

CHAPTER III.

THE MEMORANDUM OF ARTHUR MOWER 1555—1610

AND

The Case of James Barley v. Rowland Eyre & Ors., 1601.

THIS "curious and ample account," as Hunter describes it, made by Arthur Mower of Barley Woodseats, is included in the valuable Derbyshire collections of Adam Wolley of Matlock (1758-1827) contained in the fifty-two volumes of manuscripts bequeathed by him to the British Museum.* The present form is a nineteenth century transcript; Wolley himself gives no account of the original Mower manuscript or of its history.

The MS. commences with details of Arthur Mower's marriage and family:—

"A remembrance of my marriage, and of the fruit that sprang between my wife, and me Arthur Mower and Joane King, daughter and heir of Christopher King—Mem. that I Arthur Mower was married the year of our Lord God 1555, the 3d. day of July."

And then follow many family details about the Mower children, their deaths, marriages, etc.

On p. 344 occurs the curious note:—

"Mem. that the lead . . . of Barlow Church was taken of by the order of Mr. George Barley in the year of our lord 1563, and had to the value of six fodder and more and promises to lay some other on again."

Then follows:—

"A remembrance of matters as touching my Master's affairs. Mem. that my young master Peter Barley went in to Lancashire to Mr. Talbotts for to be kept and delivered by his father about midsummer, the year of our lord 1565."

Page 345:—

"Memdum that I Arthur Mower by the advice of Mr. George Barley my master become his man at Michaelmas and was his bailiff and gathered his rents and for that he gave me 6. 8d. by the year and as many cotes as he gave his other yeomen, and I came to him in the year of our lord god 1563."

*Brit. Mus., Add. MSS. 6671, pp. 341-359; B.P.R., pp. 35 and 59; and see Joseph Hunter, *Familiae Minorum Gentium*, pp. 218-223. The Mower MS. is reprinted almost in full in *Derb. Arch.*, Vol. XXXIV., pp. 99-105.

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"Memr. that in the year of our Lord 1566 my master George Barley paved the way between the Hall and Sudbrook and all about the north barn door and so unto the stable door."

"Mem. that in the year 1566 my Mr. made the new garden of the sunside of the Hall, and that year was the first year it was set, and there was a great fishpond* on the south that had a thousand load of earth to fill it."

Marriage of Peter Barlow, 1566.

"Memdum. that in anno dom 1566, in the 8th year of Queen Eliz. was my young master Peter Barley married at the Chapel within the Hall of Salbury at Mr. Talbotts, in Lancashire, with his daur. Frances Talbot on Monday the which was the 4th day of Novr. the same year. And the said Mr. Talbot married his elder daughter the same day to Sir John Atherton's son and heir. Mem. who they were that went to the marriage of my young master in Lancashire. First my master George Barley and my mistress and Mrs. Alice Barley, then my masters men first Mr. George Tovarrey, Arthur Mower, Richard Willey, Thomas Swift, Henry Stevenson."

Other names are mentioned, including Berestyne Sanfort; this name, and that of Thomas Swift, are of importance in connection with Henry Barlow of Eckington (see Chap. IV.).

"These are all that went to the marriage aforesaid, and my master bore all the costs thither etc. Mem. that my master reared the wainhouse at the churchyard side anno dom. 1567. Mem. that my master made the wall afore the oxhouse door anno dom 1567."

George Barlow's Journey to London.

"Mem. that my master went to London afore christmas and tarryd until wellnigh candlemas to take physick for the cough and phlegm; his man that went with him: Arthur Mower went with him to Nottingham, Richard Willey, Robert Curtis, Henry Stevenson brought done the horses and carried them up again and went for him soon after hay time home, anno dom 1567."

"Mem. that my master of his goodness pardoned me of his services and parted very friendly the 29th day of March and delivered in all my rentals, they which was my own hand writing, and for every rent day receiving he hath made acquittance of his own hand writing. . . ."

George Barlow's death, 1568-9.

