parish two narrow fingers of land stretched around the boundary of Charlton Kings, providing access to the slopes of Leckhampton Hill and Prestbury Hill, whilst the zigzagging nature of the boundary with Leckhampton and Up Hatherley, to the south of the parish, suggests common fields that have been divided equally between the neighbouring parishes.

Beginning at the point where Wymans brook crosses an ancient route called Kingsditch Lane, the boundary ran north-east along the ancient course of the brook, passing through the middle of what became ornamental lakes at Pittville and crossing the road to Prestbury at a place anciently called Cakebridge. From here it followed the northern fork of the brook, crossing Bouncer's Lane and passing through the middle of Hewlett's farm before turning south along a field boundary. It then ran south-west along Hewlett's lane, twice diverting around the edge of fields to the north of the lane before returning to follow it west to its junction with Bouncers lane. Here the boundary turned south-west and ran along Hales road until it met the river Chelt, where it followed the course of the river eastwards briefly, before turning south-west again and rejoining the old road to Bath. From here, the boundary with Charlton Kings departed the course of the road before the junction with the road to Leckhampton and ran east and then south across fields to the corner of Charlton Kings common. The boundary briefly followed field borders west and then north, before following the course of a stream northwards. From here the parish boundary travelled north and then south-west, following streams and field boundaries, before finally arriving at Hatherley lane. It followed a tributary of the Hatherley brook west before turning north at the corner of Harthurst common, following the road from Badgeworth and field boundaries until arriving at Barbridge on the river Chelt, south of Uckington. From here, the boundary followed the river Chelt eastwards until it turned north to cross the Tewkesbury road and follow Kingsditch lane back to Wymans brook.

Within these boundaries, the ancient parish comprised the four tithings of Cheltenham, Arle, Alstone, and Westal, Naunton and Sandford. Cheltenham tithing, which also contained the borough of Cheltenham, occupied the north-east part of the parish.<sup>6</sup> Its southern boundary followed the course of the river Chelt until it reached the coach way leading south from the high street towards Badgeworth, now called St George's Place. Here it travelled across the fields to meet the western end of New

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<sup>3</sup> Youngs, *Admin. Units*, 168.

<sup>4</sup> *Census 1831*.

<sup>5</sup> *VCH Glos. XV* forthcoming, hundred introduction.

<sup>6</sup> The tithing was mapped at the time of inclosure in 1806: GA, Q/RI/40-1.

Street and then followed a field boundary and a stream until it rejoined the river Chelt to the south of Kingsditch lane. The largely rectangular tithing of Arle forms the western portion of the parish and included the important freehold estate of Arle Court. To its east, divided by an ancient greenway referred to in 1635, was the tithing of Alstone.<sup>7</sup> To the south of Hatherley brook, lying across the southern ends of both tithings, was the manor of Redgrove. The tithing of Westal, Naunton and Sandford took the form of two narrow fingers wrapping around Leckhampton, bounded by the river Chelt on the north, and the road from Cheltenham to Badgeworth on the west. Within the tithing, Sandford lay to the north, Westal stretched south-west towards Alstone, and Naunton ran south towards Leckhampton Hill.

#### LANDSCAPE

The parish lies on Charmouth mudstone, on the eastern edge of the Blue Lias and Mudstones of the lower Jurassic period which constitute the Severn Vale. Superficial deposits of sand and gravel overlie this through the central core, with clay and silt along the banks of the river Chelt. The parish lies on gently sloping land, rising from 32 m. (105 ft.) above Ordnance datum at the western end to 66 m. at the east. At the south-eastern tip of the parish, to the south of Naunton, the land climbs the lower slopes of the Oolitic Limestone Leckhampton Hill to a height of 180 m. At the north-eastern corner, the land rises to the highest point in the parish, at 230 m., on the limestone of the Cotswold Edge.<sup>8</sup> The land drains north-west towards the river Severn, and numerous waterways cross the parish from the hills to the east and south. The most significant of these, the river Chelt, rises in the parish of Dowdeswell and is fed by tributaries before it enters the parish at Sandford mill. The river's pre-conquest name, which refers to alders and which it shared with the tithing, was Alre or Arle,<sup>9</sup> and it was also referred to as the Awbrook or Hawbrook and the Incham during the 16th and 17th centuries;<sup>10</sup> the name Chelt, therefore, is probably a later back-formation, and is first recorded c.1540.<sup>11</sup> To the north, Wymans brook runs parallel to the Chelt along the boundary with Prestbury. At the south-west of the parish, a brook rising in Naunton forms the boundary with Leckhampton, converges with the Walkhampstead brook in Westal, and feeds the Hatherley brook as it crosses Westal, Alstone and Arle. Several streams rise in Alstone, running either south-west to the Hatherley brook, or north-west to the river Chelt.

Rudder observed that the soils of the parish varied, from a loose white sand in the east, to a strong clay in the west, a rich loam to the south, and a mixture of loam and sand elsewhere.<sup>12</sup> Each of the tithings had common field systems, with abundant arable throughout the parish. The many waterways provided meadows along their banks, whilst there were large common pastures in the north of the parish. Oakley woods, in the narrow strip of upland between Prestbury and Charlton Kings, represented the only dense area of woodland in the parish to survive after early medieval assarting.

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<sup>7</sup> GA, D 855/M51, 5.

<sup>8</sup> Geol. Surv., Geology of Britain viewer, <http://mapapps.bgs.ac.uk/geologyofbritain/home.html> [accessed 27 Jan. 2015].

<sup>9</sup> Finberg, *Early Charters of the West Midlands*, 80–1, no. 187; discussion in M. Hare [forthcoming].

<sup>10</sup> Add ref. to manor court books for Awbrook. It was still called the Hawe Brook in 1767: GA, D1518/Box 48/Bundle 2.

<sup>11</sup> *PN Glos.* i, 5; ii, 101.

<sup>12</sup> Rudder, *Glos.*, 334.

## COMMUNICATIONS

Cheltenham lies on routes connecting the upper Severn Vale with the Cotswolds to the east and Midlands to the north. Several major ancient routes passed nearby, including the Foss Way, White Way and Salt Way, and the town was linked into this important network of roads by more local, minor routes. Cheltenham may have been joined to the Salt Way running from Droitwich to Lechlade<sup>13</sup> by *Saleweistrete*,<sup>14</sup> or by the old coach road to London, the Cheltenham end of which was known as Greenway Lane;<sup>15</sup> the White Way running north from Cirencester passed through Sandford.<sup>16</sup>

The medieval settlement of Cheltenham was largely ranged along a single high street running south-east and north-west, with its church and manorial complex adjacent to the south, and burgage plots (some still traceable in modern boundaries) running back from both frontages.<sup>17</sup> Documents produced in the course of administering the liberty of Cheltenham refer to *via regis*, the king's highway, which is likely to be a reference to this public road running through the liberty.<sup>18</sup> Other forms include 'the royal way at *Herstret*' and 'the royal way in the way of Cheltenham' (*in via de Cheltenham*). Infringements recorded upon the *via regis* included digging and ploughing, obstruction with timbers and dungheaps, the growth of trees and building of houses.<sup>19</sup>

The most important local roads were those running from Cheltenham to Gloucester, and Cheltenham to Winchcombe, where the liberty administrators were frequently engaged in defending their lords' rights. Leland described the roads around Cheltenham, Gloucester and Tewkesbury as 'subject to al sodeyne risings of Syverne, so that aftar reignes it is very foule to traveyl'.<sup>20</sup> William Greville of Cheltenham in 1513,<sup>21</sup> and John Fawkener of Gloucester in 1545 both left bequests for repairing the road between their two towns.<sup>22</sup>

The medieval pattern of communications persisted into the early modern period. Settlement in the town was restricted to its single street aligned with the river Chelt. At the western end of the parish, this road crossed the Chelt at Barbridge and ran south-west to Gloucester. Another route continued north-west through Swindon to Tewkesbury. At its south-east end, the high street continued as a road through Charlton Kings and climbed the Cotswold Edge to meet the road from Birdlip to Northleach and Burford. Other routes ran south from this road, across Charlton Kings and Leckhampton towards Birdlip and Cirencester. Another road ran south from the high street across the fields towards Badgeworth and Birdlip. A road leading

<sup>13</sup> W. S. Baddeley, *Place-Names of Gloucestershire: a handbook* (1913), 133–4.

<sup>14</sup> DC/MR/GC3, m.3d.

<sup>15</sup> J. Sawyer, 'On Some Ancient Roads on the Cotswolds', *Trans. BGAS*, 20 (1895–7), 251

<sup>16</sup> J. Sawyer, 'On Some Ancient Roads on the Cotswolds', *Trans. BGAS*, 20 (1895–7), 251–2.

<sup>17</sup> Verey and Brooks, *Glos.* 2, 226.

<sup>18</sup> This is unlikely to be a reference to the Fosse Way, although that was occasionally known by this name: A. Cooper, 'The Rise and Fall of the Anglo-Saxon Law of the Highway', *Haskins Society Journal* 12 (2003), 61.

<sup>19</sup> DC/MR/GC1, m.1, 2, 7d; DC/MR/GC2, mm.1d–2d, 5; DC/MR/GC3, m.3d; DC/MR/GC8; TNA, SC 2/175/27.

<sup>20</sup> J. Leland, *Itinerary* (ed. Toulmin Smith), ii, 56–7.

<sup>21</sup> TNA, PROB 11/17/151. [? 11/17/358]

<sup>22</sup> *Calendar of Records of the Corporation of Gloucester*, no. 1237.

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north from the high street to Prestbury and Winchcombe was regarded in 1675 as the principal route connecting Gloucester with Coventry and the south Midlands.<sup>23</sup>

A carrier service that connected Cheltenham directly with London had been established by 1637.<sup>24</sup>

### POPULATION

Cheltenham manor in 1086 was reckoned to contain 36 households and a further seven slaves, an increase of four households since 1066.<sup>25</sup> An extent of the manor taken in 1294 recorded a substantial increase, to 271 households, indicating a total population probably exceeding 1,000.<sup>26</sup> In 1327, according to a tax assessment, around half of the wealthier inhabitants lived in the town, and half in the outlying tithings.<sup>27</sup> Individual poll tax returns for Cheltenham hundred, 1377–9, do not survive.

The population appears to have fluctuated during the early modern period. It was estimated in 1545 that the parish contained 500 communicants, or houseling people,<sup>28</sup> 600 in 1548,<sup>29</sup> and 526 in 1551.<sup>30</sup> In 1563, it was reported that the parish contained 164 households,<sup>31</sup> and it was estimated that the town had 800 inhabitants in 1603.<sup>32</sup> The combined population of the parishes of Cheltenham and Charlton Kings was thought to be about 2,000 in 1623.<sup>33</sup> There were said to be about 350 families in the parish of Cheltenham in 1650,<sup>34</sup> and a total population of 1,169 in the parish in 1676.<sup>35</sup> In 1712, Atkyns found the parish to hold 321 households, of which c. 250 were in the borough, when the population of the parish was approximately 1,500.<sup>36</sup>

### SETTLEMENT

Cheltenham seems never to have been a large or populous town before its development as a spa resort. Leland dismissed Cheltenham as a long town with a market,<sup>37</sup> and later visitors were little more impressed. Thomas Baskerville praised

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<sup>23</sup> J. Ogilby, *Britannia*, vol. 1, pl. 70.

<sup>24</sup> J. Taylor, *The Carriers Cosmographie* (London, 1637); idem, *A Brief Director for Those That Would Send Their Letters to Any Parts of England, Scotland, or Ireland* (London, [1642]).

<sup>25</sup> TNA, E 31/2/1/6238.

<sup>26</sup> TNA, E 106/2/2.

<sup>27</sup> *Glos. Subsidy Roll, 1327*, 50–3.

<sup>28</sup> TNA, E 301/21 no. 26; Hockaday Abs., cxxxvii.

<sup>29</sup> TNA, E 301/22, no. 63.

<sup>30</sup> J. Gairdner, 'Bishop Hooper's Visitation of Gloucester', *EHR*, 19 (1904), 105.

<sup>31</sup> *Diocesan Population Returns of 1563 & 1603*, ed. A. Dyer and D. M. Palliser, (British Academy, Records of Social and Economic Hist., new sers., XXXI (London, 2005), 169–70.

<sup>32</sup> *Diocesan Population Returns of 1563 & 1603*, 332–33.

<sup>33</sup> TNA, C 3/372/14.

<sup>34</sup> TNA, C 94/1, f. 29; C.R. Elrington, 'A Survey of Church Livings in Gloucestershire, 1650', *Trans. BGAS*, 83 (1964), 92.

<sup>35</sup> *Compton Census*, ed. Whiteman, 538.

<sup>36</sup> Atkyns, *Glos.*, 332–34.

<sup>37</sup> Leland, *Itinerary* (ed. Toulmin Smith), ii, 56.

the town's fine church in 1682, but 'as to any other buildings of the town, little else can be said'.<sup>38</sup> Its principal economic function continued to be the provision of a market for neighbouring rural settlements, but there were also important industries to be found in the town. During the early modern period, settlement within the parish lay predominantly within the small borough. Outside the borough, settlement was mainly to be found in the hamlets of Arle and Alstone, whilst settlement in other parts of the parish remained sparse.

#### SETTLEMENT BEFORE c.700

A Neolithic chambered tomb was excavated in 1832 in the vicinity of the former St James's railway station, when three upright megaliths and a capstone were discovered associated with ceramic and lithic grave goods.<sup>39</sup> Stray finds of worked flint and sherds attest to Neolithic and Bronze age activity in Cheltenham, and possible occupation sites were excavated at Sandy Lane in 1950 and 1971,<sup>40</sup> and at the former Kingsmead school in 2010.<sup>41</sup> Evidence for mid- to late-Iron age settlement, in the form of structures, enclosures, ditches and pits, as well as chance finds, has been discovered at various locations, largely as a result of excavations since 1980. At Chester Walk, adjacent to the churchyard, ditches of an enclosure suggest that the gravel terrace along which the medieval town sits was settled during the Iron age.<sup>42</sup> The earliest features discovered at Arle Court in 1999 included a posthole, and other settlement evidence with finds datable to the later Iron age, on a poorly-drained site perhaps used only seasonally.<sup>43</sup> Indications of domestic activity, possibly within an Iron-age roundhouse, were discovered at the Kingsmead school site.<sup>44</sup>

Unsurprisingly, in view of its proximity to the major Roman centres at Cirencester and Gloucester, there have been many chance finds of Romano-British artefacts in Cheltenham, including two coin hoards and numerous stray coins; and evidence of agricultural and domestic activity which must have been associated with farmsteads, or possibly villas, destroyed or yet to be discovered.<sup>45</sup> Accounts by a 19th-century antiquary, John Goding, of a Roman cemetery in the vicinity of St James Square, and of a villa incorporated into a Victorian house, *Roseville*, behind Little Bayshill Terrace, have been viewed with suspicion.<sup>46</sup> Archaeological work between 1997 and 2001 uncovered rectilinear paddocks, ditch systems and assemblages of animal bone, ceramic and other artefacts at Arle Court, West Drive and the former St James's railway station, considered in each case to be indicative of Roman or Romanised farmsteads nearby.<sup>47</sup> At Arle Court some continuity from Iron-age

<sup>38</sup> *HMC Portland*, ii, 303.

<sup>39</sup> B Rawes, 'Some aspects of the archaeology of the borough of Cheltenham' *Glevensis*, 8 (1974), 19–22.

<sup>40</sup> A Douthwaite and V Devine, *Glos Historic Towns Survey: Cheltenham*, 2nd ed., 2007, 21–2.

<sup>41</sup> A Hardy, *et al.* 'Iron age burial and Anglo-Saxon settlement at All Saints Academy, Cheltenham: excavations in 2010', *Trans BGAS*, forthcoming.

<sup>42</sup> J. Wills, 'New library site, Chester Walk, Cheltenham', *Glevensis*, 21 (1987), 39.

<sup>43</sup> R. Cuttler, 'Iron age and Romano-British activity at Arle Court, Cheltenham, Gloucestershire, 1999' *Trans BGAS*, 128 (2010), 55–72.

<sup>44</sup> Hardy, *Trans BGAS*, forthcoming.

<sup>45</sup> Summarised in Douthwaite and Devine, *Glos Historic Towns Survey: Cheltenham*, 22–3.

<sup>46</sup> Rawes, 'Some aspects . . .' 20; L. Coleman and M. Watts, 'A Romano-British field system at Cheltenham', *Glevensis* 34 (2001), 67–71.

<sup>47</sup> Cuttler, 'Arle Court . . .' 67; Catchpole, 'Excavations at West Drive. . .', 93.

activity has been suggested,<sup>48</sup> whereas at Kingsmead school the site of the Iron-age settlement reverted to pasture.<sup>49</sup> All three Roman sites continued in use from the 1st to the 3rd century, and at West Drive into the 4th.<sup>50</sup> From the faunal remains the West Drive farmstead has been interpreted as a highly Romanised settlement, whereas that associated with the Arle Court site may have been a native farmstead.<sup>51</sup>

The excavation in 2010 at the former Kingsmead school site of a post-built building and up to three sunken-featured buildings of the 6th-7th century migration period represents the first evidence, apart from a few sherds of organic-tempered ware found at Arle Court, of early Saxon colonisation of the area.<sup>52</sup> The post-built building, a form of timber hall, is the most westerly known of a fairly uniform type found scattered across southern England, and has been interpreted as part of a single farmstead. It may be a precursor of the settlement that, on topographical grounds, appears to have developed subsequently at Arle Court, and is referred to as the 20-hide estate of Arle at a date between 716 and 757.<sup>53</sup>

#### THE DEVELOPMENT OF CHELTENHAM TOWN

Because of the transformation of Cheltenham after 1740, the topography of the medieval town can only be deduced by reference to buildings, boundaries and other features that survived into the early modern period, and which to a certain extent remained visible into the 21st century. The town plan is linear in form, with settlement laid out along either side of its main street, called Cheltenham Street or the Great Street, and later High Street.<sup>54</sup> This runs from the south-east to the north-west, parallel to the Chelt, from the upper to the lower end of the town. Beyond the town it was known by the early-18th century as Green Street.<sup>55</sup> To the east of the church, a lane on the north side of the main street, called Bell Lane and later Winchcombe Street,<sup>56</sup> ran north-east towards Cakebridge and Prestbury. This may not have been the lane lying next to the high cross.<sup>57</sup> To the west of the church another lane led north from the main street, called Well Lane in 1551 and Fleece Lane from c.1776.<sup>58</sup> On the south side of the street, a lane called Mill Lane in 1556 and New Street c.1800 connected the lower end of the town with Alstone.<sup>59</sup> Another lane, called Day's Lane, returned from the bottom of Mill Lane to the main street. Other lanes and footpaths led north and south from the main street, giving access to the fields and meadows that surrounded the town, and a lane ran behind the plots on the north side of the street before continuing towards Swindon. A footpath called the Church Way led east from the bottom of Mill Lane to the churchyard. A lane ran from

<sup>48</sup> Cuttler, 'Arle Court . . .', 68.

<sup>49</sup> Hardy, *Trans BGAS*, forthcoming.

<sup>50</sup> Cuttler, 'Arle Court . . .'; Coleman and Watts, 'Romano-British field system . . .'; T. Catchpole, 'Excavations at West Drive, Cheltenham, Gloucestershire, 1997-9', *Trans. BGAS* 120 (2002), 89-102.

<sup>51</sup> Cuttler, 'Arle Court . . .', 68.

<sup>52</sup> Hardy, *Trans BGAS*, forthcoming; Cuttler, 'Arle Court . . .', 65.

<sup>53</sup> *Hist. & Cart. Mon. Glouc.* I, 4, 58, 122 [check]; M. Hare, 'The historical evidence', in Hardy, *Trans BGAS*, forthcoming; below: tithings, Arle.

<sup>54</sup> GA, D 2025/Box87, bundle 7.

<sup>55</sup> GA, D 8252/Box 3/Bundle 1.

<sup>56</sup> Hodsdon, *Gazetteer*.

<sup>57</sup> GA, D 855/M9A, 111.

<sup>58</sup> TNA, LR 3/21/2, m. 2; Hodsdon, *Gazetteer*.

<sup>59</sup> GA, D 855/M1, 17-18, 20; Hodsdon, *Gazetteer*.

the main street around the north side of the borough, called the Great Backside, rejoining the main street to the north of Arle.

Little evidence of the appearance of the town at the time of the Reformation now remains, although there is at least one medieval house extant in the high street.<sup>60</sup> A 1599 lease of a house in the high street required the tenant to 'winde and dawbe' (infill with wattle and daub) the timbers of the house,<sup>61</sup> and illustrations from later periods show the street lined with one- and two-storey timber-framed houses.<sup>62</sup> By the 18th century these had been fronted with brick,<sup>63</sup> but they were probably predominantly of wooden and thatch construction earlier in their history. A watercourse called the common stream ran through the borough, in the middle of the main street, from Cambray mill to the lower end of the town.<sup>64</sup> A boy drowned in the common stream in 1638.<sup>65</sup> There are references to a causeway or ridgeway in the town, presumably the roadway running either side of the watercourse,<sup>66</sup> and there were bridges to enable access to the churchyard and the court house.<sup>67</sup> To the east of the rectory, the common stream was fed with water from the Chelt by a leat, and there was also a pond called the horse pool, the responsibility of those tenements on the north side of the street to the east of the rectory.<sup>68</sup> There was a well in the lower end of the town, presumably near Well Lane,<sup>69</sup> and another in the upper end of the town.<sup>70</sup>

At the centre of the borough, on the south side of the street, stood the medieval church of St Mary, at the heart of a manorial complex that presumably represents the original focus of settlement. A building called the Church House stood in the churchyard, which possibly dated from the early 16th century.<sup>71</sup> It had once been used for parish events, but by 1617 it was used as an almshouse for two poor people.<sup>72</sup> It continued to serve in this capacity until it was demolished in 1813.<sup>73</sup> To the west of the church, on what was presumably the ancient manorial site, stood the manor house, known as the Court House, whilst to the south and west lay demesne farmland, which remained largely undeveloped for much of the period. In 1556 the Court House was under lease to Edmund Bendlowe,<sup>74</sup> and by 1604 it was let with most of the demesne land of the manor to Thomas Gough.<sup>75</sup> It was surrounded by a large close, which in 1635 was said to have been recently converted into a garden that stretched as far as the churchyard, and which also contained a small orchard.<sup>76</sup> In 1634 the Court House was purchased along with much of the nearby demesne land

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<sup>60</sup> HER,

<sup>61</sup> GA, D 855/M7, 120.

<sup>62</sup> Jones, *Cheltenham*.

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<sup>64</sup> In 1550 it was described as 'the common water course within the highway [*regia strata*]': TNA, LR 3/21/2, m. 1v. In 1697 it was called 'the town channel that passes through the middle of the town': Hodsdon, *Court Books*, 48.

<sup>65</sup> GA, P 78/1 IN 1/2, 2.

<sup>66</sup> TNA, LR 3/21/2, m. 2; GA, D 855/M2, 401 [marked 399]; D 855/M9A, 144.

<sup>67</sup> GA, D 855/M10, f. 77.

<sup>68</sup> GA, D 855/M1, 25.

<sup>69</sup> GA, D 855/M2, 401 [marked 399].

<sup>70</sup> GA, D 855/M9A, 210.

<sup>71</sup> When the building was demolished, the keystone of the arched doorway was found to be inscribed with the date 1507: Goding, *Cheltenham*, 184.

<sup>72</sup> GA, D 855/M7, 437.

<sup>73</sup> Goding, *Cheltenham*, 184.

<sup>74</sup> GA, D 855/M1, 41.

<sup>75</sup> TNA, E 178/7025, f. 1.

<sup>76</sup> GA, D 855/M7, 372-73.

by Ludovic Packer, who later sold the house with its close to Richard Wills in 1666.<sup>77</sup> He in turn sold the house to Andrew Green in 1706,<sup>78</sup> and it was later acquired by Lady Frances Stapleton.<sup>79</sup> The house may already have been pulled down by this time, and shortly before 1742 Lady Frances built a new house, called the Great House, on its site, perhaps to capitalise on the new spa industry that was developing in the town.<sup>80</sup>

A number of burgage plots lined the street, predominantly on the north side. The plots to the east of what was by 1740 called Humphris's Lane were half the length of those to the west.<sup>81</sup> A short row of burgages lay on the southern side of the lower end of the high street. These latter were crossed by Mill Lane, later called New Street, suggesting that it had developed after the burgages had been laid out. Some of the southern halves of these burgages had stood open to the highway and in common until revived as burgage plots in the later 16th century.<sup>82</sup> The survey of 1604 accounted for a total of almost 52 burgages, a number equal to that recorded in the survey of 1294, amounting in total to c.51 a.<sup>83</sup> Much subdivision had occurred by the seventeenth century, however, and the burgages were divided into 71 separate holdings, ranging in size from 20 perches to 1 a. 1 r. (one-eighth to 1¼ a.), and held by 59 men. Only 16 plots described as a whole burgage comprised exactly 1 a. in 1604. Over time the burgages were further subdivided into several holdings, with new houses being built on the backsides.<sup>84</sup>

To the east of the church, on either side of the high street, stood the two ancient inns, the Plough and the Crown. East of the Plough stood the house called Power's Court, the capital messuage of the manor of the same name.<sup>85</sup> It was rebuilt, perhaps after 1695, and was the only house in the town considered worthy of note by Atkyns in 1712.<sup>86</sup> By c.1740 a ballroom and assembly rooms had been added, but by 1885 it had been demolished.<sup>87</sup> Developments during the 16th century, spurred in part by the acquisition by speculators of former ecclesiastical land, led to the infilling of vacant plots and the subdivision of existing tenements. Thomas Packer acquired much of the land which became available after the Reformation, and he subsequently resold several of these plots with newly built houses.<sup>88</sup> Many of the tenements within the town had already been subdivided at the start of the period, and this was a process that accelerated during the early modern period. Existing houses were rebuilt or extended. Leases enacted in the manor court records give a glimpse of the building work taking place in this period, such as one of 1575, which required the tenant to build a new two-storey house,<sup>89</sup> or one of 1583, which required the tenant to add a second floor and a new chimney.<sup>90</sup> A vacant messuage within Cheltenham was let in 1600 with the proviso that the tenant would build a new two-bay house

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<sup>77</sup> GA, D 2025/Box 87/Bundle 5.

<sup>78</sup> C.A. Probert, *Footnotes in Cheltenham History* – check for source.

<sup>79</sup>

<sup>80</sup> Jones, *Cheltenham*, 170; GDR, vol. 284, 143–4.

<sup>81</sup> Inclosure Award map.

<sup>82</sup> GA, D 855/M4 151.

<sup>83</sup> TNA, E 178/7025, ff. 5–7v.

<sup>84</sup> An example from the early 17th century is the burgage of William Hawker, divided into four tenements by 1617: GA, D 855/M8, f. 103. TNA, LR 2/207, f. 84v; BL, Add. MS 6027, ff. ??

<sup>85</sup> below: landownership, other estates (Power's Court).

<sup>86</sup> Atkyns, *Glos.*, 333.

<sup>87</sup> below: landownership, other estates (Power's Court).

<sup>88</sup> TNA, C 116/150, 106, 112, 136.

<sup>89</sup> GA, D 855/M3, 33.

<sup>90</sup> GA, D 855/M3, ff. 416–17.

upon it.<sup>91</sup> The tenants of the rectory estate had rebuilt four of its tenements between the market place and the church by 1635, although a small tenement that was divided between three tenants was described as partly ruinous.<sup>92</sup>

Some of the new land that became available in the later 16th century was acquired by Richard Pate, a Gloucester lawyer who was probably born in Cheltenham.<sup>93</sup> Pate built a new school on the north side of the street c.1572,<sup>94</sup> on a tenement that had previously belonged to Compton's Manor.<sup>95</sup> In 1574 he was granted former chantry lands within the parish to support this new foundation and an almshouse.<sup>96</sup>

## OUTLYING SETTLEMENTS

### *Cheltenham tithing outside the borough*

Apart from the area containing the medieval borough, the tithing of Cheltenham was sparsely populated. The town was bounded by the common fields to the east, north, and west. Large tracts of meadow and pasture stretched along the northern border of the parish, including the Marsh and the Lady Marsh. These two pastures lay north of the town and were claimed by the burgesses for their exclusive use. The farm called Hewletts lay in the far north-east corner of the parish. More pasture, meadow and arable land, much of it belonging to the lord or the rectory, lay between the town and the river.

### *Arle*

The name Arle, more usually spelt 'Alre' in medieval records, derives from the alder tree.<sup>97</sup> The westernmost of Cheltenham's tithings, its historical record reaches further back than that for any other part of the parish. Gloucester abbey claimed that before 757 its abbess, Eafe, had been granted 20 hides at Arle and Pinswell (in Colesbourne) for 'leading her sheep there'; this may be a reference to the Greenway and its continuation, a drove road which at Arle formed the hundred boundary, and which connected Gloucester and Winchcombe.<sup>98</sup> These 20 hides were included in a grant of the Standish estate to Gloucester abbey by Beornwulf, king of Mercia (823–5).<sup>99</sup> They were probably later taken back into royal hands, following the decline of the abbey after Eafe's time, as there is no later evidence that the abbey held land at Arle.<sup>100</sup> The 8th-century settlement associated with this landholding was perhaps related to the earlier structures excavated at the former Kingsmead school.<sup>101</sup>

Arle is not mentioned in Domesday book, and so was presumably subsumed within the entry for Cheltenham. A chapel and graveyard there are recorded before 1150,<sup>102</sup> probably close to the site of the former Arle Court, where burials,

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<sup>91</sup> GA, D 855/M7, 165.

<sup>92</sup> GA, D 9125/1/6107, 24.

<sup>93</sup> *Oxford DNB*, 21523.

<sup>94</sup> below: social hist., education.

<sup>95</sup> GA, D 855/M5, 142.

<sup>96</sup> below: social hist., charity for the poor.

<sup>97</sup> *PN Glos.* [add ref]

<sup>98</sup> Finberg, *Early Charters of the West Midlands*, 36, no. 24; B. Rawes, 'The Hundred of Cheltenham and its Boundaries', *Cheltenham LHS J.*, 2 (1984), 7–8.

<sup>99</sup> Sawyer no. 1782.

<sup>100</sup> Rawes, 'Hundred of Cheltenham and its Boundaries', 8.

<sup>101</sup> above: settlement before c. 700.

<sup>102</sup> *Cirencester Cartulary*, I, xxxi-xxxii; *Cirencester Cartulary*, ii, nos.419/450, 425/456.

gravestones and Norman masonry have been discovered.<sup>103</sup> The murderer of Christiana of Arle in 1221 sought sanctuary in the church,<sup>104</sup> and c.1250 a chaplain, Simon of Arle, made a grant of a mill and land below Arle.<sup>105</sup>

Various land transactions were recorded in the period 1220–30 involving people using the toponym ‘de Arle’.<sup>106</sup> By 1282 a family had adopted ‘de Arle’ as its hereditary surname through three generations,<sup>107</sup> and one of its members, John de Arle, had by 1294 become of sufficient standing to serve as a juror in an extent of Cheltenham manor taken by the Crown,<sup>108</sup> and in *Quo Warranto* proceedings for Cheltenham.<sup>109</sup> By the 15th century, when a number of manorial surveys survive, the de Arles were no longer leading tenants in Arle, and the families of Brushe, Greville and Hert (or Herd) were gaining ascendancy.<sup>110</sup> A survey of 1470 listed the free tenants of Arle as William Greville, Thomas Brushe, the Prior of St. Magdalene Gloucester, and Margaret Sturmy.<sup>111</sup> After c.1500 Arle Court was in the hands of the Greville family.<sup>112</sup>

The manor of Cheltenham included land in Arle, and in 1287 it was one of the vills claimed by the abbot of Fécamp as a possession within his manor of Cheltenham.<sup>113</sup> By 1430 Arle’s tenants were paying worksilver as composition for their customary services,<sup>114</sup> although two were among the ‘wilful steeves’ who refused to pay when Syon abbey obtained the manor.<sup>115</sup> Receipts in 1470 from the great rent of Arle, 71s. 9d., had fallen to 58s. 5d. by the 16th century, while the small rent remained constant at 12s. 11d.<sup>116</sup> Demesne arable and meadow in Arle produced a fixed rent for Cheltenham manor of £4 15s. 4d. after 1464, before respites or allowances.<sup>117</sup> The demesne lessees in 1510–11 were William Greville, Walter Brush, John Stubbe, Thomas Gregory, Richard Halyng and Robert Gregory.<sup>118</sup> Llanthony abbey’s Redgrove manor also held land within Arle tithing, which was demised at farm after c.1500 to Arle landholders, William Hert, Walter Hurste and Richard de Acle.<sup>119</sup>

As the derivation of its name suggests, the tithing included areas of woodland. A murder was committed in the wood of Arle in 1221.<sup>120</sup> Leases of the manor of Redgrove (partly in Arle) contained clauses protecting the manor’s woods.<sup>121</sup> A messuage with appurtenances at the wood called ‘Fothelares’ was recorded in 1401.<sup>122</sup> This name, perhaps derived from a former occupant (Thomas Fithelar was recorded

<sup>103</sup> A.M. Welch, ‘Old Arle Court’, *Trans. BGAS*, 36 (1913), 288–314, on 291–2.

<sup>104</sup> Maitland, *Pleas of the Crown*, no. 200.

<sup>105</sup> *Calendar of the Records of the Corporation of Glouc.*, no. 478.

<sup>106</sup> *Calendar of the Records of the Corporation of Glouc.*, no. 178.

<sup>107</sup> TNA, KB 26/66.

<sup>108</sup> TNA, E 106/2/2.

<sup>109</sup> TNA, SC 5/Glos/Chapter 7.

<sup>110</sup> TNA, SC 11/216–18, 220, 223, 224, 226.

<sup>111</sup> TNA, SC 11/224.

<sup>112</sup> Davies, *Monumental Brasses*, 113–15.

<sup>113</sup> *Cirencester Cartulary*, ii, no. 462.

<sup>114</sup> TNA, SC 11/218.

<sup>115</sup> TNA, C 1/19/66; below, manors.

<sup>116</sup> TNA, SC 11/224; *ibid*, SC 11/227.

<sup>117</sup> TNA, SC 6/853/5, SC 6/HenVIII/1187.

<sup>118</sup> TNA, SC 6/HenVIII/1179.

<sup>119</sup> TNA, C 115/76, ff.24–5; SC 2/175/26.

<sup>120</sup> Maitland, *Pleas of the Crown*, no. 275.

<sup>121</sup> below: landownership, Redgrove manor.

<sup>122</sup> DC/MR/GC6, m.3.

in Arle in 1314),<sup>123</sup> was spelled variously, as 'Fythelers' in 1430,<sup>124</sup> 'Fethelore' in 1434/5,<sup>125</sup> and 'Fetheler' in 1438/9.<sup>126</sup> There may also have been orchards in Arle, as a tenement called 'Pyorchad' was left unclaimed in 1495;<sup>127</sup> and the orchard next to 'Sturmys lesowe', recorded in 1511, was probably in Arle.<sup>128</sup>

In 1327 Arle tithing was assessed at 24s. 1¼*d.* for a lay subsidy.<sup>129</sup> It accounted for 26s. 5*d.* of the 72s. 7¾*d.* at which Cheltenham was assessed during the reign of Henry VI.<sup>130</sup> In 1523 it was assessed with Swindon for the collection of a subsidy.<sup>131</sup>

Until 1258, when they withdrew themselves, the prior and convent of Llanthony had attended the view of frankpledge and presented their assizes with the tithingman of Arle (for their land in Redgrove).<sup>132</sup> The earliest extant court rolls for Cheltenham liberty include presentments by the Arle tithingman, for brewing against the assize, placing a dungheap in the common pasture, incroaching on the highway, and ploughing the highway at 'Coppingesgrene'.<sup>133</sup> At 14th-century presentments fines for brewing against the assize were imposed in 1332–3<sup>134</sup> and 1384;<sup>135</sup> and in 1333 an Arle tithingman was removed from office and replaced.<sup>136</sup>

One of the two mills near Arle, Priests' mill, was usually regarded as lying in Swindon, but the other, Arle mill, or the mill of John of Arle,<sup>137</sup> and its lands were claimed to be wholly within the tithing;<sup>138</sup> the mill stood slightly to the east of Arle village and the old Arle Court, set back on the south side of the river Chelt.<sup>139</sup> It comprised, c.1500, the water mill with two messuages, 110 a. land, and 10 a. meadow in Alstone and Arle, when it was the subject of a dispute.<sup>140</sup>

Certain topographical features within Arle tithing are recorded in medieval sources. A highway called 'Sondweye' (Sandy way) ran through Arle;<sup>141</sup> 'Coppingesgrene' lay on a highway in 1275/6;<sup>142</sup> in 1331/2 there was a path at 'Astlon';<sup>143</sup> and another road, 'Westbrochewey' was noted in a court roll in 1378.<sup>144</sup> A meadow at 'Caldemerch',<sup>145</sup> various habitations called '?Weylans', and the digging of a certain ditch at 'le Redynge' featured in court records of 1331–2.<sup>146</sup> In 1332 there were also proceedings to find out whether a croft called 'Garlichescroft' in Arle was

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<sup>123</sup> DC/MR/GC2, m.7.

<sup>124</sup> TNA, SC 11/218.

<sup>125</sup> TNA, SC 6/852/16.

<sup>126</sup> TNA, SC 6/852/19.

<sup>127</sup> TNA, SC 2/175/27.

<sup>128</sup> TNA, PROB 11/17/151.

<sup>129</sup> *Glos. Subsidy Roll, 1327*, 52.

<sup>130</sup> BL Add Ch 46348.

<sup>131</sup> TNA, E 179/113/190/1.

<sup>132</sup> TNA, SC 5/Glos/Chapter 7.

<sup>133</sup> DC/MR/GC1, *passim*.

<sup>134</sup> TNA, SC 2/175/25.

<sup>135</sup> GA, D 7661 Box 4/29.

<sup>136</sup> TNA, SC 2/175/25.

<sup>137</sup> *Calendar of the Records of the Corporation of Glouc.*, no. 478; TNA, SC 11/216.

<sup>138</sup> DC/MR/GC2, mm.6–6d.

<sup>139</sup> [Chatwin article: citation needed]

<sup>140</sup> TNA, C 1/115/66.

<sup>141</sup> *Calendar of the Records of the Corporation of Glouc.*, nos. 476–7.

<sup>142</sup> DC/MR/GC1, m.1.

<sup>143</sup> DC/MR/GC4, f.1.

<sup>144</sup> DC/MR/GC5, m.1d.

<sup>145</sup> DC/MR/GC4, f.2.

<sup>146</sup> TNA, SC 2/175/25.

## Cheltenham Before the Spa - Draft

common for all the *nativi* of the lord and their animals.<sup>147</sup> A meadow in Arle recorded as 'Shalwe' in accounts from 1438/9,<sup>148</sup> was rendered 'Shalow(e)' in 1453 and 1470.<sup>149</sup> Certain places took their names from tenants, including 'Sherfodes' (William Sherford), 'Bonamyes' (John Bonamy), and 'Kychens' (Alice Keche) in 1430,<sup>150</sup> and in 1489 a toft without a close was called 'Wylkyns Heye'.<sup>151</sup>

The topography of Arle, which was said in the 1720s to contain 30 houses,<sup>152</sup> may be deduced in the early modern period from maps and surviving buildings. Habitation was mainly focused on Arle Cross, the junction of Arle Street and a road leading east, called Church's Lane in the 18th century.<sup>153</sup> On this lane stood the 15th-century and later manor house of Arle Court, which was mostly demolished c.1880, although portions remain in the surviving Arle Court House.<sup>154</sup> Arle mill stood nearby, described in 1581 as two mills.<sup>155</sup> In the south of the tithing settlement was more dispersed. The Ashmead family held a farm in the south-west corner of the parish called Harthurstfield farm. In 1759 it comprised c.38 a. of land in Arle and c.14 a. in the parish of Badgeworth.<sup>156</sup>

### *Alstone*

The tithing of Alstone lay east of Arle and west of Cheltenham town. Arle and Alstone may have originated as a single land unit which became divided as cultivation intensified in the medieval period. The two tithings probably held land in common, at least until the late 15th century, when a case was brought involving 'two messuages, 110 acres of land, 10 acres of meadow and a water mill in Alstone and Arle'.<sup>157</sup> Later evidence suggests that Arle and Alstone developed separate three-field farming regimes which in due course were broken down by many small inclosures.<sup>158</sup>

Alstone tithing made presentments in the first extant court roll of the liberty, in 1275/6.<sup>159</sup> In 1327 14 Alstone taxpayers were assessed at 33s. 10½*d.*, of whom the four wealthiest individuals, Joan de Northeye, John le Wydewe, Thomas Hard and Richard de Nasse, accounted for half the assessment.<sup>160</sup> A slightly lower total was recorded ten years later.<sup>161</sup> Alstone was responsible for more than one-fifth (15s. 0¼*d.* of 72s. 7¾*d.*) of Cheltenham's total assessment for tax during the reign of Henry VI;<sup>162</sup> and by 1472/3 the tithingman was responsible for 2s. 3*d.* of the common fine at the view of frankpledge.<sup>163</sup>

Alstone's demesne was leased in the 15th century and later, raising annually between 16s. and 34s. <sup>164</sup>A survey of c.1450 detailed the services and arrented

<sup>147</sup> TNA, SC 2/175/25.

<sup>148</sup> TNA, SC 6/852/19.

<sup>149</sup> TNA, SC 11/216; *ibid.*, SC 11/224.

<sup>150</sup> TMA PRO SC 11/218.

<sup>151</sup> DC/MR/GC9.

<sup>152</sup> Atkyns, *Glos.*, 333.

<sup>153</sup> 1776 map.

<sup>154</sup> below: landownership, Arle court.

<sup>155</sup> GA, D 855/M3, f. 343.

<sup>156</sup> GA, PC/934.

<sup>157</sup> TNA, C 1/115/66.

<sup>158</sup> GA, Q/RI/41.

<sup>159</sup> DC/MR/GC1, m.1.

<sup>160</sup> *Glos. Subsidy Roll, 1327*, 53.

<sup>161</sup> TNA, E 179/113/9.

<sup>162</sup> BL Add Ch 46348.

<sup>163</sup> DC/MR/GC8.

