

The Pynsent Baronetcy:
The Trials and Tribulation of a Litigious Family:
1687 - 1765

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CHAPTER 1

Introduction

If you have travelled from London to Taunton by rail and glanced south shortly after passing the village of Langport in Somerset, you may have seen a remarkable object: a weathered stone column (*Figure 1*), standing atop a prominent bluff on the north-facing edge of Sedgemoor. This column was erected by William Pitt (*Figure 2*), who was a much admired politician in his day (he was given the nickname the “*Great Commoner*”), as a lasting tribute to an extraordinary bequest he received on the passing of a man he’d never met.

The legacy left to him on the death of Sir William Pynsent (*Figure 3*) in 1765 was substantial. It included his mansions and estates in Urchfont, in Wiltshire, and Burton in Curry Rivel in Somersetshire valued at approximately £30,000, an incredible windfall to a politician whose fame had long outstripped his own financial means. The bequest gave Pitt the “landed” status and income then expected of the British aristocracy, allowing him to accept the offer of a peerage he’d been forced to decline a few years before. With the Pynsent legacy in hand, he abandoned the “House of Commons” in 1766 and entered the “House of Lords” as First Earl of Chatham just as tensions were starting to build in Britain’s American Colonies.

In his will, Sir William had written that he hoped “*he (Pitt) will like my Burton estate, where I now live, well enough to make it his country seat.*” Pitt made his first visit to Burton, thenceforth to be known as “Burton Pynsent,” in July 1765 and, although he must have seen room for improvement, he decided to oblige his benefactor. He hired “Capability” Brown, the principal landscape architect of his day, and set about transforming what was then a tired and run-down country house and estate into something more appropriate for a Peer of the Realm. Pitt, sold his then home at Hayes Place, near Bromley in Kent, and his newly acquired property in Wiltshire in 1767 and set about rebuilding the house and



Figure 1. The Burton Pynsent Monument.

building the column, with its spiral staircase and spectacular outlook over the confluence of the Rivers Tone and Parrett and the flat expanse of Sedgemoor. He finished the latter later that year. On its completion, William Pitt added a plaque with the following dedication: *“Sacred to the Memory of Sir William Pynsent: Hoc saltem fungar inani munere”*. The Latin phrase, according to Christopher Hussey (*Country Life*, 6th October, 1934), means: *“May I discharge this duty [of gratitude], at least, empty [though the gift be]”*.

The column remains a lasting memorial to the unfortunate end of the first branch of the Pynsent family to achieve significant wealth and social standing. That it still stands over two hundred and forty years later is a credit to its builders, a local doctor who saved it from a wrecking crew in the early 1800s and more recently, a Charitable Trust that oversaw a major restoration of the column, funded in large part by the British Heritage Trust and the John Paul Getty Foundation, in the 1990s. It is now a Grade I listed building.

So, who was Sir William Pynsent and why did he make such an extraordinary bequest to the detriment of his surviving, albeit distant, relatives?

In a letter to Lord Hertford dated 20th January 1765, Horace Walpole, a contemporary commentator and purveyor of gossip, speculated that it was because Sir William had become disenchanted with his principal potential beneficiary Frederick Lord North, a politician and distant relation of Sir William’s wife, because of the man’s support both for the Treaty of Paris signed with France



Figure 2. William Pitt, 1st Earl of Chatham by William Hoare.

in 1763 and for the enactment of a tax on cider that same year. By this argument, the bequest was also a symbolic gesture of support for William Pitt, the Minister of the Crown who had established British power abroad during the preceding “Seven Years War”. Pitt had taken a firm stance against the treaty, claiming that Britain had quit the war too soon, and against the invidious tax as an infringement of civil liberties.

In truth, the “Seven Years War” had played an integral role in shaping the course of William Pitt’s political career. The conflict, which raged between 1756 and 1763, was a true “World War” waged between the allied forces of Britain, Portugal and some of the larger German States (including Prussia) and the other great European powers, including France, Austria, Russia and later Spain. Britain and her allies suffered several setbacks in the early years of the war, but when William Pitt assumed control on behalf of the British Government in 1758 its fortunes improved dramatically. Leaving his German and Portuguese allies to fight on land in Europe, Pitt broadened the conflict, took advantage of Britain’s Royal Navy and carried the war overseas. By war’s end, little had changed in Europe, but Britain and her allies had taken a good part of the French colonial empire and William Pitt had emerged a national hero.