"Mem. that my master Geo. Barley departed out of this mortall ward the 20th day of January at afternoon and was buried on friday about sunset, and his burial day was not until the 25th day of February being tuesday; mourners at his funeral Mr. George Foljambe of Barlbrough and Henry his son and Doctor. And for bead men old John Allen and Thomas Walterhouse and Thomas Armitage and Lawrence Oats Anno dom 1568."

The matter in pp. 345 and 346 of the MS. is of great interest and is given consecutively and practically in full. Peter Barley (who eventually turned out a wastrel, was mainly responsible for scattering the Barlow inheritance, and died a pauper) was sent, according to the custom of the day, to Mr. Talbot of Sarisbury, in Lancashire, in 1565 as a sort of apprentice and for education in estate management.

*This fishpond can still be traced below the site of Barlow Hall, and on enquiry is pointed out by the villagers.

BARLOW FAMILY RECORDS

Sarisbury* is a township in the Blackburn Hundred, in the valley of the Ribble, about 20 miles north of Manchester and 55 miles north-west from Barlow, Derbyshire.

Peter Barlow, though slothful in business, seems to have been no laggard lover; within twelve months of his starting work with Mr. Talbot, he married Frances, the daughter of the house.† Sixteen years later, namely, in 1582, Margaret Barlow, the youngest child of Sir Alexander Barlow, Senr., of Barlow Hall, Lancs., married John Talbot, and Sir Alexander mentions both his daughter and his son-in-law in his will,‡ an interesting link between the Derbyshire and Lancashire branches. The large party who went over to Sarisbury to the wedding "at my master's costs" shows that intercourse between the Derbyshire dales and the plains of Lancashire was an ordinary, and certainly not a difficult, undertaking. The road lay via Stony Middleton, Grinlow Moor, Chapel-en-le-Frith, Manchester (close to Barlow Hall at Chorlton), and then north via Eccles to Blackburn.

Next comes the tragic journey of "my master" attacked with "cough and phlegm," or, as we now say, with tuberculosis, to London to consult his doctor; the sad return home to die; the closing up of all accounts with his steward; and his death in 1568.

George Barlow's widow, after her husband's death, lived on with her son Peter and her daughter-in-law Frances at Barlow Hall till 1576, when, probably annoyed by her son's spendthrift ways:—

"Mr. Peter Barley and his wife being in house with his mother in Barley, his mother upon a sudden took all her household stuffe and went to an house that she had of Mr. Foxe's§ the Fryday at morn being the last day of August anno dom 1576; and Mr. Peter Barley was feign to begin house the same day and so did and had neither household nor other provision but of his purse in the 8th of Elizabeth. . . ."

and the next year:—

"She was married at Brampton with Mr. Dennis Berisfort but none of her friends knew of the marriage until that she was married, anno dom 1577."

Denys, or Dionysius, was probably a son of the youngest (also named Denys) of the sixteen sons of Thomas Beresford, the hero of Agincourt, whose tomb with the shrouded figures of Thomas himself,

*Alternative spellings are Sarbury, Salisbury and Salebury: the place is not to be confused with Scarisbrick, near Ormskirk: see Gregson *Lancs. Fragments*, p. 136. The manor came to the Talbot family on marriage of Isabella Childeshow, in 1406; Sir John Talbot, her son, is known to history as the betrayer of Hen. VI.; Baines *Lancs.* Vol. I., p. 420, and Vol. IV., p. 54.

†Peter's father had in fact entered into a bond the previous year that Peter "or one other of the sonnes of the sd. George" would marry Frances Talbot: Close Roll 7 Eliz. Part 7, No. 25.

‡Booker's *Didsbury*, p. 265; B.P.R., p. 103.

§Elizabeth Chaworth, who married Arthur Barlow, after his death in 1543 married William Fox.

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of his wife, Agnes, and of their nineteen children, forms one of the grim glories of Fenny Bentley Church.* Mr. Denys Beresford resided at Cutthorpe, two miles south of Barley.