<sup>164</sup> TNA, SC 6/852/22, SC 6/853/7, SC 6/HenVIII/1179; SC 11/224.

payment due from customary tenants in respect of 18 parcels of land in Alstone.<sup>165</sup> One, Walter Hubbard of Alstone, who paid 7s. annual rent for a messuage and a half-virgate of land, was among those who refused to make payments to the abbess of Syon.<sup>166</sup> In the late-fifteenth century, the total half-year rent from Alstone was 75s. 6d,<sup>167</sup> although this may exclude the demesne. Two 15th-century surveys list ten free tenants in Alstone,<sup>168</sup> and one family name found there, Gregory, was still present among the freeholders in Alstone and Cheltenham after 1600.<sup>169</sup>

The earliest mention of Alstone is found in the grant of an assart on Gravendon between 1200 and 1233, and 2 a. 'in Alurstone in Pesfurlonge' to Walter Hawlf.<sup>170</sup> This land was granted in the mid-13th century to the abbot and convent of Cirencester abbey.<sup>171</sup> The first extant Cheltenham court roll, 1275/6, refers to 'Tyntebrugg', which carried the king's highway over the Chelt in Alstone.<sup>172</sup> A later roll from c.1330 recorded the name of a common track within the tithing as 'Alstonesdyche'.<sup>173</sup> 'Pinescroft' was a messuage in Alstone named before 1400.<sup>174</sup> A watermill operated in Alstone in 1430.<sup>175</sup>

Medieval documentation for field names in Alstone is late. Only one field, 'Hasoldfeld' is recorded,<sup>176</sup> although parcels of land occur in mid-15th century documents named after freeholders, 'Le Dyares'<sup>177</sup> and 'Huntes'<sup>178</sup> (John Dyeare and John le Hunte were assessed for tax in Alstone in 1327).<sup>179</sup> At this period Matilda Bayse was succeeded in her tenement by Henry Bests;<sup>180</sup> this may be the origin of Bestcroft and of Bayshill, where it was situated. There was a prohibiton in 1494 from pasturing animals within Alston Mede, Bayshill or 'Hasoldfeld' before 2 February on pain of 3s. 4d. for every offence.<sup>181</sup> The process of assarting land, and granting land thus assarted, has recorded the names of a few lesser units of land.

Alstone was connected to the town by the street known in the 16th century as Mill lane.<sup>182</sup> From here a lane ran west, behind the burgages on the south side of the town, to Alstone Lower Mill; a bridle way crossed the river and passed Alstone Upper Mill, before continuing south-west across Sandfield to Alstone Street. This was part of a route that ran east-west from Arle Street through Alstone Green to Sandford, where it met the road to Birdlip.<sup>183</sup> The square formed by the two mills of Alstone, Alstone Green, and the junction of Alstone Street with a lane running north to Green Street marked a pocket of concentrated habitation. John Maryes was presented in

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<sup>165</sup> TNA, SC 11/217, 219.

<sup>166</sup> TNA, C 1/19/66.

<sup>167</sup> TNA, SC 11/224.

<sup>168</sup> TNA, SC 11/216, 224.

<sup>169</sup> TNA, LR 2/207.

<sup>170</sup> *Cirencester Cartulary*, II 429/461.

<sup>171</sup> *Cirencester Cartulary*, ii, 430/462; TNA, SC 5/Glos/Chapter 7. It may also have been granted at some stage to the prior and convent of Llanthony Secunda. Cartularies of both houses contain grants relating to this land (TNA, C 115/77, f.111).

<sup>172</sup> DC/MR/GC1, m.2.

<sup>173</sup> DC/MR/GC3, m.1.

<sup>174</sup> GA, MF 199/27b.

<sup>175</sup> TNA, SC 11/218.

<sup>176</sup> TNA, SC 2/175/27.

<sup>177</sup> TNA, SC 11/216.

<sup>178</sup> DC/MR/GC6, m.1-1d.

<sup>179</sup> *Glos. Subsidy Roll, 1327*, 53.

<sup>180</sup> GA, D 855/M68, f.42v.

<sup>181</sup> TNA, SC 2/175/27.

<sup>182</sup> GA, D 855/M1, 20; D 855/M2, f. 63.

<sup>183</sup> 1776 map.

1596 for having built houses with gardens on the common in Alstone.<sup>184</sup> In the early 18th century there were thought to be 30 houses in the tithing.<sup>185</sup>

Thomas Packer (d. 1604), eldest son of the Thomas Packer who owned Alstone Upper Mill,<sup>186</sup> acquired a large freehold estate in Alstone in the 16th century,<sup>187</sup> which he sold to his son Edward in 1575.<sup>188</sup> Edward left the farm to his eldest son, Thomas, who was succeeded by his son, Robert, and grandson, also Thomas. The farm was purchased from James Beckett by Jesus College, Oxford, in 1726 with the proceeds of a bequest left by Dr Edmund Merrick, a fellow of the College.<sup>189</sup> The proceeds of the estate were to be used to support scholarships at the College.<sup>190</sup> In the 18th century the farm comprised c.122 a.<sup>191</sup>

Facing Alstone Lower Mill was a house, of which a part survives, described as being of good quality in the early 18th century, when it belonged to Robert Hyet.<sup>192</sup> Built in the late 17th century, it was a substantial building,<sup>193</sup> comprising ten rooms over two storeys, with a garret in the attic.<sup>194</sup>

#### *Westal, Naunton and Sandford*

To the east of Alstone and south of Cheltenham town and the river Chelt was the tithing of Westal, Naunton and Sandford. It was the least populated area of the parish; as late as the 1720s there were only six houses in Westal and five in Naunton and Sandford together.<sup>195</sup> The tithing was bounded by the river on the north and the road to Birdlip on the east. Lads Lane, an extension of Alstone Street from Alstone Green to the Birdlip road, ran east–west across the tithing, passing through Westal Green.

Westal is first named, in the form ‘Westhale’, in 1201,<sup>196</sup> when it belonged to two Flemish stipendary knights, Waleran de Cotes and Everard de la Beveriere, who had entered the military household of King John,<sup>197</sup> and had been supported with grants of various lands, mostly in Gloucestershire.<sup>198</sup> Their tenure was broken temporarily in 1202/3 when the lands were granted by King John to Ralph de Monford in retaliation for the crossing of Waleran to the continent, but restored on their return.<sup>199</sup>

By 1205 Waleran and Everard were once more in possession of Westal and Slaughter,<sup>200</sup> and still appear to have held them both in 1214.<sup>201</sup> Another disruption occurred in 1218, when Slaughter ‘with its appurtenances’ (presumably a reference to Westal) had been taken back into the king’s hands due to false reports of Waleran’s

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<sup>184</sup> GA, D 855/M6, 196.

<sup>185</sup> Atkyns, *Glos.*, 333.

<sup>186</sup> below: econ. hist.: mills.

<sup>187</sup> TNA, C 116/150; GA, D 8285/Box 3/Bundle 1.

<sup>188</sup> GA, D 855/M2, f. 403.

<sup>189</sup> GA, D 8285/Box 3/Bundle 1.

<sup>190</sup>

<sup>191</sup> GA, D 8285/Box 3/Bundle 3.

<sup>192</sup> Atkyns, *Glos.*, 333.

<sup>193</sup> NHL, no. 1386688.

<sup>194</sup> *Probate*, 153–5.

<sup>195</sup> Atkyns, *Glos.*, 334.

<sup>196</sup> *Pipe R. 3 John*, 1201, 40.

<sup>197</sup> S. Church, ‘The Knights of the Household of King John’, *Thirteenth Century England* 4 (1992), 160.

<sup>198</sup> A. Warmington, ‘Some Knights of the Household of King John with lands in Gloucestershire’, *Trans. BGAS*, 104 (1986), 175–82.

<sup>199</sup> TNA, C 145/18/15; *Cal. Inq. Misc.*, I, no. 423.

<sup>200</sup> *Pipe R. 4 John*, 1202, 172; *Pipe Roll 5 John*, 1203, 59.

<sup>201</sup> *Pipe R. 6 John*, 1204, 147; *Pipe Roll 16 John*, 1214, 142.

death. This order to the sheriff of Gloucestershire reveals that Waleran held Westal and Slaughter at the king's pleasure towards his sustenance.<sup>202</sup> By June 1219 Waleran had died, and the sheriff of Gloucestershire was ordered to cause William de Mara to pay £7 10s. in unpaid rent from 'Sloctres, Samford, Westhal' and de Neweton" to the executors of his testament.<sup>203</sup> This is the first indication that Westal, Sandford and Naunton formed a single tithing.

The vill of Westal and Naunton appear in the documentary record again in the later 13th century. The hundred roll jurors for Cheltenham in 1274 reported that the abbot of Cirencester held half an acre of land in the field of Naunton ('Newinton') of the fee of John de Newinton, by the gift of Adam de Newinton, grandfather of the said John, and other land there of the fee of Richard de Newinton.<sup>204</sup> Of the three components of the tithing, only Westal made presentment in 1275/7,<sup>205</sup> but Naunton and Westal were both specified as being parcel of the abbot of Fécamp's manor of Cheltenham in 1287.<sup>206</sup> In the late 13th century the abbot and convent of Cirencester were consolidating their holdings in Naunton, which in one charter was referred to as a vill outside Cheltenham.<sup>207</sup> In 1494 Walter Whithorne was chosen as tithingman for Westal.<sup>208</sup>

Sandford occurs by name in 1276, when Thomas atte Mulle of Sandford was listed among the essoins in a liberty court roll.<sup>209</sup> As a toponym it is recorded again before 1300 in a grant of a half-acre in 'Middulforlong' in Naunton from Robert de Bradenstok' to Thomas Godmo' of Sondforde.<sup>210</sup> He was probably Thomas Godmon who acted as a pledge for an entry fine for land in Sandford in 1276. Court rolls from 1276 record heriots and entry fines from the families of Lovyar and Schutekute for lands in Sandford.<sup>211</sup>

The king's highway ran through Sandford, and crossed the Chelt at Sandford bridge.<sup>212</sup> In 1481–2 the prior of Llanthony was using this road to transport wagon-loads of stone from Brockhampton Quarry to this bridge.<sup>213</sup> In 1333 it was presented that Thomas atte Forde dug up the king's highway in 'Herstret' (?Hore Lane).<sup>214</sup> Various residents were fined for stopping up common lanes in 1333: Robert de Bradenstok stopped up a path at Frogge Lane, planted willows and diverted the watercourse and was fined 6*d.*; but William Schot and Ranulf le Lovyare paid a fine to allow a common path between their tenements which they had stopped up to be held by them in severalty for the term of their lives because it did not inconvenience anyone.<sup>215</sup> In 1305 a high road was mentioned at Westal, where it had been dug.<sup>216</sup>

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<sup>202</sup> *Rot. Litt. Claus.*, I, 364.

<sup>203</sup> *Rot. Chart.*, I, 393b.

<sup>204</sup> TNA, SC 5/Glos/Chapter 7.

<sup>205</sup> DC/MR/GC1.

<sup>206</sup> *Cirencester Cartulary*, ii, no. 462.

<sup>207</sup> *Cirencester Cartulary*, lii, nos.473–6, 479.

<sup>208</sup> TNA, SC 2/175/27.

<sup>209</sup> DC/MR/GC1.

<sup>210</sup> GA, MF 199 [image ref still to be checked]

<sup>211</sup> DC/MR/GC1.

<sup>212</sup> GA, D 7661 Box 4/28; Hodson, *Historical Gazetteer*, 161.

<sup>213</sup> *Cal. Regs. Priory of Llanthony*, no. 484.

<sup>214</sup> TNA, SC 2/175/25.

<sup>215</sup> TNA, SC 2/175/25.

<sup>216</sup> DC/MR/GC1.

In national taxes Westal, Sandford and Naunton were usually assessed together at 53s. 1d.<sup>217</sup> In 1523 Westal (presumably including Sandford and Naunton) was assessed with Cheltenham and Alstone at £9 14s. 4d.<sup>218</sup>

Field and minor names within the tithing occur quite frequently in medieval records. In Westal 'Veleyns' (and variants) was the name of a base tenure, first recorded in a survey of possible 14th-century date.<sup>219</sup> By 1430 it was held by Thomas Serle and comprised a messuage and a half-virgate of land, for which 2½d. was owed in composition for labour services.<sup>220</sup> In 1490 William Brusche granted the messuage to William Hall for the term of his, the grantor's, life.<sup>221</sup> Also in Westal a messuage with appurtenances called 'Baldrige' went unclaimed in successive courts during 1494–5.<sup>222</sup> It may have been named after William Balderigge, a base tenure tenant in 1440.<sup>223</sup> In 1377/8 Alice Hale granted an eponymous messuage, 'Halus' to her son.<sup>224</sup>

In Naunton 13th-century deeds record Middlefurlong and 'Wowefurlong'.<sup>225</sup> In 1350 Walter Culverhouse acquired 1½ a. in Naunton field,<sup>226</sup> which he granted in 1352 to his daughters Juliana and Cecilia.<sup>227</sup> This may have been the origin of the two parcels of land called Culverhouses held in 1430 by Thomas Thomas and Thomas Whithorn.<sup>228</sup> Particularly useful is a grant of later than c.1250 by John, son and heir of Nicholas de Newinton to Richard, son of Walter de la Hull de Newynton of 12 a. of arable land in the field of Naunton.. This, and various deeds of c.1350, record many strips and their abutments within the furlongs of the open fields.<sup>229</sup>

In 1313/14 a meadow was referred to as situated in the park of Sandford.<sup>230</sup> A deed from 1378 described 'Awneldefurlong' as being in Sandford and next to the highway.<sup>231</sup> The 1430 survey recorded various parcels of land as named after their tenants' surnames, John Hugges Richard Galbushe and Richard Lovyers.<sup>232</sup>

To the north of the Green, Edward Wright built a farmhouse called Gallipot Hall in the late 17th century. His son, also Edward, sold it with land in Westal, Naunton and Sandford to Edward Mitchell in 1694.<sup>233</sup> Mitchell acquired a number of other small estates within the tithing and elsewhere within the parish,<sup>234</sup> and by the time of his marriage in 1699 the farm comprised c.115 a.<sup>235</sup> At the time of Mitchell's death, in 1727, the farm comprised 100 a. of arable land, 20 a. meadow, and 40 a. pasture, in Alstone, Charlton Kings, and Westal, Naunton and Sandford.<sup>236</sup> After the

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<sup>217</sup> TNA, E 179/113/15.

<sup>218</sup> TNA, E 179/113/190/1.

<sup>219</sup> TNA, SC 11/220.

<sup>220</sup> TNA, SC 11/218.

<sup>221</sup> DC/MR/GC9.

<sup>222</sup> TNA, SC 2/175/27.

<sup>223</sup> GA, D 855/M68.

<sup>224</sup> GA, D 7661 Box 4/28.

<sup>225</sup> GA, MF 199/3.

<sup>226</sup> GA, MF 199/3.

<sup>227</sup> GA, D 1876/3.

<sup>228</sup> TNA, SC 11/218.

<sup>229</sup> GA, D 1786/2. Names recorded in GA, D 1786/1 are given in Rawes, 'The fields and field names of the hundred of Cheltenham', 23; see also GA, D 38b/T3 (Wyticrofts furlong).

<sup>230</sup> DC/MR/GC2, m.3d.

<sup>231</sup> GA, D 7661 Box 4/28.

<sup>232</sup> TNA, SC 11/218.

<sup>233</sup> Hodsdon, *Manor Court Books*, 30; GA, D 2202/3/78/89.

<sup>234</sup> Hodsdon, *Manor Court Books*, 30–32, 41–44, 52, 56, 60–62., 178.

<sup>235</sup> Hodsdon, *Manor Court Books*, 64–65.

<sup>236</sup> Hodsdon, *Manor Court Books*, 210–11.

death of his son John (d. 1730), the estate passed to his daughter Mary,<sup>237</sup> the wife of Revd George Stokes.<sup>238</sup> She sold the farm to Revd John Delabere in 1756, when it comprised c.160 a.<sup>239</sup> Sandford Mill, which was held by the Pate family, stood to the east of the road to Birdlip, near where it bridged the Chelt, and was described as two mills in the early seventeenth century,<sup>240</sup> and the Great Mill and the Little Mill in 1657.<sup>241</sup>

## LANDOWNERSHIP

Apart from a brief period between 1223 and 1240, during the long reign of Henry III, when they answered for the farm of the manor directly to the Crown, the men and women of Cheltenham were the tenants of a succession of royal favourites and retainers, and of religious houses. The longest tenure of the manor before its sale to John Dutton of Sherborne in 1628 was that held by the abbey of Fécamp (Seine-Maritime, Normandy), which was lord of the manor from 1246 to 1414. Another religious house, Syon abbey (Middx.), held a long tenure from 1444 to 1539.

Generally denied the right of self-government, the more affluent among the free inhabitants of Cheltenham were at least able to build up freehold estates such as Arle Court from the demesne leased out by their absentee landlords from the mid-14th century. By the time of the Dissolution these estates had come into relief to the forefront. Cheltenham rectory, as a liberty within the main manor, had acquired manorial status by the 13th century, and Redgrove was regarded as a manor by the 15th.

## CHELTENHAM MANOR

Cheltenham manor was ancient demesne of the Crown, held and controlled directly by the king both before and after the Norman Conquest in 1066.<sup>242</sup> Although in Domesday book it heads the list of Gloucestershire royal manors, it was by no means the largest or wealthiest of the 67 separate taxation units recorded under that heading. In 1066 it was accustomed to render £9 5s. and 3,000 loaves for the king's hounds (a render taken also from Cirencester and some other manors), but by 1086 this had increased to £20, as well as 20 cows and 20 pigs, and 16s. in lieu of the loaves.

The manor remained royal demesne throughout the reign of Henry I (1100–35). During the civil war which followed the disputed succession to the English throne, the Empress Matilda granted various properties, including Cheltenham and its appurtenances, to Miles of Gloucester, the constable of England and sheriff of

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<sup>237</sup> Hodsdon, *Manor Court Books*, 210, 256.

<sup>238</sup> Hodsdon, *Manor Court Books*, 234.

<sup>239</sup> Hodsdon, *Manor Court Books*, 321.

<sup>240</sup> TNA, E 178/7025, f. 10v; GA, D 855/M7, 414.

<sup>241</sup> GA, D 855/M33, f. 81.

<sup>242</sup> *Domesday*, 447.

Gloucestershire, whom she created earl of Hereford in 1141.<sup>243</sup> Thus Cheltenham passed out of direct royal control.

From Miles (d. 1143) the manor descended to his son Roger, who was confirmed in the lands that Matilda had granted to Miles by her son, Henry II, probably in late spring 1155.<sup>244</sup> When Roger died in the same year, and contrary to the terms of this confirmation, Henry II did not allow Roger's brother and heir, Walter of Hereford, to succeed to the earldom.<sup>245</sup> It is unlikely, as has been assumed, that Cheltenham descended by hereditary right from Walter through to Humphrey de Bohun, and that he in 1200 surrendered to King John any claim, by right of his wife, to these lands.<sup>246</sup> John's 1200 confirmation to Humphrey de Bohun of the title earl of Hereford was made on condition that he would not claim the lands confirmed by Henry II to Earl Roger. Had Humphrey actually been in possession of the lands he would presumably have surrendered and quitclaimed them to the king, not merely promised to make no claim to them in future. Evidence from pipe rolls strongly suggests that Cheltenham, like many other former royal demesne manors, had in fact been reclaimed by Henry II.

Although denied the earldom, Walter of Hereford was allowed to hold Cheltenham, for which he accounted £52 in 1155/56.<sup>247</sup> The form of this payment suggests not only that the manor had reverted to royal demesne, but also that the grant to Walter included Cheltenham hundred court.<sup>248</sup> During Walter's tenure, the canons of Llanthony priory (Gloucester) gained an interest in Cheltenham, which subsequently became part of their manor of Redgrove. Walter confirmed a gift made to the canons by Ralph Butler comprising 8 a. of assart in Oakley,<sup>249</sup> and they began to account for 11s. in Cheltenham in 1160–1.<sup>250</sup> After Walter's death in 1159 or 1160, when only part of the year was charged,<sup>251</sup> the manor of Cheltenham does not feature in the pipe rolls again until 1173/4. This silence may indicate that Cheltenham was in the hands of Walter's heirs, with no farm due; it was perhaps one of the knight's fees held in 1265 by Margaret de Bohun, daughter and eventual heir to Miles of Gloucester following the childless deaths of all her brothers.<sup>252</sup>

In 1173 Cheltenham and Slaughter were granted to William de Picquigny for a farm of £15 for each manor.<sup>253</sup> The first mention of the men of Cheltenham (*homines de Chilteha*) dates from this period, when they rendered account to the sheriff for 7 marks (a mark was 13s. 4d.) for the aid for the marriage of the king's son in 1168.<sup>254</sup> In 1175 William de Picquigny's tenure of Cheltenham and Slaughter was stated to be at the king's pleasure;<sup>255</sup> William did not hold judicial rights in these manors, which

<sup>243</sup> *Rot. Chart.*, i, 53; *Gesta Stephani*, ed K.R. Potter (London, 1955), 85.

<sup>244</sup> *Rot. Chart.*, i, 53; *ODNB*, s.v. Roger, earl of Hereford (d. 1155), accessed 18 Nov 2014

<sup>245</sup> *Pipe R*, 2–4 Henry II, 49.

<sup>246</sup> See, for example, Hart, *Cheltenham*, 14; Jones, *Cheltenham*, 42–3.

<sup>247</sup> *Pipe R*, 2–4 Henry II, 49; *Red Bk. Exch.*, v.2, 679.

<sup>248</sup> i.e. £52 *blanch*. In the pipe rolls '*blanch*' indicates that the local hundred court had also been granted along with the manor: F.B. Welch, 'Gloucestershire in the pipe rolls', *Trans. BGAS.*, 57 (1935), 53.

<sup>249</sup> *Charters of the Earldom of Hereford*, nos.69, 73–4; *Cartae Antiquae, rolls 1–10*, no. 62.

<sup>250</sup> *Pipe R*, 7 Henry II, 22.

<sup>251</sup> *Pipe R*, 6 Henry II, 1159–1160, 28.

<sup>252</sup> *Red Bk. Exch.*, v.1, 293–4.

<sup>253</sup> *Pipe R*, 20 Henry II, 1173–4, 21. This grant was by writ of the justiciar, Richard de Lucy. William de Picquigny may be the knight who held one fee of Margaret de Bohun in 1165 (*Red Bk. Exch.*, vol i, 293–4).

<sup>254</sup> *Pipe R*, 15 Henry II, 1168–9, 114.

<sup>255</sup> *Pipe R*, 22 Henry II, 1175–6, 123.

## Cheltenham Before the Spa - Draft

remained subject to the king's assizes, nor were they exempt from the tax known as tallage.<sup>256</sup> His status was upgraded to tenant for life in 1191/2,<sup>257</sup> but he died soon afterwards, and in 1194 Cheltenham and Slaughter were included in a roll of wards and escheats in the king's hand.<sup>258</sup>

Although most land in Cheltenham was held between 1159 and 1246 by the farmers (or chief tenants) of the manor, such as William de Picquigny, various small parcels were granted to their followers by Henry II, Richard I, John and Henry III, and this is a further indication that at least part of the manor remained in royal hands throughout this period.<sup>259</sup> Unlike Ashley (in Charlton Kings) and Redgrove, none of these grants led to the creation of a long-lived estate, although the king did augment the grant to Llanthony in 1173/4 by giving them Horsepool fishery.<sup>260</sup>

The majority of the manor of Cheltenham continued to be held by one or two farmers of the land. William de St Mere Eglise, custodian of escheats in England, was responsible for the manor from 1194 to 1196. During this period he delivered less than half the farm for Cheltenham and Slaughter manors to the Exchequer, as various sums had been discharged by him in re-stocking them.<sup>261</sup> In 1196 Richard I granted both manors to Philip de Aire for a combined farm of £30.<sup>262</sup>

Land in Cheltenham was also granted by the king to his brother, John, for which his annual render was £32 19s. 6d.,<sup>263</sup> an indication not only of Richard's need for revenue, but also of the effect of high inflation on the income which Cheltenham could then be expected to provide. On occasions thereafter John's Cheltenham lands were accounted for under the honour of Gloucester, over which the king had retained control, although they did not form part of that honour. In 1201/2 John granted the land held by him in Cheltenham to Ralph de Munford in exchange for Ralph's land in Normandy,<sup>264</sup> but by 1204/5 that land was being accounted for by the keepers of the honour of Gloucester again.<sup>265</sup> The statement of a Cheltenham hundred jury in 1219 that they did not know whether Ralph de Munford paid a farm for Cheltenham, and that if he did they did not know its worth (Ralph having been granted the land for his service to the king), reflects the complex administration of Cheltenham at this time.<sup>266</sup>

This was not the only change in manorial administration during this period. In 1202/3 Philip de Aire was no longer accounting for £15 for Slaughter and Cheltenham, but rather £34 for Slaughter and £6 for ~~Westhale~~ Westal,<sup>267</sup> which was presumably the portion of Cheltenham manor that Philip de Aire was then holding.

<sup>256</sup> Pipe R, 33 Henry II, 1186–7, 141.

<sup>257</sup> Pipe R, 3–4 Richard I, 1191–2, 285.

<sup>258</sup> Pipe R, 6 Richard I, 1194, 4.

<sup>259</sup> Pipe R, 19 Henry II, 1172–1173, 155; Pipe R, 20 Henry II, 1173–1174, 24; Pipe R, 23 Henry II, 1176–1177, 46; Pipe R, 34 Henry II, 1187–1188, 106, 111; Pipe R, 1 Richard I, 1189, 163; Pipe R, 2 Richard I, 1190, 55; Pipe R, 8 Richard I, 1196, 108; Pipe R, 9 Richard I, 1197, 125; Pipe R, 10 Richard I, 1198, 4; Pipe R, 1 John, 1199, 37; Pipe R, 2 John, 1200, 120, 123, 127; Pipe R, 8 John, 1206, 20; Pipe R, 9 John, 1207, 210–11, 220; Pipe R, 13 John, 1211, 171; Pipe R, 16 John, 1214, 55, 59; Rot. Litt. Claus., vol i, 349, 375; Pipe R, 5 Henry III, 1221, 223; Cal. Fine, 1220–1221, no. 247;

<sup>260</sup> Pipe R, 20 Henry II, 1173–4, 21. Horspul' was in the manor of Cheltenham [near the present Cambray](#). This is shown by fourteenth-century accounts (TNA, SC 6/851/23, m.1).

<sup>261</sup> Pipe R, 6 Richard I, 1194, 4; Pipe R, 7 Richard I, 1195, 56.

<sup>262</sup> Pipe R, 8 Richard I, 1196, 101, 207.

<sup>263</sup> Pipe R, 9 Richard I, 1197, 120–1; Pipe R, 10 Richard I, 1198, 1–2; Pipe R, 1 John, 1199, 35.

<sup>264</sup> Pipe R, 3 John, 1201, 40; TNA, C 145/18/15.

<sup>265</sup> Pipe R, 6 John, 1204, 145.

<sup>266</sup> TNA, C 145/18/15.

<sup>267</sup> Pipe R, 4 John, 1202, 172.

The total for Slaughter and ~~Westhale~~ Westal, £40, matched the farm requested for the king's portion of Cheltenham in 1205.<sup>268</sup>

In 1208 the king's land in Cheltenham was given to Gerard d'Athée, John's favoured mercenary captain immortalised in a clause of *Magna Carta*, to form part of his bailiwick (*balliva*). Since Gerard did not have to account for his holding, only the smaller parcels of land in Cheltenham, in the hands of Theobald Blund and Cunseillat Bailistarius, and each with an annual render of £10, appeared in the accounts of John's reign thereafter.

In July 1218 the new king, Henry III, granted Cheltenham manor to his uncle, William de Longespée, earl of Salisbury,<sup>269</sup> and in the following April he gave the earl possession also of Cheltenham hundred, which pertained to the manor of Cheltenham, as an inquisition made at the king's order had shown.<sup>270</sup> William's portion, which he held at the king's pleasure,<sup>271</sup> was expressed in the accounts as 'Cheltenham with the hundred and ~~Westhale~~ Westal', and this formula held good throughout the rest of the medieval period.

Earl William surrendered to the king in 1222 Cheltenham and the other royal demesne manors which he held.<sup>272</sup> This was part of a general resumption by the crown of its manors in order to increase the revenue which they generated.<sup>273</sup> The fate of these resumed manors was not uniform, but in Cheltenham's case its inhabitants promptly requested that they should hold the manor themselves for five years. Their request was granted in 1223 at an increased annual farm of £64, which included the hundred, a weekly market and an annual fair. The terms of the grant prevented the sheriff or his bailiffs from entering the manor unless to make attachments pertaining to the crown, or to make the view of frankpledge.<sup>274</sup> In 1226, when the king was at Gloucester, he renewed the grant for a further four years with the same rights, the men of Cheltenham having offered three tuns of wine for the privilege.<sup>275</sup>

Also in 1226 Henry III granted Adam Esturmy, his beloved serjeant (*serviens*), custody during pleasure of the land formerly held in chief in Cheltenham by Robert Coigne, a fugitive.<sup>276</sup> A charter in 1227 made this grant permanent to Adam and his heirs and assigns for an initial annual rent of 1s.<sup>277</sup> In 1229 Adam was granted further land in Cheltenham for his maintenance in the king's service.<sup>278</sup> A charter of 1230 confirmed these grants and another, and specified the landholdings. He was to

<sup>268</sup> *Pipe R*, 7 *John*, 93; *Pipe R*, 8 *John*, 9–10, 18; *Pipe R*, 9 *John*, 210–11; [above, intro, outlying settlements](#).

<sup>269</sup> *Rot. Litt. Claus.*, i, 365b, 381.

<sup>270</sup> *Rot. Litt. Claus.*, i, 390; TNA, C 145/18/15.

<sup>271</sup> *Pipe R*, 5 *Henry III*, 1221, 233.

<sup>272</sup> *Cal. Fine*, 1222–1223, no. 219.

<sup>273</sup> D. Carpenter, *Minority of Henry III*, 279–89.

<sup>274</sup> *Cal. Fine*, 1222–1223, nos. 105, 110, 200; *Pipe R*, 7 *Henry III*, 1223, 178, 180–1. *Receipt Rolls 7 and 8 Henry III* (1223, 1224), nos. 860, 868. There was, of course, some contention between the men of Cheltenham and the sheriff of Gloucestershire over who owed what in that year (*Cal. Fine*, 1222–1223, nos. 208–9; *Receipt Rolls 7 and 8 Henry III* (1223, 1224), nos. 2909, 2919, 2934).

<sup>275</sup> *Cal. Pat.*, 1225–1232, 63; *Cal. Fine*, 1225–1226, no. 240; TNA, E 372/70, m.xx. The men of Cheltenham had made good on this promise of wine by 1228 (TNA, E 372/72, m.13), paying 9 marks 40s in lieu of the wine. Within the term of this grant the bailiff had to respond to royal commands to make payments from the farm into the king's wardrobe at Kery to help finance the king's wars in Wales (*Cal. Lib. Rolls Henry III*, i, 1226–1240, 99; *Cal. Close 1227–1231*, 79–80; TNA, E 372/72, m.13).

<sup>276</sup> *Rot. Litt. Claus.*, ii, 134b.

<sup>277</sup> *Cal. Chart.*, 1226–1257, 23.

<sup>278</sup> *Cal. Close*, 1227–1231, 183.

hold one virgate, the land formerly Robert Coigne's, for 8s. annually; a half-virgate, together with the king's wood of 'Benhall' ~~(the present site of GCHQ)~~, formerly John Ailward's and granted in 1229, for 5s. annually; and a half-acre of meadow assarted by Walter Haul(e) for 2d. annually.<sup>279</sup> This small estate did not, however, survive as a separate entity beyond 1246.

The 1226 grant to the men of Cheltenham was renewed again in 1230, for a term of ten years at a fine of 5 marks.<sup>280</sup> In 1236 the king granted that Cheltenham manor would form part of Queen Eleanor's dower, but this had no effect on its immediate tenure.<sup>281</sup> Although the inhabitants had not defaulted on paying their farm during this latter term, in 1240 Henry III granted the manor without stock to the bishop elect of Hereford to hold at farm for five years, rendering £70 yearly; this was presumably to benefit once again from a rent increase imposed on a new tenant.<sup>282</sup> For the bishop Cheltenham was a desirable acquisition, as he already held the adjoining lands of Prestbury and Sevenhampton.<sup>283</sup> In 1244, when it was apparent that the five-year term would expire while the bishop was overseas on the king's service, the grant was extended until he returned to England.<sup>284</sup> The bishop was still holding Cheltenham in 1246 when it was granted in exchange for the manors of Winchelsea and Rye to the abbot of Fécamp, and in 1247 the abbot's bailiff was ordered to allow the bishop the corn which had been sown in the manor.<sup>285</sup> The bishop of Hereford's account for the farm of the manor was not cleared until 1262, when the abbot's bailiff acknowledged that £34 2s. outstanding since 1250 ought to be paid by Fécamp.<sup>286</sup>

National rather than local events dictated the grant of Cheltenham to an alien priory. Following his defeat in Poitou in 1242 Henry III had seized the possessions of Norman lords in England (the *terre Normanorum*), including those of monastic houses. Rather than dispossessing a monastic house, however, Henry granted to Fécamp abbey (Seine-Maritime, Normandy) the Gloucestershire manors of Cheltenham and Slaughter, and Navenby (Lincs.) in exchange for the strategically important Cinque ports of Rye and Winchelsea which it had previously held. Although Fécamp thereby lost Rye and Winchelsea, it was allowed to hold its new possessions with all the liberties it had previously held in the Cinque ports.<sup>287</sup>

The abbot was vigilant in protecting these liberties in the manors thus acquired, which were specified within a charter issued by Edward III, as: 'view of

<sup>279</sup> These are the terms given in the *Cal. Chart., 1226–1257*, 119. The terms given in the fine rolls the next day are slightly different: no service mentioned for the wood, and 5s. for the half-virgate (*Cal. Fine.*, 14/269). References in the pipe rolls accordingly make no mention of the wood. The pipe roll for 1242/3 (TNA, E 372/86, m.12d.) refers to the grant in the originalia roll for 1230 which is no longer extant, but this would have been the same as the grant recorded in the fine roll.

<sup>280</sup> *Cal. Pat., 1225–1232*, 325–6; *Cal. Fine, 1229–1230*, no. 201.

<sup>281</sup> *Cal. Chart.*, i, 218. In 1237 the king had to order Walter de Burgh to allow the men of Cheltenham to hold their vill at farm for the term contained in their letters patent, however (*Cal. Close, 1234–37*, 506).

<sup>282</sup> *Cal. Close, 1237–1242*, 230; *Cal. Fine, 1240–1241*, no. 760.

<sup>283</sup> In 1241 Henry III thought it prudent to order the sheriff of Gloucestershire to perambulate the bounds between the royal manor of Cheltenham and the bishop's manors of Prestbury and Sevenhampton (*Cal. Close, 1237–1242*, 364).

<sup>284</sup> *Cal. Pat., 1232–1247*, 445.

<sup>285</sup> *Cal. Close, 1242–1247*, 522; *Cal. Inq. Misc.*, i, no. 50. This is fruit as in harvest, not fruit trees as at Hart, *Cheltenham*, 18 (probably taken from the translated Hockaday Abstracts).

<sup>286</sup> TNA, E 372/94, m.5; TNA, E 372/106, m.16. This was because the abbot of Fecamp had received the rents from two terms during 31 Henry III amounting to £27, 40s from hay, and £8 from pleas and perquisites.

<sup>287</sup> *Cal. Chart., 1226–1257*, 321.

frankpledge, cognisance of pleas of crown and common pleas, their own gaols to be delivered by their own bailiffs, return and execution of all writs, fines, amercements, issues, forfeit and forfeitures within the lordships of the manors, so that the marshals and stewards of the king do not enter therein, reformation of all trespasses and misdeeds, and quittance of them and their men from toll, passage, pontage, murage, piccage, stallage (charges for maintaining bridges and walls, and for trading at fairs and markets), and all other customs throughout the realm.’<sup>288</sup> The jurors of the nearby hundreds of Bradley, and Holford and Greston claimed in 1274–5 that the liberty of Cheltenham prevented common justice and perverted royal power by excluding royal justices from the liberty;<sup>289</sup> in fact Henry III granted the abbot not only administration of justice within the liberty, but also the aid of a royal justice itinerant whenever on circuit in Gloucestershire, should he require help in determining pleas.<sup>290</sup>

Although benefitting from royal favour, the abbot of Fécamp did not enjoy undisrupted tenure at Cheltenham. Attempts by the abbot and convent of Cirencester (which held the rectory manor) to interfere with Fécamp’s liberty probably caused the first resumption of Cheltenham and Slaughter into the king’s hands.<sup>291</sup> This disruption was very short-lived, since the sheriff was ordered on 30 August 1250 to resume the lands, but the corresponding order to replevy them (restore them on security) was issued ~~fewer-less~~ than seven weeks later, on 17 October 1250.<sup>292</sup> Subsequent disruptions in the abbot’s tenure were longer, caused by periods of conflict and warfare between England and France, and the consequent resumption of alien priories’ lands. Only for brief periods would the abbot of Fécamp enjoy possession of his liberty of Cheltenham once Edward III came to the throne in 1327.

In 1290 the abbot of Fécamp was licensed to grant, convey and demise at fee farm to whomsoever he pleased.<sup>293</sup> In 1294 Edward I had the lands of French priories surveyed, and the extant survey for Cheltenham gives the earliest detailed picture of the manor.<sup>294</sup> In June 1294 custody of the manor was granted to two monks of Fécamp so that they might answer for the issues at the Exchequer, having reasonable allowance for the cost of their custody.<sup>295</sup> Shortly thereafter the abbot petitioned the king to be allowed to ‘enjoy his own’ or to be defended by the king, ‘as he is troubled by many pleas in the king’s court and elsewhere; and, as he has nothing by which he is able to defend himself, his estate and things are not well defended, the king taking the value from them.’<sup>296</sup> This petition bore fruit in the grant in March 1297 when, by

<sup>288</sup> *Cal. Pat.*, 1364–1367, 219.

<sup>289</sup> *Rot. Hund.*, i, 170–1. These claims were pursued in the *Quo Warranto* proceedings (*Plac. de Quo Warr.*, 257–8). The Jurors of Cheltenham hundred said that ~~the~~ abbot of Fécamp had return and estreats of writs, and held pleas of *vee de naam*, and other things which pertain to the crown (TNA, SC 5/GLOS/Chapter 7).

<sup>290</sup> *Cal. Pat.*, 1247–1258, 18; TNA, E 372/86, m.12d.

<sup>291</sup> Cirencester cartulary contains documents which suggest this was the case. These are a memorandum dating from c.1247 establishing that the liberty of the abbot of Cirencester within Cheltenham preceded the liberty of the abbot of Fécamp (*Cirencester Cartulary*, iii, no. 485); and an inquisition taken by the bishop of Worcester in 1249 at the instance of the abbot and convent of Cirencester establishing their possessions in the deanery of Cirencester (*Cirencester Cartulary*, i, 329).

<sup>292</sup> *Cal. Fine*, 1249–1250, no. 636; *Cal. Close.*, 1248–1251, 337.

<sup>293</sup> *Cal. Pat.*, 1281–1292, 375.

<sup>294</sup> TNA, E 106/2/2; below, *Econ. hist.* . . .

<sup>295</sup> *Cal. Pat.*, 1292–1301, 74.

<sup>296</sup> TNA, SC 8/322/E518.

## Cheltenham Before the Spa - Draft

an act of the king's grace, the lands were restored to the abbot via his proctor general in return for a certain sum to be paid at the Exchequer.<sup>297</sup>

At the next resumption of the lands of aliens 'of the power of France' into the king's hands in 1324 the abbot of Fécamp was again allowed to have his proctor general hold them in custody in return for a certain payment at the Exchequer.<sup>298</sup> After 1328 Cheltenham was again in the king's hands because the abbacy was vacant, and in 1336 the proctor was granted custody of the abbot's temporalities, including the manor of Cheltenham, during the vacancy, in return for an annual payment of £400.<sup>299</sup> Soon afterwards the abbot's lands were resumed by the Crown 'on account of war with those of France',<sup>300</sup> but from 1338 the proctor was again granted custody of the abbot's temporalities in return for an annual payment to the Exchequer of 500 marks. In 1340 the Exchequer granted this sum to Thomas de Bradeston to sustain him as a knight commanding troops under his own banner, known as a banneret.<sup>301</sup> When this payment fell into arrears, Thomas petitioned the king to hold the Fécamp lands in England directly while they were in the king's hand, and in consequence he received a grant to hold Cheltenham and Slaughter for a farm of 84 marks (£56) in July 1345.<sup>302</sup> In October 1345 this was extended to include the abbot's liberties.<sup>303</sup> But by November 1348 the lands were back in the hands of the abbey's proctor, who became responsible for making the annual payment of 84 marks to Thomas.<sup>304</sup> The abbot of Fécamp still owed arrears to Thomas in February 1349 when he was ordered to pay them, in addition to the ongoing yearly payment.<sup>305</sup> When Thomas died in 1360 he was presumably still receiving this income, as peace with France was not concluded until 1361.

From February 1361 the abbot of Fécamp enjoyed a respite from paying a farm at the Exchequer for possessing his lands in England,<sup>306</sup> but reclaiming full use of his liberties was not so straightforward. The abbot and convent had to seek letters close and patent from the king confirming them in their liberties and ordering that they should enjoy them as they had before the war.<sup>307</sup>

Although the peace was broken in 1369, it may not have been until 1372 that Cheltenham was again in the king's hands 'on account of war with France'.<sup>308</sup> Soon after its resumption, custody of Cheltenham was granted to Simon de Burley in lieu substitution for an estate in St Sauveur, Normandy (Manche) of worth annually 100 marks that the king was obliged to provide to him annually.<sup>309</sup> In this grant the

<sup>297</sup> *Cal. Pat.*, 1292–1301, 241.

<sup>298</sup> TNA, SC 6/1125/15. The pledges for this payment included John de Alre and Walter Sturmy (TNA, E 210/7986).

<sup>299</sup> *Cal. Pat.*, 1327–1330, 514, 520; *Cal. Pat.*, 1330–1334, 34, 233.

<sup>300</sup> *Cal. Pat.*, 1338–1340, 128.

<sup>301</sup> *Cal. Pat.*, 1338–1340, 471.

<sup>302</sup> TNA, SC 8/244/12192; *Cal. Pat.*, 1343–1345, 517.

<sup>303</sup> *Cal. Pat.*, 1343–1345, 553. He therefore did not have to pay the distraint on wool (*Cal. Close*, 1346–49, 404).

<sup>304</sup> *Cal. Pat.*, 1348–1350, 212.

<sup>305</sup> *Cal. Close*, 1349–1354, 9–10. A further order followed in 1350 (*Ibid.*, 189).

<sup>306</sup> *Cal. Pat.*, 1358–1361, 558.

<sup>307</sup> *Cal. Close*, 1364–1368, 21; *Cal. Pat.*, 1364–1367, 219.

<sup>308</sup> The first mention of the abbot of Fécamp's lands being in the king's hands dates from 1372 (*Cal. Pat.*, 1370–1374, 165). In addition there are extant accounts for Cheltenham at TNA, for the years 1367–1371 (TNA, SC 6/851/23) which may indicate that the most recent accounts may have been seized along with the manor in 1372.