In 1761, Pitt spoke out against an imminent Franco-Spanish treaty that he feared would bolster French power in Europe and argued vociferously against an



Figure 3. Sir William Pynsent by Thomas Gibson.

early end to the war. His colleagues, however, had had enough and in October Pitt resigned from the British Cabinet in protest against the terms of what would become the post-war Treaty of Paris. Britain's share of the spoils, as outlined in the Treaty, signed in 1763, included the acquisition of Quebec from France, Florida from Spain and the addition of several other outposts to her growing empire, all the while forcing the French to dismantle their fortifications in India and elsewhere. Nevertheless, Pitt feared that returning the European powers to their pre-war boundaries in Europe was a recipe for disaster and indeed, some thirty-five years later, the same protagonists were back at it fighting in the Napoleonic wars. It is not difficult to see why a patriotic English "landed gentleman" like Sir William Pynsent might feel that Pitt had been badly used by the establishment.

In 1763, the British Government introduced a tax of four shillings per hogshead (approximately 54 imperial gallons) of cider to help defray the cost of the war and pay down the National Debt. It was not a particularly onerous tax – according to Liza Picard's wonderful book on life in London (Dr. Johnson's London: 1740-1770), four shillings and six pence would buy a petticoat for a workingwoman (in this case presumably, a woman with a shop worker's income). Nevertheless,

the bill led to riots in the West Country, where much cider was home-produced and locally consumed. In his book on tax rebellions (*A World History of Tax Rebellions*), David F. Burg shows that the bill not only imposed an undue burden on the Cider Counties of Southwest England, but also authorized Excise Officers to enter and inspect private premises -- this despite the great jurist Sir Edward Coke's much famed dictum that "*a man's home is his castle*". In other words, the people of the West Country felt the tax violated their rights as British citizens. Sir William Pynsent lived among the apple orchards of Somersetshire and was doubtless as angry as any of his neighbours. William Pitt, for his part, had served as Member of Parliament for Okehampton in Devon in 1757, understood their anger and did no harm to his reputation by speaking out against the tax. However, with the support of Frederick Lord North, who just so happened to be Lord of the Treasury at the time, it passed into law. Attempts to have the Act repealed the following year were met with failure.

If, as Horace Walpole's letters suggest and the chattering classes in London seem to have believed Lord North, married as he was to the granddaughter of Sir William's late wife's uncle, John Speke, was heir apparent to Sir William's estates, his unpopular political decisions may have caused the old man to strike him from his will. If so, Lord North's loss was unquestionably to be Pitt's gain.

However, none of this explains why Sir William, the last of his line, broke with the long-standing convention of "keeping wealth within the family." As we shall see, it was not unusual for well-heeled Englishmen with no sons of their own to adopt a grandson or cousin on condition that they take up and use the family name. Why, then, were they cast aside?

The bequest seems to have been the final act of a disappointed man. Sir William Pynsent had been the beneficiary of the hopes and aspirations of generations that had gone before him, and all that work and wealth had brought him nothing but disappointment. He had lost his wife early, had been bitterly disappointed by his son and had outlived his children. An old man, alone and without heirs, his social status and grand estate must have meant nothing to him. He made William Pitt his heir in full knowledge of the political significance of the move. Mercifully, he didn't live to see what Horace Walpole was to later write about him once the bequest to William Pitt became public knowledge: However, more about that later.

The following book echoes Pitt's sentiment in honouring the memory of Pynsent family. The first half traces the family's origins and its rise from humble roots in the merchant community in Devon, and the second explores the trials and tribulations of Sir William Pynsent, the second baronet, and considers the aftermath of his surprising bequest.

We follow the family through seven generations, from the branch's start in the mid-1500s until its end in the mid-1760s. Their lives spanned the last of the Tudor monarchs, the early and late Stuarts - who were, of course, separated by the trauma of the Commonwealth ("King Cromwell") - William and Mary, and also the early Hanoverians. They saw it all: threats of invasion (Spanish Armada, 1588), religious and social conflict (Gunpowder Plot, 1605), Civil war and regicide (Charles I, 1642), union with Scotland (1707), the birth of empire (Clive's acquisition of Bengal for the East India Company, 1757), economic boom (international trade) and bust (South Sea Bubble, 1720), and also the first stirrings of the industrial revolution (spinning jenny, 1763). Above all, they saw a steady rise in the power of the Royal Navy and in Britain's standing in the world. Each generation faced trials and tribulations, but did what the English always do: muddle along as best they can under the circumstances.

CHAPTER 2

Devonshire: 1066-1540

The Pynsents were an offshoot of the "Pinson" family that arrived from Normandy in Northern France sometime after the Norman Conquest, a critical moment in the development of English culture, as any reader of the delightful book *1066 And All That* (R. J. Yeatman and W. C. Sellar, 1930) will tell you. The financial records of the English Exchequer, the "Pipe Rolls", show that there were "Pincuns" and "Pinzuns" settled in several parts of England in the 1100s and the family lived in London, Lincolnshire, Bedfordshire and Yorkshire, as well as Devon and Cornwall.