"Mrs. Jane Berisfort wife of Mr. Denis Berisfort and mother of Mr. Peter Barley of Barley esqr. died the Thursday being the eighteenth day of April about 8 of the clock afternoon, and was buried on Friday in the lady's quire at Barley; and dined all neighbours and all young folks and dealt penny dole to the poor Anno D. 1583. Mr. Dennis Berisfort made a funeral dinner for his wife the 12th day of May and Sunday in the year aforesaid, and there was at the same Mrs. Fretchville widow Mrs. Foljambe Mr. Linacre and's wife Mr. Brown Mr. Bullock Mr. Stevenson and dyvers other substantial folks."

Then follows a note to show that Peter, immediately after his mother's death, began to consider mortgaging the Hall and lands to Mr. Foljambe, of Moor Hall; and the latter sent his steward to ascertain what the lands were worth:—

"Mr. Peter Barley did begin to measure all his lands within the lordship of Barley and one Edward Bradshaw did measure them and did serve Mr. Foljambe of Moor hall and by his means it was measured anno dom 1583."

The next entry notes that Peter Barlow's grandmother:—

"Mrs. Fox departed at Leeshall forth of this world the second day of November on All Souls day (1585) at morn after sun rising."

The total cost of entertainment for the funeral is given, namely, £8. 7s., a large sum for those days.

We find, in 1586, a further step in Peter Barlow's downward path, and he moves, or—to use the old phrase—"flyttes" with his wife to his father-in-law's home at Sarisbury:—

"Mr. Peter Barley of Barley esq removed from Barley and locked up the Hall Doors and left nobody in it but Edmund Bolton and wife in the lady's parlour on Tuesday at morn being the 19th day of May and Tuesday before white sonday and my Mrs was gone a fortnight before and most of her goods to Salbury in Lancashire to his father in laws house. Mr John Talbotts house anno dom 1586, anno reg. Eliz. 28.

"Also I Arthur Mower Francis Leeke of Grange went with him a gateward to Grinlow moor beyond Stoney Middleton and Edwd. Bolton turned again with me, John Fox his man Thomas Catterell and Ralph Bryan, his men went with him and Mrs Mary Talbott George Talbott's daughter and Mrs Mary Talbott Mr. Robert Talbotts daughter went with him and both was but children and had been with them at Barley unto this time and there brought up and rode behind two of his men."

Peter Barley continues to struggle with his creditors.

"Mr. Peter Barley came from Salbury soon after the 7th day to meet Mr. Arculis Foljambe and his friends about further assurances that he demanded of him for Lees but they could not agree and so sued a subpoena of a pear in Candlemas Term next after anno dom 1587."

*Cox *Derb. Ch.*, Vol. II., p. 465; and see Chap. VIII., *Pilgrimage*. Cox says Denys Beresford of Cutthorpe was a son of Thomas the hero of Agincourt, but the dates hardly permit that, and the quotation from the *Wolley Papers* on p. 464 shows that James Beresford, d. 1512, was the contemporary of the sons of Denys, who was a son of Thomas.

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Peter Barlow returns to Eckington to die.

"And after this time Mr. Barley decayed greatly, and very sickly and weak, and in lent went to his aunt Blont to Eckyngton, who was his mother's sister and married Mr. George Blont, and there did continue till wednesday in Easter Week and he then died and was buried at Barley Chapel in the Ladys Quire of thursday at morn about sun rising anno dom 1588 and the 11th April."

This reference to Eckington is of importance in view of the mystery which hangs about Henry Barlow of Stoke and his lands in Eckington, see Chap. IV.

"Also Mr. Peter Barley began the wall afore christmas and the gates into the Hall at Barley and finished it afore Easter, and so died, anno dom. 1588."

Mrs. Peter Barley, directly her husband was dead, namely April 15th, 1588, came to the Lees to demand her right of jointure, but the mortgagee, Hercules Foljambe, refused to recognise her right.

Peter Barley was succeeded by his brother James, who at once "did pave the Ladys Quire and made him a new Pew in it afore Whitsunday anno dom 1588." According to Bassano, five years later, namely, in 1593, James Barley also restored the monument tomb of his relative Sir Richard Barley in Dronfield Woodhouse Church.