<sup>309</sup> Simon de Burley had been granted land in St. Sauveur to the value of 100 m. per annum by John Chandos whilst vicomte there, but when St. Sauveur came into the king's hand, he substituted this land for Cheltenham (*Cal. Pat.*, 1370–1374, 461).

manor was described as being parcel of the bailiwick of Warminghurst (Sussex). In 1375 the king ordered an inquisition into wardships, marriages, reliefs, escheats, lands, rents and other profits concealed and withdrawn from the king in the liberty of Slaughter and Cheltenham.<sup>310</sup> On the accession of Richard II in 1377 Cheltenham was not committed to the proctor of the abbot of Fécamp, and Simon's possession was confirmed.<sup>311</sup> His tenure was renewed in 1383,<sup>312</sup> and again in the following year, when all Fécamp's lands and possessions were granted to Richard, earl of Arundel, and Hugh Veretot, monk of Fécamp abbey. The Gloucestershire manors of Cheltenham and Slaughter, and Bury (Sussex) were excepted from this grant because they were in Simon's hands.<sup>313</sup>

Simon de Burley was executed in 1388, a victim of the purge of the king's supporters by the Merciless Parliament,<sup>314</sup> and the far from disinterested earl of Arundel (a leading appellant) and Hugh Veretot received custody of all Fécamp lands in England for the duration of the war with France. Their annual render of 500 marks was increased in 1389 by £20 in return for a guarantee that they should retain possession while the lands were in the king's hands, 'even though other persons may be willing to render more therefor.'<sup>315</sup> When the avenging Richard II had Arundel executed in his turn in 1397, Cheltenham manor returned to the king's hands, where it remained in 1402.<sup>316</sup> In that year Roger Coberley, bailiff of Cheltenham manor since 1388, appealed to Rome against his excommunication by an official of Canterbury at the suit of the abbot and convent of Cirencester.<sup>317</sup>

A relatively long period of tenure began in March 1403 when all Fécamp lands in England apart from the manor of Bury were granted to Sir John Cornwall, his wife, Elizabeth, Countess of Huntingdon, and Hugh Veretot, the abbot's proctor, rendering 400 marks annually for life during the war.<sup>318</sup> The abbot of Evesham unsuccessfully challenged this grant in 1406, claiming that it was invalid.<sup>319</sup> When Hugh Veretot died in 1409 Sir John proposed that the abbot should grant him, his wife and son a lease of their lands for 100 or 120 years, but this was refused.<sup>320</sup>

Fécamp's rights to Cheltenham ended shortly thereafter, in 1414, when Henry V resumed the lands of the alien priories in England. Although the abbot and convent hoped to recover their English lands following the Treaty of Troyes,<sup>321</sup> they were granted instead to Henry V's new foundation of Syon abbey in 1415. Sir John remained in possession of Cheltenham until his death in 1443, his wife having died in 1425, but it had been provided in parliament in 1423 that following their deaths the former Fécamp lands should revert to Syon abbey.<sup>322</sup> The abbess of Syon did not receive seisin until 1444,<sup>323</sup> but the lordships of Cheltenham and Slaughter were soon leased out for a rent of £110. The first farmers were Ralph Butler, Lord Sudeley, and

<sup>310</sup> *Cal. Pat.*, 1374–1378, 155.

<sup>311</sup> *Cal. Pat.*, 1377–1381, 119; *Cal. Fine*, 1377–1383, 70.

<sup>312</sup> *Cal. Pat.*, 1381–1385, 325.

<sup>313</sup> *Cal. Fine*, 1383–1391, 57.

<sup>314</sup> *ODNB*, Burley, Sir Simon (1336?–1388), accessed 2 Dec 2014

<sup>315</sup> *Cal. Fine*, 1383–1391, 303.

<sup>316</sup> *Cal. Pat.*, 1401–1405, 56.

<sup>317</sup> TNA, C 270/28/11.

<sup>318</sup> *Cal. Pat.*, 1401–1405, 205. TNA, SC 8/22/1075 is a petition relating to this grant.

<sup>319</sup> TNA, SC 8/23/1105.

<sup>320</sup> TNA, 31/8/140 A, no. 484.

<sup>321</sup> D. Matthews, *The Norman Monasteries and their English possessions* (Oxford, 1962), Appendix VII.

<sup>322</sup> TNA, E 326/3819; *Cal. Pat.*, 1422–1429, 207.

<sup>323</sup> TNA, CP 25/1/293/70 no. 284 (*Glos. Feet of Fines 1360–1508*, no. 585); *Cal. Pat.*, 1441–1446, 254.

his son Sir Thomas Butler. Only rights to wood, underwood, groves and timber were reserved, and these the abbess's servants had the right to remove at any time. As tenants, the Butlers had the advantage for the abbess of Syon that they could be distrained by their goods in the county of Middlesex if their rent fell two months into arrears.<sup>324</sup> The Butlers farmed the manor until at least 1460.<sup>325</sup>

It is likely that the next tenant of the abbey at Cheltenham was the abbot of Winchcombe, who farmed the demesnes there c.1465–9.<sup>326</sup> Cheltenham was probably directly managed by the abbey's bailiffs between such tenancies, as in 1482–4 when John Greenhill acted as bailiff before the tenancy was taken by Thomas Asplyn and Thomas Richards in 1484.<sup>327</sup> The indenture between these farmers and the abbey was very similar to the one the abbey entered into with the Butlers, except that Thomas Asplyn and Thomas Richards had four months' grace regarding rent in arrears before the abbess could re-enter the manor.<sup>328</sup> Asplyn and Richards farmed the manor until 1489, possibly longer.<sup>329</sup> The last known farmer of the manor was the abbot of Tewkesbury who accounted to Syon in 1493–4.<sup>330</sup> Thereafter the remaining extant accounts for Cheltenham are rendered by the bailiff of the lady abbess.<sup>331</sup>

The abbey of Syon enjoyed uninterrupted tenure of Cheltenham manor and hundred until its dissolution in 1539.<sup>332</sup> Cheltenham therefore made a substantial contribution to the coffers of the richest convent in England over the course of the 15th and 16th centuries.<sup>333</sup>

After Syon's dissolution the manor and liberty of Cheltenham reverted to the Crown. James I granted the lordship first to his eldest son, Henry, prince of Wales,<sup>334</sup> who died in 1612, and then to Charles, prince of Wales, in 1616.<sup>335</sup> The fee-farm rents of the manor, which amounted to £97 12s. 10½d., were granted for 99 years to Charles Harbord (d. 1679) in 1617.<sup>336</sup> After the Restoration, they were granted by Charles II to Catherine of Braganza (d. 1705) as part of her jointure,<sup>337</sup> and they were still being paid to the dowager queen in 1695.<sup>338</sup> The reversion of the fee-farm rents were acquired by John Fisher, the deputy surveyor of the crown lands. His heir was his grand-daughter, Mary,<sup>339</sup> the wife of Sir William Humble (d. 1706),<sup>340</sup> who inherited the rents after the death of Catherine of Braganza in 1705. Lady Mary's heirs were her nieces, Elizabeth and Mary Powys, the daughters of Richard Powys, to whom she left the rents in 1752.<sup>341</sup>

<sup>324</sup> TNA, E 211/404.

<sup>325</sup> TNA, SC 6/853/2.

<sup>326</sup> TNA, SC 6/1099/13, SC 6/1099/16, SC 6/1100/1.

<sup>327</sup> TNA, SC 6/853/11.

<sup>328</sup> TNA, SC 6/853/11.

<sup>329</sup> TNA, SC 6/Hen VII/198.

<sup>330</sup> TNA, SC 6/Hen VII/200.

<sup>331</sup> e.g. TNA, SC 6/Hen VII/203, SC 6/Hen VIII/1190.

<sup>332</sup> The abbess sought and received confirmation of the convent's lands from Edward IV (*Cal. Pat.*, 1461–1467, 144; TNA, SC 8/29/1419B).

<sup>333</sup> When leased out to farmers, the abbess received £55 for Cheltenham, as well as reserving all rights to the wood, underwood and trees there (TNA, SC 6/853/11).

<sup>334</sup> TNA, E 147/4/12.

<sup>335</sup> TNA, C 66/2109; GA, D855/M68, ff. 36–38; D2025/Box 87/Bundle 5.

<sup>336</sup> GA, D 269A/T32; D855/M68, ff. 37–39; D2025/Box 87/Bundle 5; *Hist. Parl.*, 1660–90, ??

<sup>337</sup> TNA, SC 12/30/16, f. 42; E 147/4/12.

<sup>338</sup> GA, D 678/1 E 1/1/3.

<sup>339</sup> TNA, PROB 11/391/88.

<sup>340</sup> TNA, PROB 11/488/101; *Complete Baronetage*, IV, 144–45; GA, D2957/73A/1.

<sup>341</sup> TNA, PROB 11/795/415; Univ. Nottingham Special Collections, Pl E 12/6/14/1/2, Pl E 12/6/14/1/3/1–2.

~~While overlordship remained with the crown, t~~The manor was let to a succession of farmers for much of the century after the dissolution of Syon Abbey. In 1540, the manor was farmed to Sir Andrew Windsor, Lord Windsor (d. 1543), the brother of the last prioress of Syon.<sup>342</sup> A life-grant of the manor was made in 1554 to Roger Lygon (d. 1584) and his wife, Katherine Buckler (d. 1582).<sup>343</sup> In 1574, Sir John Wolley was granted the reversion of the manor, with a lease for 31 years, to commence after the deaths of Roger and Katherine.<sup>344</sup> Richard Lygon (d. 1584) may have been assigned the remainder of Roger and Katherine's lease by 1575, when he was described as the farmer of the manor.<sup>345</sup> This might explain the claim by Wolley in 1584 that Lygon had absconded with the ancient records of the manor.<sup>346</sup> Wolley sold the remainder of his lease to William Norwood of Leckhampton, whose attempts to purchase the manor in fee-farm were apparently thwarted by the death of Queen Elizabeth in 1603.<sup>347</sup> Norwood's lease came to an end in 1615, and the manor was ~~farmed let~~ to Alexander Packer of Ham in 1616, who divided it first with his brother Robert (d. c.1618),<sup>348</sup> and then with Norwood.<sup>349</sup> The duchy of Cornwall was able to resume possession of the manor in 1622 after a legal battle.<sup>350</sup>

In 1628, ~~the farm of the manor was sold~~ was sold to John Dutton of Sherborne, and it subsequently descended with the manor of Sherborne for the next two centuries.<sup>351</sup> John Dutton died in 1657, and the manor passed successively to his nephews, first to William (d. 1675) and then to Ralph (d. 1721), created a baronet in 1678.<sup>352</sup> The Dutton family retained ownership of the manor until 1843, when John, 2nd Baron Sherborne sold it to James Agg-Gardner.<sup>353</sup>

Commented [AC1]: No, they purchased the manor, and not the farm of the manor.

## REDGROVE

During the 12th and 13th centuries Llanthony priory (Gloucester) acquired a number of holdings in Cheltenham, including lands in Alstone, Arle and Harthurst, as well as part of Oakley<sup>354</sup> and a fishery called Horsepool.<sup>355</sup> The lands in Alstone, Arle and

<sup>342</sup> TNA, E 36/152, 45; G. J. Aungier, *The History and Antiquities of Syon Monastery* (1840), 453; *Hist. Parl.*, 1509–58. Windsor was granted an annuity of £40 arising from the manor of Cheltenham and other former properties of Syon in 1542; *L&P Hen. Viii*, XVIII: 1, 547.

<sup>343</sup> *Cal. Pat.*, 1554–55, 36; MCA, box F 2 iii, no. 569; TNA, LR 6/28/1; C 116/150, 150. Roger Lygon was a younger brother of Sir Richard Lygon (d. 1556) of Arle Court. For the Lygon family, see W. Lygon, Earl Beauchamp, *The Madresfield Muniments* (Worcester, 1929).

<sup>344</sup> TNA, C 66/1117, mm. 34–35; *Cal. Pat.*, 1572–75, 304; Surrey Archives, LM/348/112.

<sup>345</sup> GA, D855/M2, f. 417.

<sup>346</sup> TNA, SP 46/34, f. 191; Surrey Archives, LM/COR/3/319.

<sup>347</sup> TNA, C 2/JasI/W28/44.

<sup>348</sup> TNA, C 66/2107, first and second unnumbered rotuli (index number 9). C 116/150, 90, 150.

<sup>349</sup> TNA, C 2/JasI/W28/44.

<sup>350</sup> See below, manorial government.

<sup>351</sup> For the manor of Sherborne, see *VCH Glos. VI*, 123.

<sup>352</sup> GA, D 678/F2/23, F4/11, F5/92–93.

<sup>353</sup> *Cheltenham Chronicle*, 23 Mar. 1843, 3. The descent of the manor after c.1740 will be described in *VCH Glos. XV* (forthcoming).

<sup>354</sup> The grant of an assart in Oakley, made by Ralph Butler, was the first recorded gift of land in Cheltenham to Llanthony priory. The grant was confirmed by Walter of Hereford, Constable of England, in 1155 x 1160 *Charters of the Earldom of Hereford*, nos.69, 73–4; *Cartae Antiquae, rolls 1–10*, no. 62.

<sup>355</sup> In 1173/4 the king augmented the canons' lands in Cheltenham by granting them the *piscaria de Horspul'* (*Pipe R, 20 Henry II, 1173–4*, 21). The canons began to account for 20s. a. for the fishery in 1224 (TNA, E 372/69, m.4d). Fourteenth-century accounts for Cheltenham manor show that Horspul' was in Cheltenham (TNA, SC 6/851/23, m.1).

Harthurst formed part of the composite manor of Redgrove, which may have included also property in Up Hatherley and other parishes.<sup>356</sup> The name Redgrove came from land in Arle.<sup>357</sup>

The Cheltenham property which formed part of Redgrove manor was probably acquired in the early 13th century,<sup>358</sup> and certainly no later than 1246 when Cheltenham was granted to Fécamp abbey. The priory appears to have had Walter de Hayulf of Cheltenham acting as their agent in making acquisitions in *Wodebreche*, *Hamme* and *Alveston*.<sup>359</sup> Further lands were acquired in *Hayerley*, *Cherlinton*, *Hamme* and *Herthurste*.<sup>360</sup>

Whether the prior of Llanthony owed suit of court to the abbot of Fécamp for his lands in Cheltenham was a point of contention after 1246. The service previously due to the king as lord of Cheltenham had been reserved in the various grants made to the priory. In 1274 the Cheltenham hundred jurors claimed that 'the prior of Llanthony used to make suit at the court of Cheltenham and his tenants used to come twice a year to the view of frankpledge to make and present their assizes with the tithingman of Arle'.<sup>361</sup> But when in 1289 the prior was distrained to appear before Cheltenham manor court to answer a suit concerning land called *Hareballokeslond*, he produced a charter of King John, who then held the manor, which acquitted the prior of all suits. The abbot of Fécamp's steward, acting within his power as general attorney, accepted the charter and dismissed the prior in peace from the suit. In return the prior ceded to Fécamp full power to determine land disputes arising from the time when Llanthony tenants lived in Hatherley. This judgment was referred to again in 1342, when the prior was again summoned to answer concerning this land.<sup>362</sup> Moreover, in 1464 the prior successfully sued the abbess of Syon for taking unjust ameracements from him, and receiving damages and court costs; the jurors' verdict again was that the lord of Cheltenham had never been seised of the homage, fealty or any suit from the prior of Llanthony in Cheltenham manor and hundred.<sup>363</sup>

Initially the prior seems to have managed Redgrove directly and farmed the demesne. The tithingman of Arle presented that John, clerk of Hardhurst, brewed against the assize on several occasions in 1276; and in the same year the prior was charged with having placed a dungheap and dug in the common pasture at *Herdhurste* in *Dorbiesgrene* to the damage of the vills of Arle and Alstone.<sup>364</sup> In 1314 he was charged with having appropriated and sown the common pasture of Arle to the nuisance of the whole vill.<sup>365</sup> In 1332–3 the bailiff of the abbot of Fécamp repeatedly distrained the prior by seizure and retention of his beasts.<sup>366</sup>

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<sup>356</sup> *Register of ...*, no. 184.

<sup>357</sup> TNA, SC 2/175/25.

<sup>358</sup> Various grants reference the land of Robert Coignee. Robert Coignee was outlawed in 1226: above, Cheltenham manor.

<sup>359</sup> TNA, C 115/74, ff.71d., 74–74d; C115/77, ff.110d–111d. Hayulf's name is also spelled Haulf and Hayewulf. The Cheltenham hundred roll jury also noted that Llanthony priory held of the fee of Gilbert of Schipton and of the fee of William le Frankleyn of the gift of Walter Hatholf. They did not know at what time or by what warrant. The suits of William Pyperhog and Juliana Goodrich of Homme, former Cheltenham tenants, had been removed to the prior of Llanthony through the actions of Walter Hatholf, bailiff (*Rot. Hund.*, xx).

<sup>360</sup> TNA, C 115/74, f.71d, 73–73d.; C 115/77, ff.111, 116; C 115/83, f.104.

<sup>361</sup> *Rot. Hund.*, xx.

<sup>362</sup> TNA, C 115/74, m.xx.

<sup>363</sup> *Cal. Regs. Priory of Llanthony*, no. 79.

<sup>364</sup> DC/MR/GC1, m.3d, 6–7.

<sup>365</sup> DC/MR/GC2, m.1d.

<sup>366</sup> TNA, SC 2/175/25, m.9.

The earliest indication that Llanthony was leasing its Redgrove demesne occurred in 1410, when the prior let his manor with houses, dovecote and appurtenances to William Hert, Walter Hurste and Richard de Acle (ArleOakley?) for a term of six years, reserving only the profits of lordship and his grove, and all trees and brushwood growing on the manor, excepting the brushwood growing on the banks of streams and willow branches. William, Walter and Richard were to pay a rent of 46s. 8d. in two equal portions, and to keep all the houses in the manor in good and sufficient repair at their own expense, excepting timber if necessary and approved by the cellarer. The grove was to be kept clear of brushwood and they were not to sublet any part of the manor where trees were growing.<sup>367</sup> A similar lease, excepting the dovecote, was made to John Sturmy and Thomas Heydon in September 1422, again for six years, but at the appropriately reduced yearly rent of 33s. 4d.<sup>368</sup> Leasing out the manor to farm continued through the 15th century, and the names of five lessees are recorded: William Bouchier in 1442–3; Thomas Felpes in 1461–2; and William Halle, Richard Beauchamp and William Baker between 1472 and 1476.<sup>369</sup>

Before 1483 the prior of Llanthony (Henry Deane) was augmenting his Cheltenham holdings by leasing demesne land on Cheltenham manor.<sup>370</sup> His arrears of £4 4s. 8d. were still being recorded on Cheltenham accounts in 1507.<sup>371</sup> The following year Llanthony let Redgrove manor again, this time to William Grevell of Arle and Margaret his wife. A serjeant-at-law, and lord of several manors in Gloucestershire and Worcestershire, William served also, c.1500, as Syon abbey's steward of Cheltenham manor.<sup>372</sup> His lease of Redgrove excepted the profits of lordship and the grove and large trees growing within it. At first the annual rent was very low, 6s. 8d., presumably reflecting William's stature and age,<sup>373</sup> but after his death in 1513 Margaret his widow, was charged at the 15th-century rate of 46s. 8d.<sup>374</sup> The prior of Llanthony benefitted in William's will, which gave all the profits from sheep on his farms at Ditchford (in Blockley, then Worcs.), 'Calcote', Puckham (in Sevenhampton) and Broad Campden (in Chipping Campden) to the building of the church of Llanthony for one year.<sup>375</sup> Margaret (d. 1540) may still have had seisin in 1523 when a 'Margery Grevile de Arle' was surveyed as having £40 in goods for the lay subsidy.<sup>376</sup> Since she was alive in 1538,<sup>377</sup> she probably still possessed Redgrove manor when the possessions of Llanthony priory were resumed by the Crown.<sup>378</sup> In 1535 the manor was found to be worth 13s. 3d. in rent from free tenants and 46s. 8d. from customary tenants to the priory.<sup>379</sup> The bailiff in that year was Giles Roberts.

<sup>367</sup> TNA, C 115/76, ff.24–24d.

<sup>368</sup> TNA, C 115/76, f.158; MCA, box A2i, rot. 4.

<sup>369</sup> MCA, box A2i, rott. 6, 8; box A2ii, rott. 5, 7..

<sup>370</sup> TNA, SC 6/853/7.

<sup>371</sup> TNA, SC 6/HenVII/207.

<sup>372</sup> TNA, SC 6/HenVII/201; C 1/115/66.

<sup>373</sup> TNA, C 115/85, ff.23–23v; calendared in *Cal. Regs. Priory of Llanthony*, no. 184.

<sup>374</sup> TNA, C 115/85, ff.23–23v; calendared in *Cal. Regs. Priory of Llanthony*, no. 184.

<sup>375</sup> TNA, PROB 11/17/151.

<sup>376</sup> *Bristol & Glos. Lay Subsidy*, no. 2301.

<sup>377</sup> TNA, C 142/62/45.

<sup>378</sup> TNA, C 115/85, f.1v has a note referring to an indenture for Robert Wye but there is no evidence for this indenture as folios 105r–114v of the register are now missing. There was, of course, no mention of Redgrove lands in Robert's will of 1544, although other leases are mentioned (TNA, PROB 11/30/284). William Rye was married to Margaret Grevell's daughter, Alice (TNA, C 142/62/45).

<sup>379</sup> *Valor Eccl.*, ii, 427.

In 1540 the Crown sold the former Llanthony manor of Redgrove to William Lygon of Arle for £52 8s. 4d.,<sup>380</sup> and its lands subsequently descended with the Arle Court estate.<sup>381</sup>

#### CHELTENHAM RECTORY

An estate of 1½ hides was attached to the church in Cheltenham before 1066. In 1086 it formed part of the holdings of Regenbald the priest, and there were two ploughs.<sup>382</sup> Henry I in 1133 granted the church of Cheltenham with its land, chapels, one mill and other appurtenances to his new foundation of Cirencester abbey.<sup>383</sup> The canons held various rights by virtue of this charter, including view of frankpledge of the tenants who resided in their fee, the right of hue and cry, and fines for the spilling of blood.<sup>384</sup> The fold of the abbot was mentioned in 1221,<sup>385</sup> and his granary, grange and mill in 1304.<sup>386</sup> Its lands were scattered, and included parts of the open fields of the main Cheltenham manor.<sup>387</sup> When Cheltenham manor was granted with liberty status to the abbot of Fécamp in the mid-thirteenth century, the rectory manor became a liberty within a liberty.<sup>388</sup> The abbot of Cirencester was cited in Cheltenham manorial proceedings, but only in respect of those lands acquired subsequent to their initial endowment.<sup>389</sup> To its existing rights within the rectory manor, the abbey claimed the right of free warren by a charter of Henry III dated 1252.<sup>390</sup>

The right of the canons to the whole of the rectory manor was contested in the late-12th century, when a priest named Reginald claimed to be vicar of Cheltenham. Randulf, a canon of Cirencester who appeared to have a counter-claim, agreed c.1180 to renounce his claim to the vicarage in return for a payment of 4 marks.<sup>391</sup> At about the same time Reginald, whose claim was contested by the abbot, asserted that his father, Lambert, had held the land (one-quarter of the rectory) for life, and that he would also hold it for life.<sup>392</sup> Later, under Abbot Adam, Reginald agreed to renounce the vicarage in return for a payment of 8 marks.<sup>393</sup> In 1195 Pope Celestine III granted that on Reginald's death the disputed lands would transfer to Cirencester abbey provided that the income was used for hospitable purposes.<sup>394</sup> This was confirmed in 1200 by the executors of a similar indulgence granted by Pope Innocent III.<sup>395</sup> The bishop of Worcester confirmed the appropriation in 1216 or 1217, and required the

<sup>380</sup> *L&P Hen. Viii*, XV, 942.

<sup>381</sup> TNA, E 371/483 rot. 152?; WARD 7/21/111; PROB 11/433/497; BL, Add. MS 6374, f. 31.

<sup>382</sup> TNA, E 31/2/1/6238.

<sup>383</sup> *Cirencester Cartulary*, i, 28/1.

<sup>384</sup> *Plac. de Quo Warr.*, 244; DC/MR/GC2, m.1d.; *Valor Eccl.*, 427.

<sup>385</sup> Maitland, *Pleas of the Crown*, no. 206.

<sup>386</sup> *Cirencester Cartulary*, iii, 481.

<sup>387</sup> Herts ALS, 10484.

<sup>388</sup> *Cirencester Cartulary*, iii, 435; TNA, C 131/1/16.

<sup>389</sup> See, for example, DC/MR/GC1, m.1; TNA, SC 6/852/19, SC 6/Hen VIII/203. The grants of land were many. See, for example, *Cirencester Cartulary*, ii, 435/467.

<sup>390</sup> *Plac. de Quo Warr.*, 244.

<sup>391</sup> *Cirencester Cartulary*, ii, 423/454.

<sup>392</sup> *Cirencester Cartulary*, ii, 422/453.

<sup>393</sup> *Cirencester Cartulary*, ii, 421/452.

<sup>394</sup> *Cirencester Cartulary*, i, 158/90.

<sup>395</sup> *Cirencester Cartulary*, i, 165/47; ii, 415/446.

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abbot to support two chaplains to serve in the church of Cheltenham.<sup>396</sup> A survey of the possessions of Cirencester abbey taken in the reign of Henry III found that it held the church of Cheltenham with its appurtenances to its own use, with a yearly value of 40 marks.<sup>397</sup>

At the dissolution of Cirencester abbey in 1539 the rectory of Cheltenham reverted to the Crown, and the rectory estate was held by a succession of farmers. The estate had been let in 1538 to Anthony Kingston of Painswick for 60 years, to commence after the death of the then farmer Thomas Packer (d. 1558).<sup>398</sup> At Kingston's death in 1556, his estates passed to his niece, Frances, and her husband, Henry Jerningham.<sup>399</sup> The latter surrendered the lease for a new one of 60 years in 1560,<sup>400</sup> and he subsequently farmed the rectory to Thomas Higgs (d. 1582), from whom it passed to his son, also Thomas (d. 1588).<sup>401</sup> A new lease of 21 years was granted to William Grenewell in 1591,<sup>402</sup> but his claim that this had invalidated the previous lease was disputed by Elizabeth Higgs, the widow of the younger Thomas.<sup>403</sup> The rectory was let again for the same term within a year to Robert Stephens,<sup>404</sup> probably the brother of Elizabeth Higgs,<sup>405</sup> and it was let in reversion for forty years to Sir Francis Bacon in 1598.<sup>406</sup> Elizabeth Higgs (d. 1621), who had subsequently married Charles Baghot (d. 1596), was in possession of all of these leases by 1610,<sup>407</sup> and the Higgs family and their heirs continued to farm the rectory until c.1653.<sup>408</sup>

In 1612, the rectory was sold to Sir Baptist Hicks (d. 1629), later created first Viscount Campden.<sup>409</sup> Hicks left the rectory to his daughter and co-heir, Mary,<sup>410</sup> whose third husband, Sir Edward Alford (d. 1653) held it during his lifetime,<sup>411</sup> after which it passed to her grandson Sir Henry Capel (d. 1696), later first Baron Capel of Tewkesbury. After the death of his widow in 1721,<sup>412</sup> the estate passed to his nephew, Algernon Capel (d. 1710), 2nd earl of Essex, and descended with the title to the latter's son William Capel, 3rd earl (d. 1743), and remained in the Capel family until sold to William-Joseph Pitt in 1799.<sup>413</sup>

The rectory possessed a substantial estate in Cheltenham, including a large parsonage house and a number of tenements, and had the right to collect all the great and small tithes throughout the parishes of Cheltenham and Charlton Kings. Cambray Mill also belonged to the rectory at the time of the Dissolution, but it was sold to Richard Pate c.1560.<sup>414</sup> The rectory was let until 1558 for £60 a year,<sup>415</sup> and it

<sup>396</sup> *Cirencester Cartulary*, ii, 407/439, 408/440.

<sup>397</sup> TNA, SC 12/18/22.

<sup>398</sup> *Cal. Pat.*, 1558–60, 350; TNA, E 112/16/130; LR 6/28/1; SC 6/EDWVI/181, mm. 12–13.

<sup>399</sup> *Trans. BGAS*, 83, 100.

<sup>400</sup> *Cal. Pat.*, 1558–60, 350.

<sup>401</sup> GA, P 78/1 IN 1/1, 64, 83. TNA, PROB 11/73/450.

<sup>402</sup> *Cal. Pat.*, 1590–91 (List & Index Soc., 308), 36.

<sup>403</sup> TNA, E 112/16/130.

<sup>404</sup> *Cal. SP Dom.*, 1591–94, 186. TNA, SP 38/3 (15 Feb. 1591/2).

<sup>405</sup> TNA, PROB 11/73/450.

<sup>406</sup> TNA, C 3/257/13; *Cal. Pat.*, 1597–98 (List & Index Soc., 326), 28.

<sup>407</sup> GA, D 2375/T3; D 855/M68, f. 10; TNA, PROB 11/88/300. GA, P 78/1 IN 1/1, 107, 195.

<sup>408</sup> TNA, C 3/372/14; GA, D 855/M68, f. 10.

<sup>409</sup> *Cal. SP Dom.*, 1611–18, 123; *HMC Cecil*, XXI, 342; GA, D 9125/1/6106.

<sup>410</sup> GA, D 2957/302/82.

<sup>411</sup> GA, D 2957/302/95–7; J.G. Alford, *Alford Family Notes* (London, 1908), 40; *Cal. Ctee for Compounding*, ii, 1009–10.

<sup>412</sup> Herts.ALS, D/EB2043/Q1.

<sup>413</sup> GA, D 2025/B26, Bundle 3; D11662.

<sup>414</sup> *Cal. Pat.*, 1560–63, 42; TNA, E 134/35Eliz/East18; GA, D855/M1, f. 174.

<sup>415</sup> *Cal. Pat.*, 1558–60, 350.

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was later suggested that the revenues of the rectory were worth little more than that.<sup>416</sup> A survey of 1604 found the rectory to consist of a large parsonage house, 123 a. of arable land, and 193 a. of meadow or pasture, and there were said to be 1,200 trees on its land.<sup>417</sup> The rectory was said to be worth £400 in 1609, but £600 in 1623<sup>418</sup> and 1653.<sup>419</sup> A detailed survey of the rectory estate was made in 1632, when it consisted of a large parsonage house on the high street, c.122 a. of arable, c.8 a. of meadow, and c.90 a. of pasture.<sup>420</sup> In 1670 the rectory estate, including the tithes of Cheltenham and Charlton Kings, was let to several tenants for a total of £297.<sup>421</sup>

## OTHER ESTATES

### *Arle Court*

Arle was a medieval tithing and vill whose lands lay in Cheltenham and Redgrove manors.<sup>422</sup> One of several A large-freehold estates which were emerging during the 15th century called-became Arle Court, and passed from John Arle to his daughter Margaret and her husband, Robert Greville of Charlton Kings; he, who sold Arle Court to his younger brother, William (d. 1513), Justice of the Common Pleas. After his death, it passed to his daughter Margaret and her husband, Sir Richard Lygon (d. 1556) of Madresfield Court (Worcs.).<sup>423</sup> In 1523, the estate comprised 210 a. of arable land, 16 a. of meadow, 108 a. of pasture and two water mills.<sup>424</sup> It passed with Madresfield to Richard's son William (d. 1567), and grandson Richard (d. 1584).<sup>425</sup> After the latter had succeeded to Madresfield Court, his mother and later his younger brothers were resident at Arle Court.<sup>426</sup> A terrier of the estate was recorded in the manor court books in 1581.<sup>427</sup> The estate passed to Richard's eldest son, Sir William (d. 1608),<sup>428</sup> from whom it passed to his son, also Sir William (d. 1619).<sup>429</sup> The estate was still in the possession of Sir William in 1611,<sup>430</sup> but had passed by 1615 to John Lygon (d. 1644),<sup>431</sup> the son of Richard (d. 1584) by his second wife, Margaret Talbot.<sup>432</sup> She married secondly Sir Arthur Lygon, son of Henry, a younger son of Richard (d. 1556), and John Lygon married Elizabeth, Sir Arthur's daughter by his first marriage.<sup>433</sup> Arle Court passed to John's daughter Katherine, who married Sir Fleetwood Dormer (d. 1696). He left his estate to his nephew Robert Dormer (d.

<sup>416</sup> TNA, E 134/35Eliz/East18.

<sup>417</sup> TNA, E 178/7025, f. 18.

<sup>418</sup> TNA, C 3/372/14.

<sup>419</sup> *Cal. Comm. Com.*, ii, 190–10.

<sup>420</sup> GA, D9125/1/6107.

<sup>421</sup> HALS, 10484.

<sup>422</sup> above, intro: outlying settlements

<sup>423</sup> Worcs. RO, BA 3375/16.

<sup>424</sup> MCA, box F 1 vii, no. 395.

<sup>425</sup> *VCH Worcs. IV*, 121; TNA, C 142/149/128; C 142/206/8; WARD 7/21/111.

<sup>426</sup> TNA, C 142/206/8; MCA, box A 2 i, rot. 16; box F 2 iii, nos. 600–1.

<sup>427</sup> GA, M 855/M3, ff. 343–53v.

<sup>428</sup> TNA, C 142/206/8; WARD 7/21/111.

<sup>429</sup> GA, D 855/M8, f. 47. *VCH Worcs. IV*, 118–22.

<sup>430</sup> GA, D 855/M8, f. 104.

<sup>431</sup> GA, D 855/M9A, 1.

<sup>432</sup> *Visit. Worcs. 1569*, ed. W.P.W. Phillimore (Harl. Soc., XXVII), 91.

<sup>433</sup> *Visit. Worcs. 1569*, 91.

1726) of Shipton Lee (Bucks.),<sup>434</sup> whose heirs were his four daughters.<sup>435</sup> John Yorke inherited the estate in 1767,<sup>436</sup> and sold it to Thomas Packer Butt in 1795.<sup>437</sup>

The manor house of Arle Court stood in Church's Lane, so called in the 18th century, which ran east from Arle Cross.<sup>438</sup> Originally built in the 15th century, it was apparently much remodelled in the Elizabethan period, when it would have been approached from the Tewkesbury road.<sup>439</sup> The house is shown on the earliest map of Cheltenham in 1776.<sup>440</sup> Most of the house was demolished c.1880,<sup>441</sup> when the name and some of the internal fittings were transferred to a new house two miles to the south.<sup>442</sup> A large 3-storey property, Arle Court House, remains on the site, the rear sections of the original house dating mainly from the late 17th or early 18th century, but with a 16th-century wing to the rear.<sup>443</sup>

#### *Compton's Manor*

An estate called New Court or Compton's Manor was held by Sir William Compton (d. 1528) of Compton Wynyates (Warks.).<sup>444</sup> It passed to his infant son, Peter, who died in 1544, five months before the birth of his heir, Henry.<sup>445</sup> Compton sold the estate to Thomas Packer (d. 1604) and Richard Brevel in 1570, when it comprised 200 a. of arable land, 40 a. of meadow, 200 a. of pasture, 2 a. of woods, and 4 a. of heath in Alstone, Arle, Charlton Kings and Cheltenham.<sup>446</sup> Brevel and Packer sold parts of the estate in parcels,<sup>447</sup> before dividing the remainder between themselves; Brevel took land in Charlton Kings, whilst Packer retained the estate and other lands.<sup>448</sup> In 1575 Packer sold Compton's Manor with lands and houses in Cheltenham and Alston to his brother Edward Packer (d. 1598).<sup>449</sup> It passed to Edward's son Thomas (d. 1607), grandson Robert (d. 1643), and great-grandson Edward (d. 1648).<sup>450</sup> After the latter's death it passed to his brother Thomas, who sold the manor to William Stowde c.1650.<sup>451</sup>

The house called the New Court was in Charlton Kings, and was owned by the Harris family in the early 17th century.<sup>452</sup>

#### *Power's Court*

<sup>434</sup> TNA, PROB 11/433/497.

<sup>435</sup> VCH Bucks. IV, 95.

<sup>436</sup> TNA, PROB 11/933/396; MCA, Box F 5 viii, no. 1487; Box G 6 ii, no. 208.

<sup>437</sup> GA, D 2025/Box 25/Bundle 1.

<sup>438</sup> 1776 map.

<sup>439</sup> A.M. Welch, 'Old Arle court', *Trans. BGAS*, XXXVI (1913), 290.

<sup>440</sup> GA, Q/SRh/1777/A/1.

<sup>441</sup> NHLE, no. 1245523; A.M. Welch, 'Old Arle court', *Trans. BGAS*, XXXVI (1913), 289.

<sup>442</sup> NHLE, no. 1333247.

<sup>443</sup> NHLE, no. 1245523.

<sup>444</sup> TNA, C 142/48/130.

<sup>445</sup> VCH Warws. V, 65; TNA, C 116/150, 114.

<sup>446</sup> TNA, C 116/150, 13, 107; CP/25/2/142/1800/12ELIZIHIL; GA, D855/M2, ff. 70, 87. Compton sold other freehold land, including five burgage properties, at the same time: GA, D855/M2, ff. 70, 86–87, 200.

<sup>447</sup> TNA, C 116/150, 18, 22, 27, 106–8.

<sup>448</sup> TNA, C 116/150, 23, 27.

<sup>449</sup> TNA, C 116/150, 19, 110; GA, D855/M2, f. 403; P78/1 IN 1/1, 116; below, Power's Court.

<sup>450</sup> TNA, E 178/7025, m. 2v; GA, D855/M7, 347; D855/M8, ff. 4, 26; P78/1 IN 1/1 150; P78/1 IN 1/2, 50, 94.

<sup>451</sup> GA, D855/M33, ["p. 1v"].

<sup>452</sup> TNA, LR 2/207, f. 90; E 178/7025, f. 3; BL, Add. MS 6027, f. 24; GA, D855/M7, 347.

## Cheltenham Before the Spa - Draft

An estate called Power's Court had descended to John Vampage (d. c.1548) of Woollas Hall in Eckington (Worcs.),<sup>453</sup> possibly through his mother Eleanor, the daughter of Sir William Greville of Arle.<sup>454</sup> By his will, the childless Vampage left his estate in Cheltenham to his sister Dorothy and her second husband, Thomas Winchcombe (d. before 1576) of Chalgrove (Oxon.).<sup>455</sup> Dorothy's heirs were her children, John and Margaret, by her first husband, John Higford of Dixton.<sup>456</sup> The younger John sold his rights in the manor to his sister and her husband, Thomas Hanford, in 1565,<sup>457</sup> and Winchcombe alienated the manor to the Hanfords in 1571.<sup>458</sup> The following year the Hanfords sold the estate to Thomas Packer (d. 1604), when it comprised 200 a. of arable land, 10 a. of meadow, 100 a. of pasture, 1 a. of woods, and 20 a. of heath in Cheltenham, Arle, Alstone, and Charlton Kings.<sup>459</sup> The estate may also have included 2½ burgages in the borough of Cheltenham.<sup>460</sup> Packer sold the manor of Power's Court to his brother Edward (d. 1598) in 1581,<sup>461</sup> and it descended with Compton's.<sup>462</sup>

Power's Court manor house stood in Cheltenham high street east of the Plough inn. In 1574 Thomas Packer sold it, with meadow on both sides of the river and 14 a. of land in the common fields, to Thomas Machin.<sup>463</sup> It had been acquired by Robert Rogers of Sandwell by 1617,<sup>464</sup> who demised it to his younger son Richard in 1627.<sup>465</sup> It had apparently passed to Thomas Rich by 1657, from whom it passed to his son Edward (d. 1681) and grandson Lionel.<sup>466</sup> The house was sold by Lionel Rich to Edward Mitchell in 1695,<sup>467</sup> who may have been responsible for rebuilding the house in the substantial style shown in a later illustration of c.1740.<sup>468</sup> Following the death of Mitchell in 1727, the house passed first to his son John (d. 1730), and then to his daughter Mary,<sup>469</sup> the wife of Revd George Stokes.<sup>470</sup> An illustration of c.1740 shows it as a substantial three-storey brick building after a large ballroom house had been built on the east side which was already known as the Assembly House.<sup>471</sup> After being sublet and divided, the house was sold to Thomas Smith in 1820,<sup>472</sup> and had been replaced by three separate tenements by 1885.<sup>473</sup>

<sup>453</sup> TNA, C 116/150, 112; *VCH Worcs.* iii, 490; *IV*, 71.

<sup>454</sup> *Visit. Worcs.* 1569, ed. W.P.W. Phillimore, (Harl. Soc., XXVII), 69.

<sup>455</sup> TNA, PROB 11/32/339; C 116/150, 106, where it is wrongly described as the manor of Cheltenham. *Visit. Worcs.* 1569.-70. For Winchcombe, *VCH Oxon.* XVIii, 133. For Wincheombe, 'Chalgrove: Manors and Estates', *Unpublished draft, VCH Oxon.*, [http://www.victoriacountyhistory.ac.uk/sites/default/files/work-in-progress/chalgrove\\_web\\_manors.pdf](http://www.victoriacountyhistory.ac.uk/sites/default/files/work-in-progress/chalgrove_web_manors.pdf) [accessed 2 Feb. 2015].

<sup>456</sup> *VCH Worcs.* IV, 71, 73.

<sup>457</sup> TNA, C 116/150, 20, 106.

<sup>458</sup> GA, D 855/M2, f.147.

<sup>459</sup> TNA, C 116/150, 12, 13, 113; CP 40/1306 rot. 127; GA, D 855/M2, f. 186.

<sup>460</sup> GA, D 855/M2, f. 188.

<sup>461</sup> TNA, C 116/150, 18, 112.

<sup>462</sup> GA, M 855/M8, ff. 4, 26; D 855/M33, ["p. 1v"].

<sup>463</sup> TNA, C 116/50, 23, 109.

<sup>464</sup> GA, D855/M7, 344; D444/T97.

<sup>465</sup> GA, D44/T19.

<sup>466</sup> GA, D245/IV/1; VCH Glos. IX, 54, 267.

<sup>467</sup> GA, D245/IV/1.

<sup>468</sup> Jones, Cheltenham, 120.

<sup>469</sup> Hodsdon, Manor Court Books, 210.

<sup>470</sup> Hodsdon, Manor Court Books, 234.

<sup>471</sup> Jones, Cheltenham, 120.

<sup>472</sup> GA, D245/IV/1.

<sup>473</sup> OS Map, 6", 1<sup>st</sup> ed. (1885).