Between 1200 and 1500, the name changed to "Penson" and "Pinson" and by 1538, when parish records were first collected, there were several families so named in the west Midlands (Shropshire, Staffordshire and Warwickshire) and also in Devonshire. There, some peculiarity of the local accent led to a hardening of the final syllable and the name changed to "Pinsent". This transition only occurred in the Southwest of England and it is pretty clear that this is where the Pynsent family came from.

The names "Pinson" and "Pinsent" (and their "Py" variants, for that matter) were largely interchangeable into the late 1500s and early 1600s. Given the level of literacy at the time, the spelling likely depended more on the whim of the writer than any particular will of the family. However, over time, specific lines with preferred spellings were to emerge, with most eventually going the "Pinson" or "Pinsent" route. However, when Thomas Pinsent of Pitt Farm in Hennock formally changed his name to "Pynsent" in the 1840s, he did so in the knowledge that he was reverting to an older, more traditional spelling: one that had given rise to a baronetcy in the seventeenth century.

If Thomas Cromwell, Henry VIII's Secretary (of *Wolf Hall* fame, courtesy of Hilary Mantell) who first instructed parish priests to collect birth, marriage and

death data, had chanced to look at the returns for Devonshire, he would have found a pronounced cluster of “Pinsons” and “Pinsents” in the Teign valley area, west of Exeter. They lived on pastoral land southeast of Dartmoor, a world of rivers and woodlands, small villages, dispersed homesteads and enclosed fields grouped within a mosaic of post-Medieval manors and nestled within a patchwork quilt of superimposed but not entirely matching parishes. Allegiances were complicated. At that time, the family was particularly well entrenched in the contiguous parishes of Ashton, Bovey Tracey, Chudleigh, Hennock and Ilsington; however, they had clearly been around for some time and some had spread out into other parishes. After several hundred years in residence the family must have already separated out into many distinct lines.

Sir William’s ancestors came from Bovey Tracey, which was then a village but is now a small town on the Bovey River. It broadly encompasses the manors of Bovey Tracey and Wreyland. The former belonged to the De Tracey family until one William de Tracey made the mistake of taking Henry II’s purported words *“Who will rid me of this meddlesome priest?”* a little too literally and with three other knights assassinated Thomas à Becket in Canterbury Cathedral in 1170. At that point, the manor reverted to the Crown. The neighbouring Manor of Wreyland was held by John de Moeles in the early 1300s, but like most others, it had a chequered history and changed hands many times over the next century or two (Wreyland Documents: Cecil Torr: 1910).

It is not clear when the Pynsent family first arrived in Bovey Tracey; however, “The Devonshire Lay Subsidy for 1332” (a form of land tax) shows that Richard Pensend paid 8d to the national treasury, which suggests an early date. The family was certainly well established in the area by 1429, as the “Bovey Tracey Manor Court Rolls” tell us that Joan Pynson paid a “heriot” (a customary payment to the Lord of the Manor on the death of land-holder) of an ox worth 10/6d for “2 *ferlings in Warmehale*” on the death of her husband, Roger. The farm at Warmhill was then in the parish of Bovey Tracey, but after boundaries changed it later transferred to the neighbouring parish of Hennock. The farm was still in Pynsent hands a hundred years later, when another Richard Pynsent “of Warmehill” gave £4 to the King as part of the 1524 “Devon Subsidy”. Similarly, the “Wreyland Manor Court Rolls” (Wreyland Documents: Cecil Torr: 1910) show that another Roger Pynsent (Joan’s son perhaps?) held “half a furlong of land in Calwelegh (*Kelly with Leigh*)” in Bovey Tracey in 1437 and an “Inquisition Post Mortem” (a court established to determine if there were any feudal dues owing to the King on the death of one of his tenant’s-in-chief) shows that a John Pynson held land at Culverhouse in Bovey Tracey in 1447. John Pynsent, sen. and John Pynsent, jun. testified at a similar Inquisition in Hennock as to the land holdings of Elizabeth

Mannying, in 1477. Feudalism may have been on the decline in the late 1400s, but it was still a fact of life for most country folk.