Some arrangement was come to with the mortgagees:—

"Mr. James Barley entered of the Hall at Barley after the death of his brother and kept house in it: but Mr. Blont entered of the Demains and Smithies and coal dells and took the profits, and other that were joined with him and to have them until the debts was paid which was as it was reported 25 hundred pounds. . . ."

This very large sum of £2,500 mortgage shows the value and extent of the lands held with Barlow Hall.

Then comes an interesting account of struggles between the mortgagees and others having claims against the estate, especially how Mr. Roland Eyre claimed a prior mortgage, and:—

"At our lady day 1589 Mr. Eyre impounded us the freeholders for our chief rents and forced us to loose by replevie that would not pay him. . . ."

But eventually Mr. Blount and Mr. Beresford, the principal mortgagees, by a ruse, and sending out James Meadan (apparently Mr. Eyre's servant) "with a wile to fetch in ale," got possession of the Hall. The reference to Anne Swift is of interest (see Chap. IV.):—

"Imprimis Mr. James Barley was in possession of the Hall at Barley and had a servant maid in it, one Anne Swift, and came and went himself with other servants after his brothers death into about May day or thereabouts that Mr. George Blont came and get forth Mr. James Meadan with a wile to fetch in ale for him and then kept them out and let in some more to keep possession. . . ."

The Mortgagees Blount and Beresford sell to George Earl of Shrewsbury.

Eventually Mr. Blount and Mr. Beresford, the mortgagees of Peter's interest, sold their 21 years' lease "of the whole manor of

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Barley" to George Earl of Shrewsbury, and subsequently, in 1589, the Earl also bought up James Barley's reversion to the whole estate, namely "lordship of Barley and Hill Top and parcel of manor of Dronfield and Dunstone Hall and demesns" for *inter alia* £1,000, the claim of Mr. Rowland Eyre under a prior mortgage being left apparently outstanding.

"This year of anno dom 1590 my lord took down Hall at Barley and altered the going into little parlour and going up into chamber over it."

George Earl of Shrewsbury visits Barlow and dies.

"When the Hall was finished my lord came to Barlow on . . . saturday the 22d of August 1590 to meet Mr. Manners to walk the bounds and mears of the Moors between Brampton, Baslow, Holmesfield and us, and so did my lord in his horselitter, being old and weak and went to every mear as nigh as he coud with his horselitter according to our old accustomed mears we tread it then.

George Earl of Shrewsbury departed forth of this world either of tuesday or wednesday at morn at Sheffield manor the 17th or 18th day of November 1590 Ao Regni Eliz. 30. Gilbert Earl of Shrewsbury made his fathers funeral day of Wednesday being the 20th day and 10th day of January anno dom. 1590 and was then sumptuously done that was ever to any afore in these countries, and the assembly to see the same was marvellous both of nobility gentry and country folks and poor folks without number."

It is of interest to note that Bess of Hardwick, the Earl's wife, who had married at 25 as her first husband Robert Barley, then aged barely 14, did not accompany the Earl on his last sad visit to Barlow.

Then follows an account of a visit of Gilbert, the next Earl, and his wife, Mary Cavendish, daughter of Bess, in 1605, to Barley: they rode round the Barlow estates accompanied by Sir William Cavendish "after dinner," to view the "moors and the mears thereof," and the various boundaries are mentioned by name.

The Rearing of the Furnace at Barlow Smithies, August 19th, 1605.

"The rearing of the furnace at Barley Smithies was on Monday being the 19th of August 1605 in the 3rd year of King James the first—there was about 40 mess sett and served that day.

The first sow of iron that was drawn there, was of Thursday at morning about spring of the day being the 27th day of March anno dom 1606, in the fourth year of the reign of our most dread sovereign lord King James. I was desired by Mr. Thomas Eltoste over night to be at the drawing of the first sow, which would be about 7 of the clock, I was there afore 6, but it was drawn an hour or I came: I gave the workmen a groat, and three pots of ale, at Richard Greaves of the Smithies."