### *Hewlett's*

A farm called Hewlett's comprised land in the parishes of Cheltenham and Prestbury, with the farmhouse straddling the border between the two parishes. William Baghot (d. 1579), lord of the former Llanthony priory manor of Prestbury,<sup>474</sup> and his wife Alice leased it to their son Richard for the duration of their lives in 1569.<sup>475</sup> The estate was granted to John Carter by Edmund Baghot of Prestbury in 1617, who sold it to Richard de la Bere of Southam in 1633.<sup>476</sup> The estate passed with the manor of Southam to Richard's great-nephew Kynard (d. 1656), to his son John, and to John's son Kynard (d. 1734).<sup>477</sup> In 1700 the farm comprised 41 a. of pasture and meadow in Cheltenham, and a further 16 a. of pasture in Prestbury.<sup>478</sup> Kynard de la Bere was succeeded by his nephew William Baghot of Prestbury, who took the surname de la Bere. Thomas Baghot of Hewlett's, the nephew of William Baghot de la Bere, sold the farm to James Agg in 1797, when c. 41 a. of c. 215 a. were in Cheltenham.<sup>479</sup>

### *Pate's Charity*

The chantries of St Mary and of St Catherine in the parish church held between them various properties in Cheltenham, given to support worship within the parish.<sup>480</sup> Following the dissolution of the chantries in the first year of Edward VI's reign, the lands fell to the Crown. A number of these lands were granted in 1553 to Daniel and Alexander Pert,<sup>481</sup> who appear to have sold them to Thomas Packer (d. 1604).<sup>482</sup> A grant of concealed chantry land was made to Hugh Councill and Robert Pystor in 1568.<sup>483</sup> The remainder of the estates was granted in 1574 to Richard Pate, a Cheltenham native who became recorder and MP for Gloucester, to support the new schoolhouse he had erected for his home town in 1571.<sup>484</sup> Pate granted the estate in trust to Corpus Christi College, Oxford, in 1586, to support this school and the new almshouse he had also built in the town.<sup>485</sup>

### *Tewkesbury Abbey*

From c.1450, and possibly earlier, the abbot of Tewkesbury held a half burgage in Cheltenham.<sup>486</sup> Its annual value in 1535 was assessed at 10s,<sup>487</sup> and it was let to Thomas Evance in the following year.<sup>488</sup> After its resumption by the Crown it was let to Richard Norton for 40 years in 1586.<sup>489</sup>

### *Elmstone Hardwicke Parish*

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<sup>474</sup> *VCH Glos.* Vii, 73.

<sup>475</sup> GA, D 1637/T25.

<sup>476</sup> *Inq. m. Glos.*, 1625–36, 47–49.

<sup>477</sup> *VCH Glos.* Viii, 10.

<sup>478</sup> GA, D 1637/T26.

<sup>479</sup> GA, D 855/E1; D855/T13; *VCH Glos.* Vii, 76.

<sup>480</sup> TNA, E 301/21–23.

<sup>481</sup> *Cal. Pat.*, 1553, 145.

<sup>482</sup> Packer sold former chantry land purchased by the Perts to the tenants in 1570, and land he sold to his brother Edward in 1575 may also have been former chantry land; TNA, C 116/150, 21, 106, 110.

<sup>483</sup> *Cal. Pat.*, 1566–69, 225.

<sup>484</sup> *Cal. Pat.*, 1572–75, 297–98; TNA, C 66/1117, mm. 11–13.

<sup>485</sup> CCC, Fe 42/1. See below, education and charities.

<sup>486</sup> TNA, SC 11/222.

<sup>487</sup> *Valor Eccl.*, ii, 472.

<sup>488</sup> TNA, LR 6/28/1.

<sup>489</sup> *Cal. Pat.*, 1585–86 (List & Index Soc., 294), 117; TNA, C 66/1280, m. 23.

The *custodes* of the church of Uckington (in Elmstone Hardwicke) held a parcel of a burgage in Cheltenham for 4d. rent from c.1450.<sup>490</sup> It is perhaps to be identified with one half burgage on the south side of the high street which was granted c.1598 for the repair of Elmstone church.<sup>491</sup> The parish retained the property, and by 1813 Elmstone Street had been laid along the site.<sup>492</sup>

*The Hospital of St Mary Magdalene, Gloucester*

The brothers of St Mary Magdalene, Gloucester held an unknown quantity of land in Pesefurlong in the manor of Cheltenham by c.1350.<sup>493</sup>

## ECONOMIC HISTORY

In common with other small Gloucestershire towns medieval Cheltenham's economy relied chiefly on the agricultural land which surrounded it. Its mills served the arable producers, and its tradesmen provided goods and services at the weekly markets and annual fairs to the rural population. Cheltenham, Arle and Alstone each had open fields, as well as substantial acreages of pasture and meadowland, which increased as a result of piecemeal Tudor and later inclosure. Tobacco was grown illegally in the 17th century, and malting and tanning became prominent among the range of goods and services provided to its hinterland by the early modern town's tradesmen and at its Thursday market.

### AGRICULTURE

*Medieval Farming Practice*

Cheltenham in 1066 was a 10-hide manor, of which 8½ hides belonged to the king and 1½ hides to the minster church. After the conquest the king's estate was managed by a reeve, and the church's by its priest, Reinbald. In all there had been 23 ploughs before the conquest, 3 on the demesne, 2 on the church land, and 18 worked by 20 villans, 10 bordars and 7 slaves. After 1066 the king's reeve added 4 villans, 2 bordars and another plough. Between 1066 and 1086 the value of the king's estate more than doubled.<sup>494</sup> Nothing further is recorded of farming practice until 1220, when Cheltenham was assessed for a tax at 44 ploughteams.<sup>495</sup>

An extent of 1294 showed that Cheltenham was then primarily engaged in arable farming: there were 149 a. of arable land on the manor's demesne worth 49s. 8d., 30 a. of meadow worth 45s., pasture worth 16s. and woods worth 2s. annually.<sup>496</sup> The only surviving account from before the Black Death (1348–9) dates from 1344/5. The demesne or grange was then being actively farmed by the lord and produced 15 quarters and 6 bushels of wheat, 12 quarters and 2 bushels of rye, 29 quarters of

<sup>490</sup> TNA, SC 11/222; for this church, see *VCH Glos.* Vii, 59.

<sup>491</sup> D2747/1; *VCH Glos.* Vii, 58–59.

<sup>492</sup> D2747/1; *Gazetteer*; *VCH Glos.* Vii, 58–9.

<sup>493</sup> TNA, C 115/77, m.xx. This may be identified with a field-name Bedlam, in Swindon (*Gazetteer*), although the hospital also had a freehold in Arle in 1470: above: intro, outlying settlements.

<sup>494</sup> *Domesday Book*, 447; below, Services and Payments ?

<sup>495</sup> *Book of Fees*, i, 308–9.

<sup>496</sup> TNA, E 106/2/2.

Commented [U4]: Adds to 23 not 25, are tere 2 missing?

barley, 11 quarters and 1 bushel of pulses, and 20 quarters and 3 bushels of oats. Proportions of each crop were sold or used to satisfy the needs of the household, and the remainder was used to sow the fields during the following year. Fresh land was being dug at Oakley, where oats were sown; other land newly put under the plough at Oakley was rented out. Despite the issues, or profits, of the manor including 4*d.* from the sale of 115 sheep, there were no sheep among the stock accounted for.<sup>497</sup>

The next extant account reveals changes to farming practice, presumably brought about by a reduction in population caused by the Black Death. The structure of the account was now fundamentally different and would remain so for the rest of the medieval period. After 1344/5 there is no record in extant accounts of the lord farming the demesne directly. By 1365/6 the demesne was being leased out, and a new section of the accounts dealing with 'deforced' (withheld) rents emphasised the important position that leasing held within the manorial economy. The first such rent was 'the defective rent of John de Okelegh because in the lord's hand, and it used to be let at farm with the demesne land, 11*s.* 6*d.*'<sup>498</sup> In 1365/6 deforced rents totalled £4 5*s.* 4½*d.*, and in 1366/7 £4 10*s.* 4½*d.* In the latter year certain parcels of the demesne which were no longer bringing in rent were leased to three individuals for life.

Later accounts and surveys can be used to illustrate the way in which tenants built up interests within the manor. Northfield, a constituent of the manor although geographically lying in Charlton Kings, can be taken as an example. Following one year when Northfield was let to Walter Milborn, chaplain, its lands were then let to John Hard from 1366/7 until 1394/5.<sup>499</sup> Northfield was back in the lord's hand in 1395/6, after which it was let to William Goderich until 1419/20.<sup>500</sup> Thereafter it was from 1422 in the hands of Walter Crompe as right of his mother, Sibilla by a fine made with the lord and recorded in the court rolls.<sup>501</sup> A later grant (c.1471/2) by the abbess of Syon to John Goderich of a messuage, a half-virgate of land and 6 a. called Gospell Knapp in Northfield was also recorded on the court rolls.<sup>502</sup> This shows that the judgment of an early 17th-century survey that the freehold then being claimed by Robert Goderich had not been properly established unless 'it might be either in the time of Richard II or Henry VIII, neither of which is likely',<sup>503</sup> was very probably incorrect.

#### *Payments and Services*

In 1066 the king's estate rendered £9 5*s.* and it also had to supply 3,000 loaves for dogs (one of three Gloucestershire manors providing this unusual service).<sup>504</sup> By 1086 the king's income had more than doubled, to £20, and he also received 20 cows and 20 pigs; additionally, the render of loaves had been commuted to a money payment of 16*s.*<sup>505</sup> The earliest statement of services owed dates from 1294, when there were 70 customary tenants and 126 villans.<sup>506</sup> The customary tenants rendered ploughing twice a year, one day's mowing, half a day's binding and tedding

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<sup>497</sup> TNA, SC 6/851/22.

<sup>498</sup> TNA, SC 6/851/23.

<sup>499</sup> TNA, SC 6/851/23-6; SC 6/852/1.

<sup>500</sup> TNA, SC 6/851/1-8.

<sup>501</sup> TNA, SC 6/852/9-10; DC/MR/GC8.

<sup>502</sup> TNA, C 116/150.

<sup>503</sup> TNA, LR 2/207.

<sup>504</sup> *Domesday Book*, 447. The others were King's Barton (Glouc.) and Cirencester.

<sup>505</sup> *Domesday Book*, 447.

<sup>506</sup> TNA, E 106/2/2.

(spreading) of hay, two days' carting of hay and corn, and three days' gathering corn.<sup>507</sup> Of those villans liable to provide labour services 25 owed two days' carrying, one day of tedding and heaping hay and three days of reaping; <sup>508</sup> a further 22 paid 3½*d.* in lieu of harvest work. Boys and girls who did not want to harvest paid a fine. The monetary value put to these services in the extent totalled 4*s.* 11*d.*

In 1294 there were 10 villans who gave 22 hens and 10 cocks each worth 1*d.* as rent, to a total of 2*s.* 8*d.*<sup>509</sup> In 1344/5 these, and other chickens which accrued to the lord, met various fates, including provisions when courts were held, making capons, sale and remaining as stock.<sup>510</sup> In 1365/6 the cocks and hens were still valued at 1*d.* each when sold,<sup>511</sup> but the price for hens had risen to 1½*d.* by 1367/8,<sup>512</sup> and in 1368/9 the cocks were sold for 1½*d.* each and the hens for 2*d.* each.<sup>513</sup> They remained at this later price throughout the period to 1425/6.<sup>514</sup>

In the early 1330s the liberty court imposed fines on those who failed to perform their services. In March 1332 Nicholas Chaloner was fined 3*d.* because he sold his service of stacking,<sup>515</sup> and at the same court Walter de Northfeld was fined 12*d.* because he did not mow;<sup>516</sup> he was fined again in July 1333 'because he did not come to perform the lord's works as summoned'.<sup>517</sup> Sale of services to the lord were permitted in the account for 1344/5, when 2*s.* 9*d.* was received from the sale of 6 days of ploughing, 18 harrowings and 18 works of hoeing.<sup>518</sup> However, in that year the threshing and reaping of wheat, and the threshing of rye, barley, pulses and oats, were all paid for at piece-work rates.<sup>519</sup>

The first indication in the surviving records that these services, or part thereof, had been commuted into a rent payment comes from the bailiff's account for 1390/1, which recorded £10 0*s.* 6¾*d.* received for works attached to base tenure holdings which had been arrented (let for rent).<sup>520</sup> This sum was stable through various changes of lordship until the period of tenure by the abbess and convent of Syon, which began in 1444. A major disagreement between the abbess and the tenants resulted in a survey of the manor from this period, setting out the services (theoretically) owed.<sup>521</sup> This may have been seen by certain tenants as a precursor to revaluing the services, who retaliated by refusing to pay the sums traditionally due from their tenements, and offered instead the services which they had rendered before commutation. Such services were no longer required because of the leasing out of the demesne.

The abbess employed Ralph Butler as an arbitrator between herself and her 'most wilful' tenants which culminated in 1452/3 in an offer to reduce the payment for works by one-third to £6 13*s.* 4*d.*, pardoning the tenants from £3 7*s.* 3¾*d.* Ralph Butler took 24 men with him to Cheltenham to negotiate with 46 of the tenants in an

<sup>507</sup> TNA, E 106/2/2.

<sup>508</sup> TNA, E 106/2/2.

<sup>509</sup> TNA, E 106/2/2.

<sup>510</sup> TNA, SC 6/851/22.

<sup>511</sup> TNA, SC 6/851/23, m.7.

<sup>512</sup> TNA, SC 6/851/23, m.5.

<sup>513</sup> TNA, SC 6/851/23, m.4.

<sup>514</sup> TNA, SC 6/851/24, 852/12.

<sup>515</sup> DC/MR/GC3.

<sup>516</sup> DC/MR/GC3.

<sup>517</sup> TNA, SC 2/175/25.

<sup>518</sup> TNA, SC 6/851/22.

<sup>519</sup> TNA, SC 6/851/22.

<sup>520</sup> TNA, SC 6/851/25.

<sup>521</sup> GA, D 855/M68.

**Commented [U5]:** I wasn't sure how the 126 corresponds to the amounts later on as 25 + 22 does not get anywhere near 126. May need a sentence to explain

attempt to conclude a perpetual agreement and peace between the abbess and tenants of base tenure.<sup>522</sup> Despite this agreement, in 1464/5 five tenants were reported to have been restricting payment of their worksilver (as the transmuted rent was known) for two years,<sup>523</sup> and one, John Copping, was still refusing payment after ten years.<sup>524</sup>

#### *Agriculture after 1540*

The nature and extent of agriculture in the parish during the early 17th century are revealed by two surveys of the manor, a survey of the demesnes and a survey of the rectory estates.<sup>525</sup> A survey of 1604, while excluding those freeholds which had been commuted for a yearly rent, and some land for which no description was given, recorded c.1,771 a. of arable, c.743 a. of pasture, c.211 a. of meadow and 50 a. of wood, distributed across the four tithings of Cheltenham parish.<sup>526</sup> Despite the exclusions, these totals account for most of the parish acreage reckoned at 2,932 a. By the early modern period, each of the tithings of the parish was operating distinct field systems.

The demesne of Cheltenham manor in 1604 totalled c.242 a, of which c.225 a. lay in Cheltenham parish.<sup>527</sup> Almost 179 a. of the land in Cheltenham parish lay in the tithing of Cheltenham, with 46 a. of arable in the common fields and to the south of the town. Another c.25 a. of meadow and c.54 a. of pasture lay alongside the river Chelt and Wymans Brook, and in numerous closes taken out of the common fields.<sup>528</sup> All the demesne woodland, 50 a. in total, lay in Cheltenham tithing.<sup>529</sup> In Arle tithing, there were c.27 a. of arable land in the common fields, 3 a. of pasture and 2 a. of meadow, with another c.15 a. of meadow in Alstone tithing. There was little demesne land elsewhere in the parish. In 1604 almost half of this was held by one man, and the rest of the demesne was divided into small parcels held by 11 other individuals.<sup>530</sup> In 1616 concerns were expressed that William Norwood and Alexander Packer were encroaching upon the demesne of the manor in Leckhampton and Ham respectively,<sup>531</sup> and in 1617 John Norden expressed concerns that a number of other tenants were attempting to convert demesne land into freehold.<sup>532</sup> These included a large portion adjacent to the woods at Oakley, which anciently had been overgrown with thorns and woods but had recently been cleared and returned to good upland pasture.<sup>533</sup> This may be the meadow called Green Oakleys which in 1588, with the agreement of the tenants, was given for ever to George Baghot in return for the creation of drove lanes within Prior's field and the right to graze upon them.<sup>534</sup>

In 1603 the demesnes were let to Robert Cowper and Thomas Langdale for a term of 30 years, to commence at the expiry of Norwood's lease of the whole manor

<sup>522</sup> TNA, SC 6/852/25; TNA, C 1/19/66.

<sup>523</sup> TNA, SC 6/853/5.

<sup>524</sup> TNA, SC 6/853/5.

<sup>525</sup> TNA, SC 6/HenVII/196.

<sup>526</sup> TNA, E 178/7025; GA, D 855/M7; D 855/M51; D 9125/1/6107.

<sup>527</sup> TNA, E 178/7025. Arle Court, Power's Court and Compton's manor were the excluded estates in Cheltenham parish.

<sup>528</sup> TNA, E 178/7025.

<sup>529</sup> TNA, E 178/7025; GA, D 855/M51.

<sup>530</sup> See below.

<sup>531</sup> TNA, E 178/7025.

<sup>532</sup> See below, Manorial and borough government.

<sup>533</sup> BL, Add. MS 6027, ff. 22v, 28v; TNA, LR 2/207, ff. 87, 97–97v.

<sup>534</sup> BL, Add. MS 6027, f. 28v; TNA, LR 2/207, ff. 97v–98.

<sup>535</sup> GA, D 855/M4, 155.

**Commented [U6]:** Should the 2932 mentioned by Alex in his comment be included?

**Commented [AC7]:** It occurred to me that the reason that these figures didn't add up to the sum of 2,932 a. that I had originally put in the text is because the other 200–odd a. will have been those that I couldn't characterise as either arable, or pasture, or meadow, or woodland – either no usage was given, or they were marked as 'arable and pasture' (I tend to add 'meadow and pasture' as pasture in these things). But that 2,932 a. will still not encompass those parts of the manor already commuted; nor will it include that part of Cheltenham parish encompassed with the manor of Redgrove...

John, feel free to delete this explanatory note if no further amendment of the text is required...

**Commented [U8]:** 180+46=226 not 225, change one of the figures?

**Commented [AC9R8]:** It is 178.6 a. in Cheltenham tithing, 32 a. in Arle, 14.5 a. in Alstone, and .25 a. in Westal, to make 225.35 a. in Cheltenham parish, with another 17 a. in Charlton Kings, to make a total of 242.35 a. of demesnes. As in the previous paragraph, my figures don't include 3.85 a. of 'other', in this all land described as 'homesteads'. Perhaps we can just throw this in with pasture? More egregiously, it didn't include 50 a. of woodland, because we deal with that further down, but I guess it should be referred to here to make the figures correct.

So, it is:

46 a. of arable, 53.6875 a. of pasture, 3.85 a. of homestead (or 57.5375 a. of pasture?), 24.5 a. of meadow, and 50 a. of wood, making a total of 178.6 a. in Cheltenham tithing.

26.5 a. of arable, 3 a. of pasture, 0.5 a. of homesteads (or 3.5 a. of pasture?), 2 a. of meadow, making 32 a. in Arle tithing.

14.5 a. of meadow in Alstone.

0.25 a. of pasture in Westal.

Making a total of 225.35 a. in Cheltenham parish.

**Commented [AC10]:** Or c.58 a. of pasture? See comment above.

**Commented [U11]:** I couldn't work out how all these numbers tied together. I calculate the total demesne as 352 not 242 so might need checking/explanation

in 1615,<sup>535</sup> and they were thus still in possession in 1628, when the manor was sold to John Dutton.<sup>536</sup> Another survey of the demesnes undertaken in 1635 listed c.212 a. in Cheltenham parish, with most of it still held by one man, and the remainder divided into small parcels between another six individuals. Later annotations noted that only c.51 a. had come into the hands of John Dutton at the end of Cowper and Langdale's lease in 1645, the rest having already been sold.<sup>537</sup> More parcels of demesne land were sold in 1647 and 1648, usually to the tenants, perhaps as a policy to recover rents that were still in arrears since the beginning of the civil war.<sup>538</sup>

Land use reflected the geography of the parish. Meadow and inclosures of pasture flanked the river Chelt and its tributaries as it passed through each tithing, and there were also significant areas of pasture on the higher ground of the north-east corner of the parish, between its boundaries with Prestbury and Charlton Kings. To the north of the town lay the Marsh, c.32 a. of pasture claimed exclusively as a common by the burgesses of the borough. In Cheltenham tithing three common fields – Lower field, Whaddon field and Over or Upper field – lay to the west, north and east of the town respectively. In Arle tithing three common fields – Heydon Hill field and Barbridge field (which appear to have been worked as a single entity), Middle field, and Hill field – lay to the south of the tithing's meadows. Beyond these, running south to Hatherley brook and the boundary of the manor, were a number of pasture inclosures. On the other side of the brook lay Redgrove, within Cheltenham parish but a separate manor. The common fields of Alstone – Sand field, Hill field, Rewen field, and Hazard's field – also lay to the south of the riverside meadows. Hill field was shared with Arle, the two halves distinguished by the great 'green mere way' which divided the two tithings in 1635,<sup>539</sup> and still in 1674.<sup>540</sup> Inclosures of pasture and meadow lay in the south and east of the tithing, along its boundary with Westal. The symmetry of Arle and Alstone suggests that they might once have been part of the same field system.<sup>541</sup>

Piecemeal inclosure had already been undertaken by the beginning of the early modern period. A terrier of the estate of Arle Court enrolled in the manor court books in 1581 recorded a number of inclosures in the south of Arle tithing which may have dated from the Middle Ages.<sup>542</sup> It was said in 1593 that either 300 or 500 a. of arable land throughout the parish had been inclosed over the previous 50 years, some of which was converted into pasture.<sup>543</sup> The manor court books record several agreements between tenants to inclose lands within the parish during the second half of the 16th century. In 1575 the tenants of Westal, Naunton and Sandford agreed to exchanges to enable the inclosure of pasture within the tithing.<sup>544</sup> A similar agreement was made in 1581 between the tenants of Arle to inclose c.5 a. of land for every 20 a. held.<sup>545</sup> In Alstone, the tenants reached an agreement in 1595 to make

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<sup>535</sup> TNA, C 116/150, 150; GA, D 855/M68, f. 37.

<sup>536</sup> See above, manors.

<sup>537</sup> GA, D 855/M51.

<sup>538</sup> GA, D 855/M52.

<sup>539</sup> GA, D 855/M51, 5.

<sup>540</sup> GA, D 1949/T1.

<sup>541</sup> B. Rawes, 'the fields and field names of the Hundred of Cheltenham (with some notes on the early topography). Part 1: The parish of Cheltenham', *Cheltenham Local History Society Journal*, 6 (1988), 1–27.

<sup>542</sup> GA, D 855/M3, ff. 343–53.

<sup>543</sup> TNA, E 134/35Eliz/East18.

<sup>544</sup> GA, D 855/M2, 417–20.

<sup>545</sup> GA, D 855/M3, ff. 312–13.

inclosures of 5 a. out of every 20 a. in the Sand field.<sup>546</sup> Nine men were presented to the manor court in 1596 for inclosing their land without the consent of their neighbours or the licence of the court.<sup>547</sup> In 1597 the tenants of Arle and Alstone reached an agreement with Arnold Lygon allowing him to inclose Grove field, in his manor of Redgrove, in return for his not using any of the commons in those tithings.<sup>548</sup> The survey of 1604 identified large amounts of pasture and meadow in Whaddon field in Cheltenham,<sup>549</sup> and in 1610 the manor court books referred to pasture that had lately been inclosed from the field.<sup>550</sup>

In the early 16th century, Thomas Packer, the farmer of the manor and the rector, kept his sheep within the common fields of the manor during the winter.<sup>551</sup> Five men were presented for keeping a total of 162 sheep in the common fields after 2 February in 1586.<sup>552</sup> One copyholder who sowed 12 a. of land in 1553 kept 160 sheep, 34 pigs and 8 milk cows within the parish.<sup>553</sup> In 1604 Sir Arnold Lygon had 200 sheep on his estate in Arle, and rented his inclosed pasture of Grove Field to numerous individuals.<sup>554</sup> The stint in Arle and Alstone in the 1590s was 24 sheep, seven head of cattle (described as rother beasts) and two horses for every 20 a. in the common fields.<sup>555</sup> The stint in Cheltenham tithing in 1597 was one sheep for each acre of land, and seven rother beasts and two horses for each 20 a.<sup>556</sup> In 1608 the stint in Cheltenham tithing was 35 sheep and eight rother beasts for every 20 a. in the commons, while each burgess was allowed to keep either four beasts or 20 sheep.<sup>557</sup> A tenant was presented in 1608 for keeping 100 sheep on the common despite only holding 8 a. of common land.<sup>558</sup> In 1695 the stint in Alstone and Westal, Sandford and Naunton was two sheep per acre, one rother beast per 5 a., and one horse per 6 a.<sup>559</sup>

Two large pastures to the north of the town, the Marsh, measuring 20 a., and the Lady Marsh, 12 a., were claimed by the burgesses.<sup>560</sup> In 1598 the burgesses were ordered by the manor court not to lease or sell their pasture in the Marsh except to other burgesses.<sup>561</sup> In 1604 it was said that all inhabitants within the town could pasture their animals, sheep and rother beasts, in the Marsh each year for the three days after May Day.<sup>562</sup> The stint was two sheep for each whole burgage, or one sheep for a half burgage. The pasture was free for the sheep of the burgesses in the Marsh, but burgesses paid the farmer of the manor for the use of the Lady Marsh. In 1604 this rent totalled 11s. 8d. a year, and was rated at either 1½d. or 2d. per sheep, according to a tack.<sup>563</sup> In 1617 the rent came to 11s. 8d., and each beast's pasture was

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<sup>546</sup> GA, D 855/M6, 69.

<sup>547</sup> GA, D 855/M6, 203.

<sup>548</sup> GA, D 855/M7, 18.

<sup>549</sup> TNA, E 178/7025.

<sup>550</sup> GA, D 855/M8, f. 70.

<sup>551</sup> GA, D 855/M4, 347.

<sup>552</sup> GA, D 855/M5, 52.

<sup>553</sup> GDR/B4/3/276.

<sup>554</sup> GDR/B4/3/280.

<sup>555</sup> GA, D 855/M5, 60; D 855/M7, 53.

<sup>556</sup> GA, D 855/M7, 53.

<sup>557</sup> GA, D 855/M8, f. 10v.

<sup>558</sup> GA, D 855/M8, f. 11.

<sup>559</sup> Hodsdon, *Manor Court Books*, 38–39.

<sup>560</sup> TNA, E 178/7025, ff. 7v, 20; GA, D 855/M7, p 371, 432.

<sup>561</sup> GA, D 855/M7, 78.

<sup>562</sup> TNA, E 178/7025, f. 7v.

<sup>563</sup> TNA, E 178/7025, ff. 7v, 20.

said to cost either 4*d.* or 6*d.*<sup>564</sup> John Norden was highly critical of these arrangements, arguing in 1617 that burgesses could never originally have had common of pasture for beasts that they could not winter, and that the rent paid for the use of the Lady Marsh proved that they were merely tenants at will.<sup>565</sup> Instead, he argued that anciently the beasts of the burgesses should have had precedence in the Marsh, after which the bailiff of the manor had had the liberty to accept the beasts of any other inhabitants upon the ground.<sup>566</sup> He calculated the real value of the 32 a. of the two pieces of ground to be £20.<sup>567</sup>

### *Tobacco*

Tobacco was first grown in Cheltenham c.1619, when John Stratford, a London merchant of a Gloucestershire family,<sup>568</sup> leased 10 a. of pasture land and an orchard in Arle from John Lygon of Arle Court.<sup>569</sup> The first year's crop was reportedly very successful, but James I, under pressure from the planters of Virginia, issued a proclamation against the growing of tobacco in England in December 1619.<sup>570</sup> As a result, tobacco-growing at Arle was stopped, and the land was left worth half its previous value, the pasture ploughed up and the ground overgrown with weeds. Despite these unfavourable beginnings, the cultivation of tobacco persisted in Cheltenham, enduring official prohibition and prosecution, for the next 70 years. The popularity of tobacco-growing can be explained by the opportunities of employment it gave to the poor, with heavy labour demands at times of the year when traditional agriculture had little need for casual labour. At the same time, the reputed profits that could be made from tobacco when the conditions were right proved attractive for landowners.

In 1627, Cheltenham was one of a number of West Country places where it was suspected that tobacco had been planted, and the Privy Council gave orders for its uprooting and destruction.<sup>571</sup> The government made a more concerted effort in 1631, when a new proclamation against planting tobacco was published,<sup>572</sup> and the justices were ordered to summon all parish constables before them and to order them to destroy the tobacco personally.<sup>573</sup> Nevertheless, the council was informed by its agents in 1636 that tobacco had been planted at Cheltenham, and that the local inhabitants threatened them with violence if they tried to destroy the crop.<sup>574</sup>

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<sup>564</sup> GA, D 855/M7, 432.

<sup>565</sup> TNA, LR 2/207, f. 85v.

<sup>566</sup> TNA, LR 2/207, f. 91.

<sup>567</sup> TNA, LR 2/207, f. 85v.

<sup>568</sup> *Visit. Glos. 1623*, 157.

<sup>569</sup> TNA, C 2/JASI/S28/18; REQ 2/308/44. See also J Thirsk, 'New Crops and their Diffusion: Tobacco-growing in Seventeenth-Century England', in *Rural Change and Urban Growth, 1500–1800*, ed. C.W. Chalklin and M.A. Havinden (London, 1974), 76–103; idem, 'Projects for Gentlemen, Jobs for the Poor: Mutual Aid in the Vale of Tewkesbury, 1600–1630', in *Essays in Bristol and Gloucestershire History*, ed. McGrath and J. Cannon (Bristol, 1976), 147–70; Willcox, *Gloucestershire, 1590–1640*, 158–62.

<sup>570</sup> J. Stuart, *Stuart Royal Proclamations, 1: Royal Proclamations of King James I, 1603–1625*. ed. J.F. Larkin and L. Hughes. Oxford: Oxford UP, 1973. *Oxford Scholarly Editions Online*, 26 Sep. 2013. Web. 14 Apr. 2015.

<sup>571</sup> *Acts of the Privy Council, 1627*, 409.

<sup>572</sup> C. Stuart, *Stuart Royal Proclamations, 2: Royal Proclamations of King Charles I, 1625–1646*. ed. J.F. Larkin. Oxford: Oxford UP, 1983. *Oxford Scholarly Editions Online*, 26 Sep. 2013. Web. 15 Apr. 2015.

<sup>573</sup> Willcox, *Gloucestershire, 1590–1640*, 159–60.

<sup>574</sup> *Cal. SP Dom. 1635–36*, 568–69.

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An Act of Parliament of 1652 again prohibited the growing of tobacco in England, but it was suspended for a year almost immediately after a petition by inhabitants of Cheltenham and elsewhere in Gloucestershire.<sup>575</sup> A petition of 1655 by the traders of Virginia to the Council of State complained of the ‘rebellious crew’ of Cheltenham and Winchcombe and their stubborn resolution to continue planting tobacco.<sup>576</sup> In 1658 a troop of horse was dispatched to Cheltenham to destroy the tobacco crop, but was confronted by an armed group guarding the fields, who were later supplemented by 200 more who had marched to their support from Winchcombe. The officer in charge claimed that there was so much tobacco planted in the fields of Cheltenham that it would take ten men four days to destroy the crop.<sup>577</sup>

Following the Restoration, large quantities continued to be planted in Gloucestershire, in opposition to government policy.<sup>578</sup> Troops of horse were dispatched to the area by the Privy Council in 1664 and 1665, to supplement the sheriff and his men,<sup>579</sup> and the head constable of Cheltenham was indicted at the quarter sessions in 1664 for having neglected an order to destroy the local crop.<sup>580</sup> Nevertheless, the inhabitants of Cheltenham were reportedly still ‘riotous and tumultuous’, and threatened the sheriff with violence.<sup>581</sup> Despite the continuing official policy of the suppression of tobacco growing within England, the cultivation of the crop by the people of Cheltenham persisted. A Cheltenham man was prosecuted as late as 1690 for sowing a small plot of tobacco, which was destroyed before it had been harvested. Given the 70-year official campaign against tobacco-growing in Cheltenham, his claims to be ignorant of the law may have stretched credulity, but his claims of poverty were more effective, and his £360 fine was remitted.<sup>582</sup> Coinciding with the economic collapse of tobacco cultivation in England, as a result of cheaper imports from Virginia, this marked the end of tobacco growing in Cheltenham and of the campaign to stop it.

## WOODLAND MANAGEMENT

The only significant piece of woodland in the parish was at Oakley, in the north-east corner of Cheltenham tithing.<sup>583</sup> Formerly exploited as wood-pasture, c.1395 Oakley grove was inclosed and ‘depastured’ by writ of the lord in order to allow coppicing to ‘dotify’ (proliferate).<sup>584</sup> From this date it was no longer expected that rent from the demesne pasture and parcel of meadow there would be collected. Subsequent accounts record the repeated expenses of keeping Oakley well fenced, or hedged, to protect it from cattle on the manor.<sup>585</sup> Timber, underwood and even hedges were

<sup>575</sup> *Acts & Ordinances of the Interregnum*, ii, 580; *Commons J.*, Vii, 1651–60, 130. An Act of the following year suspended the prohibition for another year: *Acts & Ordinances of the Interregnum*, ii, 718–19.

<sup>576</sup> *Cal. SP Colonial*, 1574–1660, 423–24.

<sup>577</sup> *Cal. SP Dom.* 1658–59, 104–5.

<sup>578</sup> *Cal. SP Dom.* 1663–64, 189–90.

<sup>579</sup> C. MacInnes, *Early English Tobacco Trade* (Abingdon, 2006; 1st pub. 1926), 111.

<sup>580</sup> GA, Q/Sib, f. 54v.

<sup>581</sup> MacInnes, *Early English Tobacco Trade*, 112.

<sup>582</sup> *Cal. Treasury Papers*, 1556–1696, 172–86; *Cal. Treasury Books*, 1689–92, 1209–27.

<sup>583</sup> For woodland in Arle, above: intro, outlying settlements.

<sup>584</sup> TNA, SC 6/852/1, m.4; SC 6/852/3. TNA, SC 11/216 has the only occurrence of ‘dotification’, translated in a 17th-century survey as ‘proliferation’, so far encountered (TNA, LR 2/207).

<sup>585</sup> TNA, SC 6/852/4, 7–8, 10–12.

**Commented [U12]:** Footnote looks a bit odd why is the reference to Hart when footnote refers to book itself?

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reserved to the lords of the manor in leases. In 1399 the hedges and trees of Northfield (in Charlton Kings, although belonging to Cheltenham manor) were reserved to the lord in a lease to William Goderich.<sup>586</sup> In 1484 the abbess of Syon reserved 'each and every wood and underwood and trees called alders' in a lease of Cheltenham to Thomas Asplyn and Thomas Richards; moreover she reserved the right of entry and exit 'so that her assigns may transport and carry out those woods, underwood and trees whenever and as often as the abbess and convent pleased.'<sup>587</sup> In 1506/7 'Okeley Wod' was leased to John Norwood and John Greenhill for £10 from 1 October to 3 September.<sup>588</sup>

During Elizabeth's reign Oakley woods were let to three brothers, Michael, Robert and George Wyke, for their lives.<sup>589</sup> In 1604 the woods comprised 50 a., and were held on lease by Reginald Nicholas,<sup>590</sup> apparently as the under-tenant of Eleanor Lygon.<sup>591</sup> The demesne as a whole was said to contain 435 trees in 1604.<sup>592</sup> The wood was included among lands passed to contractors to raise £2,000 annually, and a lease of 60 years was granted to Richard Robins in 1610.<sup>593</sup> He may in turn have sub-let the wood to Nicholas again in 1610,<sup>594</sup> and it was still held by Thomas Nicholas in 1635.<sup>595</sup> In 1648 the wood was let for 99 years by John Dutton to his servant Thomas Bell, confirmed in 1656 by Dutton's will,<sup>596</sup> who assigned the woods to Henry Mason and Guy Ellis, two maltsters of Cheltenham, in the following year.<sup>597</sup> The trees had been cleared from the land to create new pasture by 1656.<sup>598</sup> The land passed to Giles Cox in 1702,<sup>599</sup> who left 5 a. of the land, by now called Picked Oakley, to establish a charity in 1727.<sup>600</sup>

## MILLS

Two mills, rendering 11s. 8d., existed in Cheltenham before 1066, but by 1086 three more had been added by the king's reeve; two belonged to the king and the third to the reeve.<sup>601</sup> Three of these mills are likely to be those at Arle, Alstone and Sandford, which are all recorded in the medieval period. A fourth was the principal mill of Cheltenham, variously known as Cheltenham mill, Cambray Mill or (after one of the later owners) Barrett's Mill.<sup>602</sup> The site of the fifth corn mill is uncertain, but may have been at Cudnall, a part of the manor of Cheltenham subsequently within the parish of Charlton Kings.

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<sup>586</sup> TNA, LR 2/207.

<sup>587</sup> TNA, SC 6/853/11.

<sup>588</sup> TNA, SC 6/HenVII/208.

<sup>589</sup> TNA, C 166/150 suggests that the lease dates from c.1572-3; TNA, E 367/1262 gives the date of the lease as 1584.

<sup>590</sup> TNA, E 178/7025, f. 1v.

<sup>591</sup> TNA, E 367/1262.

<sup>592</sup> TNA, E 178/7025, f. 1v.

<sup>593</sup> TNA, E 367/1262.

<sup>594</sup> TNA, C 116/150.

<sup>595</sup> GA, D 855/M51, 11.

<sup>596</sup> GA, D 678/F2/28.

<sup>597</sup> GA, D 2025/Box 87/Bundle 2.

<sup>598</sup> GA, D 2025/Box 87/Bundle 2.

<sup>599</sup> GA, D 2025/Box 87/Bundle 2.

<sup>600</sup> See below, charities.

<sup>601</sup> *Domesday Book*, 447.

<sup>602</sup> Hart, *Cheltenham*, 8; A. Chatwin, 'Cheltenham Mills', *Glos. Soc. for Industrial Archaeology J.* (1993), 3.

While Cheltenham mill became a possession of Cirencester abbey, the other four Domesday mills remained in the hands of the lords of Cheltenham, although the number of mills active in the lordship may have fluctuated. Surviving court rolls from the later middle ages repeat the accusation that some or all five millers had taken excessive toll.<sup>603</sup>

#### *Cheltenham or Cambray mill*

A mill was granted by Henry I to the abbot and convent of Cirencester in 1135 in its foundation charter,<sup>604</sup> and was included in papal confirmations of Cirencester's possessions in 1136, 1185 and 1290.<sup>605</sup> The abbey appears to have been developing its mill site in Cheltenham before 1300, since it was at about this time that Walter Sturmy granted the abbey licence to inclose a lane between its mill and court in Cheltenham with permission to remove what lay thereon at will.<sup>606</sup> In 1304 agreement was reached with another tenant at the mill. In return for surrendering a messuage with the mill, adjoining close and 10½ a. of land which he held for life, the abbey undertook to provide Thomas of the Mill of Cheltenham sufficient food, drink, lodging and stipend for his life, the wheat, rye and fodder to be collected from the abbey's granary and grange at Cheltenham.<sup>607</sup> Cirencester abbey still held the mill in 1535, when its income therefrom was parcelled together with the rent from the rectory and their demesnes in Cheltenham 'under one inseparable rent'. The abbey in turn paid rent to the heir of Sir William Compton for the watercourse to the mill.<sup>608</sup>

After the dissolution Cambray mill was separated from the rest of the former abbey estate and sold, c.1560, to Richard Pate.<sup>609</sup> The miller was required to allow the water to flow into the watercourse that ran along the high street three days a week.<sup>610</sup> The water flowed from the mill pond into the street by the rectory;<sup>611</sup> the curved boundary at the back of later tenements near to Cambray mill presumably traces the line of this watercourse towards the rectory and high street.<sup>612</sup>

#### *Alstone mills*

In 1288 John son of Simon le Weke of Cheltenham, called Hard', quitclaimed to the abbot and convent of Cirencester all right in a mill, messuage and a half virgate of land in the town of Cheltenham which his father had held from them for the term of his life.<sup>613</sup> It was claimed in 1373/4 that the miller of 'Whekemull' had charged excessive toll.<sup>614</sup> It is possible that both these references relate to Alstone Upper mill, which was known in the mid-16th century as Brushes mill or Hardes mill, when it was held by Thomas Packer.<sup>615</sup> It passed in 1558 to his second son Edward,<sup>616</sup> who left it in turn to his second son, John, in 1598.<sup>617</sup> After John's death in 1640, it passed

<sup>603</sup> DC/MR/GC4, m.3d.

<sup>604</sup> *Cirencester Cartulary*, i, no. 28.

<sup>605</sup> *Cirencester Cartulary*, i, nos. 144/102, 145/77, 152/84.

<sup>606</sup> *Cirencester Cartulary*, iii, no. 468.

<sup>607</sup> *Cirencester Cartulary*, iii, nos. 481-2.

<sup>608</sup> *Valor Eccles.*, ii, 465.

<sup>609</sup> *Cal. Pat.*, 1560-63, 42; TNA, E 134/35Eliz/East18; GA, D 855/M1, f. 174.

<sup>610</sup> GA, D 855/M1, 213.

<sup>611</sup> GA, D 855/M7, 14.

<sup>612</sup> GA, D 855/E9.

<sup>613</sup> *Cirencester Cartulary*, iii, no. 472.

<sup>614</sup> DC/MR/GC4, m.3d.

<sup>615</sup> TNA, PROB 11/41/21.

<sup>616</sup> GA, D 855/M1, 131, 135.

<sup>617</sup> TNA, E 178/7025, f. 12v; GA, D 855/M7, 385.

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in succession to his sons Edward, Richard,<sup>618</sup> and Alexander.<sup>619</sup> The latter died c.1655, and the mill passed to his daughter Katherine,<sup>620</sup> who married John Gregory.<sup>621</sup> It was held by John Gregory of Arle in 1724,<sup>622</sup> whose son Hill inherited it in 1738.<sup>623</sup>

Alstone Lower mill stood north of Six Chimneys farm. It was held by Thomas Sturmy in 1595 and 1604,<sup>624</sup> and by his widow Alice in 1617.<sup>625</sup> In 1655 the mill was granted by her son Henry Sturmy to John Nicholls, who had married Sturmy's daughter Jane.<sup>626</sup> It was held by John Nicolls in 1692,<sup>627</sup> whose widow and son sold it to John Compton in 1697.<sup>628</sup> Compton sold the mill to Thomas Packer in 1706,<sup>629</sup> who sold it to Joseph Neale in 1714.<sup>630</sup> It passed to his son Thomas in 1750,<sup>631</sup> and grandson William in 1774.<sup>632</sup>

### *Arle mill*

In 1313/14 the mill in Arle was the subject of a plea between John de Arle and Alice, the wife of John de Bradenstoke.<sup>633</sup> In c.1440 Thomas de Arle was named as the tenant of a watermill in Arle, with a messuage and two virgates of land, paying 26s. 8d. rent. The previous tenant was John de Arle.<sup>634</sup> In c.1470 William Grevile was the tenant, paying the same yearly rent as Thomas de Arle had done.<sup>635</sup> In 1494 the millers of Arle and Alstone were charged with defrauding tenants by taking excessive toll.<sup>636</sup> The miller of Alstone was charged with taking excessive toll at courts in 1500 and 1501.<sup>637</sup> In the late 15th or early 16th century Alice, late the wife of John Bedowe, of Cheltenham was claiming her right in 2 messuages, 110 acres of land, 10 acres of meadow and a watermill in Alstone and Arle, late held by John Bedowe of the manor of Cheltenham.<sup>638</sup> Described as two mills in 1581,<sup>639</sup> the mill continued to be held with Arle Court until the 19th century.<sup>640</sup>

**Commented [U15]:** probably worth explaining excessive toll

### *Sandford mill*

In 1373/4 the miller of Sandford was charged with taking excessive toll.<sup>641</sup> In 1384/5 the Westal miller (presumably of the Sandford mill) was likewise charged.<sup>642</sup> The

<sup>618</sup> GA, D 855/M11, f. 20v.

<sup>619</sup> GA, D 855/M11, f. 97v.

<sup>620</sup> GA, D 855/M11 f. 164.

<sup>621</sup> GA, D 855/M33, f. 97.

<sup>622</sup> Hodsdon, *Manor Court Books*, 180.

<sup>623</sup> Hodsdon, *Manor Court Books*, 253.

<sup>624</sup> GA, D 855/M6, 101; TNA, E 178/7025, f. 12.

<sup>625</sup> GA, D 855/M7, 387; D 855/M9A, 119.

<sup>626</sup> GA, D 855/M11, ff. 138v, 174.

<sup>627</sup> Hodsdon, *Manor Court Books*, 29.

<sup>628</sup> Hodsdon, *Manor Court Books*, 53.

<sup>629</sup> Hodsdon, *Manor Court Books*, 92.

<sup>630</sup> Hodsdon, *Manor Court Books*, 131.

<sup>631</sup> Hodsdon, *Manor Court Books*, 294.

<sup>632</sup> Hodsdon, *Manor Court Books*, 374.

<sup>633</sup> DC/MR/GC2, m.4-4d, 6-6d.

<sup>634</sup> GA, D 855/M68.

<sup>635</sup> TNA, SC 11/224.

<sup>636</sup> TNA, SC 2/175/27.

<sup>637</sup> GA, D 7661 Box 4/30.

<sup>638</sup> TNA, C 1/115/66.

<sup>639</sup> GA, D 855/M3, f. 343.

<sup>640</sup> GA, D 2025/Box 25/Bundle 1.

<sup>641</sup> DC/MR/GC4, m.3d.

<sup>642</sup> GA, D 7661 Box 4/29.

worksilver survey of 1430 recorded that Sandford mill was in the tenure of Elizabeth Hale and John Myles.<sup>643</sup> They were still tenants in c.1440 when a rental recorded that the fulling mill at Sandford was divided between Elizabeth Hale, who held half the mill, a messuage and 6½ a. of land, and John Mylys who held likewise.<sup>644</sup> Later surveys, taken in c.1453 and c.1470, listed Richard Lynnet and Alice Pate as the holders of the fulling mill at Sandford, each holding half the mill, a messuage and 6 a. of land at a rent of 12s. 6d. each.<sup>645</sup>

Sandford mill stood to the east of the road to Birdlip, near where it bridged the Chelt. It was described as two mills in the early 17th century.<sup>646</sup> They were described as the Great mill and the Little mill in 1657, when they were sold by Lynnett Pate to John Cowper.<sup>647</sup>

### *Cudnall mill*

The first reference to the mill at Cudnall, which stood in Charlton Kings although belonging to Cheltenham manor, occurs in a court roll of 1276 in which Juliana Gater gave a heriot of an ox to enter into one messuage, 6 a. of land and the moiety of a mill with appurtenances in Charlton at *Codenhulle*.<sup>648</sup> A court roll from 1313 gives Thomas ate Mulle *de Codenhulle* as a pledge.<sup>649</sup> In 1366/7 the mill formerly held by John ate Mulle, possibly Thomas' descendant, and which paid a rent of 11s. 6d. was in the lord's hand.<sup>650</sup> John ate Mulle may have been the same man as John Dowdeswell who, according to an undated survey, had paid 22s. 6d. for the mill at Cudnall, but since the mill was in decay the rent was 11s. 6d. in default.<sup>651</sup> In 1373/4 the miller of Cudnall was charged with taking an excessive toll.<sup>652</sup> A new tenant was presumably found for the mill in 1388/9 when the mill called *Codenhullemille* was let at an increased rent of 10d. for Michaelmas term, and 3s. 4d. annually thereafter.<sup>653</sup> From 1408/9, 10d. was also received for the pasture of the mill of Cudnall.<sup>654</sup> In 1416/17 the fixed rents of Cheltenham manor included 2d. of new rent of the mill of *Godenhull*.<sup>655</sup> The 1417/18 account recorded that the mill had come into the lord's hand as an escheat (forfeited through death), and that the lord's council had decided to let the mill to Robert Walker of Cheltenham for the term of his life, and the life of Joan his wife and William their son, for 6s. 8d. It had formerly rendered 14s. 4d., but the reduction was made because Robert had rebuilt the mill. It was perhaps at this time converted into a fulling mill, as well as a corn mill, the agreement being that Robert would make a new building for a fulling mill with two stocks and a house with five bays above the mill. The lord was to find reasonable timber, but Robert was to pay £10 to the lord if he did not build the mill.<sup>656</sup> This agreement was recorded on a

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<sup>643</sup> TNA, SC 11/218.

<sup>644</sup> GA, D 855/M68.

<sup>645</sup> TNA, SC 11/216, 226.

<sup>646</sup> TNA, E 178/7025, f. 10v; GA, D 855/M7, 414.

<sup>647</sup> GA, D 855/M33, f. 81.

<sup>648</sup> DC/MR/GC1, m.9.

<sup>649</sup> DC/MR/GC2, m.4d.

<sup>650</sup> TNA, SC 6/851/23, m.6.

<sup>651</sup> TNA, SC 11/220.

<sup>652</sup> DC/MR/GC4, m.3d.

<sup>653</sup> TNA, SC 6/851/24.

<sup>654</sup> TNA, SC 6/852/3.

<sup>655</sup> TNA, SC 6/852/6.

<sup>656</sup> TNA, SC 6/852/7, 12. The stocks appear to be called 'wallyng stocks'; perhaps 'walking', i.e. fulling, was intended.

court roll which does not survive.<sup>657</sup> In c.1440 the 'farm of a fulling mill of the lady in Codynhill' was still 6s. 8d., but charged to the bailiff of the manor.<sup>658</sup> The later history of this mill will be given elsewhere.<sup>659</sup>

**Commented [U16]:** I would include period that books covers in this account

## TRADES AND INDUSTRIES

Fines levied on artificers, ostlers and servants at Cheltenham in 1419 suggest that trades represented within the manor included weavers, carpenters, curriers, ostlers, tailors, pargetters (plasterers), labourers, masons, coopers, a coverlet-maker, bakers and smiths.<sup>660</sup> These and other trades are represented by occupational surnames found in surveys from the 14th and 15th centuries. A general rent roll from the late 14th century recorded Franckelyn, Cissor (tailor), le Godehosebonde (husbandman, or farmer), Kynefar (cutler), le Turnour, le Floure (?miller), Faber (smith), le Soutar (cobbler), Dyar, Iremonger, Wypeler, and le Reve;<sup>661</sup> mid-15th century documents list Fisher, Chaloner (blanket-maker), Hosier, Tanner, Baker, Dier, Webbe (weaver), Clerke, Barbour, Hawker, Whelar, Mason, Chapman, Farmour, Bucher, Glover, Bacon (pork-butcher), Threishshire.<sup>662</sup> The family of 'le Ironmongere' were burgrave tenants in 1330–2.<sup>663</sup>

Hardware for agricultural and domestic purposes seems to have been available within the liberty of Cheltenham, as accounts note costs for the purchase of such goods and the hire of men to carry out the work, but not for their transportation. Such goods ranged from 'iron for mending ploughs', 'iron pins' for a harrow, shovels 'with an iron band', to riddles, sieves, horseshoes and even 'a pair of little tinkly cowbells' (*tintinnabula*) bought for the manor in 1344/5.<sup>664</sup> In 1389/90 various kinds of nails and possibly panes of glass for the windows were purchased to effect various repairs upon the manor;<sup>665</sup> ridge pieces were purchased in 1396/7;<sup>666</sup> and the 1410/11 liberty account records the purchase of 1,000 stone tiles for repairing the manor house.<sup>667</sup> Conversely, goods needed in Slaughter, another Fécamp and Syon manor, were often purchased by the administrators at Cheltenham and then transported there, such as a wagon and 'various ironwork' in 1394/5.<sup>668</sup>

**Commented [U17]:** Explain where Slaughter is? Nearest one I can find is in Foreest of dean.

A major industry within the early modern town was that of malting. There are numerous references to maltsters in the manorial records, and the scale of the industry resulted in frequent orders regarding the drying of malt and the safety of kilns.<sup>669</sup> It has been suggested that as many as a quarter of the buildings in the town were used in the industry.<sup>670</sup> There were 12 maltsters listed in the town in 1608.<sup>671</sup> Twenty Cheltenham men described themselves as maltsters in their wills between

**Commented [AC18R17]:** Upper and Lower Slaughter are in the Cotswolds, and the hundred of Slaughter was covered in VCH Glos. VI. The manor of Slaughter refers to what is now Lower Slaughter. However, are 'Upper' and 'Lower' anachronistic in the 15th century? I think that the manor of Slaughter is appropriate, perhaps with fn. To VCH Glos. VI. Is a reference necessary (in local govt or landholding?) to the fact that the manors and hundreds of Cheltenham and Slaughter were granted and held together, first to Fécamp and then to Syon?

**Commented [U19]:** Is this realistic - seems very high

<sup>657</sup> TNA, SC 6/852/10.

<sup>658</sup> GA, D 855/M68.

<sup>659</sup> To be included in the history of Charlton Kings, in *VCH Glos. XV* (forthcoming).

<sup>660</sup> TNA, E 101/122/7.

<sup>661</sup> TNA, SC 11/220.

<sup>662</sup> TNA, SC 11/225; GA, D 855/M68.

<sup>663</sup> DC/MR/GC3, m.2.

<sup>664</sup> TNA, SC 6/851/22.

<sup>665</sup> TNA, SC 6/851/24.

<sup>666</sup> TNA, SC 6/851, m.5–5d.

<sup>667</sup> TNA, SC 6/852/4.

<sup>668</sup> TNA, SC 6/852/1.

<sup>669</sup> GA, D 855/M7, 127; GA, D 855/M9A, 19, 35; D 855/M9B, 67.

<sup>670</sup> Goding, *Cheltenham*, 244.

<sup>671</sup> Smith, *Men and Armour*, 111–12.

1660 and 1740, and many of them had considerable wealth at the time of their death.<sup>672</sup> Many more individuals combined malting with another trade. The mercer Edward Johnson had a malthouse and £60 of malt amongst his estate at his death in 1670.<sup>673</sup> The haberdasher Samuel Arrowsmith left 'utensils and instruments belonging to my trade of haberdasher and maltster' to his son in 1687.<sup>674</sup> The importance of malting was noted by Atkyns in the early 18th century.<sup>675</sup> By 1742 it was claimed that the industry was not as considerable as it had been once, although still important to the town's economy.<sup>676</sup>

Tanning was another important trade within the parish. The frequent orders concerning the placing of hides and carcasses into the common stream that ran through the middle of the town, or in the river, by tanners and glovers testify to their presence within the town.<sup>677</sup> Five tanners were presented by the homage in 1596,<sup>678</sup> and nine were listed in 1608.<sup>679</sup> There were seven glovers in the town in 1608, and one currier.<sup>680</sup> Several families combined the trades of butchery, tanning and gloving during the 17th and 18th centuries, such as the Clarkes, Gregories, and Wills of Cheltenham, and the Maries of Alstone. Giles Ashmead was described as a butcher,<sup>681</sup> and his son as a slaughterman in 1677.<sup>682</sup>

Cheltenham was an important centre for the provision of foodstuffs and of minor crafts and services to the surrounding area. There were six butchers recorded in 1560; one of these men and three others were also fishmongers.<sup>683</sup> There were seven butchers in 1591, two of whom with two others were fishmongers.<sup>684</sup> Eleven butchers were listed in the town for the muster of 1608,<sup>685</sup> and eight were recorded in the parish registers between 1684 and 1726.<sup>686</sup> The number of butchers reflects the importance of the town in supplying meat to the surrounding neighbourhood. It was said that the bakers of Cheltenham petitioned the Crown during the reign of Elizabeth complaining about strangers who had settled in the town and taken up the trade.<sup>687</sup> In 1560, there was one common baker,<sup>688</sup> and there were four in 1591.<sup>689</sup> Six bakers were listed in the town in 1608,<sup>690</sup> and seven are named in the parish records in the late 17th and early 18th centuries.<sup>691</sup>

There was the usual range of occupations that one would expect to find in a market town. In 1608 there were four coopers, one chandler, one saddler, one collar-

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<sup>672</sup> Sale, *Probate*, xxv.

<sup>673</sup> Sale, *Probate*, 11–12.

<sup>674</sup> Sale, *Probate*, 42.

<sup>675</sup> Atkyns, *Glos.*, 333.

<sup>676</sup> D. Defoe, *A Tour Thro' the Whole Island of Great Briatin*, ed. Samuel Richardson, 4 Vols. (3rd ed., 1742); facsimile reprint as *A Tour Thro' Great Britain 1742* (New York & London, 1975), ii, 284.

<sup>677</sup> GA, D 855/M1, 213; D 855/M2, f. 401; D 855/M4, 543; D 855/M5, 52; D 855/M9A, 143.

<sup>678</sup> GA, D 855/M6, 201.

<sup>679</sup> Smith, *Men and Armour*, 111–13.

<sup>680</sup> Smith, *Men and Armour*, 111–12.

<sup>681</sup> GA, D 1949/A1.

<sup>682</sup> GA, D 1949/F4.

<sup>683</sup> GA, D 855/M1, 172.

<sup>684</sup> GA, D 855/M4, 353, 390.

<sup>685</sup> Smith, *Men and Armour*, 111–13.

<sup>686</sup> GA, P 78/1 IN 1/3–4.

<sup>687</sup> Goding, *Cheltenham*, 236.

<sup>688</sup> GA, D 855/M1, 172.

<sup>689</sup> GA, D 855/M4, 353, 390.

<sup>690</sup> Smith, *Men and Armour*, 111–13.

<sup>691</sup> GA, P 78/1 IN 1/3–4.

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maker, one rope-maker, a wheelwright, a turner, and four smiths.<sup>692</sup> The building trade was represented by fourteen men who were described as carpenters or joiners, a sawyer, two masons, and three tilers. There were 13 tailors and 16 shoemakers. There were two fullers (described as tuckers), ten weavers and one silk weaver in the parish in 1608.<sup>693</sup> Seven men were described as mercers, and another three as drapers. Trade tokens were issued by seven Cheltenham men in the 1650s and 1660s, including a baker, a Chandler, a grocer and two mercers.<sup>694</sup> One of the mercers left £1,674 in goods in his shop when he died in 1670. Nine mercers are noted in the parish registers between 1680 and 1726.<sup>695</sup> There were a handful of craftsmen of a more specialised nature. There was a barber in 1608,<sup>696</sup> and a man who described himself as a barber and wigmaker in 1717.<sup>697</sup> There was a bell-founder in Cheltenham in 1680,<sup>698</sup> whilst a brazier and pewterer of Winchcombe also kept a shop in Cheltenham in the later 17th century.<sup>699</sup> Another brazier was resident in the town in 1715.<sup>700</sup> There was a gunsmith in 1702.<sup>701</sup>

Among the professions, there were several attorneys settled in the town, perhaps drawn to the continuing importance of the hundred court. A scrivener was listed in 1608,<sup>702</sup> and there was another in the town in the 1630s.<sup>703</sup> A barrister was resident in the town in 1713.<sup>704</sup> There was a doctor in the town in the 1680s,<sup>705</sup> and a surgeon in 1722.<sup>706</sup> There were several apothecaries, one of whom was a woman, resident in the town in the late 17th and early 18th centuries, as well as a man described as a pharmacopoeian.<sup>707</sup>

## MARKETS AND FAIRS

The market and fair at Cheltenham date from the grant of the farm of the manor to the men of Cheltenham in 1223 which stipulated that a weekly market was to be held on Thursdays and an annual three-day fair on the eve, feast and morrow of St. James (25 July).<sup>708</sup> These were confirmed in a second grant of the farm of Cheltenham to its men in 1226.<sup>709</sup> The cross in the parish churchyard may have been a focus for the market.

<sup>692</sup> Smith, *Men and Armour*, 111–13.

<sup>693</sup> Smith, *Men and Armour*, 110–12.

<sup>694</sup> W. Boyne, *Trade Tokens Issued in the Seventeenth Century*, ed. G.C. Williamson (London, 1889), I, 242.

<sup>695</sup> GA, P78/1 IN 1/3–4.

<sup>696</sup> GA, P78/1 IN 1/1, 153.

<sup>697</sup> TNA, C 11/1401/24.

<sup>698</sup> GA, P 334 CW 4.

<sup>699</sup> GDR/Wills/1684/237; GDR/Inv/1684/411. I.E. Gray, 'Some 17th-century Token-issuers', *Trans. BGAS*, 84 (1965), 105.

<sup>700</sup> GA, P 78/1 IN 1/4, 44.

<sup>701</sup> GA, P 78/1 IN 1/3, 13.

<sup>702</sup> Smith, *Men and Armour*, 112.

<sup>703</sup> GA, P 78/1 IN 1/2, 31.

<sup>704</sup> GA, P 78/1 IN 1/4, 36.

<sup>705</sup> GDR/B4/1/458; Hodsdon, *Manor Court Books*, 10.

<sup>706</sup> Sale, *Probate*, 145.

<sup>707</sup> GA, P 78/1 IN 1/3, 108, 113–15, 118, 122, 131; P78/1 IN 1/4, 59, 82, 111.

<sup>708</sup> *Cal. Fine, 1222–1223*, no. 110.

<sup>709</sup> *Cal. Pat., 1225–1232*, 63.

**Commented [U20]:** explain what a tucker is - not in my dictionary as an occupation

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In 1250 the men of Cheltenham were distrained for trespass of measures.<sup>710</sup> A possible reference to a pie-powder court (for trying errant traders) occurs in the manorial account for 1390/1, when a steward of the market, appointed by the lord's steward, was paid 2s. for being there for two days.<sup>711</sup> In 1494 the butchers of the borough were fined for selling rotten meat at excessive price.<sup>712</sup> The sale of unwholesome fish and meat was fined in 1500/1.<sup>713</sup>

Accounts from the late 1380s, mid-1460s, 1481–2, and 1518–19 record market and fair tolls and stallage that were payable to the lord of the manor.<sup>714</sup> In 1419/20 the lord of the manor accounted for 8*d.* for the construction of a market-stall,<sup>715</sup> and another 20*d.* was expended upon a market stall in 1434/6.<sup>716</sup> In 1438/9 existing market-stalls were mended.<sup>717</sup> In 1518/19 the lord of the manor was in receipt of new rent from tenants of a room (*camera*) situated in the market upon the waste land of Walter Balls.<sup>718</sup> Henry Mayles in 1562 appears to have traded from a mobile stall ('a certain shop going on wheels') which he was ordered to remove from the highway on pain of a 20s. fine.<sup>719</sup>

Lists of food supplied for court sessions show what could be purchased at the weekly market in Cheltenham. Strawberries and various salted fish were among the purchases for Lenten or midsummer courts in 1502/4,<sup>720</sup> the more usual provisions being bread, ale, beef, mutton, pigs, chickens, pigeons, spice, wine, capons, geese and veal.<sup>721</sup> It was only lampreys, from the river Severn, a luxury purchased by direct order of Sir John Cornwall, that the bailiff had to source in Gloucester and ship to Cornwall's home at Ampthill (Beds.).<sup>722</sup>

During the 1530s Leland described Cheltenham as 'a longe toune havynge a market'.<sup>723</sup> The weekly market was held on Thursday.<sup>724</sup> A market place was mentioned in 1551,<sup>725</sup> and two market houses or crosses stood within the main street.<sup>726</sup> There was a corn market and a fruit market in the town in 1595.<sup>727</sup> In the early modern period, pigs were sold in 'Well Street' and horses in the lane that ran to the north of the town.<sup>728</sup> The tolls of the markets and the fairs were received by the bailiff. In 1617 they were said to be worth £6 13s. 4*d.* a year,<sup>729</sup> which had risen to £18 a year by 1700.<sup>730</sup> The market also brought tradesmen from other towns, such as the

**Commented [U21]:** Why Ampthill - very long distance for this period? What's link to Cheltenham?

**Commented [AC22R21]:** I'd suggest re-writing the sentence anyway, took me a couple of attempts to wrap my head around it. Suggest also amending it to read '...and ship to his [ie. Cornwall's] home at Ampthill (Beds).'

<sup>710</sup> *Cal. Close, 1248–1251*, 329.

<sup>711</sup> TNA, SC 6/851/25.

<sup>712</sup> TNA, SC 2/175/27.

<sup>713</sup> GA, D 7661 Box 4/30.

<sup>714</sup> TNA, SC 6/851/24, SC 6/853/6, SC 6/853/7, SC 6/HenVIII/1187.

<sup>715</sup> TNA, SC 6/852/8.

<sup>716</sup> TNA, SC 6/852/16.

<sup>717</sup> TNA, SC 6/852/18.

<sup>718</sup> TNA, SC 6/HenVIII/1187.

<sup>719</sup> GA, D 855/M1, view of frankpledge 15 Apr 1562.

<sup>720</sup> TNA, SC 6/HenVII/205.

<sup>721</sup> TNA, SC 6/HenVII/206.

<sup>722</sup> TNA, SC 6/852/18, 21.

<sup>723</sup> J. Leland, *Itinerary* (ed. Toulmin Smith), ii, pt 5, 56 [CHECK].

<sup>724</sup> GA, D 855/M7, 428.

<sup>725</sup> TNA, LR 3/21/2, m. iv.

<sup>726</sup> GA, D 855/M7, 437; D 855/M9A, 144.

<sup>727</sup> GA, D 855/M6, 74.

<sup>728</sup> HER, 84.

<sup>729</sup> GA, D 855/M7, 428.

<sup>730</sup> GA, D 678/1 E 1/4/1, 76.

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butcher from Winchcombe in 1624,<sup>731</sup> and a hat-seller from Evesham (Worcs.) in 1730.<sup>732</sup>

The Lower cross, which was reported in 1588 to have been demolished but which had apparently been replaced before 1619, stood at the upper end of Mill Lane.<sup>733</sup> The upper market house or booth hall stood next to the high cross, near to the Plough, and also contained the lord's prison.<sup>734</sup> It had apparently been demolished by 1654, when the schoolmaster, Christopher Bayley, left a sum of money for the building of a new market house.<sup>735</sup> The resulting two-storey building consisted of an upper room, used for the holding of courts and as a wool market, supported on pillars over an open corn market below.<sup>736</sup> This stood in the middle of the street, probably on the site of the earlier market hall, until it was demolished in 1786.<sup>737</sup>

In addition to the fair on 25 July (St James's Day), a second fair was held in the 17th century, on Ascension Day (Holy Thursday).<sup>738</sup> In 1682 the fair was said to have a great many lambs and cattle, and an abundance of horses 'for the cart and other drudging uses, but few for the saddle'. Traders also sold salt which was carried there by cart from the salt pits of Droitwich (Worcs.), and country girls sold stockings in the street.<sup>739</sup>

**Commented [U23]:** Is there anything other than salt from Droitwich which is an indication of longer trading links than usual of a day's travel there & back? If not I suspect it's the Droitwich trading pattern that is unusual?

**Commented [AC24R23]:** Well yes. Cheltenham is an insignificant backwater.

## LOCAL GOVERNMENT

### MANORIAL GOVERNMENT BEFORE 1540

The manor and hundred of Cheltenham were administered together as an autonomous jurisdiction known as a liberty, and the extant accounts, surveys and court rolls which were created by the lord's officers therefore pertain to both jurisdictions. The courts of the manor and hundred were held by the steward of the liberty, who travelled to Cheltenham for that purpose.<sup>740</sup> The costs incurred in the holding of the courts, from parchment for the writing of the record, to the wages of a clerk to write the rolls, and even the victuals (bread, ale, spice, beef and other meats), the steward's firing, and the cook needed to provide for the steward were all recorded for accounting purposes.<sup>741</sup>

#### *Courts*

In theory, as expounded in a survey of c.1440 made for the abbess and convent of Syon, a 'three-week court' was indeed held every three weeks.<sup>742</sup> In practice surviving

<sup>731</sup> GA, D 855/M9B, 67.

<sup>732</sup> 'Journal of a Gloucestershire Justice, AD 1715–1756', Xii, 104.

<sup>733</sup> GA, D 855/M1, 25; D 855/M4, 151; D 855/M9A, 144.

<sup>734</sup> GA, D 855/M1, 25; TNA, E 178/7025, f. 1v.

<sup>735</sup> GA, D 855/M11, f. 150.

<sup>736</sup> Goding, *Cheltenham*, 263.

<sup>737</sup> GA, CBR A1/1/1.

<sup>738</sup> GA, D 855/M7, 428.

<sup>739</sup> *HMC Portland*, ii, 303.

<sup>740</sup> TNA, SC 6/851/22.

<sup>741</sup> TNA, SC 6/HenVII/205.

<sup>742</sup> GA, D 855/M68, f.39.

early court rolls from before 1300 reveal that courts might be held more frequently; between January and June 1276 the liberty court of Cheltenham met on ten occasions.<sup>743</sup> Later courts met less often. The accounts for 1369/70 reveal that the steward held fourteen courts for the abbot of Fécamp.<sup>744</sup> Courts were generally held between five and eight times each year,<sup>745</sup> but in two years, 1496/7 and 1533/4, only two courts appear to have been held.<sup>746</sup>

In addition to the courts were the twice yearly views of frankpledge. On these occasions, in addition to making presentments, the tithings of Cheltenham hundred came and paid their tithing pence, known as 'cert money' or 'cert rent'.<sup>747</sup> In the reign of Henry VII it began to be referred to in the records as 'tythyngsilver'.<sup>748</sup> Cert rent provided only a fraction of the court's revenue; its annual value fluctuated but was usually around £3 10s. In 1344/5 the cert rent collected at the two views of frankpledge amounted to only 13s. 7d.;<sup>749</sup> it was £3 10s. in 1365/6,<sup>750</sup> reached a high of £3 16s. in 1416–19,<sup>751</sup> and had settled at £3 8s. 4d. by 1483–4.<sup>752</sup> The tithings which contributed to this common fine changed between the 13th and 15th centuries. In 1275/6 Cheltenham accounted for 20s. at each view, while Ashley and Leckhampton accounted for 5s. each, Lovel (a tithing within Leckhampton) for 3s. and Swindon 2s.<sup>753</sup> Lovel appeared as a tithing in the extant records for the last time in 1314/15.<sup>754</sup> By 1332/3 it had been renamed Bradwell tithing, and in 1384 paid cert rent of 5s.<sup>755</sup> In the late-15th century, Cheltenham tithing contributed only 5s. of the cert rent, but by then the tithings of Arle, Alstone, Bafford, Charlton and Westal had begun to contribute.<sup>756</sup> Presumably in the earlier period the individual Cheltenham tithings had been responsible for contributing towards the 20s., which they then passed over to the Cheltenham tithingman, since in 1276 the tithingman of Westal was instructed not to keep cert money within the tithing.<sup>757</sup> Naunton and Sandford did not appear in the records as contributing to this rent until after the Dissolution.<sup>758</sup>

The lords of Cheltenham also held courts referred to as 'sessions' in the documentary records. The lord's justices presided over these and dispensed the king's justice as needed. In 1438/9 the bailiff accounted for 8s. for the expenses of the lord's justices, John Greville and Robert Clinton, while staying at Cheltenham to try prisoners in the gaol.<sup>759</sup> The sessions were not held every year; the account for 1500/01 recorded that no sessions of the peace or gaol delivery had been held for

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<sup>743</sup> DC/MR/GC1.

<sup>744</sup> TNA, SC 6/851/23, m.3.

<sup>745</sup> Eight courts were recorded in TNA, SC 6/852/23, m.2, 6; SC 6/852/3, 5, 7, 8, 11, 25; SC 6/853/9. Five courts were recorded in TNA, SC 6/853/7; SC 6/HenVIII/1185, 1187, 1188, 1192, 1193, 1194, 1197, 1199.

<sup>746</sup> TNA, SC 6/HenVII/201; SC 6/HenVIII/1206.

<sup>747</sup> DC/MR/GC1.

<sup>748</sup> TNA, SC 6/HenVII/201.

<sup>749</sup> TNA, SC 6/851/22.

<sup>750</sup> TNA, SC 6/851/23, m.7.

<sup>751</sup> TNA, SC 6/852/6–8.

<sup>752</sup> TNA, SC 6/853/10.

<sup>753</sup> DC/MR/GC1.

<sup>754</sup> DC/MR/GC2.

<sup>755</sup> TNA, S 2/175/25; GA, D 7661.

<sup>756</sup> DC/MR/GC9.

<sup>757</sup> DC/MR/GC1.

<sup>758</sup> DC/MR/GC10.

<sup>759</sup> TNA, SC 6/852/19.

four years.<sup>760</sup> Sources of income at the sessions included the mainprise (bailing) of men indicted of felony and arrested by the king's writ, and from the chattels of felons and outlaws.<sup>761</sup> In 1433/4, £3 14s. was received for the value of 72 ewes stolen by John Apday, felon, priced at 10d. per head, together with 14s. of money found on the same John.<sup>762</sup> Fines, which were in effect levies, could also be taken from artificers, labourers and ostlers at the sessions.<sup>763</sup>

### Officers

The local administration of Cheltenham was undertaken by the officers of the lord of the liberty of Cheltenham. As the liberty was coterminous with the hundred, these officers had authority throughout the hundred. In 1507/08 five officers of the hundred were listed with their fees.<sup>764</sup> The steward received £3 6s. 8d. and the bailiff 40s. and 10s. for a gown. Each had a deputy, the under-steward receiving 26s. 8d. and the under-bailiff 13s. 4d. There was also a crier, paid 3s. 4d.

Not all of these positions had been filled throughout the medieval period. The under-steward first made an appearance in the Cheltenham records in 1497/8.<sup>765</sup> The crier, the office usually combined with that of catchpole (constable), was first recorded in 1416/17.<sup>766</sup> The 3s. 4d. for the catchpole's fee was not allowed by auditors in that year 'because without warrant', but thereafter a crier and catchpole was employed in Cheltenham hundred. Nicholas Baker served as crier and catchpole from 1417 to 1441;<sup>767</sup> John Baker, referred to as 'catchpol and proclamatour', served in the late 1440s.<sup>768</sup>

The office of beadle existed by 1275/6. In that year Walter atte Townsend was removed from the office of beadle by the whole court of the liberty (*per totam comitatem libertatis*) and Walter le Erl was chosen for the office.<sup>769</sup> The beadle, more usually referred to in the accounts as the wrenner or under-bailiff, next occurred in the liberty accounts as a paid official in 1389/90.<sup>770</sup> The office was last referred to as 'sub-bailiff and warrener' in 1422/23.<sup>771</sup> John William served as beadle, under-bailiff and warrener from 1389 to 1399.<sup>772</sup> Between 1408 and 1429 the office was variously held by John Cheltenham, Henry Style, Robert Newe, John and Simon Drinkwater.<sup>773</sup> John Brook was the last named under-bailiff, between 1433 and 1451.<sup>774</sup>

The bailiff was not always in receipt of an additional fee of 10s. for his gown, although the fee of 40s. was fixed from 1388 to 1535.<sup>775</sup> In 1344/5 Thomas le Beste,

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<sup>760</sup> TNA, SC 6/HenVII/204.

<sup>761</sup> TNA, SC 6/852/11.

<sup>762</sup> TNA, SC 6/852/15.

<sup>763</sup> TNA, E 101/122/6-7.

<sup>764</sup> TNA, SC 6/HenVII/209.

<sup>765</sup> TNA, SC 6/HenVII/201.

<sup>766</sup> TNA, SC 6/852/6.

<sup>767</sup> TNA, SC 6/852/7-16, 18-21.

<sup>768</sup> TNA, SC 6/852/22-23.

<sup>769</sup> DC/MR/GC1, m.1.

<sup>770</sup> TNA, SC 6/851/24.

<sup>771</sup> TNA, SC 6/852/10.

<sup>772</sup> TNA, SC 6/851/24-26; SC 6/852/1.

<sup>773</sup> TNA, SC 6/852/3-12, 14.

<sup>774</sup> TNA, SC 6/852/15-16, 18-24

<sup>775</sup> TNA, SC 6/851/24-26; SC 6/852/1-16, 18-23; SC 6/853/5-8, 10; SC 6/1101/3, 13; SC 6/HenVII/201, 204-5, 207, 209; SC 6/HenVIII/1180-1, 1186-7, 1199-1200, 1204, 1206-7.

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bailiff, whose fee was then 19s. 10d., was in receipt of a gown worth 13s.;<sup>776</sup> the bailiff received the 10s. for a gown in 1481–3, 1500–01, 1502–03, 1505–06, 1511–13.<sup>777</sup> In 1517/18 the bailiff was not allowed a clothing allowance because he received skins.<sup>778</sup> Local men served as bailiffs for extended terms: Roger de Cobberley was bailiff in the period between 1388 and 1417;<sup>779</sup> Walter French from 1422 to 1447.<sup>780</sup>

The highest official retained to administer the liberty was the steward. His annual fee was 40s. (3 marks) throughout the late fourteenth century,<sup>781</sup> 50s. from 1399 to 1433,<sup>782</sup> 53s. 4d. (4 m.) from 1434 to 1441,<sup>783</sup> and 66s. 8d. (or 5 m.) under the lordship of the abbess and convent of Syon.<sup>784</sup> The steward was usually a man from the locality: Walter de Cirencester (1344/5),<sup>785</sup> John Hard (1365–73),<sup>786</sup> Thomas de Brugge (1388–99),<sup>787</sup> John Deerhurst (1399–1418),<sup>788</sup> Robert Clynton (1419–1434, 1438–41),<sup>789</sup> John Clynton (1434–8)<sup>790</sup> and John Grevell, knight (1464–6).<sup>791</sup> From the turn of the sixteenth century there was a change in nomenclature from ‘steward’ to ‘steward of the court’.<sup>792</sup>

A clerk was employed to write the accounts and court rolls until the early 1440s. The fee taken in 1344/5 was 6s.,<sup>793</sup> and in 1366/7 it was 6s. 8d.<sup>794</sup> From 1388 onwards the fee was usually 20s., but could be higher ‘of the lord’s gift’ as in 1392–8 when Reginald Barkeston received 26s. 8d.<sup>795</sup> William Park, clerk between 1398 and 1412, received this fee ‘for holding court’.<sup>796</sup> John Fayreford was the clerk retained between 1416 and 1429.<sup>797</sup> Clerks were not retained for the purpose of writing the accounts or court rolls once the abbess and convent of Syon received seisin of the hundred. Payments ‘for writing of the old rental onto paper’ and ‘for parchment and writing of the new rental’ in 1507/8 suggest that rather than retaining clerks, the abbess and convent of Syon only paid for writing services when required.<sup>798</sup>

### *Court Business*

A wide array of business was conducted at these courts. Most profitable to the lord were usually fines made concerning land and marriages, bringing in £16 8s. 8d. in 1416/17.<sup>799</sup> Disputes over land and grants of land often mentioned the custom of the

<sup>776</sup> TNA, SC 6/851/21.

<sup>777</sup> TNA, SC 6/853/7–8; SC 6/HenVII/204–5, 207; SC 6/HenVIII/1180–1.

<sup>778</sup> TNA, SC 6/HenVIII/1186.

<sup>779</sup> TNA, SC 6/851/24; SC 6/852/1, 3–6.

<sup>780</sup> TNA, SC 6/852/10–16, 18–22; SC 6/1099/6.

<sup>781</sup> TNA, SC 6/851/23–4; SC 6/852/1.

<sup>782</sup> TNA, SC 6/852/2–14.

<sup>783</sup> TNA, SC 6/852/15–16, 18–21.

<sup>784</sup> TNA, SC 6/853/5–6; SC 6/HenVII/204–5, 207, 209; SC 6/HenVIII/1180–1, 1187, 1199–1200, 1204, 1206–7.

<sup>785</sup> TNA, SC 6/851/22.

<sup>786</sup> TNA, SC 6/851/23.

<sup>787</sup> TNA, SC 6/851/24; SC 6/852/1.

<sup>788</sup> TNA, SC 6/852/1–9.

<sup>789</sup> TNA, SC 6/852/10–16.

<sup>790</sup> TNA, SC 6/852/16, 18.

<sup>791</sup> TNA, SC 6/853/5–6.

<sup>792</sup> TNA, SC 6/HenVII/205, 207, 209, 1180–1, 1187, 1199–1200, 1204, 1206–7.

<sup>793</sup> TNA, SC 6/851/22.

<sup>794</sup> TNA, SC 6/851/23.

<sup>795</sup> TNA, SC 6/852/1.

<sup>796</sup> TNA, SC 6/852/2–5.

<sup>797</sup> TNA, SC 6/852/6–14.

<sup>798</sup> TNA, SC 6/HenVII/209.

<sup>799</sup> TNA, SC 6/852/6.

manor of Cheltenham. One such was that on a tenant's death a claimant had the opportunity to make a claim as heir at three sessions of the court; thereafter the land fell to the right of the lord of the manor and could be demised at will.<sup>800</sup> To gain seisin (possession) the claim had to be acknowledged by the lord, and an entry fine and heriot paid by the claimant. Another custom was that every wife of a husband seised of lands and tenements in his demesne as of fee, ought to have the lands for the term of her life after his death, and her assigns and executors to have the lands for twelve years after the wife's death. The widow's claim in court was investigated by the homagers, on whose verdict she would be admitted to the land.<sup>801</sup> A heriot was then payable to the lord.<sup>802</sup> A widow thus in possession of her deceased husband's land could demise it to her son by surrendering it to the lord in court in order that the lord give seisin to her son, who, having paid an entry fine, would then hold the land for the life of his mother and the following 12 years.<sup>803</sup> In the early fourteenth century, a heriot was also payable.<sup>804</sup>

As well as the venue for recording tenant transactions, the liberty court also dealt with misdemeanours, known as leet business. These ranged from infringements of the lord's rights, such as allowing draught animals to enter the lord's wood,<sup>805</sup> impeding the smooth and fair operation of the open field system of farming, by allowing animals to graze in the common pasture,<sup>806</sup> digging in the common pasture,<sup>807</sup> or failing to dig ditches to contain the watercourse,<sup>808</sup> to raising a hue and cry but failing to pursue the matter in court,<sup>809</sup> and more serious offences such as assault causing bloodshed.<sup>810</sup> Fines for brewing against the assize were so regularly imposed that they probably acted as the liberty's *de facto* licensing arrangements to the same individuals, such as Agnes Dyer of Cheltenham, repeatedly 'offending'.<sup>811</sup> Millers were frequently charged for taking excessive toll.<sup>812</sup>

### *Serjeanty*

It is possible that some land within the liberty of Cheltenham was held by serjeanty (in return for a specific service). One of the earliest extant Cheltenham court rolls, of 11 December 1275, records that one John Beauboys had failed to deliver two royal writs to the sheriff, 'which had been sent to his tenements, to be carried just as they ought to be carried for that tenement'.<sup>813</sup> The location of these tenements is not mentioned. John Beauboys was also in mercy for default of suit of court, offering a fine of 4s. to be released from numerous distrains and suit of court up to Michaelmas 1276.<sup>814</sup> A John Beauboys offered fine for suit of court again in 1313.<sup>815</sup>

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<sup>800</sup> TNA, REQ 2/9/141.

<sup>801</sup> TNA, C 1/115/66.

<sup>802</sup> DC/MR/GC6, m.3.

<sup>803</sup> GA, D 7661, Box 4/28.

<sup>804</sup> DC/MR/GC2, m.7.

<sup>805</sup> DC/MR/GC3, m.3d.

<sup>806</sup> TNA, C 116/50, 41.

<sup>807</sup> DC/MR/GC1, m.1.

<sup>808</sup> TNA, SC 2/175/27.

<sup>809</sup> DC/MR/GC4.

<sup>810</sup> DC/MR/GC2, m.1; DC/MR/GC4, m.1; DC/MR/GC6, m.3d.

<sup>811</sup> DC/MR/GC2.

<sup>812</sup> TNA, SC 2/175/25; DC/MR/GC4, m.3-3d.; GA, D 7661 Box 4/29; DC/MR/GC8; TNA, SC 2/175/27.

<sup>813</sup> DC/MR/GC1, m.3.

<sup>814</sup> DC/MR/GC1, m.2d.

<sup>815</sup> DC/MR/GC2, m.5d.

## Cheltenham Before the Spa - Draft

Sir John Cornwall was engaged in the defence of Wales against Owain Glyndwr, which included supervising the muster of men-at-arms and archers going with the earl of Arundel for the safe-keeping of the castles and fortresses of those parts and Shropshire in 1405.<sup>816</sup> Sir John's Cheltenham estate was an obvious resource for his part in royal campaigns in Wales, and he was accompanied into Wales by men-at-arms from Cheltenham. The payment of 33s. 1<sup>3</sup>/<sub>4</sub>d. for buying clothing for the yeomen of Cheltenham sent to Wales with the lord on the expedition of the war there was disallowed by auditors in three years' accounts, 1407–10, on account of a defective warrant.<sup>817</sup> The bailiff lacked a writ, the order for the clothing having been given verbally to the bailiff, Roger Coberley, by Sir John Cornwall.<sup>818</sup> The military survey of 1522 revealed that there were eight men in Cheltenham town equipped with a harness, and two men had two harnesses each. Two men in Alstone tithing were also equipped with a harness.<sup>819</sup>

### THE MEDIEVAL BOROUGH

No borough charter survives for Cheltenham. The long narrow plots, especially those on the north side of the High Street measuring 30–38 perches long and 2–4 perches wide, are characteristic of an early foundation date in the late 12th century, perhaps during the reign of Henry II (1154–1189). Certainly the men of Cheltenham paid tallage when the king's burhs and manors were subject to this tax in the reign of Richard I (1189–1199).<sup>820</sup> The business recorded in the earliest surviving Cheltenham court roll, dating to 1275, makes it clear that the borough was well-established at this date, a trade in sub-divided burgage plots already being part of normal proceedings. An extent of the manor of Cheltenham taken in 1294 recorded that there were 75 free tenants in the manor of whom 52 in the borough paid a settled rent of £13 19s. 3<sup>1</sup>/<sub>2</sub>d.<sup>821</sup>

In the liberty court the borough was represented by the bailiff of the borough whose presentments to the court were most usually concerned with brewing against the assize, an offence so common that often only the fine is recorded, the offence not needing to be spelled out.<sup>822</sup> Although brewing against the assize was by far the most common, other presentments were occasionally made. In 1305 William le Deye was reported for diverting the course of a certain water in the vill of Cheltenham to the damage of [the vill];<sup>823</sup> and in 1313/14 Alexander de la Forde was reported as a common harbourer of stray animals, Walter Ironmonger for digging upon the common footpath at Westnor [check reading], and Stephen Wymely for felling a tree.<sup>824</sup> The charge of brewing against the assize was sometimes compounded, as in 1377/8 when the burgesses were charged with selling beer at an excessive price,

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<sup>816</sup> *Cal. Pat. 1405–1408*, 147; above: landownership, Cheltenham manor.