Then come many entries which are of interest but not of importance for our purpose; there are references to Eckington, where then, as now, the Sitwell family held land; and a sporting event is chronicled:—

"Item Mr. Godfrey Foljambe had two tame Staggs and my lord Darcie killed the elder deer with his hounds in Barley the monday being the twelfth day of September and my lord Darcie came to Moorhouse to dinner and went to Dedick to his bed and divers gentn. with him anno D. 1577."

BARLOW FAMILY RECORDS

Mr. Godfrey Foljambe died in 1591 and was succeeded by his brother, Mr. Hercules Foljambe; it was to the latter that Peter Barley had mortgaged Barlow Hall and lands, see above.

"Mr. Roger Cullembell and Mr. Edward Baresford being executors came thither to Moorhall of Saint Andrew's Eve to take order with Mr. Hercules for goods. . . ."

These names are of interest in connection with the Eyre suit mentioned below.

Finally we have a note on "the old Countess of Shrewsbury" (i.e., Bess of Hardwick) :—

"Mr. Hercules Foljambe delivered possession and seizin to the old Countess of Shrewsbury of the Moorhall and of all the lands thereunto belonging of Sunday at afternoon being the 18th day of January anno dom. 1600 anno reg. Eliz. the 43rd year. . . ."

"The old Countess of Shrewsbury departed forth of this world the saturday being the 13th day of February at Hardwick and was carried to Derby of tuesday the next after to her tomb there in All Hallows Church and there buried anno dom. 1607 in the fifth year of our most dread Lord King James—who was in her time a great purchaser and getter together of much lands and much goods, and was first married to Robert Barley of Barley esq. and then to William Cavendish knight, and then to William Southlow (St. Loo) knight captain of the guards, and last to George Talbott, Earl of Shrewsbury who did surmount her name. She builded Chatterworth, Hardwick, Owlicotts and was a great builder and purchaser."

JAMES BARLEY *v.* ROWLAND EYRE AND ORS., 1601.

Thanks to information supplied by Mr. Bagshawe, the author has been able to trace at the Record Office the Decree of the Court of Chancery, in the above suit, dated July 7th, 1601. The decree is of first class importance, not only as corroborating and completing Mower's story of the unfortunate Peter Barley, but for the considered declaration of the Court (doubtless with access to Deeds and Charters now no longer extant) that the estates had been in the Barlow family for "*400 years and better.*"

The Court found it proved by the evidence that Rowland Eyre had deliberately defrauded Peter Barley :—

"He Rowland Eyre knowing that Peter Barley was to ride into Lancaster did meet Peter Barley by the way at a place called Caver* and there bringing with him a deed ready ingrossed, procured Peter to alight of his horse and to go from his company into an ale house and here caused Peter to seal the Deed without reading thereof, whereby Peter absolutely conveyed away the inheritance of the whole manor of Barley to Jervise Eyre another of Rowland's sons being an infant also whereas Peter intended but to have mortgaged the quit rents."

Peter seems to have been the sort of luckless pigeon someone was bound to pluck. The Court also found that George Blunte,

*i.e., Calver, the ford over the Derwent just below Stoke Hall.

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Roger Columbello and Edward Beryford,* who were co-defendants in the suit, two of whom must have been Peter's relatives, had been guilty of breaches of trust in their dealings with Peter, especially with regard to lands of Peter's at Dronfield :—

“And his Lordship and the Court also disliked and condemned of the breach of trust of Blunt . . . practised as aforesaid tending to the utter ruin of the plt. being by his means *deprived of his ancient inheritance that for the space of 400 years and better hath continued in the ancestors of the plt.*”

and Rowland Eyre and the other defendants were condemned to pay various heavy sums and deliver up various bonds executed by Peter. Several questions of damages and costs stood over for further consideration, and these were dealt with by a further order of the Court dated March 14th, 1604-5 : this, however, did not end the proceedings.

*All three of these worthies are referred to above in the *Mower MS.*, as is Rowland Eyre.