<sup>817</sup> TNA, SC 6/852/3–4.

<sup>818</sup> TNA, SC 6/852/5.

<sup>819</sup> *Military Surv. of Glos. 1522*, 44–5, 47.

<sup>820</sup> *Pipe R.*, 7 *Richard I*, 1195, 182; *Pipe R.*, 9 *Richard I*, 1197, 125.

<sup>821</sup> TNA, E 106/2/2.

<sup>822</sup> DC/MR/GC1, m.3.

<sup>823</sup> DC/MR/GC1, m.12.

<sup>824</sup> DC/MR/GC2.

without a tradesman's sign and in unmarked containers.<sup>825</sup> A few years later they were fined again for excessive price and for selling beer by the cup.<sup>826</sup>

The first detailed evidence of subdivision of the burgage plots comes from 1276. In that year Richard Sturmy demised to William Wittewelle the third part of a burgage in Cheltenham situated between the tenements of Hugh le Chaloner on each side.<sup>827</sup> In 1277 William acquired a certain 'place' lying between the burgage of John ate Grene on one side and the tenement of Henry Miller on the other.<sup>828</sup> In 1305 Agnes Prous granted a quarter part of a burgage to Walter Goldwyne.<sup>829</sup> The subdivision of burgage plots was also a feature of the court roll for 1313/14: John Squier paid relief of 10*d.* for a third of a burgage; Margaret, daughter of Nichola, former wife of Matthew Cok, paid 8*d.* for 'a certain part of a burgage'; and Thomas de Molendino gave 11½*d.* relief for a third part and five feet in length of a burgage. Granting a share in the inheritance to siblings was an obvious way for burgages to suffer subdivision. In 1330/1 John de Stoke granted his three sisters a half burgage to hold to them and the heirs of their bodies, to return to John and his heirs if his sisters died without corporeal heirs.<sup>830</sup> The varying nature of the reliefs paid suggests that the burgages were not of a uniform size. This would explain why differential rates of rent were paid for individual burgages,<sup>831</sup> and why a burgage could sit empty for want of a tenant for some years, when a trade continued in others. In 1483/4 one burgage had been vacant for ten years.<sup>832</sup> The next extant court roll (for 1489) revealed a continued trade in burgages.<sup>833</sup>

Cheltenham's burgages stood on both sides of the High Street. The fullest listing dates from c.1440, and includes 128 properties held by more than 70 individuals. Of these 21 were whole burgages, 41 half-burgages, 12 quarter-burgages, and the remainder were parts of burgages, mostly of unspecified size.<sup>834</sup> The parcels could be quite small. John de Stoke granted his sisters a parcel 15 x 17 ft. (?one-sixth of his burgage) for the term of their lives in 1330/1. In 1313/14 John Durdy granted 'a certain small parcel of a burgage' to Thomas le Marsch'.<sup>835</sup> To gain access to these parcels many properties would have included a narrow lane. In 1330/1 Richard de Newenton granted to John Diwe '16 feet of one burgage in latitude and next to the way within his close';<sup>836</sup> in 1471 'the venell called Childes Lane' was used a boundary marker in a burgage grant.<sup>837</sup> Like other parcels of land within the manor, some burgages carried a vocative name; Drinkewatur, Gallesplace, and B[e]we[?]mansplace were recorded as burgage names in 1440.<sup>838</sup> A fire in 1439/40 caused sufficient damage to respite a rent of £6 2*s.* 7*d.* from burgages and base tenure holdings.<sup>839</sup>

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<sup>825</sup> GA, D 7661 Box 4/28.

<sup>826</sup> GA, D 7661 Box 4/29.

<sup>827</sup> DC/MR/GC1, m.2d.

<sup>828</sup> DC/MR/GC1, m.13d.

<sup>829</sup> DC/MR/GC1, m.13.

<sup>830</sup> DC/MR/GC3, m.3.

<sup>831</sup> TNA, SC 11/220, 222, 224, 225, 227.

<sup>832</sup> TNA, SC 6/853/10.

<sup>833</sup> DC/MR/GC9. See also TNA, C 1/249/1.

<sup>834</sup> GA, D 855/M68.

<sup>835</sup> DC/MR/GC2.

<sup>836</sup> DC/MR/GC3, m.3d.

<sup>837</sup> DC/MR/GC8.

<sup>838</sup> GA, D 855/M68.

<sup>839</sup> TNA, SC 8/852/20.

Cheltenham borough should be thought of as a commercial zone within the larger, more agricultural, manor.<sup>840</sup> The burgesses often held parcels of land in conjunction with the burgages, as well as elsewhere in the manor. William Frensch (d. 1476), late bailiff of Cheltenham manor, specified in his will that his one-and-a-half burgages in Cheltenham and a messuage called Plofildes should be sold, appurtenant to these properties were at least three acres lying in the Cheltenham fields which were reserved in the sale.<sup>841</sup> Manorial services were owed for burgages in the 14th century. At a court during the reign of Edward III the bailiff of the borough reported that none had come to the mowing.<sup>842</sup> A surrender of a half burgage recorded in 1377/8 likewise specified that the recipients were to 'render the customary manorial services'.<sup>843</sup>

#### MANORIAL AND BOROUGH GOVERNMENT AFTER 1540

The fusion of the hundred with the manor of Cheltenham made it difficult to distinguish the two. Within the hundred, separate manors existed for Ashley and Ham (both in Charlton Kings), Leckhampton, and Swindon, although the validity and extent of the manor of Leckhampton was questioned by officials of the duchy of Cornwall.<sup>844</sup> The borough of Cheltenham also had separate courts and officers. For a time courts were apparently also kept and officers appointed for the reputed manors of Power's Court and Compton's.<sup>845</sup> The manor of Redgrove lay within the parish but not the hundred of Cheltenham.<sup>846</sup> [\*\*\*check which hundred]

The long period during which the manor was let to farmers left the Crown's officials uncertain as to the true value of the manor.<sup>847</sup> A survey was ordered in 1584, but it was hampered by local resistance and a lack of records.<sup>848</sup> A survey of the manor was undertaken in 1604,<sup>849</sup> but this did not resolve concerns. Allegations were made against William Norwood in c.1616, shortly after the end of his lease, that he had usurped the rights of the lord of Cheltenham within his manor of Leckhampton, and had converted large parts of the wastes of the manor into his own private land. Perhaps as a result of this warning, John Norden was commissioned by the duchy of Cornwall to carry out a survey of the manor in 1617,<sup>850</sup> which confirmed Norwood's abuses.<sup>851</sup> He had been endeavouring to establish his estate at Leckhampton as a manor in its own right, appropriating to it the manorial rights of Cheltenham. He had been keeping his own manor courts at Leckhampton, in which local officers were elected, and collected fines and heriots from the tenants which should have been due to the lord of Cheltenham. He had encroached upon the wastes of the manor,

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<sup>840</sup> Richard Goddard, 'Small boroughs and the manorial economy: enterprise zones or urban failures?', *Past and Present*, 210 (2011), 3–31.

<sup>841</sup> TNA, PROB 11/6/351.

<sup>842</sup> TNA, C 116/50.

<sup>843</sup> GA, D 7661 Box 4/28.

<sup>844</sup> TNA, C 2/JasI/W28/44; C 2/JasI/W30/55.

<sup>845</sup> TNA, C 116/150, 114; Worcs. Archives, BA 3375/16.

<sup>846</sup>

<sup>847</sup> above: landownership, Cheltenham manor.

<sup>848</sup> TNA, SP 46/35, f. 191.

<sup>849</sup> TNA, E 178/7025.

<sup>850</sup> GA, D 855/M7.

<sup>851</sup> TNA, LR 2/207; BL, Add. MS 6027, ff. 19–29v.

building a new lodge and keeping a rabbit warren, altering the boundary markers to conceal his appropriations.<sup>852</sup>

The short space of time between the end of Norwood's lease and the beginning of the lease to Alexander Packer prevented the duchy's officials from recovering the records of the manor and investigating the abuses.<sup>853</sup> It was alleged that Packer himself had no interest in prosecuting these abuses, as he too wished to appropriate the rights and lands of the manor of Cheltenham,<sup>854</sup> and it was later suggested that Packer had taken the lease at Norwood's behest.<sup>855</sup> This may not have been true,<sup>856</sup> but Packer and Norwood were jointly farming the manor by 1620.<sup>857</sup> The 1616 lease of the manor to Packer had included a proviso that would allow the King to repay Packer's fine and resume possession of the manor. Accordingly, in 1620 Packer was offered £800 to return the lease, significantly larger than the £334 he had paid for it, but Packer and Norwood refused to give up the lease.<sup>858</sup> A legal battle ensued, and the duchy was able to resume possession of the manor in 1622.<sup>859</sup>

Repossession enabled the duchy to address other problems that Norden had highlighted in his survey of 1617. Other tenants had also contrived to convert parts of the demesnes of Cheltenham manor into base tenure or freehold land,<sup>860</sup> and several of the copyholders who held their land from more than one manor were no longer able to identify which lands belonged to Cheltenham manor.<sup>861</sup> The free tenants asserted that heriots were not due when they died or alienated any of their lands, while the customary tenants claimed that their entry fines were fixed, at double the value of the annual customary rent.<sup>862</sup> Norden demonstrated with examples from the medieval court rolls that both of these claims were incorrect.<sup>863</sup> In 1623, the duchy ordered the steward only to admit tenants who accepted the duchy's claims that their fines were not fixed.<sup>864</sup>

After negotiations, the customary tenants agreed to pay a sum of £1,200 to the prince of Wales, shortly to become Charles I, and a further £326 to Giles Greville for estates in the manor of Ashley, in order permanently to fix their fines at double the ancient rent. At the same time, they took the opportunity to alter the custom of inheritance within the manor.<sup>865</sup> Although the estates of the freeholders and burgagers descended to the eldest son, the estates of the customary tenants followed

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<sup>852</sup> TNA, LR 2/207, ff. 98–99; BL, Add. MS 6027, ff. 28v–29v.

<sup>853</sup> Packer may have had these in his possession, as he was able to quote extensively from them: TNA, C 116/150, 36–53. Norwood was accused in 1621 of having detained the medieval records of the manor: TNA, C 2/JasI/W28/44.

<sup>854</sup> TNA, SP 46/64, ff. 43–44.

<sup>855</sup> TNA, C 2/JasI/W28/44.

<sup>856</sup> Packer had conveyed a moiety of the manor to his brother Robert in 1616, but Robert had died by early 1618: TNA, C 116/150, 90.

<sup>857</sup> TNA, C 2/JasI/W28/44.

<sup>858</sup> TNA, C 2/JasI/W28/44; C 2/JasI/W30/55.

<sup>859</sup> They were described as late farmers of the manor in the manor court books in September 1622: GA, D 855/M9A, 226.

<sup>860</sup> TNA, LR 2/207, ff. 97–98; BL, Add. MS 6027, ff. 28–28v.

<sup>861</sup> TNA, LR 2/207, ff. 82–82v; BL, Add. MS 6027, ff. 19–19v.

<sup>862</sup> GA, D 855/M7, 428–29.

<sup>863</sup> TNA, LR 2/207, ff. 84, 91v, 93–95; BL, Add. MS 6027, ff. 20v, 25v–27.

<sup>864</sup> DC, Bound MSS, J/M/3, Acts of the Council, 1622–3, f. 180; T/M/2, Warrants and Letters, 1621–3, ff. 106–6v; 1623–6, f. 46v; R. Hoyle, "Shearing the Hog": the reform of the estates, c.1598–1640, in *The Estates of the English Crown, 1558–1640*, ed. Hoyle (Cambridge, 1992), 249.

<sup>865</sup> DC, Bound MSS, J/M/3, Acts of the Council, 1622–3, ff. 229v–30, 377; 1624–5, ff. 88v, 213v–14, 225v, 276v; T/M/1, Order Book II (1621–5), f. 90; T/M/2, Warrants and Letters, 1623–6, f. 92v; GA, D 855/M68, ff. 4–4v, 7–9; *Cal. SPD*, 1625–26, 49; TNA, SP 16/3, f. 148.

the practice of borough-English, descending to the youngest son, or to the youngest daughter if there was no son. Furthermore, if a widow remarried and her husband paid an entry fine to the lord of the manor, then the children of the first husband would be disinherited in favour of the children of the second husband.<sup>866</sup> The matters were settled with an act of Parliament, passed in 1625, which permanently fixed the customary tenants' fines at double the ancient rent, and established that inheritance should be to the eldest son or daughter, and that henceforth a widow could not pass the estates to the children of any subsequent marriages.<sup>867</sup>

The manor was sold to John Dutton in 1628.<sup>868</sup> A note in an early-18th-century book of the account of the Dutton estates, probably written by Sir Ralph Dutton (d. 1721), lamented that the low value of the rents, fines and heriots, with the latter two fixed by act of Parliament, meant that the profits of the manor were swallowed up by the large fee-farm rent issuing from it.<sup>869</sup>

### Courts

As well as the biannual court leet (for misdemeanours) and view of frankpledge, the three-weekly court baron (for transactions) and the hundred court continued to meet regularly during the 16th and early 17th centuries. From 1556, when the manor was first farmed to Roger Lygon and Lady Katherine Buckler, the proceedings of its courts were recorded in books rather than on parchment.<sup>870</sup> Although these paper records were in some cases only intended to be drafts which would be formally enrolled at a later date, by default they became the formal record of the manor court.<sup>871</sup> Sir John Woolley complained in 1584 that Richard Lygon (d. 1584) had conspired with the steward and bailiff to remove the ancient records of the manor, which had always been kept in a large chest in the parish church, in order to frustrate any effort to undertake an accurate survey of the manor.<sup>872</sup> They were still regarded as a temporary record in 1600, when the steward noted that the constables' presentments were kept separately within the court's files.<sup>873</sup>

At the start of the early modern period, the court baron and the court of the hundred were held at the same time. In 1570 a man was fined for indicting other inhabitants of the hundred at the court in Gloucester,<sup>874</sup> but in 1617 Norden complained that this custom was being breached on a daily basis.<sup>875</sup> By the 17th century the business of the hundred court had declined markedly, and from 1625 it ceased to meet concurrently with the manorial courts, although it continued to act until the start of the civil war.<sup>876</sup> The meetings of the court baron also declined in

<sup>866</sup> TNA, LR 2/207, ff. 92–92v; BL, Add. MS 6027, f. 25v; GA, D 855/M7, 433–34.

<sup>867</sup> *Commons J*, I, 801–2; *Lords J*, Iii, 449–50, 490; *Statutes of the Realm*, V, 22; GA, D 855/M68, f. 8. For the text of the Act, see *Court Books, 1692–1803*, xxxv–xxxviii.

<sup>868</sup> above, manors and estates.

<sup>869</sup> D678/1 E 1/1/3; above, manors and estates.

<sup>870</sup> GA, D 855/M1.

<sup>871</sup> Hoyle, "Shearing the Hog", 208, for similar problems elsewhere.

<sup>872</sup> TNA, SP 46/35, f. 191; Richard Lygon had appointed William Denys as bailiff of the manor in 1579; MCA, Deeds, sers. I, 567 or 569. Richard's mother, Eleanor, the sister of William and Thomas Denys, lived at Arle Court after the death of her husband, William Lygon; MCA, Deeds, sers. I, 404 or 405; Misc. Rolls, 16; Parish register, 1586.

<sup>873</sup> GA, D 855/M7, 204.

<sup>874</sup> GA, D 855/M2, f. 96.

<sup>875</sup> TNA, LR 2/207, f. 92; BL Add. MS, 6027, f. 25v.

<sup>876</sup> The last record of hundred business in the usual sequence of court records was in August 1625; GA, D 855/M10, 154. Records of the court for the years 1636–9 were kept in the back pages of an earlier court book: GA, D 855/M9A, 255–76.

frequency in the years before the civil war. The ‘troubles and distructions’ of the Civil War disrupted the courts at Cheltenham, and the court rolls from the early 1640s were lost or taken away.<sup>877</sup> Court record-keeping remained erratic until the arrival of the energetic John Prinn in 1692, who took steps to recover some of the scattered earlier documents.<sup>878</sup> Nevertheless, by the end of the 17th century, the manor courts were largely concerned with the appointments of local officers and the recording of land transactions. While no orders were formally recorded in the court books after 1698, notes of individual orders (to view disputed boundaries etc.) survive for certain years up to 1811.<sup>879</sup>

### *Officers*

The courts were presided over by the steward or his deputy, who were often related to the farmer of the manor.<sup>880</sup> Sir Richard Lygon (d. 1556) was appointed steward of the manor in 1545;<sup>881</sup> he was succeeded by his son William (d. 1567),<sup>882</sup> who assigned the stewardship to his own son, also Richard (d. 1584), in 1559.<sup>883</sup> Lygon had appointed his uncle, Thomas Denys, to serve as steward by 1576.<sup>884</sup> Denys’ term came to an end with Lygon’s death, but the new farmer, William Norwood, reappointed Denys, who was also the uncle of his wife, in 1591.<sup>885</sup> Norwood had appointed his own son, Henry, as steward by 1607.<sup>886</sup> The bailiff of the hundred was responsible for summoning litigants, empanelling juries, collecting fines, and recording the customary payments of tithing-silver and Peter’s Pence.<sup>887</sup> The court leet appointed constables and tithingmen, an ale-taster, meat and leather inspectors, and the bailiff of the borough. There was also a hayward,<sup>888</sup> who was to be paid 1d. for each sown acre in the common fields.<sup>889</sup>

The borough had its own bailiff, who was required to witness all transactions of burghages.<sup>890</sup> He may also have had some responsibility for maintaining order within the borough; in 1581 the bailiff of the borough was assaulted ‘for doing his office in keeping the Queen’s peace’.<sup>891</sup> The borough also maintained a court of pie-powder.<sup>892</sup> In 1599, this was the scene of an apparent declaration of independence by the townspeople. It was alleged by William Norwood, the farmer of the manor, that the bailiff of the borough had attempted to assert his precedence within the borough court over the high bailiff of the manor and his steward, by taking the seat above

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<sup>877</sup> TNA, C 116/143 (part 1), f. 44.

<sup>878</sup> I. Gray. *Antiquaries of Glos. and Bristol* (1981), 55.

<sup>879</sup> GA, D 2025/7279, Bundle 1; Hodsdon, *Manor Court Books*, xix., 60. The courts appear to have continued to make orders after this date, but the records are no longer extant: Goding, *Cheltenham*, 59; Hodsdon, *Manor Court Books*, 108.

<sup>880</sup> For the history of the manor, see above.

<sup>881</sup> *L&P Hen. Viii*, XX: 1, 674.

<sup>882</sup> William Lygon was his father’s deputy in 1549, but chief steward by 1556: TNA, LR/3/21/2; GA, D 855/M1 8.

<sup>883</sup> MCA, Deeds, Sers. I, 482 or 483.

<sup>884</sup> GA, D 855/M3, 48. *Visit. Glos. 1623*, 51.

<sup>885</sup> GA, D 855/M4, 355. Elizabeth Norwood was the daughter of William Lygon (d. 1567); *Visit. Glos. 1623*, 118.

<sup>886</sup> GA, D 855/M8, f.

<sup>887</sup> TNA, LR 2/207, 92v–93; BL, Add. MS 6027, ff. 26–26v. The payments totalled £2 15s. 4d. and 5s. respectively: GA, D 855/M7, 426–27.

<sup>888</sup> GA, D 855/M4, 287.

<sup>889</sup> GA, D 855/M8, f. 43v.

<sup>890</sup> GA, D 855/M7, 427–28.

<sup>891</sup> GA, D 855/M3, f. 330.

<sup>892</sup> TNA, LR 2/207, 91.

them, contrary to custom. An angry confrontation had culminated in the burgesses withdrawing from the court,<sup>893</sup> and the bailiff of the borough was fined 20s. at the next view of frankpledge.<sup>894</sup> Despite Norwood's protestations that the borough court had been presided over by the high bailiff of the manor since time immemorial, in 1617 Norden noted that the court of pie-powder was presided over by the bailiff of the borough and two other burgesses, and that the high bailiff was excluded from serving writs in the borough.<sup>895</sup> The town had a crier in the 1630s.<sup>896</sup>

#### *Court Business*

The main business of the manorial courts throughout the early modern period was tenurial matters, such as the granting of copyholds. Among its other concerns were nuisances, householders taking in lodgers without giving security, and maintaining order within the town. Complaints included failure to clean middens and pig-sties, and allowing pigs and dogs to run loose in the street. The last problem was so bad that the court complained in 1576 that none could go into the street 'without hurt or danger of life'.<sup>897</sup> A butcher was presented for leaving animal entrails near the court house in 1600,<sup>898</sup> and other butchers were presented for slaughtering a calf during lent.<sup>899</sup> There was no pound in Cheltenham in 1580,<sup>900</sup> and it had still not been rebuilt by 1582.<sup>901</sup> It was frequently out of repair or ruinous.<sup>902</sup> There were separate pounds in Arle and Alstone, which also caused concern. In 1609 the pound at Arle was in decay because people were carrying away its hedge.<sup>903</sup> It was still in decay in 1616,<sup>904</sup> and there was no pound in Arle in 1632.<sup>905</sup> There were two wells within the borough which also needed to be maintained. A man was presented for taking away the woodwork of the well in 1602,<sup>906</sup> and both of the wells were in a dangerous state in 1620.<sup>907</sup>

Frequent orders were made concerning the management of the waterways within the manor, and the appointments of water-keepers or supervisors of the rivers were recorded from 1609.<sup>908</sup> One of their principal concerns was the maintenance of the common water channel that ran through the middle of the town.<sup>909</sup> There were numerous presentments against butchers, tanners and glovers, who would wash skins, hides, fleeces, and even whole dead sheep in the river or in the water channel.<sup>910</sup> In 1561, the miller at Cambray was ordered to use a sluice bored with three holes (one of  $\frac{3}{4}$  inch, one 1 inch, and one slightly larger) three days a week, in order to allow water to flow from the mill pond and into the common water

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<sup>893</sup> TNA, E 112/16/198.

<sup>894</sup> GA, D 855/M7, 149.

<sup>895</sup> TNA, LR 2/207, 92v-93.

<sup>896</sup> GA, P78/1 IN 1/2, 40.

<sup>897</sup> GA, D 855/M5/2.

<sup>898</sup> GA, D 855/M7, 214.

<sup>899</sup> GA, D 855/M7, 13; D 855/M8, ff. 7v, 40v.

<sup>900</sup> GA, D 855/M3, f. 262/p. 49.

<sup>901</sup> GA, D 855/M3, f. 368.

<sup>902</sup> GA, D 855/M7, 53; D 855/M9A, 19, 35, 49; D 855/M9B, 49; D 855/M10, f. 4v; TNA, CRES 5/369;

C 116/143 (part 1), f. 297.

<sup>903</sup> GA, D 855/M7, f. 43v.

<sup>904</sup> GA, D 855/M9A, 18, 35; TNA, CRES 5/369.

<sup>905</sup> GA, D 855/M10, f. 67v.

<sup>906</sup> GA, D 855/M7, 235.

<sup>907</sup> GA, D 855/M9, 210.

<sup>908</sup> GA, D 855/M8, f. 53.

<sup>909</sup> See above, topography.

<sup>910</sup> GA, D 855/M1, 213; D 855/M2, f. 401; D 855/M4, 543; GA, D 855/M8, f. 9.

channel,<sup>911</sup> and the order was repeated often during the rest of the century.<sup>912</sup> A large pond or trough called the horse pool fed the channel above the rectory, and orders to repair it or the guttering from it were common.<sup>913</sup> It was in such poor repair and so inundated with filth from privies and pigsties in 1633 that several men were appointed to direct the necessary repairs, and the work was still not completed two years later.<sup>914</sup> In 1695 inhabitants were ordered not to presume to use a pump within the town unless they contributed towards its repair.<sup>915</sup>

Another pressing concern for the courts was the risk of fire within the town. Several houses had been destroyed in the town by fire, and the townsmen were ordered in 1571 to make proper safeguards within their homes and shops.<sup>916</sup> All of those with a kiln in a loft (for malting, presumably) were ordered in 1599 to plaster and tile the roof of their houses.<sup>917</sup> Another order of 1609 instructed the townsmen to build sufficient chimneys in their houses and proper safeguards for their ovens and kilns.<sup>918</sup> In 1616 an order of the court stipulated that all houses were to have a chimney which was four feet higher than the roof in 1616.<sup>919</sup> Nevertheless, several men were presented in 1624 for letting their houses to tenants without having built sufficient chimneys or flues.<sup>920</sup> To defend the town from fire, an order of 1571 instructed the townsmen to purchase hooks and leather buckets,<sup>921</sup> and the orders to keep leather buckets were repeated in 1616 and 1620.<sup>922</sup> It was also ordered in 1616 that nobody in the town was to use an uncovered candle within their houses.<sup>923</sup> The view ordered in 1629 that the officers of the town and parish were to repair the four great hooks with great links that were kept within the town to defend against fire, and they were to procure other small hooks, scoops and buckets.<sup>924</sup> The prevalence of the malting industry within Cheltenham placed the town at risk, and a fire in 1718 destroyed the malthouse of John Milton.<sup>925</sup> In 1721 Sir John Dutton (d. 1743) and Thomas Gage, Viscount Gage, each donated a fire engine to the town,<sup>926</sup> and a 'fire-engine house' existed by the 1740s, in what became Rodney Road.<sup>927</sup>

Immigration into the town was an increasing concern during the reign of Elizabeth. In 1569 it was ordered that no-one within the town would take in more than one tenant per tenement, nor should any tenement be divided.<sup>928</sup> An order of 1579 prohibited the building of any new cottages or houses anywhere within the hundred, and nobody was to take in any lodger who had not been born within the

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<sup>911</sup> GA, D 855/M1, 213.

<sup>912</sup> The miller was ordered to permit the water to flow into the watercourse twice a week in 1692, and three days a week in 1695: Hodsdon, *Court Books*, 3, 37.

<sup>913</sup> For example, GA, D 855/M1, 25; D 855/M2, f. 147. The tenants were named in 1590: GA, D 855/M4, 291–92.

<sup>914</sup> GA, D 855/M10, ff. 77, 81v–82, 90, 117

<sup>915</sup> Hodsdon, *Court Books*, 34.

<sup>916</sup> GA, D 855/M2, f. 121.

<sup>917</sup> GA, D 855/M7, 127.

<sup>918</sup> GA, D 855/M8, f. 41v.

<sup>919</sup> GA, D 855/M9A, 36.

<sup>920</sup> GA, D 855/M9B, 67–68.

<sup>921</sup> GA, D 855/M2, f. 121.

<sup>922</sup> GA, D 855/M9A, 19, 163.

<sup>923</sup> GA, D 855/M9A, 35.

<sup>924</sup> GA, D 855/M10, f. 21v.

<sup>925</sup> GA, QS/O 4, 175.

<sup>926</sup> Rudder, *Glos.*, 337.

<sup>927</sup> Depicted on a fan painted by T. Robins, held by The Wilson, Cheltenham.

<sup>928</sup> GA, D 855/M2, f. 26.

hundred or resident there for three years.<sup>929</sup> The order, which fell in line with national legislation,<sup>930</sup> was repeated in 1597,<sup>931</sup> but there were repeated presentments for taking in lodgers and for building new houses.<sup>932</sup> Concern in 1616 about the number of strangers who had moved to the town caused the court to order all landlords to give security to the parish or to remove their tenants, and no new inmates were to take residence in the town.<sup>933</sup> In 1625 it was felt necessary to stipulate that men from outside the hundred were still required to give security to the parish even if they had married a local woman and moved in with her family.<sup>934</sup> The constables were presented in 1626 for neglecting their offices, by permitting vagabonds and sturdy beggars to go through the town.<sup>935</sup> In the same year it was ordered that the high constable would appoint a beadle for the hundred, and the order was repeated in 1633.<sup>936</sup>

Concern was also expressed about hedge-breaking in 1569,<sup>937</sup> and there were intermittent presentments and orders against hedge-breaking during the 16th and early 17th century. The problem appears to have been worst during the depression of the 1590s, and in 1593 the children of a number of inhabitants were presented for breaking hedges and stealing the wood.<sup>938</sup> Orders against breaking hedges or tearing up pales were repeated at the end of the decade 1599.<sup>939</sup> Two women were sentenced to corporal punishment for breaking hedges in 1611.<sup>940</sup> The beadle was ordered in 1633 to punish those who stole wood or corn as well as to punish vagabonds and sturdy beggars.<sup>941</sup>

Numerous men were presented in 1575 for not owning bows,<sup>942</sup> and the butts were in disrepair in 1597,<sup>943</sup> when it was complained that they had not been put up for three months.<sup>944</sup> They had not been repaired by the next year, when 11 men were presented for not using bows and arrows.<sup>945</sup> More men were presented for not practising with their bows in 1609,<sup>946</sup> and the shooting butts were again presented for being decayed in 1626.<sup>947</sup> In 1610 it was ordered that the armour kept within the town would be delivered to the constable, who was to have it renovated and to keep it altogether in a single place.<sup>948</sup> There were numerous presentments for bowling,<sup>949</sup> and John Baggot was presented for keeping a bowling alley in 1587.<sup>950</sup> Men were

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<sup>929</sup> GA, D 855/M3, f. 205/p. 285.

<sup>930</sup> Erection of cottages Act, 31 Eliz I, c.7.

<sup>931</sup> GA, D 855/M7, 16, 55.

<sup>932</sup> GA, D 855/M8, f. 41.

<sup>933</sup> GA, D 855/M9, 19.

<sup>934</sup> GA, D 855/M9B, 173-4.

<sup>935</sup> GA, D 855/M9B, 267.

<sup>936</sup> GA, D 855/M9B, 218; D 855/M10, f. 77.

<sup>937</sup> GA, D 855/M2, f. 26.

<sup>938</sup> GA, D 855/M4, 548.

<sup>939</sup> GA, D 855/M7, 16, 126.

<sup>940</sup> GA, D 855/M7, f. 90.

<sup>941</sup> GA, D 855/M10, f. 77.

<sup>942</sup> GA, D 855/M2, f. 396.

<sup>943</sup> GA, D 855/M7, 50.

<sup>944</sup> GA, D 855/M7, 78.

<sup>945</sup> [citation needed]

<sup>946</sup> GA, D 855/M8, f. 51v.

<sup>947</sup> GA, D 855/M9B, 267.

<sup>948</sup> GA, D 855/M8, f. 79.

<sup>949</sup> GA, D 855/M3, f. 330; D 855/M4, 561; D 855/M7, 13, 50, 126, 149, 214; D 855/M8, f. 7v.

<sup>950</sup> GA, D 855/M4, 145.

presented in 1608 for bowling ‘unlawfully openly and outside a garden,<sup>951</sup> and reference was made to the bowling alley in 1609.<sup>952</sup> A number of men were presented for ball games in 1615.<sup>953</sup>

The numerous inns within the town were often presented for keeping unlawful games,<sup>954</sup> and presentments of innkeepers were made for dicing,<sup>955</sup> cards and tables,<sup>956</sup> backgammon, coits, shovelboard, skittles, stow-ball and trap-ball.<sup>957</sup> In 1581, the jury of the view presented two innkeepers for keeping ‘evil rule by evil and suspected persons, and at unlawful times in the night’, requesting that the fine should be so high that they could neither sell ale nor receive strangers.<sup>958</sup> One of the men was presented the following year for still selling ale, without licence, and keeping evil rule within his house.<sup>959</sup> Four townspeople were presented for keeping gaming houses in 1615 and 1616, and others were keeping unlawful games in their houses at night.<sup>960</sup> Several men were presented in 1611 for nightwalking, ‘to the great terror and disturbance of the king’s subjects’.<sup>961</sup> In 1627 two nightwalkers were presented for drunkenness,<sup>962</sup> and for frequenting the house of one Joan Redhead, a bawd who kept a woman of ill fame.<sup>963</sup>

One man was fined heavily in 1597 for insulting William Norwood, the farmer of the manor.<sup>964</sup> A juror and a witness were both presented in 1608 for uttering gross and quarrelsome words at the homage, delaying business, and setting a bad example to others.<sup>965</sup> Another man was fined for insulting the steward in court in 1610.<sup>966</sup> The head constable of the hundred was assaulted in the execution of his office in 1624, and insulted by the schoolmaster later in the same year.<sup>967</sup> Men were presented for committing affrays at the market and at the fair in 1590.<sup>968</sup> A large affray between townspeople and a group of strangers took place at the market in 1611, when some of the inhabitants refused to assist the bailiff of the hundred to arrest one of the strangers. A pedlar from Tewksbury was successfully arrested and committed to the prison in the town, but was able to escape.<sup>969</sup> The market place was the scene of more disorder in the same year, when a group of local men loudly announced that they intended to put on a play in a local inn. Ordered to stop by the bailiff of the hundred, concerned by the outbreak of plague in the area, they showed contempt for him and ‘of all authority and good government’.<sup>970</sup>

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<sup>951</sup> GA, D 855/M8, f. 29v.

<sup>952</sup> GA, D 855/M8, f. 43v.

<sup>953</sup> GA, D 855/M9, 3.

<sup>954</sup> e.g. TNA, LR 3/21/2, m. 1; GA, D 855/M1 127.

<sup>955</sup> GA, D 855/M3, f. 331.

<sup>956</sup> GA, D 855/M4, 150.

<sup>957</sup> GA, D 855/M8, ff. 8v, 29v, 49v, 50v.

<sup>958</sup> GA, D 855/M3, f. 330.

<sup>959</sup> GA, D 855/M3, f. 330.

<sup>960</sup> GA, D 855/M9A, 3, 14–15, 32.

<sup>961</sup> GA, D 855/M8, f. 90. ‘Nightwalkers’ were suspected of committing, or intending to commit, various offences.

<sup>962</sup> GA, D 855/M9B, 116–17.

<sup>963</sup> GA, D 855/M9B, 266.

<sup>964</sup> GA, D 855/M6, 212; other instances of disorder are described below: social hist, social life (crime, disorder and disease).

<sup>965</sup> GA, D 855/M8, f. 9–9v.

<sup>966</sup> GA, D 855/M8, f. 78v.

<sup>967</sup> GA, D 855/M9B, 66–67.

<sup>968</sup> GA, D 855/M4, 287, 293.

<sup>969</sup> GA, D 855/M7, f. 90.

<sup>970</sup> GA, D 855/M8, f. 90v.

### SESSIONS OF THE PEACE

The hundred had its own justices of the peace, who held sessions in Cheltenham.<sup>971</sup> The sessions seem to have fallen out of use after the Restoration. In the early 18th century a Prestbury JP was regularly making orders concerning Cheltenham.<sup>972</sup> In 1727 Cheltenham was part of a division of the quarter sessions, and local justices held petty sessions at Cheltenham.<sup>973</sup>

### PAROCHIAL ADMINISTRATION

Churchwardens are first recorded in the Cheltenham parish register in 1604,<sup>974</sup> and there were four in 1638.<sup>975</sup> From 1654 two were said to be elected for the town and two for 'the country', and from 1658 there were two elected for the town and one for each of the other tithings.<sup>976</sup> A vestry met within the parish by 1638.<sup>977</sup> Thomas Sandford was elected parish register in 1653.<sup>978</sup>

There were two surveyors of the highways for Cheltenham and two others for the rest of the parish in 1608.<sup>979</sup> Five surveyors of the highways were appointed in 1675, two for the town and one each for the other tithings.<sup>980</sup> In 1717 seven men were appointed: two for the town, one each for Arle and Alstone, and three for Westal, Naunton and Sandford. In the following year, a second supervisor for Alstone was also added, to make a total of eight. From 1719 five men were appointed once again.<sup>981</sup>

#### *Poor Relief*

In 1569 the churchwardens presented that certain money due to the poor, part of a sum of £40, was not being distributed as it ought to be.<sup>982</sup> An almshouse for six elderly inhabitants was built by Richard Pate in 1574.<sup>983</sup> In 1617 the parishioners were using a house in the churchyard as an almshouse for two people.<sup>984</sup>

Parcels of the manorial demesne were let to raise sums for the poor of the parish. In 1609 several parcels of demesne land in Alstone and near the woods at Oakley were let to three men for a total of £2 3s. 4d. a year.<sup>985</sup> In 1620 land called the Dry Lanes in Prior's Field was let by the overseers of the poor for 2s. 6d.<sup>986</sup> In 1625

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<sup>971</sup> *L&P Hen. Viii*, XX: 2, 555.

<sup>972</sup> 'Journal of a Gloucestershire Justice, AD 1715-1756', *The Law Magazine*, XI, 3rd sers. (1861), 125-42, 247-91; XII, 3rd sers. (1861-2), 99-126.

<sup>973</sup> 'Journal of a Gloucestershire Justice, AD 1715-1756', XI, 282-83.

<sup>974</sup> GA, P 78/1/IN 1/1, 139.

<sup>975</sup> GA, P 78/1 VE 2/5.

<sup>976</sup> GA, P 78/1 VE 2/5; GDR/V5/73aT.

<sup>977</sup> GA, P 78/1 VE 2/5.

<sup>978</sup> GA, P 78/1 VE 2/5.

<sup>979</sup> GA, D 855/M8, f. 29.

<sup>980</sup> GA, P 78/1 VE 2/5.

<sup>981</sup> GA, P 78/1 VE 2/5.

<sup>982</sup> GDR, vol. 20, 39; *Hockaday Abstracts*, cxlvii.

<sup>983</sup> below: social hist., charity for the poor.

<sup>984</sup> GA, D 855/M7, 437.

<sup>985</sup> GA, D 855/M8, ff. 43-43v.

<sup>986</sup> GA, D 855/M9A, 241.

the same land and another piece called Picked Oakley were let by the overseers for 10s.<sup>987</sup> Numerous inhabitants left sums to support the poor: Thomas George left 3s. 4d. a year in 1620;<sup>988</sup> John Walwyn left 50s. a year from the manor of Swindon in 1627;<sup>989</sup> John Norton left £5 in 1637;<sup>990</sup> and Alexander Packer left £50 a year at his death.<sup>991</sup> These and other sums of money were combined in 1667, and used to buy c.15 a. at Battledown, later known as the Poor's Ground. This was subsequently let for £8 5s. a year, the proceeds of which were used for the support of the poor and for apprenticing poor children within the parish.<sup>992</sup>

Between 1702 and 1724, five overseers were appointed for the parish, two for the town and one each for Arle, Alstone, and Westal, Naunton and Sandford.<sup>993</sup> In 1716, the overseers were presented for giving poor relief without requiring the poor to wear badges.<sup>994</sup> It was later reported that the two men appointed for the town were the overseers of the poor for the parish, and the three men from the hamlets were appointed 'for their ease' as collectors.<sup>995</sup> In 1743 and 1744 the justices appointed two overseers for Cheltenham and one each for other tithings within the parish. The men appointed for Arle and Alstone refused to serve, while the man appointed for Westal, Naunton and Sandford paid the money he levied to the two overseers of Cheltenham, who maintained the poor of the whole parish. The practice was discontinued by the justices, but in c.1751 several individuals in Arle refused to pay their poor rates, objecting that the overseers of the town had no right to act within the other tithings, and hoping that they might maintain their poor separately from the rest of the parish. In 1752 the poor rate for the whole parish amounted to £38 9s. 8¾d., of which £18 19s. 7d. was due from Cheltenham tithing, 39 1s. 4½d. from Arle, £4 18s. ¼d. from Alstone, and £5 10s. 9d. from Westal, Naunton and Sandford.<sup>996</sup> The Royal Oak inn, on the south side of the high street at the lower end of the town, was converted into a workhouse in about 1730.<sup>997</sup> The workhouse continued in use until it burned down c.1778.<sup>998</sup>

#### GAOLS, STOCKS AND CUCKING STOOL

In 1366 Edward III confirmed the right of the abbot of Fécamp to a gaol in Cheltenham and the authority to deliver (try) prisoners from it.<sup>999</sup> The abbot and convent had held the right to all royal liberties within the manor since it was granted to them.<sup>1000</sup> An account of gaol delivery from 1276 survives, at which Robert of Winchcombe was delivered for the theft of five sheep priced at 10s. from the fold of Walter of Beckford at Didbrook (Winchcombe). He was found guilty and hanged, his

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<sup>987</sup> GA, D 855/M9B, 122.

<sup>988</sup> Rudder, *Glos.*, 337.

<sup>989</sup> GA, P78/1 CW 3/4; GDR, V5/73aT; *Parsons's Notes*, 364.

<sup>990</sup> GA, P 78/1 VE 2/5.

<sup>991</sup> GA, P 78/1 VE 2/5.

<sup>992</sup> GA, P78/1 CW 3/4; *Parsons's Notes*, 364.

<sup>993</sup> GA, 78/1 VE 2/5.

<sup>994</sup> 'Journal of a Gloucestershire Justice, AD 1715–1756', *The Law Magazine*, XI, 3rd sers. (1861), 125–42, 247–91; XII, 3rd sers. (1861–2), 99–126, at XI, 133.

<sup>995</sup> GA, D 2025/Box 5/Bundle 4.

<sup>996</sup> GA, D 2025/Box 5/Bundle 4.

<sup>997</sup> GA, D 2025/Box 5/Bundle 4; D2024/1.

<sup>998</sup> GA, D2024/1.

<sup>999</sup> Hart, *Cheltenham*, 22.

<sup>1000</sup> above: landownership: Cheltenham manor.

chattels worth 3s. 8d. were forfeit to the court, and Walter was charged 40d. for the cost of the custody of the sheep.<sup>1001</sup>

In 1428–9 the steward of Cheltenham accounted for 2s. 10d. spent on locks and keys for the gaol house (*domo gaole*).<sup>1002</sup> In 1448–9 the gaol was in use, as it was delivered in this year, and it was necessary to repair it with limestone.<sup>1003</sup> A survey taken in c.1450 revealed that guarding the gaol for one day and night had been among the works owed by customary tenants.<sup>1004</sup> It was not necessary for the gaol to be delivered every year. There were, for example, no gaol deliveries in the period from 1499 to 1504.<sup>1005</sup>

There was a prison, called the blind house, in the town; a man died in it in 1597.<sup>1006</sup> The prison was in a dangerous state of disrepair in 1692.<sup>1007</sup> John Prinn was said to be planning to use the wood from the disputed Forden Elm to repair the gaol in 1693.<sup>1008</sup> A man was ordered to be put in the stocks in 1590,<sup>1009</sup> but the constables reported that there was no pillory in the town in 1593.<sup>1010</sup> There were stocks in Cheltenham in 1616, when several thieves were ordered to be put in them on the next market day.<sup>1011</sup> In 1635 it was reported that there were no stocks in Arle, Alstone, or Westal, Naunton and Sandford, and those at Arle and Alstone had not been replaced by 1637.<sup>1012</sup> In 1636 it was presented that the constable of Arle had dug up and taken away the whipping post, used for the punishment of vagabonds and vagrants.<sup>1013</sup> A whipping post was shown in Alstone on a 1776 map.<sup>1014</sup> Cheltenham was lacking both a cucking-stool and a pillory in 1593,<sup>1015</sup> and there was still no tumbrel in Cheltenham in 1600, 'and not for want of timber'.<sup>1016</sup> A new cucking stool was made in 1616, but the court was uncertain where would be an appropriate place to set it up.<sup>1017</sup> There was still no cucking-stool in Cheltenham in 1625,<sup>1018</sup> and the punishment of a woman presented for scolding was hampered in 1636 by its continued absence.<sup>1019</sup>

## SOCIAL HISTORY

### SOCIAL STRUCTURE

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<sup>1001</sup> DC/MR/GC1, m.2d.

<sup>1002</sup> TNA, SC 6/852/14.

<sup>1003</sup> TNA, SC 6/852/23.

<sup>1004</sup> TNA, SC 11/217.

<sup>1005</sup> TNA, SC 6/HenVII/204–5.

<sup>1006</sup> GA, P 78/1 IN 1/1, 113.

<sup>1007</sup> Hodsdon, *Manor Court Books*, 9.

<sup>1008</sup> Parliamentary Archives, 'Mr Grevile's Case', PET 1/23; *Commons J*, XI, 84–87; below, social hist.

<sup>1009</sup> GA, D 855/M4, 293.

<sup>1010</sup> GA, D 855/M4, 552.

<sup>1011</sup> GA, D 855/M9A, 17.

<sup>1012</sup> GA, D 855/M10, ff. 110, 153.

<sup>1013</sup> GA, D 855/M10, f. 120v.

<sup>1014</sup> 1776 map.

<sup>1015</sup> GA, D 855/M4, 552.

<sup>1016</sup> GA, D 855/M7, 170.

<sup>1017</sup> GA, D 855/M9A, 18.

<sup>1018</sup> GA, D 855/M9B, 115.

<sup>1019</sup> GA, D 855/M10, ff. 135v, 140.

The servile population of the manor increased from 39 to 43 between 1066 and 1086, and at the latter date seven were slaves, twenty-four were villans, and twelve were bordars.<sup>1020</sup> By 1294, when the population on the manor had increased substantially, free tenants outnumbered customary tenants, but of the 75 freemen 52 held burgages for which they paid rent and presumably dwelt and traded in the town. The 70 customary tenants all rendered agricultural services, as did 25 of the 126 villans, although others had converted their services to payments.<sup>1021</sup> In 1327 around half of those eligible for a tax, 40 of 78, were assessed within Cheltenham vill, with 14 each in Alstone and the Westal tithings, and 10 in Arle.<sup>1022</sup> The tithings, however, appear to have been more prosperous than the vill, since the Westal taxpayers were assessed at 3s. on average, those of Arle and Alstone around 2s. 5d., and those of Cheltenham around 1s. 9d. Surnames indicative of the taxpayer's origin included nearby places, such as Newton (probably Naunton), Northway (in Ashchurch), Stoke (Orchard) and Upton (St Leonards), and elsewhere in Gloucestershire: Ellbridge (in Newent) and Awre; but others came from further afield, including Bradenstoke (in Lyneham, Wilts.), Barkestone (Leics.) and Grendon (Warws. or Northants.).

Three of the five wealthiest individuals in Cheltenham tithing in 1522, worth £40 or more in goods, were William, John and Henry Machyn, and in the other tithings only Margary Grevell of Arle matched their wealth. Most who were assessed for tax on goods, 30 of 47 in Cheltenham and 16 of 24 in the other tithings, were worth £10 or less. The 1522 return valued land also, and no fewer than 86 individuals, 43 each in Cheltenham and the other tithings, returned no goods and so were probably absentees. With two exceptions none of their landholdings were worth more than £3, which compares with the monastic lords of the manor (Syon) and rectory (Cirencester), whose holdings were each valued at £70.<sup>1023</sup> The detailed returns for the lay subsidy of 1524–5 have not survived for Cheltenham hundred.<sup>1024</sup>

The lack of a resident lord left a vacuum that was filled by the efforts of the local gentry to establish their independence. Following the dissolution of Syon Abbey, the manor of Cheltenham was owned by the Crown and let to farmers, usually men with an estate within the manor. The Lygons, Norwoods and Packers all used possession of the manor on lease from the Crown during the 16th and early 17th century to establish their own estates as distinct manors, encroaching upon the rights of the overarching Cheltenham manor.<sup>1025</sup> The Lygons, a county family in their native Worcestershire and well-connected by marriage to leading Gloucestershire families, used their property at Arle Court as a residence for the heir to Madresfield (Worcs.). The Packers, farmers of the rectory estate until 1558, increased their wealth through speculating in confiscated ecclesiastical land, using it to purchase the manors of Ham, Power's and Compton's. The Grevilles held the manor of Ashley, and the Norwoods were establishing their manor of Leckhampton in the neighbouring parish. In the middle of the 16th century, this charged atmosphere could lead to violent clashes between the resident gentry over disputed property.<sup>1026</sup>

The Crown sold Cheltenham manor to John Dutton in 1628. Although the Dutton family was resident at Sherborne nearby, they seem to have shown little interest in taking an active role within the manor. The conversion of demesne lands

<sup>1020</sup> TNA, E 31/2/1/6238.

<sup>1021</sup> TNA, E 106/2/2.

<sup>1022</sup> *Glos. Subsidy Roll, 1327*, 37 (nos. 50–3).

<sup>1023</sup> *Military Surv. of Glos, 1522*, 44–5, 47–8.

<sup>1024</sup> *Bristol & Glos. Lay Subsidy*, xlv, cf. 7 (2312).

<sup>1025</sup> Above, manorial government.

<sup>1026</sup> TNA, STAC 3/2/5.

and customary tenements into freehold meant that there were a large number of freeholders within the manor, and this process continued after its purchase by the Duttons. Atkyns estimated that there were 200 freeholders within the parish in the early 18th century.<sup>1027</sup>

## EDUCATION

### *Pate's Grammar School*

In the mid-16th century Edward Grove, one of the parish chantry priests, kept a school in the town which the chantry commissioners recommended should continue, and Grove received payments for it until c.1555.<sup>1028</sup> The commissioners recommended that a new grammar school be founded in Cheltenham, which they described as a market town with 'muche youthe', but without any other schools nearby.<sup>1029</sup> One of those commissioners, Richard Pate, who was probably a native of Cheltenham,<sup>1030</sup> built a new school in 1572 on land he had acquired in the town.<sup>1031</sup> Two years later he obtained a grant of former chantry lands within Cheltenham, and also the glebe and tithes of the Leigh, to support his foundation of a school and almshouse in the town.<sup>1032</sup> To these in due course he added other chantry lands that he had acquired in Cheltenham and Gloucester.<sup>1033</sup> By the terms of the original grant, Pate was to appoint a master and an usher (assistant master), and to make the regulations of the school. After his death Corpus Christi College, Oxford, was to appoint the master and usher, while the management of the foundation's estate was to be left to the corporation of Gloucester.<sup>1034</sup> In 1586, however, Pate reached an agreement with Corpus Christi, whereby they would henceforth manage all aspects of the foundation.<sup>1035</sup>

By the detailed regulations drawn up by Pate and appended to the foundation deed,<sup>1036</sup> three-quarters of the profits of the estate were to be used to maintain the school and almshouse, and the college was to keep the remaining quarter for itself. The schoolmaster was to be a Master of Arts and aged at least 30. He was to have a salary of £16 a year, the schoolhouse (except for one room), and the use of the grounds, including common of pasture for one cow in the Marsh. The usher was to receive £4 a year, and to have the use of one room in the schoolhouse. The boys who lived in Cheltenham were to pay 4*d.* each when they were admitted to the school, and other boys were to pay 8*d.*, which was to be used to purchase teaching books, and these were to be kept on chains in the schoolhouse. The school was to have 50 pupils, and Pate left detailed instructions about the level of competency in Latin and Greek that should be achieved by them, in an effort to deter any negligence on the part of the schoolmaster.

The small salary of the schoolmasters was mitigated in the middle of the 17th century by leasing to them the tithes of the Leigh. The tithes were held successively

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<sup>1027</sup> Atkyns, *Glos.*, 334.

<sup>1028</sup> *VCH Glos.* ii, 424; TNA, E 301/23/53.

<sup>1029</sup> *VCH Glos.* ii, 424; TNA, E 301/23/53.

<sup>1030</sup> *Oxford DNB.*

<sup>1031</sup> GA, P 78/1 IN 1/1, 39.

<sup>1032</sup> *Cal. Pat.*, 1572–5, 297–98; TNA, C 66/1117, mm. 11–13; below, charities.

<sup>1033</sup> *Cal. Pat.*, 1548–9, 260; above: landownership, other estates.

<sup>1034</sup> *Cal. Pat.*, 1572–5, 297–98.

<sup>1035</sup> CCC Archives, Fe 42/1.

<sup>1036</sup> CCC Archives, Fe 42/1.

by four masters between the years 1636 and 1677.<sup>1037</sup> Problems with collecting the tithes from the parishioners in this period may have contributed to the master, Robert Jones, choosing not to renew the lease when it fell vacant. Without this extra income the schoolmasters were forced to hold other posts in plurality, and this became an issue of concern to the parishioners. They petitioned the college to improve the master's remuneration, but apparently to little avail. Nevertheless, despite these concerns, the school had sufficient pupils to warrant erecting a separate gallery in the church to accommodate them.

Little is known about many of the early masters of the new school. The first was Christopher Ocland, a noted Latin poet, who may have taken up his post as early as 1574.<sup>1038</sup> He was possibly succeeded by John Chew, probably a graduate of Trinity College, Oxford, described as the schoolmaster at his death in 1586.<sup>1039</sup> John Crowther, another Oxford graduate, kept the school in Cheltenham for over twenty years.<sup>1040</sup> William Stroud was described as 'of the school' in the parish registers in 1610 and again at his burial in 1648, although it is not clear in what capacity.<sup>1041</sup> William Dedicote, schoolmaster by 1619, was investigated in 1621 by the college for diverse but unnamed misdemeanours.<sup>1042</sup> No outcome of the inquiry was reported, but it was during this period that orders were issued allowing the usher to teach writing to up to ten boys without interference or extra charge by the master. The master was also ordered to supervise his pupils during divine service, and not to allow the boys to play more often than was allowed under the founder's orders.<sup>1043</sup> Also attributable to this date is a petition to the College calling for a more liberal maintenance for the masters, and provision to enable them to take in boarders, so that the school might 'flourish with credit and applause'.<sup>1044</sup> Christopher Bayley's appointment as schoolmaster in 1622 presumably indicates that Dedicote had been dismissed,<sup>1045</sup> although he was still in Cheltenham in 1624 when he was presented to the court leet for assaulting a gentleman and insulting the constable.<sup>1046</sup> Bayley, the first graduate of Corpus Christi to benefit from the college's possession of the presentation, served as schoolmaster for over 30 years, and left money for the building of a new market house at his death in 1654.<sup>1047</sup> Little is known about Bayley's successor, Edward Trotter, who was appointed in 1655 and had left by the Restoration.<sup>1048</sup> William Gardiner was briefly appointed the master before Trotter's appointment, and he was reappointed in 1660, when he lost his fellowship at the

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<sup>1037</sup> CCC Archives, F3/2/8, ff. 131–31v, 238–9; F4/3/10, f. 43.

<sup>1038</sup> *Oxford DNB*; Bell, *Tudor Foundation*, 30. He described himself as 'of Cheltenham school' in 1582: Ocland, *Anglorum Praelia* (London, 1582).

<sup>1039</sup> GA, P 78/1 IN 1/1, 76; *Alumni Oxon.*, 1500–1714, I, 269.

<sup>1040</sup> He was master in 1594, and still in 1609: GDR, vol. 73, 33; *CCED*, no. 148679; Bell, *Tudor Foundation*, 54, 262; *Alumni Oxon.*, 1500–1714, I, 358.

<sup>1041</sup> GA, P 78/1 IN 1/1, 157; P 78/1 IN 1/2, 96.

<sup>1042</sup> CCC Archives, F4/3/6, f. 128.

<sup>1043</sup> CCC Archives, Court Book, 1617–23, Ma 2/9, f. 44.

<sup>1044</sup> CCC Archives, Undated petition, Fe 46/3.

<sup>1045</sup> CCC Archives, F4/3/6, f. 148v; FE 47/1; Bell, *Tudor Foundation*, 57, 268; *Alumni Oxon.*, 1500–1714, I, 391.

<sup>1046</sup> GA, D 855/M9B, 67.

<sup>1047</sup> *Alumni Oxon.*, 1500–1714, I, 90; Goding, *Cheltenham*, 244–5, 396; GA, D 855/M11, f. 150.

<sup>1048</sup> Bell, *Tudor Foundation*, 58. He may have been the same Edward Trotter who was vicar of Lewisham 1658–77: *CCED*, 3576; L.L. Duncan, *The Parish church of St Mary, Lewisham* (Blackheath, 1892), 49–50.

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college.<sup>1049</sup> Gardiner remained at the school until 1673,<sup>1050</sup> and a successor, Robert Jones, was recorded in 1674.<sup>1051</sup> Jones resigned in 1689, when he was replaced by Robert Rogers, originally from Dowdeswell, who was master for 13 years.<sup>1052</sup> William Alexander, appointed in 1703, combined his duties at the school with a curacy at Coberley, and the rectory of Colesbourne.<sup>1053</sup> Alexander resigned as schoolmaster in 1718, when he was replaced by Henry Mease, who had previously served as curate of Cheltenham.<sup>1054</sup> Mease, who was subsequently appointed as rector of Alderton in 1724 and then of Swindon in 1738, remained at the school until his resignation in 1743 in favour of John Mease, presumably a relative.<sup>1055</sup>

### *Cheltenham Charity School*

There was an 'English school' in the town in 1670,<sup>1056</sup> and one Wright was noted as a schoolmaster in Cheltenham in 1677.<sup>1057</sup> This may refer to the school that George Townsend was later said to have founded when he left money in his will for the teaching of poor boys.<sup>1058</sup>

In 1713 41 parishioners subscribed a total of £39 4s. towards the erecting and maintaining of a charity school within the town.<sup>1059</sup> In 1716 the master was ordered to teach 12 boys. By her will of 1721, Dorothy, Lady Capel, left an estate in Kent in trust to support 12 charity schools, of which Cheltenham was one. In the first two decades the payment from the charity to the school was usually c.£8 a year.<sup>1060</sup> By 1723 the school was also receiving £20 a year from the Townsend charity.<sup>1061</sup> The first master, Peter Maurice, was paid a salary of £15, raised to £20 for his successor, Dr Ballinger, in 1721. However, when John Spurling was appointed in 1728, it was at a salary of £12, and it remained at this level until 1788. In addition to supporting a master and purchasing teaching materials, the foundation also made payments for the clothing of 20 boys. Payments for the rent of a house in the high street are recorded until 1729, but thereafter the school was kept in a small room over the north porch of the parish church. In 1752 there were 21 boys on the register, but this number declined over subsequent years, and it was only through a concerted effort in the late 18th century that the school did not cease to exist. The later history of this school will be considered elsewhere.<sup>1062</sup>

<sup>1049</sup> GDR, vol. 208, 33; Hockaday Abs., cxlviii; CCC Archives, Progress Books, VIii, 239v; X, ff. 35v, 41v; *Alumni Oxon.*, 1500–1714, ii, 549; CCED, 22642, 150890; Bell, *Tudor Foundation*, 262, 264.

<sup>1050</sup> GDR, vol. 223, 135; Bell, *Tudor Foundation*, 262. He may also have served as the curate of Cowley in the 1660s, and as rector of Fonthill Bishop (Wilts.) 1680–81; CCED, Nos. 109691, 124449.

<sup>1051</sup> GDR, vol. 220, f. 43v; Bell, *Tudor Foundation*, 262. He may have been the rector of Leckhampton, appointed in 1653; A. G. Matthews, *Walker Revised* (Oxford, 1948), 172 CCED, no. 155993.

<sup>1052</sup> GDR, vol. 226A, 104, 116; Hockaday Abs., cxlviii; P 78/1 IN 1/3, 132; CCC Archives, Progress Books, XIV, f. 36v; Bell, *Tudor Foundation*, 64, 264; *Alumni Oxon.*, iii, 1276; CCED, 162540; Hodsdon, *Court Books*, xxxiii.

<sup>1053</sup> GDR, vol. 226A, 186; Hockaday Abs., cxlviii; CCED, 7092. He was still master in 1716, three years after his appointment to the rectory of Colesbourne: GA, P 78/1 IN 1/4, 47.

<sup>1054</sup> GA, GDR/226A, f. ??; Corpus Christi College Archives, Fe 47/1.

<sup>1055</sup> CCED, no. 53085; Corpus Christi College Archives, Fe 47/1.

<sup>1056</sup> GDR, vol. 208, 280; Hockaday Abs., cxlviii.

<sup>1057</sup> GDR, vol. 220, f. 43v.

<sup>1058</sup> Rudder, *Glos.*, 337; below, charities.

<sup>1059</sup> GA, P 78/1 SC 1/1/1.

<sup>1060</sup> Herts. ALS, D/EB2043/Q1.

<sup>1061</sup> GA, P 78/1 SC 1/1/1; below, charities.

<sup>1062</sup> *VCH Glos.* XV (forthcoming).

## EDUCATIONAL CHARITIES

### *Townsend Charity*

By his will of 1683 George Townsend left the manor of Wormington, land in Winchcombe and a portion of the tithes in Guiting Power in trust to support the teaching of poor children in four towns, one of which was Cheltenham, and for apprenticing five poor boys, of whom one was to be from Cheltenham.<sup>1063</sup> By the terms of Townsend's will the children were to be taught in the mornings and afternoons of every day except church holy days and festivals, 'to avoid their being offensive at home or elsewhere'. The schools were each to receive £4 a year, to support the teacher and for the purchase of books, and £25 was to be set aside to bind the five apprentices. From c.1723 the charity was paying £20 a year to support the charity school in Cheltenham,<sup>1064</sup> and it continued to function into the 19th century.<sup>1065</sup>

### *Townsend Scholarships*

Townsend also left the manor and tithes of Little Aston in Cold Aston parish to Pembroke College, Oxford, to support eight eight-year scholarships at the college, of which two were to be for pupils from Cheltenham Grammar School.<sup>1066</sup> Each of the students was to have one-eighth of the value of the estate, which was worth £80 in 1683.<sup>1067</sup> The students were expected to devote themselves to the study of divinity for the second half of their studies, and Townsend added livings in Buckinghamshire, Essex and Middlesex to encourage this. The scholarships were still being awarded as late as 1887.<sup>1068</sup>

### *Stanesly Charity*

In 1704 Revd William Stanesly left an estate in Badgworth in trust for the binding of the children of poor day labourers as apprentices. The trustees, who were to include the minister of Cheltenham, were to pay £5 and £3 respectively to the parishes of Badgworth and Churchdown, with the residue of the profits, said in 1779 to be £6, to be used for the poor of Cheltenham.<sup>1069</sup>

### *Cox's Charity*

In 1727 Giles Cox vested a piece of land called Picked Oakley in trustees, to pay £4 a year towards the teaching and apprenticing of poor boys.<sup>1070</sup> In 1863 the then lessee, W.J. Agg, was paying £20 every five years to apprentice a boy from Cheltenham.

## CHARITIES FOR THE POOR

In 1574 Richard Pate was granted former chantry lands within the parish in part to support an almshouse which he built at the upper end of the town.<sup>1071</sup> The stone

<sup>1063</sup> GA, D 855/M70; Rudder, *Glos.*, 337; Goding, *Cheltenham*, 416–18.

<sup>1064</sup> GA, P 78/1 SC 1/1/1; Goding, *Cheltenham*, 416.

<sup>1065</sup> GA, P 78/1 SC 1/1/1; Goding, *Cheltenham*, 418.

<sup>1066</sup> GA, D 855/M70; Goding, *Cheltenham*, 412–16; *VCH Glos.* ii, 354–5; IX, 13.

<sup>1067</sup> Goding, *Cheltenham*, 412.

<sup>1068</sup> Goding, *Cheltenham*, 412, 415; *VCH Glos.* ii, 355.

<sup>1069</sup> GA, P 78/1 CW 3/4; Rudder, *Glos.*, 337.

<sup>1070</sup> GA, D 2132/1; P 78/1 CW 3/4.

<sup>1071</sup> Below, charities.

building, which stood on the north side of the street opposite Power's Court, contained accommodation for six poor people, and had a small chapel attached to it. A courtyard stood in front of the almshouse, and its grounds extended to the back lane that ran behind the burgages.<sup>1072</sup>

Various small bequests to support Cheltenham poor were combined by the vestry in 1667 to purchase a c.15 a. plot known as Poor's Ground.<sup>1073</sup>

## SOCIAL LIFE

### *Inns*

A Cheltenham man was granted a licence to sell wine in 1583.<sup>1074</sup> In 1590 there were at least four common alehouses within the town,<sup>1075</sup> and in the following year a total of 20 victuallers, including an innkeeper and a vintner, were presented.<sup>1076</sup> Eleven men were presented as common tipplers (ale-sellers) in 1601, one of whom was also presented for refusing to receive a traveller into his house by order of the constable.<sup>1077</sup> The principal inns in the 16th century were clustered in the high street around its junction with the main road to Winchcombe.

The Plough, first referred to by name in 1554,<sup>1078</sup> stood on the south side of the high street. It remained the largest inn in the town throughout the period. Opposite it was the Crown, first named in a survey of 1604,<sup>1079</sup> and described in 1617 as the ancient inn, which belonged to the lord of the manor.<sup>1080</sup> It was held by Thomas Gough with the Court House in 1604,<sup>1081</sup> and let by John Dutton to Thomas Ashmead for 99 years in 1634.<sup>1082</sup> In 1650 Ashmead assigned the inn to Daniel Chester for the remainder of the term.<sup>1083</sup> By 1657 the complex had been divided in half, with the western buildings, part of the yard and some of the outbuildings converted into a house and shop, whilst the eastern half continued to be an inn, now known as the George.<sup>1084</sup> Chester built himself a new brick house in the northern half of his plot, leaving it in 1674 to his younger son, Anthony, and the George to his elder son Daniel,<sup>1085</sup> to whose son, also called Daniel, the inn passed in 1708;<sup>1086</sup> he left it to his son John in 1733.<sup>1087</sup>

Besides the Plough and the Crown,<sup>1088</sup> the Bell inn was said to have been in existence since the early 16th century at least; in the 18th century it stood on the corner of the road to Winchcombe, later known as Bell Lane, and it may have stood

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<sup>1072</sup> Goding, *Cheltenham*, 408.

<sup>1073</sup> above: social hist., parochial admin. (poor relief).

<sup>1074</sup> *HMC Sackville I*, 80

<sup>1075</sup> GA, D 855/M4, 291.

<sup>1076</sup> GA, D 855/M4, 353, 389.

<sup>1077</sup> GA, D 855/M7, 215.

<sup>1078</sup> GDR, vol. 10, 36; Hockaday Abs., cxlvii.

<sup>1079</sup> TNA, E 178/7025, f. 1.

<sup>1080</sup> GA, D 855/M7, 372.

<sup>1081</sup> TNA, E 178/7025, f. 1.

<sup>1082</sup> GA, D 269A/T32.

<sup>1083</sup> GA, D 269A/T32.

<sup>1084</sup> GA, D 269A/T32.

<sup>1085</sup> *Probate*, 17–18.

<sup>1086</sup> *Probate*, 96.

<sup>1087</sup> *Probate*, 180–1.

<sup>1088</sup> Above, intro.

there from the 16th century.<sup>1089</sup> A burgage was said in 1617 to have been converted into an inn.<sup>1090</sup> In 1657 'the late inn called the Crown' was also referred to as the George.<sup>1091</sup> In 1686 the inns and alehouses of Cheltenham were said to be able to offer travellers 42 guest beds and stabling for 73 horses.<sup>1092</sup> In the later 17th century an inn described as 'very fine' was said to have been kept in what was previously a gentleman's house.<sup>1093</sup> An inn on the south side of the street, called the Royal Oak in 1715,<sup>1094</sup> was converted into the parish workhouse in 1730.<sup>1095</sup> Another inn, called the Fleece or Golden Fleece, stood on the south side of the street in 1717,<sup>1096</sup> but it was later to be found on the north side, on the corner of Well Lane, which became known as Fleece Lane.<sup>1097</sup> Other inns recorded in the early 18th century included the Pelican in 1729,<sup>1098</sup> the Lamb in 1730,<sup>1099</sup> previously a gentleman's house.<sup>1100</sup> The Bull inn, first noticed in 1693, stood on the north side of the high street.<sup>1101</sup> On the south side of the high street an inn, called the Royal Oak in 1715,<sup>1102</sup> was converted into the parish workhouse in 1730.<sup>1103</sup> Another inn, called the Fleece or Golden Fleece, stood on the south side of the street in 1717,<sup>1104</sup> but it was later to be found on the north side, on the corner of Well Lane, which became known as Fleece Lane.<sup>1105</sup> Other inns recorded in the early 18th century included the New Inn in 1722,<sup>1106</sup> Pelican in 1729,<sup>1107</sup> the Lamb in 1730,<sup>1108</sup> the Talbot in 1735,<sup>1109</sup> the Rose & Crown in 1741,<sup>1110</sup> and the Dog in 1751.<sup>1111</sup>

#### *Crime, Disorder and Disease*

Hedge-breaking, illegal bowling, nightwalking, affray, and playing illegal games in inns and alehouses were among misdemeanours frequently presented at manorial courts in the 16th and 17th centuries.<sup>1112</sup> A burgess was hanged for cutting coins in 1597.<sup>1113</sup> Three individuals were ordered by the court leet to be placed in the stocks on a market day for the theft of two geese in 1616.<sup>1114</sup> In the same year another man was

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<sup>1089</sup> Held by John Pate in 1583, the Bell may have been one of the tenements to the east of the Crown held by Richard Pate in 1604: GDR, B4/1/457; TNA, E 178/7025, f. 1v.

<sup>1090</sup> TNA, LR 2/207, f. 84; BL, Add. MS 6027, f. 20v.

<sup>1091</sup> GA, D 269A/T32.

<sup>1092</sup> TNA, WO 30/48.

<sup>1093</sup> *HMC Portland*, ii, 303.

<sup>1094</sup> Hodsdon, *Manor Court Books*, 137.

<sup>1095</sup> Below, poor relief.

<sup>1096</sup> GDR, B4/1/466; Hodsdon, *Manor Court Books*, 151.

<sup>1097</sup> Hodsdon, *Gazetteer*.

<sup>1098</sup> GA, D 1949/F7.

<sup>1099</sup> GA, D 1949/C6.

<sup>1100</sup> *HMC Portland*, ii, 303.

<sup>1101</sup> Hodsdon, *Manor Court Books*, 12.

<sup>1102</sup> Hodsdon, *Manor Court Books*, 137.

<sup>1103</sup> Below, poor relief.

<sup>1104</sup> GDR, B4/1/466; Hodsdon, *Manor Court Books*, 151.

<sup>1105</sup> Hodsdon, *Gazetteer*.

<sup>1106</sup> Hodsdon, *Manor Court Books*, 170.

<sup>1107</sup> GA, D 1949/F7.

<sup>1108</sup> GA, D 1949/C6.

<sup>1109</sup> Hodsdon, *Manor Court Books*, 238.

<sup>1110</sup> Hodsdon, *Manor Court Books*, 262.

<sup>1111</sup> Hodsdon, *Manor Court Books*, 302.

<sup>1112</sup> above: local govt., manorial and borough govt. after 1540 (court business)

<sup>1113</sup> GA, D 855/M7, 50; TNA, E 178/7025, f. 7v.

<sup>1114</sup> GA, D 855/M9A, 17.

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fined for shooting pigeons with a gun.<sup>1115</sup> One of the town's innkeepers was hanged for coining in c.1682.<sup>1116</sup> A man had his hand gun confiscated by the court leet for shooting another man in the leg in 1697.<sup>1117</sup> Two men were sentenced to death for stealing stuffs from several Cheltenham shops in 1715.<sup>1118</sup> Tensions were evident in Cheltenham early in the reign of George I. In 1719 Richard Finch of Cheltenham obtained a warrant against Walter Lawrence of Sevenhampton, who had threatened to kill him.<sup>1119</sup> In 1720 several men from Alstone were presented for riotously assembling and chopping down a tree belonging to Sir Fleetwood Dormer in Arle.<sup>1120</sup> Six years later one of these men, Giles Major, was executed for the brutal murder of his neighbour, Francis George, in his own house.<sup>1121</sup> Edmund Goodrich of Charlton Kings was condemned at the assizes in 1735 for shooting a bailiff, Robert Gregory, in a Cheltenham shop while Gregory was trying to arrest him for a debt.<sup>1122</sup> Although he was sentenced to hang in chains near Cheltenham, Goodrich was actually hanged on Corse Lawn.<sup>1123</sup>

The parish registers record the burials of six people 'of the pestilence' in 1592,<sup>1124</sup> and another outbreak of plague was feared in the area in 1611.<sup>1125</sup> There were periodic outbreaks of smallpox in the town in the 1680s; 31 burials were recorded in the parish registers in the winter of 1682–3, and six more in 1687–8.<sup>1126</sup>

## CHELTENHAM DURING THE CIVIL WAR

John Lygon of Arle compounded to pay £10 for distraint of knighthood c.1630–2.<sup>1127</sup> Cheltenham's role during the Civil War was largely peripheral, although some sense of the disruption during the period is conveyed by a later note in the manor court books, complaining of the loss of records 'in respect of the troubles and distructions of this kingdom'.<sup>1128</sup> The parish registers record the burials of three soldiers between 1643 and 1648.<sup>1129</sup> An unmarked grave of numerous skeletons, buried underneath a large flat stone, was found on the north side of the high street in the early 19th century, and it has been suggested that these might be civil war casualties.<sup>1130</sup> More skeletons were found to the south of the high street, in the area of the subsequent St James's Square, buried with bullets and coins of the mid-17th century.<sup>1131</sup> Buttons, coins and portions of pistols were found when Imperial Square was built.<sup>1132</sup>

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<sup>1115</sup> TNA, CRES 5/369.

<sup>1116</sup> *HMC Portland*, ii, 303.

<sup>1117</sup> Hodsdon, *Court Books*, 48.

<sup>1118</sup> *Weekly Journal with Fresh Advice Foreign and Domestick*, 27 Aug. 1715.

<sup>1119</sup> 'Journal of a Gloucestershire Justice, AD 1715–1756', Xii, 100.

<sup>1120</sup> 'Journal of a Gloucestershire Justice, AD 1715–1756', Xii, 100.

<sup>1121</sup> 'Journal of a Gloucestershire Justice, AD 1715–1756', XI, 281; GA, P 78/1 IN 1/4, 88.

<sup>1122</sup> 'Journal of a Gloucestershire Justice, AD 1715–1756', Xii, 109; *Glouc. J.*, 19 Aug. 1735, 3.

<sup>1123</sup> 'Journal of a Gloucestershire Justice, AD 1715–1756', Xii, 109; *Glouc. J.*, 26 Aug. 1735, 3; 2 Sep. 1735, 3.

<sup>1124</sup> GA, P 78/1 IN 1/1, 97.

<sup>1125</sup> GA, D 855/M8, f. 90v.

<sup>1126</sup> GA, P78/1 IN 1/3, 33–37, 41, 62–64.

<sup>1127</sup> J. Maclean, 'On Feudal and Compulsory Knighthood', *Trans. BGAS*, 9 (1884–5), 345–53.

<sup>1128</sup> TNA, C 116/143, pt. 1, f. 44.

<sup>1129</sup> GA, P 78/1 IN 1/2, 68, 82, 96.

<sup>1130</sup> HER Gos., no. 6626.

<sup>1131</sup> HER Gos., no. 6631.

<sup>1132</sup> HER Gos., no. 6630.

## Cheltenham Before the Spa - Draft

The town was garrisoned by a detachment of Lord Grandison's brigade of horse in March 1643, when they launched a successful attack upon a Parliamentary force at Tewkesbury.<sup>1133</sup> An undated proposal by the 'gentlemen of Gloucestershire', to place one of three garrisons encircling Gloucester in Cheltenham, probably dates from the summer of 1643, during the siege of Gloucester.<sup>1134</sup> Certainly Cheltenham was quartered by Royalists in September 1643, when the Earl of Essex drove them out of the town on his march to relieve the siege of Gloucester. Essex remained at Cheltenham for two days, during which time his forces were deployed in a field within the parish, expecting an attack from a large Royalist cavalry force in the area, but nothing came of it.<sup>1135</sup> Soon afterwards the siege was raised, and Essex left the county in a pursuit of the king's forces that would culminate in the first battle of Newbury. Nevertheless, in October General Massey wrote to Essex to inform him that the Royalists intended once again to garrison Cheltenham.<sup>1136</sup> In November Massey felt confident enough to order that provisions should be plundered from Cheltenham to supply the garrison at Gloucester, dispatching a large number of carts for that purpose. A detachment of the regiment of Lord Chandos was sent from Sudeley to Cheltenham, putting the Parliamentarians to flight and taking two prisoners, and capturing several more who had been sent from Prestbury to intercept them.<sup>1137</sup> Cheltenham hundred was allocated to support a Royalist garrison at Tewkesbury in early 1644,<sup>1138</sup> and this was continued when a Parliamentary garrison was installed in August 1644.<sup>1139</sup> In July 1645 the hundred was rated at £59 15s. 4d. for the monthly assessment, of which Cheltenham parish's share totalled £29 0s. 8d.<sup>1140</sup> The disruption of the civil war continued to impact upon manorial government throughout the 1640s, and in 1648 numerous rents due for demesne land and from free tenants were still owed from 1642.<sup>1141</sup>

Cheltenham remained within the sphere of Tewkesbury's control after the end of the first civil war, and the Commonwealth's garrison there was enlarged during the Worcester campaign of 1651, and it remained important during the Protectorate.<sup>1142</sup> Thomas Roberts of Alstone was noted as a delinquent in 1648, although the smallness of his estate probably meant he was not sequestered.<sup>1143</sup> A close friend of the Royalist John Dutton,<sup>1144</sup> Roberts was required to give a bond for his good behaviour in 1655, as was John Ladd of Alstone.<sup>1145</sup>

## RELIGIOUS HISTORY

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<sup>1133</sup> J. Corbet, *Historical Relation of the Military Government of Gloucester*, in *Bibliotheca Glouc.*, xxxviii, 30.

<sup>1134</sup> GA, D 115/13.

<sup>1135</sup> Corbet, *Military Government*, 240; *A True Relation of the Diurnall Marchings of the Red and Blew Regiments of the Trained Bands of the City of London*, in *Bibliotheca Glouc.*, 259–60; John Rushworth, *Historical Collections of Private Passages of State* (London, 1721), V, 292.

<sup>1136</sup> *HMC Portland*, I, 133–34.

<sup>1137</sup> *Mercurius Aulicus*, 19–25 Nov. 1643, 677–8.

<sup>1138</sup> TNA, SP 28/228, pt. 4, f. 759.

<sup>1139</sup> GA, TBR A1/1, 142.

<sup>1140</sup> GA, TBR A1/1, 143; see GA, D1949/6, for evidence of the payment of the assessment in July 1645.

<sup>1141</sup> GA, D 855/M52.

<sup>1142</sup> Beaver, *Parish Communities*, 217. TBR 1/3 [check]

<sup>1143</sup> *Cal. Ctee for Compounding*, I, 86; Iii, 1810.

<sup>1144</sup> *Memoirs of the Dutton Family*, 204.

<sup>1145</sup> BL, Add. MSS 19516, ff. 14v, 48v, 83; 34014, ff. 10, 23; 34016, ff. 33, 46.

## ORIGIN AND STATUS OF THE PARISH CHURCH

There was an Anglo-Saxon minster at Cheltenham (*Celtanhom*), said to be in Winchcombeshire, a division of the Mercian kingdom approximating to northern Gloucestershire, by 773 at the latest, as it was subject to an agreement made in 803 between the bishops of Worcester and Hereford at a synod held at *Clofesho*.<sup>1146</sup> This established that the bishop of Worcester had continued to be in receipt of food-rent from Cheltenham minster for more than 30 years; henceforth the food-rent would be paid to Bishop Deneberht of Worcester on alternate years for his lifetime only.<sup>1147</sup>

The Domesday Survey recorded that in 1066 one and a half hides of land belonging to the church were held by Regenbald, a major landowner and royal official. Two ploughteams belonged to the priests,<sup>1148</sup> the use of the plural suggesting that the church remained collegiate at this period. An antiquarian claim that a synod which assembled at Gloucester in 1086 made reference to a priory at Cheltenham and a 'church with its chapels' cannot be verified and is probably based on a misunderstanding.<sup>1149</sup>

In 1133, in common with many other properties formerly belonging to Regenbald, Henry I granted 'the church of the vill with its land, and one mill and the chapels and all things pertaining to the church' to the newly-founded monastery of Cirencester.<sup>1150</sup> At a date between 1143 and 1155 Earl Roger of Hereford confirmed grants of the chapel of Arle and a virgate of land from his men to the church of Cheltenham.<sup>1151</sup> In the 1140s the canons of Cirencester were in dispute with the clerk of Up Hatherley concerning the tithes of assart of the church of Cheltenham.<sup>1152</sup> The chapel of Leckhampton was confirmed as belonging to the church of Cheltenham by the archbishop of Canterbury in 1162–4.<sup>1153</sup> A lengthy dispute between Reginald fitz Lambert, the priest of Cheltenham, and the canons of Cirencester over ownership of the vicarage was settled by the papal judge delegate between 1174 and 1186; Reginald was to hold the vicarage, paying an annual pension of 20s. to the canons, while recognising that the land held by his father, which he claimed as part of the vicarage, was held in lay fee from the canons for an annual payment of 10s.<sup>1154</sup> In 1195 Pope Celestine III confirmed that the church of Cheltenham, the chapel of Charlton Kings and the fourth portion of the church which Regenbald the priest held, should be appropriated to the use of the canons for the maintenance of hospitality and the support of infirm brethren.<sup>1155</sup> This grant was confirmed by Pope Innocent III in 1199.<sup>1156</sup> There was some initial resistance to this grant from the bishop of Worcester,<sup>1157</sup> but in 1216 or 1217 the bishop confirmed the appropriation of the

<sup>1146</sup> Unidentified.

<sup>1147</sup> Finberg, *Early Charters of the West Midlands*, 43, no. 52; *Cartularium Saxonicum* ed. Birch, I, 429–31, no. 309; *Hemingi Cartularium ecclesie Wigorniensis*, 50–1.

<sup>1148</sup> TNA, E 31/2/1/6328; *Cirencester Cartulary*, I, no. 19.

<sup>1149</sup> J. Goding, *Norman's hist. of Cheltenham* (1863), 86; cited in *Trans. BGAS*, 4 (1879–80), 54

<sup>1150</sup> *Cirencester Cartulary*, I, no. 28/1.

<sup>1151</sup> *Cirencester Cartulary*, I, nos. 55–6.

<sup>1152</sup> *Cirencester Cartulary*, ii, no. 417/448.

<sup>1153</sup> *Cirencester Cartulary*, ii, no. 412/443.

<sup>1154</sup> *Eng. Episc. Acta VII, Hereford, 1079–1234*, no. 139; *Cirencester Cartulary*, ii, nos. 420/451, 421/452, 422/453, 423/454, 424/455.

<sup>1155</sup> *Cirencester Cartulary*, I, no. 158/90.

<sup>1156</sup> *Cirencester Cartulary*, I, no. 165/47.

<sup>1157</sup> *Cirencester Cartulary*, ii, no. 414/445.

church of Cheltenham to the abbot and convent of Cirencester, saving the support of two chaplains to serve the church, who were 'to encourage works of charity and hospitality which flourish in the abbey'.<sup>1158</sup> This grant, and reservation of support for the chaplains, was later confirmed by Silvester, bishop of Worcester (1251–1279).<sup>1159</sup>

#### ENDOWMENT AND PATRONAGE

A valuation of ecclesiastical benefices of Cirencester abbey taken in 1254 recorded that the church of Cheltenham was worth 20 marks (£13 6s. 8d.) annually and its tithes 26s. 8d.<sup>1160</sup> A survey taken during the reign of Henry III noted that the appropriated church of Cheltenham had doubled its value to Cirencester abbey, to 40 marks annually.<sup>1161</sup> The papal taxation of 1291 valued the church of Cheltenham with its chapel at 36 marks (£24).<sup>1162</sup> This was the valuation used in 1341 and throughout the medieval period.<sup>1163</sup>

When Cirencester abbey was dissolved in 1539 Cheltenham rectory reverted to the Crown and was let to farmers.<sup>1164</sup> The advowson of Cheltenham also passed to the Crown, who retained it until the end of the lease of the rectory.<sup>1165</sup> By an agreement of 1629 Sir Baptist Hicks, by then Viscount Campden, and his successors, were to present to the curacy one of three of the nominees of Jesus College, Oxford, who were to be men of the college with at least a Master of Arts of two year's standing.<sup>1166</sup>

There were no glebe lands belonging to the curate, and no residence for the minister.<sup>1167</sup> In the late 16th and early 17th centuries the farmer let a tenement belonging to the rectory to the minister;<sup>1168</sup> in 1609 the minister was also paid £10 annually by the farmer, who paid 26s. 8d. to the deacons.<sup>1169</sup> When the parishioners complained of the small stipend allowed by the farmer, Elizabeth Baghot, to a minister, the bishop of Gloucester and then the earl of Salisbury intervened.<sup>1170</sup> Baghot agreed in 1610 to increase the stipend to £20 at first, with a promise to increase it again to £30 at a later date. The translation of the bishop and death of the earl probably meant that this agreement was never kept.<sup>1171</sup> After the sale of the rectory to Sir Baptist Hicks, Baghot apparently agreed to give the small tithes of the parish to augment the minister's stipend, but again this promise seems never to have been fulfilled.<sup>1172</sup> In 1620 the curate's stipend was £15;<sup>1173</sup> although Sir Francis Bacon, the lessee, instructed Baghot to increase the stipend to £40, and to pay £10 to the deacon, he was disgraced shortly afterwards.<sup>1174</sup>

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<sup>1158</sup> *Eng. Episc. Acta XXXIV, Worcester 1086–1216*, no. 179.

<sup>1159</sup> *Cirencester Cartulary*, ii, nos. 407/439, 408/440.

<sup>1160</sup> *Cirencester Cartulary*, ii, no. 459.

<sup>1161</sup> TNA, SC 12/18/22.

<sup>1162</sup> *Tax. Eccl.*, 223b.

<sup>1163</sup> *Nonarum Inquisitiones*, 413; TNA, E 179/113/11.

<sup>1164</sup> above, manors: Cheltenham rectory.

<sup>1165</sup> GA, D855/M68, ff. 10, 18–18v.

<sup>1166</sup> GA, D855/M68, f. 20v; D 2025, Box 26, bundle 3.

<sup>1167</sup> GDR/V5/73aT.

<sup>1168</sup> TNA, E 134/35Eliz/East18; E 178/7025, f. 18.

<sup>1169</sup> GA, D855/M68, f. 10.

<sup>1170</sup> GA, D855/M68, f. 10.

<sup>1171</sup> GA, D855/M68, ff. 10–10v.

<sup>1172</sup> GA, D855/M68, ff. 10–10v.

<sup>1173</sup> GA, D855/M68, f. 11.

<sup>1174</sup> GA, D855/M68, f. 11.

In 1622 Baghot's sons agreed to pay £55 a year for the next five years, rising thereafter to £80 a year, towards the maintenance of the two ministers of Cheltenham and Charlton Kings, at least one of whom was to be Master of Arts.<sup>1175</sup> An order of 1624 to pay £20 of this augmented stipend to the minister of Cheltenham, William Panton, and the residue to the minister of Charlton Kings, was cut short by Panton's death soon afterwards.<sup>1176</sup> Between 1624 and 1627 the parishioners paid £12 10s. to each of the ministers to increase each stipend to £40.<sup>1177</sup> In 1629 Sir Baptist Hicks, Viscount Campden, agreed to pay £80 a year to support the two ministers at Cheltenham and Charlton Kings.<sup>1178</sup>

During the 1640s the parishioners hoped that the minister's annual stipend of £40 might be supplemented by the Committee for Compounding. In 1646 the committee had apparently ordered that approximately half of the annual rent of the rectory, £37 16s., should be settled on the minister at Cheltenham while it remained sequestered.<sup>1179</sup> In 1647 the parishioners petitioned the committee to give their minister a permanent augmentation of £40 when Alford compounded for his estate.<sup>1180</sup> Alford complained in 1649 that he was unable to make a permanent settlement of £100 on the ministers of Cheltenham and Charlton Kings, because he only held the rectory for his life in the right of his deceased wife. With the expiry of the lease of the rectory in 1651, he petitioned to compound for the rectory. Finally, in 1653, he allowed an extra £50 annually to the minister, although as Alford died later in the same year it is doubtful whether the minister ever benefitted from the augmentation.<sup>1181</sup>

#### RELIGIOUS LIFE IN THE MIDDLE AGES

The survey taken in the reign of Henry III noted that no vicar had been appointed to the church of Cheltenham by the abbot and convent of Cirencester.<sup>1182</sup> As Augustinian canons, provision for Cheltenham was often made from within their own number, but this was not always a success. In 1378 it was noted that 'Brother Nicholas Fairford, your canon and custodian of the parish church of Cheltenham, on account of the infamy of his person has caused grave scandal in the parish of Cheltenham and in other places.'<sup>1183</sup> The canons might hold more than one office concurrently; in 1511 John Blake was cellarer and almoner of the abbey, as well as custodian of Cheltenham parish church.<sup>1184</sup>

#### *St Mary's Church*

The size of the medieval parish church possibly reflects Cheltenham's former status as an Anglo-Saxon minster, and in acknowledgement of this it has been known since 2013 as Cheltenham Minster.<sup>1185</sup> It is a cruciform building of limestone ashlar under

<sup>1175</sup> GA, D855/M68, ff. 11–11v, 13v–14v; TNA, C 3/372/14.

<sup>1176</sup> GA, D855/M68, ff. 15–17.

<sup>1177</sup> GA, D855/M68, f. 18.

<sup>1178</sup> GA, D855/M68, f. 20v; D 2025, Box 26, bundle 3.

<sup>1179</sup> *Cal. Ctee. for Compounding*, ii, 190–10.

<sup>1180</sup> *Cal. Ctee. for Compounding*, ii, 190–10.

<sup>1181</sup> *Cal. Ctee. for Compounding*, ii, 190–10.

<sup>1182</sup> TNA, SC 12/18/22.

<sup>1183</sup> *Reg. Wakefield*, no. 843.

<sup>1184</sup> *Cal. Reg. of the Llanthony Priory 1457–1466, 1501–25*, no. 236.

<sup>1185</sup> This para: National Heritage List 1386792; Verey and Brooks, *Glos.* ii, 229–31.

## Cheltenham Before the Spa - Draft

a stone slate roof, with central tower and spire, and preserves fabric from the 12th to the 15th century and later. The medieval chancel's misalignment with the nave and transepts has led to the suggestion that it overlies an earlier, pre-conquest, structure, but this has not been substantiated.<sup>1186</sup> The earliest surviving work, of c.1200 or slightly earlier, includes buttresses and a weathered string course at the west end, the lower stage of the tower and one crossing arch. Rather later are Early English lancet windows in the tower, and a piscina. A sanctus bell of this period survives. The crossing arches to the transepts are also 13th century, implying that the church was cruciform by this date. Most of the medieval fabric, however, including the upper stages of the tower, the broach spire, the four-bay clerestoried nave arcades, the transepts and three-bay chancel, are in mid- to late-14th century Decorated style, although the two-storeyed north porch was added during the 15th century. Much of this later medieval architecture is of a very high order of craftsmanship, notably the window tracery, hood moulds and foliate capitals, perhaps influenced by Gloucester abbey. Particular features of this building campaign are an ornate rose window in the north transept and a large and elaborate second piscina in the chancel. Late medieval also is a churchyard cross of three steps, south of the church.

Bishop Adam de Orleton of Worcester visited the church in October 1328.<sup>1187</sup> It was the location for ordinations carried out by Bishop Henry Wakefield of Worcester in 1385.<sup>1188</sup> In 1395–6 the lord of the manor of Cheltenham made a gift of 6s. 8d. to the church of Cheltenham for making a *clasto* (?cloister).<sup>1189</sup> The church was of a sufficient size to accommodate a visitation of the clergy and people of the deanery of Winchcombe in 1407.<sup>1190</sup> In 1501 William Lane left 6s. 8d. to the repair of the church, on the south side,<sup>1191</sup> and in 1509 Richard Machyn left 10 marks for the costs of the middle aisle of the church.<sup>1192</sup> A brass memorial to William Greville, justice of common pleas, who died in 1513, and to his family, survives in the chancel.<sup>1193</sup>

### *Chantries and Lights*

There were two chapels within the parish church, a lady chapel and a chapel dedicated to St Katherine. Both chapels had chantries which were supported by endowments of land. A court roll from 1276 recorded the investment of a new chaplain to a chantry in the church of St Mary, presumably the chantry to St Mary (the lady chapel). Thomas Dure, chaplain, had held three messuages and one virgate of land with appurtenances in Cheltenham and Alstone for the performance of divine celebration daily in the parish church. The lord and community thereupon invested John le Wydewe, chaplain, with the holdings for his lifetime while he was fit and honest to perform the duties of the chantry. He could not make any alienation, waste or destruction of the property. Should John need to quit the chantry because of preferment or of his own free will, or if the community needed to remove him

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<sup>1186</sup> Sawyer in T. Overbury, 'The Parish Church, Cheltenham', *Trans. BGAS* 46 (1924), 92. Such deflections are in fact commonplace.

<sup>1187</sup> *Reg. Orleton (Worc.)*, 328.

<sup>1188</sup> *Reg. Wakefield*, no. 910.

<sup>1189</sup> TNA, SC 6/852/1, m.4.

<sup>1190</sup> *Reg. Sede Vacante*, 390.

<sup>1191</sup> Worcs. Archives, will of William Lane (1501).

<sup>1192</sup> TNA, PROB 11/16/389.

<sup>1193</sup> Verey and Brooks, *Glos.* ii, 231.

through suspension from ecclesiastical office, another chaplain would be appointed in the court of the liberty, and John would have no future recourse to the chantry.<sup>1194</sup>

In 1276 the St Mary's chantry lands were worth 4s. 4d. for the virgate of land and 2s. 6d. for two and a half burgages.<sup>1195</sup> A burgage rental of the mid-fifteenth century noted that St Mary's altar and/or chapel received a cumulative annual rent of 7s. 1<sup>3</sup>/<sub>4</sub>d. from three and a half burgages, and six parcels of burgages.<sup>1196</sup> In 1476 Walter Frensch left an acre of land in 'Groton' in the parish of Cheltenham to be used 'for ever for the upkeep of the chapel for the service of St Mary in the church of Cheltenham'.<sup>1197</sup> The ecclesiastical survey of 1535 valued the lands in Cheltenham attached to the St Mary service at 100s. annually.<sup>1198</sup> The chantry survey of 1546 recorded that the Lady service was worth 105s. 5d. annually, of which 78s. 9<sup>1</sup>/<sub>4</sub>d. was for a priest's stipend, 16s. 6d. for the rents resolute, and 10s. 1<sup>3</sup>/<sub>4</sub>d. for the king's tithes. The service was said to have ornaments and/or chattels to the value of 13s. 5d.<sup>1199</sup> The valuation of the service given in 1548 was a little higher: the endowments were yearly worth £6 10s. 8d., of which £4 was the stipend of the chantry priest, named in 1548 as Sir Thomas Ball, *alias* Bristowe, aged 54 years.<sup>1200</sup>

A mid-fifteenth century burgage rental recorded that the custodians of the altar and chapel of St Katherine received 6s. 9d. from three and a half burgages, and two parcels of burgages.<sup>1201</sup> The 1546 chantry survey recorded that the St Katherine service had an annual income of £7 9s. 2d., of which £6 13s. 3d. was for a priest's stipend, and 14s. 11d. was for the king's tithes. The service held ornaments and/or chattels to the value of 12s. 2d.<sup>1202</sup> The 1548 valuations given for the St Katherine service were lower than those given in 1546. The endowments were valued at £6 16s. 10d., and the priest's stipend at £5.<sup>1203</sup> The chantry priest for St Katherine's in 1548 was Sir Edward Grove, then 60 years of age. He is mentioned in three contemporary wills: as a witness to the wills of Henry Tannar in 1537 and Thomas Drynkwater in 1540, and as a beneficiary and witness to the will of Andrew Grevyll in 1535.<sup>1204</sup> Grove was the 'gostly' or 'gostey' father (father confessor) to both Andrew Grevyll and Henry Tannar.

In addition to these permanent chantries, there would have been temporary chantries such as that established by Thomas Drynkwater for a year in 1540.<sup>1205</sup> In his will, William Greville (d. 1513) provided for the endowment of a message with appurtenances to twelve custodians to provide 'the holy loaf every Sunday yearly for ever'.<sup>1206</sup> In the 1548 chantry survey this endowment was reported as being 'land for holy breaded [*sic*] gyvinge . . . to help and ease the poor people of the same parish in

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<sup>1194</sup> DC/MR/GC1, m.4.

<sup>1195</sup> DC/MR/GC1, m.4.

<sup>1196</sup> TNA, SC 11/225.

<sup>1197</sup> TNA, PROB 11/6/351. cf. Grotten Field in Naunton: Hodsdon, *Hist. Gazetteer*, 71.

<sup>1198</sup> *Valor Eccl.*, ii, 441.

<sup>1199</sup> TNA, E 301/21, no. 26.

<sup>1200</sup> TNA, E 301/22, no. 63.

<sup>1201</sup> TNA, SC 11/225.

<sup>1202</sup> TNA, E 301/21, no. 26.

<sup>1203</sup> TNA, E 301/22, no. 63.

<sup>1204</sup> Worcs. Archives, will of Andrew Grenyll (1535); *ibid.*, Henry Tanar (1537); *ibid.*, Thomas Drynkwater (1540).

<sup>1205</sup> Worcs. Archives, will of Thomas Drynkwater (1540).

<sup>1206</sup> TNA, PROB 11/17/151.

gyvinge of the holy bredde when it came to theire turne.<sup>1207</sup> The church contains a memorial brass to William Greville, which was originally located in the chancel.<sup>1208</sup>

William Lane (d. 1501) left 4*d.* to each of five reliquary lights in the church, suggesting five shrines.<sup>1209</sup> These were presumably the five lights of the church to which Richard Osburne bequeathed 5*s.* in 1531,<sup>1210</sup> and described as the 'five principal lights' by Andrew Grevyll in 1535.<sup>1211</sup> Richard Osburne requested burial within the church before Our Lady, presumably an image or statue.<sup>1212</sup> Other than Our Lady and St Katherine, another of these shrines may have been to St Christopher; certainly Richard Machyn (d. 1509) desired to be buried within the church of Cheltenham before the image of St Christopher.<sup>1213</sup> The same Richard Machyn bequeathed a 7 lb candle to be made for burning before the image of St Erasmus.<sup>1214</sup> In 1428/9 Sir John Cornwall, then lord of the manor, made a gift of 5*s.* for two large candles to be used in the church.<sup>1215</sup>

### *Incumbents*

Thomas Dure, chaplain, died in 1276, and was replaced by John le Wydewe, chaplain<sup>1216</sup> who was still chaplain there in 1305.<sup>1217</sup> Hugh de Sandford, chaplain, was additionally mentioned in a court roll of 1276.<sup>1218</sup> John Alexander of Alstone, chaplain, was named in the court roll for 1314/15.<sup>1219</sup>

Various chaplains are named in a Cheltenham court roll from the early fifteenth century. In 1400/1 the chaplains named in court proceedings were William Wittewelle, Thomas Best the younger, Walter Grene and Henry Hubart.<sup>1220</sup> In 1432 one of the chaplains was John Norton.<sup>1221</sup> A little later, c.1440, Thomas French was named as a chaplain holding a burgage belonging to the chapel of St Mary, from which two masses were kept.<sup>1222</sup> The same survey mentioned lands formerly in the hands of John Norton, John Janyns and Richard Dier, chaplains. In 1476 when they were made executors of the will of Walter Frensche, the two chaplains in Cheltenham were Master Thomas Frensch and Master Henry Somer.<sup>1223</sup> The military survey of 1522 recorded that Richard Drake, chaplain, took a stipend of £6 13*s.* 4*d.*<sup>1224</sup> In 1548 Edward Grove was the chantry priest of St Katherine, and he had been in post since 1535 at least. Thomas Ball *alias* Bristowe was the chantry priest for Our Lady in 1548. In 1540 one Richard Eddy was named as a clerk.<sup>1225</sup>

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<sup>1207</sup> TNA, E 301/22, no. 63.

<sup>1208</sup> Davies, *Gloucestershire Monumental Brasses*, 113–15.

<sup>1209</sup> Worcs. Archives, will of William Lane (1501).

<sup>1210</sup> Worcs. Archives, will of Richard Osburne (1531).

<sup>1211</sup> Worcs. Archives, will of Andrew Grevyll (1535).

<sup>1212</sup> Worcs. Archives, will of Richard Osburne (1531).

<sup>1213</sup> TNA, PROB 11/16/389.

<sup>1214</sup> TNA, PROB 11/16/389.

<sup>1215</sup> TNA, SC 6/852/14.

<sup>1216</sup> DC/MR/GC1, m.4.

<sup>1217</sup> DC/MR/GC1, m.11*d.*

<sup>1218</sup> DC/MR/GC1, m.2.

<sup>1219</sup> DC/MR/GC2.

<sup>1220</sup> DC/MR/GC6.

<sup>1221</sup> GA, D 7661 Box 4/30.

<sup>1222</sup> GA, D 855/M68.

<sup>1223</sup> TNA, PROB 11/6/351.

<sup>1224</sup> *Military Survey of Gloucestershire*, 44.

<sup>1225</sup> Worcs. Archives, will of Thomas Drynkwater (1530).

RELIGIOUS LIFE SINCE 1540

At the time of the Reformation, the church in Cheltenham was poorly served. The rectory was impropriated, first to Cirencester abbey and then to the Crown, and the parish curate, who had no fixed stipend, was poorly paid. The curate's service was supplemented by two chantries in the parish church, dedicated to St Mary and St Katherine, which were also poor. The chantry of St Mary was worth £4 a year and that of St Katherine £5 a year; neither had any plate or jewels.<sup>1226</sup> Following the Dissolution, the parish church was probably staffed by former monks. The curate in 1540, Reginald Lane,<sup>1227</sup> might possibly have been a former monk of Hailes abbey or a canon of Cirencester abbey.<sup>1228</sup> The priest of St Mary's chantry in 1551, Thomas Ball, was a former monk of Tewkesbury.<sup>1229</sup> The curate in 1551, Stephen Poole, a former chantry priest of Gloucester,<sup>1230</sup> could repeat the Lord's Prayer and the Apostles' Creed, but not the Ten Commandments.<sup>1231</sup> The priest of St Katherine's chantry, Edward Grove, who also kept a school within the town,<sup>1232</sup> was probably the curate of Shurdington who in 1551 also did not know the Ten Commandments.<sup>1233</sup>

The limited evidence of extant wills from Cheltenham suggests the slow progress of the reformation in the town. In 1542 George Hurst, the tenant of the court house, left money for eight priests to perform at his funeral.<sup>1234</sup> Hurst's will had been witnessed by John Ball, 'my holy father', the priest of the chantry of Our Lady, whose own will of 1545 desired his confessor, Thomas Augustine, and three other priests to officiate at his funeral.<sup>1235</sup> The will of Joan Combe, made in 1544, instructed her executors to procure a priest to sing for her for half a year in the parish church,<sup>1236</sup> and George Hurst's widow, Margaret, requested a priest to pray for her in the church for a quarter of a year in 1545.<sup>1237</sup> However, another will of 1545, witnessed by the curate Henry Cam, made an unequivocally Protestant statement of faith.<sup>1238</sup> Evidence given in a 1554 defamation case suggested that the English prayer book was in use in Cheltenham parish church c.1550–1.<sup>1239</sup> In 1556 a Cheltenham man, John Cobberley, was burned at the stake in Salisbury with two others for heresy.<sup>1240</sup> Cobberley, whom Foxe describes as 'somewhat learned', had travelled with John Maundrell to Keevil (Wilts.), where they were apprehended for disrupting

<sup>1226</sup> Hockaday Abs. cxlviii; TNA, E 301/22/63; E 301/23/53, 84; *Trans. BGAS*, 8 (1883–4), 283–4.

<sup>1227</sup> Hockaday Abs. cxlvii.

<sup>1228</sup> It has been suggested that Lane should be equated with Richard Lane, a pensioned canon of Cirencester Abbey. Alternatively, Reginald Lane, a former monk of Hailes Abbey, was later chantry priest at Stone; G. Baskerville, 'The Dispossessed Religious of Gloucestershire', *Trans. BGAS*, 69 (1927), 65, 89, 94; Hart, *Cheltenham*, 55.

<sup>1229</sup> Baskerville, 'Dispossessed Religious', 104.

<sup>1230</sup> Baskerville, 'Dispossessed Religious', 105.

<sup>1231</sup> J. Gairdner, 'Bishop Hooper's Visitation of Gloucester', *EHR*, XIX (1904), 101, 105.

<sup>1232</sup> above, schools.

<sup>1233</sup> J. Gairdner, 'Bishop Hooper's Visitation of Gloucester', *EHR*, XIX (1904), 106.

<sup>1234</sup> GDR wills 1542/5; Hockaday Abs. cxlvii.

<sup>1235</sup> GDR wills 1545/134; Hockaday Abs. cxlvii.

<sup>1236</sup> GDR wills 1545/175; Hockaday Abs. cxlvii.

<sup>1237</sup> GDR wills 1545/226; Hockaday Abs. cxlvii.

<sup>1238</sup> GDR wills 1545/374; Hockaday Abs. cxlvii.

<sup>1239</sup> GDR vol. 10, 23–27; Hockaday Abs. cxlvii.

<sup>1240</sup> GA, D855/M1, 22. Foxe gives his name as William Coberley: John Foxe, *The Unabridged Acts and Monuments Online* or *TAMO* (1583 edition) (HRI Online Publications, Sheffield, 2011), 1918 [1894]. Available from: <http://www.johnfoxe.org> [Accessed: 23 Apr. 2015]

the service.<sup>1241</sup> At the end of Mary's reign, the former farmer of the rectory made his will with an openly Protestant statement of faith, witnessed by the 'priest' Robert Cokes.<sup>1242</sup> Thomas Champneys, the curate in 1561, married in the parish church in 1562.<sup>1243</sup>

There were private seats in the south aisle of the parish church in the early 16th century.<sup>1244</sup> A gallery was built over the west door in 1628 at the expense of Anne Norwood.<sup>1245</sup> An oak communion table was made in 1638. Another gallery was built in the church to accommodate the boys from Pate's Grammar School in 1680.<sup>1246</sup> The king's arms were redrawn and hung from the west side of the steeple in 1695.<sup>1247</sup>

In 1638 the church goods included a silver and gilt cup, cover and dish, two flagons, a fine needlework carpet, vestments and cushions for the pulpit, a velvet pall, and two surplices. The church also contained a small library containing Foxe's *Acts and Monuments*, the *Paraphrases* of Erasmus, Jewel's *Apology*, two books of homilies, and a book of canons, with two reading desks.<sup>1248</sup> Two more theological texts, and a new desk and chairs were left to this library by the deceased schoolmaster, Christopher Bayly, in 1654.<sup>1249</sup>

Ludovic Packer gave a third bell in 1603.<sup>1250</sup> A bell dated 1674 also once hung outside the tower, in the former position of the medieval sanctus bell.<sup>1251</sup> The church was described as having a good ring of six bells in the late 17th century,<sup>1252</sup> but they were recast into eight bells and suspended from a new frame in 1697.<sup>1253</sup> The chimes were erected in the parish church in 1699, tuned at first to play the 113th psalm.<sup>1254</sup>

In 1713 £14 was donated by parishioners to buy a new silver flagon for communion, when a new surplice was also purchased.<sup>1255</sup> A seat in or near the chancel was said in 1721 to have been long reserved for the use of churching women, and a new seat was then to be built in the south aisle for the same purpose.<sup>1256</sup> In 1744 the church possessed a silver flagon embossed with cherubim's heads, leaves, flowers, and a relief of the Last Supper, a silver cup and a chalice, two larges Bibles and two books of common prayer.<sup>1257</sup> A room over the north porch housed the parish charity school from 1729 until 1844.<sup>1258</sup>

### *Incumbents*

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<sup>1241</sup> Foxe, *TAMO*, 1918 [1894]. Cobberley's wife Alice recanted, and she and her new husband were admitted to Cobberley's tenement in Westal in 1557: *ibid.*; GA, D855/M1, 81.

<sup>1242</sup> TNA, PROB 11/41/21; E 134/35Eliz1/East18..

<sup>1243</sup> *CCED*, no. 45459; GA, P78/1 IN 1/1, 12.

<sup>1244</sup> GDR/B4/1/457.

<sup>1245</sup> *Parsons's Notes*, 361.

<sup>1246</sup> GA, P78/1 VE 2/5.

<sup>1247</sup> GA, P78/1 VE 2/5.

<sup>1248</sup> GA, P78/1 VE 2/5.

<sup>1249</sup> In 1675 they were revealed to be Richard Ward's *Theological Questions...upon the Gospel of... Matthew* (1646), and Dr John White's *Way to the True Church* (1st pub. 1608): GA, P78/1 VE 2/5.

<sup>1250</sup> Rudder, *Glos.*, 337; Bliss and Sharp, *Church bells of Glos.* [full ref needed].

<sup>1251</sup> J. H. Middleton, 'Notes on the Manor and Parish Church of Cheltenham', *Trans. BGAS*, 4 (1879–80), 59.

<sup>1252</sup> *Parsons's Notes*, 361.

<sup>1253</sup> GA, P78/1 VE 2/5.

<sup>1254</sup> GA, P78/1 VE 2/5.

<sup>1255</sup> GA, P78/1 VE 2/5.

<sup>1256</sup> GA, P78/1 VE 2/5.

<sup>1257</sup> GDR/V5/73aT; *Glos. Ch. Plate*, 38–39.

<sup>1258</sup> above, education.

## Cheltenham Before the Spa - Draft

The curate in 1561, Thomas Champneys, was recorded as being resident in the parish, but was considered to be of mediocre learning and did not preach.<sup>1259</sup> He married in the parish church in the following year,<sup>1260</sup> but had probably been instituted rector of North Stoke (Som.) by 1564.<sup>1261</sup> Despite the wealth of the rectory, the poverty of the church continued to be a problem at Cheltenham. Whilst the rectory was under farm, the lessee or his farmer was obliged to maintain two curates and two deacons to serve in Cheltenham and Charlton Kings, to provide the communion bread and wine, to keep the chancel in good repair, and to replace the straw and bell ropes when necessary.<sup>1262</sup> In 1563 Thomas Higgs, the farmer of the rectory, was presented for the ruinous state of the chancel.<sup>1263</sup> The poverty of the stipends led to the appointment of pluralists of low calibre. In 1567 Thomas Jones was the curate at both Cheltenham and the neighbouring parish of Swindon.<sup>1264</sup> In 1569 he was cited for marrying one couple without a licence or banns, and another couple on Shrove Tuesday.<sup>1265</sup> Also in 1569 a woman was presented by the churchwardens for not attending church or receiving communion, although she claimed the reason for her absence was not religious but because she was housekeeping.<sup>1266</sup> In the following year another curate, William Walsingham, was suspended until he was able to produce a licence to preach.<sup>1267</sup> In 1572 the parish was admonished for not owning a Bible of the largest edition.<sup>1268</sup> John Evans was curate in 1574, the year of his burial at Cheltenham,<sup>1269</sup> and Richard Clough in 1576.<sup>1270</sup> Thomas Higgs, presumably the lessee of the rectory, and his wife were presented in 1576 for not taking communion for two years, although they claimed that this was not for religious reasons 'but because of controversies', perhaps arising from payment of the stipend.<sup>1271</sup> The curate Thomas Butterton was buried in 1590;<sup>1272</sup> he was succeeded by William Panton, who served as the curate of Cheltenham until his death in 1624,<sup>1273</sup> a period which coincided with the parishioners' long struggle to secure an improved stipend for their clergy from the farmers of the rectory.<sup>1274</sup> Although the parishioners declared in 1624 that Panton had served in Cheltenham 'to the good lyking of all the parishioners', in the previous year they had complained that the cure had for a long time been 'very insufficiently served' by 'ministers and deacons of smale learning . . . by reason of the meane stipends'.<sup>1275</sup>

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<sup>1259</sup> Corpus Christi College, Cambridge, Parker Library, MS 97, f. 110.

<sup>1260</sup> GA, P78/1 IN 1/1, 12.

<sup>1261</sup> *CCED*, Nos. 45459, 55985.

<sup>1262</sup> GA, D855/M68, f. 10; TNA, C 3/372/14.

<sup>1263</sup> Hockaday Abs. cxlvii; GDR vol. 20, 39.

<sup>1264</sup> *CCED*, no. 157472.

<sup>1265</sup> GDR vol. 26, 6; Hockaday Abs. cxlvii.

<sup>1266</sup> GDR vol. 26, 6; Hockaday Abs. cxlvii.

<sup>1267</sup> GDR vol. 26, 102; Hockaday Abs. cxlvii.

<sup>1268</sup> GDR vol. 29, 142; Hockaday Abs. cxlvii.

<sup>1269</sup> GA, P78/1 IN 1/1, 45.

<sup>1270</sup> *CCED*, no. 147879; GA, P78/1 IN 1/1, 51. He was probably the curate called Richard buried in 1583, when no surname was recorded: *ibid.*, 67.

<sup>1271</sup> Hockaday Abs. cxlvii; GDR vol. 40, f. 44v.

<sup>1272</sup> GA, P78/1 IN 1/1, 91.

<sup>1273</sup> He was ordained in 1590, and recorded as curate in 1593: *CCED*, no. 159474. He was resident in the parish by 1586, and described as minister in 1588. He had probably served as the deacon to the curate Thomas Butterton, who was buried in 1590: GA, P78/1 IN 1/1, 76, 85, 91. Panton was buried in 1624: *ibid.*, 206. William 'Danten' cleric in 1570 may be a mistake for Panton: GA, P78/1 IN 1/1, 34.

<sup>1274</sup> See above, value of the living.

<sup>1275</sup> TNA, C 3/372/14; GA, D855/M68, f. 14.

The death of Panton enabled the parishioners to use the improved stipend to attract a scholar to the parish. John English, a fellow of Balliol College, Oxford, had recently graduated Bachelor of Divinity, being already BA and MA; he graduated Doctor of Divinity in 1630.<sup>1276</sup> Sir Baptist Hicks objected to the appointment of English, Hicks believing that he should have the right of nomination following his purchase of the rectory. However, the advowson was retained by the Crown while the rectory was under lease, and the presentation of English was confirmed.<sup>1277</sup> He was already rector of Riseholm (Lincs.) when he arrived at Cheltenham, an office he held until 1632;<sup>1278</sup> he was also vicar of Sherborne St John (Hants.) from 1631 and rector of Rudford from 1634.<sup>1279</sup> John Higgs, one of the farmers of the rectory, died in 1625, and English married his widow by 1631, acquiring her right to half the revenues of the rectory.<sup>1280</sup>

Installed as a canon at Gloucester cathedral in 1634,<sup>1281</sup> Dr English was a candidate for convocation in 1640.<sup>1282</sup> He was apparently imprisoned for 18 weeks c.1642–3, which was said to have been the cause of his wife's death in 1643.<sup>1283</sup> As a pluralist, he was sequestered of his less valuable living at Cheltenham in 1646 by the Committee of Plundered Ministers after failing to appear before them.<sup>1284</sup> He was still resident at Charlton Kings at the time of his death in the following year.<sup>1285</sup> Benjamin Bourne performed divine service on both Sabbath and lecture days c.1646,<sup>1286</sup> and he was presumably the Benjamin Brown referred to the Westminster Assembly for the living at Cheltenham in 1647.<sup>1287</sup> William Snow was presented to Cheltenham in 1648,<sup>1288</sup> and he was paid part of the stipend later that year.<sup>1289</sup>

John Cooper, a former master of the Crypt School in Gloucester, was the curate in 1650, when he was described as 'an able preaching minister'.<sup>1290</sup> The Trustees for the Maintenance of Ministers granted him an augmentation in 1651.<sup>1291</sup> Cooper was a Socinian, perhaps through the influence of his predecessor at the Crypt School, the well-known Socinian John Biddle.<sup>1292</sup> This probably explains the 'abuses from intemperate and riotous men' that Cooper suffered at the Restoration, when he was ejected from the living at Cheltenham.<sup>1293</sup> He was presented in 1661 for keeping an unlicensed alehouse in Charlton Kings,<sup>1294</sup> and he remained in the Cheltenham area until his death in 1665.<sup>1295</sup>

<sup>1276</sup> *Alumni Oxon.*, 1500–1715, ii, 463.

<sup>1277</sup> GA, D855/M68, ff. 18–18v, 19v–20.

<sup>1278</sup> TNA, E 331/Lincoln/5 (5 Jan. 1620); *CCED*, Location no. 8401.

<sup>1279</sup> *CCED*, Nos. 41444, 93004.

<sup>1280</sup> GDR/B4/3/279, 281.

<sup>1281</sup> *Fasti Eccles.*, 1541–1857, Viii, 56.

<sup>1282</sup> *Memoirs of the Dutton Family*, 148. His candidature appears to have been unsuccessful: *Records of Convocation, VIII: Canterbury 1603–1700*, ed. Gerald Bray (Woodbridge, 2006).

<sup>1283</sup> *Parsons's Notes*, 362.

<sup>1284</sup> BL, Add. MSS 15670, ff. 141, 183; monument to her in church, south aisle.

<sup>1285</sup> *Walker Revised*, 172–3.

<sup>1286</sup> *Cal. Ctee. for Compounding*, ii, 1009–10.

<sup>1287</sup> BL, Add. MSS, 15671, f. 222; Hockaday Abs. cxlvii.

<sup>1288</sup> *LJ*, IX, 673.

<sup>1289</sup> GA, D1949/A1.

<sup>1290</sup> TNA, C 94/1, f. 29; Elrington, 'Survey, 1650', *Trans. BGAS*, 83 (1964), 92; *Calamy Revised*, 133.

<sup>1291</sup> Lambeth Palace Library, COMM VIa/3, f. 126; GA, Hockaday Abs. cxlviii.

<sup>1292</sup> *ODNB*, no. 2361.

<sup>1293</sup> H. John McLachlan, *Socinianism in Seventeenth-Century England* (Oxford, 1951), 256.

<sup>1294</sup> GA, Q/Sib, f. 14.

<sup>1295</sup> *CCED*, no. 162310; Matthews, *Calamy Revised* (Oxford, 1934), 133.

Commented [AC25]: Are the full stops part of our style guide still? It looks really old-fashioned.

## Cheltenham Before the Spa - Draft

The long incumbency of Dr English, followed by the interruptions of the 1640s and 1650s, prevented Jesus College from presenting to the benefice before the Restoration. The appointment of Maurice Roberts, possibly in 1661, began a long period of Welsh-born graduates of the college at Cheltenham.<sup>1296</sup> Thomas Farmer of Arle and his wife were presented to the quarter sessions in three separate years for not attending church, but it is not clear why they absented themselves.<sup>1297</sup> Henry Maurice was the curate of Cheltenham from c.1669 to 1671, during which time he engaged in a controversy with 'malapert Socinians',<sup>1298</sup> presumably followers of Cooper. Ralph Weld, a Wrexham (Denbighs.) man whose family were Presbyterian Parliamentarians during the civil war,<sup>1299</sup> served as curate between 1675 and 1688, when he was presented to the rectory of Great Saxham (Suff.) in 1686.<sup>1300</sup> In 1675 the church goods were little changed from before the civil war. There were service books for 30 January, 29 May, and 5 November. A new book of common prayer, new book of homilies, a book of prayers for Candlemas Day, and new surplices were purchased by 1677.<sup>1301</sup> Kenrick Puleston served the cure at Cheltenham between 1688 and 1692, and was succeeded by Luke Williams, who officiated at Cheltenham for the next 17 years.<sup>1302</sup> Henry Mease was curate in 1710, and he was still in office in 1715, when he took the Oath of Allegiance.<sup>1303</sup> Mease, who would later be appointed master of Pate's Grammar School,<sup>1304</sup> was replaced as curate in 1716 first by Humphrey Floyd, and then in the same year by Peter Maurice.<sup>1305</sup>

### *Roman Catholicism*

There were said to be four papists in Cheltenham in 1676.<sup>1306</sup> Three women from Cheltenham were cited as papists at the quarter sessions in the early 18th century.<sup>1307</sup>

### *Nonconformity*

Two men, Henry Hathway and Ralph Ireland, were presented to the consistory court in 1575 for refusing to attend church because the curate would not use leavened bread.<sup>1308</sup> They were ordered by the Commission for Ecclesiastical Causes to take Communion at Easter, but appeared later in the year because they had refused.<sup>1309</sup>

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<sup>1296</sup> GA, Hockaday Abs. cxlviii. The parish registers record the names of the parish clergy between the Restoration and 1826: GA, P78/1 IN 1/3.

<sup>1297</sup> GA, Q/Sib/1, ff. 155, 164.

<sup>1298</sup> ODNB, sv. John Biddle; Anthony Wood, *Athenae Oxonienses*, IV (2nd ed., London, 1820), column 327; *Parsons's Notes*, 363. Maurice subscribed to the Act on Uniformity in 1670; GDR vol. 208, 228; Hockaday Abs. cxlviii.

<sup>1299</sup> A.N. Palmer, *The History of the Parish Church of Wrexham* (Wrexham, 1886), 87, 130; *idem.*, *A History of the Older Nonconformity of Wrexham* (Wrexham, 1888), 7.

<sup>1300</sup> GA, P78/1 IN 1/3, 64; CCED, no. 128726.

<sup>1301</sup> GA, P78/1 VE 2/5.

<sup>1302</sup> CCED, Location no. 9290; *Glos. N&Q*, VII (1878), 45; GA, P78/1 IN 1/4, 23.

<sup>1303</sup> CCED, Location no. 9290; GA, Q/SO/4/3.

<sup>1304</sup> See above, social history, education.

<sup>1305</sup> CCED, Location no. 9290; GA, P78/1 IN 1/4, 48, 50.

<sup>1306</sup> *Compton Census*, 538.

<sup>1307</sup> GA, QS/O 4, 515.

<sup>1308</sup> GDR vol. 31, 434.

<sup>1309</sup> GDR vol. 35, 64, 69, 74; F.D. Price, 'The Commission for Ecclesiastical Causes for the Dioceses of Bristol and Gloucester, 1574', *Trans. BGAS*, 59 (1937), 177; *Commission for Eccl. Causes within the Dioceses of Bristol and Gloucestershire, 1574*, ed. F.D. Price, BGAS Records Section, X (1972), 77.

## Cheltenham Before the Spa - Draft

Hathway and his wife were included in a list of recusants compiled by Bishop Cheney in 1577.<sup>1310</sup>

There is evidence of nonconformity within the town during the 17th century. Two Cheltenham men were amongst delegates who attended a Baptist conference at Worcester in 1656.<sup>1311</sup> Following the Restoration, there were apparently Socinians in the parish, presumably through the influence of the former curate, John Cooper, a Socinian, who had remained in the parish after his ejection.<sup>1312</sup> Although Cooper died in 1665, a note in the vestry book suggests that a Revd John Cooper 'Minister of the Uniterian Conventicle of [thi]s place' was buried in 1682.<sup>1313</sup> Thomas Farmer of Arle and his wife were presented in 1667 and again in 1668 for not attending church.<sup>1314</sup> There were said to be 97 nonconformists in Cheltenham in 1676,<sup>1315</sup> although no meetings were licensed under the indulgence of 1672.<sup>1316</sup>

In 1670 a monthly meeting of Quakers was held in the houses of its members, alternating between the four communities of Cheltenham, Stoke Orchard, Tewkesbury, and Tufley.<sup>1317</sup> George Fox address a large crowd in Cheltenham in 1678.<sup>1318</sup> In 1684 eight Quaker from Cheltenham were imprisoned for several months at Gloucester for attending an illegal religious assembly, and two more were imprisoned for a similar period in the following year.<sup>1319</sup> A Cheltenham house was licensed for Quaker meetings in Easter 1690.<sup>1320</sup> In 1701 Elizabeth Sandford, one of those arrested in 1685, granted a piece of land near to the bowling alley to trustees,<sup>1321</sup> and collections were made from the local monthly meeting in 1702,<sup>1322</sup> for the purpose of building a meeting house, subsequently certified in 1703.<sup>1323</sup>

The Baptist church was not formally constituted in Cheltenham until the 18th century, and before this Baptists from the town attended meetings in Tewkesbury.<sup>1324</sup> Three different houses in Cheltenham were licensed for their meetings between 1697 and 1710.<sup>1325</sup> The last of these was presumably the new built conventicle or meeting house on the south side of the town, referred to in 1711.<sup>1326</sup> In 1753 21 members of the Tewkesbury Baptist church left to formally constitute the Baptist church in Cheltenham.<sup>1327</sup> At the same time property near the town was transferred from the Tewkesbury congregation to the congregation in Cheltenham, which from this time was known as Bethel.<sup>1328</sup>

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<sup>1310</sup> TNA, SP 12/118 (32); R.H. Clutterbuck, 'State Papers respecting Bishop Cheney, and the Recusants of the Diocese of Gloucester', *Trans. BGAS*, 5 (1880-1), 234.

<sup>1311</sup> GA, D4944/2/1 f.8v.

<sup>1312</sup> See above, religious life; McLachlan, *Socinianism in Seventeenth-Century England*, 256-61.

<sup>1313</sup>

<sup>1314</sup> GA, Q/Sib, ff. 155, 164; a Thomas Farmer of Leckhampton, presumably the same man, was presented for non-attendance in 1664: GA, Q/Sib, f. 132.

<sup>1315</sup> *Compton Census*, 538.

<sup>1316</sup> *Glos Meeting House Certs.* (Glos. Rec. Ser.), forthcoming.

<sup>1317</sup> GA, D1340/A1/M1, 28 Dec. 1670; D1340/B2/M, Gloucester and Stoke Orchard Monthly Meeting Book, 1671-1783.

<sup>1318</sup> Fox's Journal.

<sup>1319</sup> GA, D1340/A1/A2.

<sup>1320</sup> GA, QS/O 3, 520-22.

<sup>1321</sup> Hodsdon, *Court Books*, 76.

<sup>1322</sup> GA, D1340/A1/M1.

<sup>1323</sup> GA, QS/O 3, 520-22.

<sup>1324</sup> GA, D4944/2/1, f. 8v.

<sup>1325</sup> GA, QS/O 4, 520-22.

<sup>1326</sup> Hodsdon, *Manor Court Books*, 119.

<sup>1327</sup> GA, D4944/2/1.

<sup>1328</sup> S. Pierce, *Cambray Baptist Church, 1843-1993: 150 Years* (1993), 11.

## Cheltenham Before the Spa - Draft

Congregationalists in Cheltenham may also have had to travel for worship in the 17th century, perhaps attending nearby meetings in Bishops Cleeve.<sup>1329</sup> Two private houses were licensed as meeting houses for Independents in 1726 and 1729.<sup>1330</sup> In 1730 a small strip of land at the back of the Bull inn was transferred to trustees,<sup>1331</sup> and in that year or 1731 a chapel built on the site was licensed for Presbyterian worship.<sup>1332</sup>

A survey of the diocese in 1735 noted 128 nonconformists in Cheltenham: 40 Presbyterians, 30 Independents, 20 Anabaptists, 30 Quakers, and seven or eight Sabbatarians. The survey recorded that there were three meeting houses in the town, belonging respectively to Independents, Presbyterians, and Quakers.<sup>1333</sup> In fact, diocesan records reveal that the meetings of the Independents were held in private houses and not chapels, while the third meeting house in Cheltenham belonged to the Baptists, overlooked by the survey.<sup>1334</sup>

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<sup>1329</sup> G. Lyon Turner, *Original Records of Nonconformity*, 321.

<sup>1330</sup> GA, GDR/279a, 151.

<sup>1331</sup> Hodsdon, *Court Books*, 223.

<sup>1332</sup> GA, GDR/279a, 239, undated record between 1729 and 1731.

<sup>1333</sup> *Benson's Survey*, 94.

<sup>1334</sup> *Glos Meeting House Certs.* (Glos. Rec. Ser.), forthcoming.