The economy in Medieval Devon, which was based on wool and the production of cloth, was devastated when the bubonic plague arrived in England in 1348. It took the County the better part of a century to recover from the “Black Death”; however, by the end of the fifteenth century there was renewed prosperity throughout the West Country. According to Professor W. G. Hoskins (Old Devon: 1966), this was reflected in a notable period of church building and infrastructure development between 1480 and 1540. Thus, by the start of parish records in 1538, the County was doing well and there was already considerable economic and social diversification within the broader “Pynsent” family. The records show poor labourers and fishermen, modest “husbandmen” and, at least one relatively rich landowning and/or merchant family. The “Devon Subsidy Roll” for 1524 shows this last branch of the family to be doing very well for itself. John Pynson “senior” of Bovey Tracey was taxed on £30 worth of goods, while John Pynson “junior” (presumably, but not necessarily his son) was rated on £3, which was much nearer the norm for a farmer, as his then neighbour, the Richard Pynsent of “of Warmehill,” mentioned above would doubtless have agreed.

The Devon Tax rolls list eleven taxable male Pinsents living in Ashton, Bovey Tracey and Hennock (four Johns, four Williams, two Richards and a Thomas) paying tax in 1524/1525. They also list sixteen men and three women in the same parishes (and also in Chudleigh) twenty years later, at the time of the 1543/1545 Subsidy. They clearly knew each other through the church and the manor courts, but the ways in which they were related remain unclear. Given the length of time the family had spent in the area, the family tree must already have been pretty tangled. At this point, it is often easier to identify an individual than to establish his or her family ties. Interestingly, in 1548, the Bovey Tracey registers specifically differentiate between John “of Combe,” a husbandman, and another John listed as a “weaver”. Even the vicar thought it advisable to try to keep them separate.

The arrival of parish records in the late 1530s, incomplete although they are, certainly helps to sort out family relationships; however, in a world with many families and seemingly innumerable “Johns” and “Williams” it is not enough. We need other sources of information. I know all too little about John the “weaver,” but John “of Combe” and his lineage, who are the subject of this tale, come into better focus because of their education, wealth and social status. They signed documents when they lent or borrowed money, purchased or transferred property or divided their estate amongst their heirs. John “of Combe” and his descendants were entering into a world in which the written word gave power to the clerk, the attorney and the lawyer.

JOHN PYNSENT: xxxx -1575: MERCHANT: BOVEY TRACEY:

Johanna xxxx: xxxx – xxxx

Married: xxxx:

Children by Johanna xxxx:

John: 1532 – 1615: M. Alice French of Bovey Tracey, 1557:

Thomas: xxxx – xxxx:

George: xxxx – xxxx: M. (1) Julianna Bonfessor: 1570: M.
(2) Mary xxxx: of Exminster: 1592

Elizabeth: xxxx – xxxx:

Johanna: xxxx – xxxx: M. John Ball of Mamhead: 1573:

Hugh: 1540 – 1626: M. Joan Woodley, 1574:

Margaret: 1542 – xxxx:

Walter: 1544 – xxxx:

Mary: 1549 – xxxx: M. Rev. William St. Hill of Hennock: 1581:

The patriarch of the Pynsent family was likely John Pynsent “of Combe,” who is believed to be Sir William’s great, great, great, grandfather. His date of birth is unknown; however, he is most likely the John Pynson “jun.” who paid £3 at the time of the “Devon Subsidy” in 1524. If so, he would have been born around 1500 and baptized in the Roman Catholic Church. He would have lived through Henry VIII’s turbulent reign and watched his church swing from Catholic to Protestant and back again, until the establishment of a compromise form of Protestantism under Elizabeth I. What he would have made of the religious and political instability, we will never know; however, he probably did what most Englishmen did, kept his head down and focused on farming, commerce and the advancement of his children.

John lived at “Combe”, or “Coombe” as it is now spelt, on Hatherdown Hill on the east side Bovey Tracey. He probably lived near the top of Coombe Lane, a mile or so from town. He was almost certainly the man who contributed £27 to the “Devon Subsidy” in 1543, which would be a lot of money for a simple farmer so he probably had business interests as well, though what they included is unknown. John was obviously doing well, and he was well placed to participate in the market in land that followed the dissolution of the lesser and greater monasteries between 1536 and 1543. Most of the sequestered land was taken up by affluent country gentry who parcelled it out to lesser mortals either able to pay outright or able to secure a mortgage. There were no banks or formal lending establishments, so those who could afford it -- like John -- loaned money to their neighbours. John also set about acquiring property for his surviving sons.

From the mid 1540s on, he seems to have been a busy man. John lent George Ley £10 in 1543, using land in Averton Gifford as collateral (Calendar of Devon Deeds Enrolled: 1536-1604). A few years later, in 1551, we find that John Pynsent “of Comb” and his wife “Johan” were involved in a land deal with their son, John. It seems that John “senior” held a long-term lease on a “**tenement, orchard and herb garden**” in Bovey Tracey that he sold to John “junior” for £40, which was to be paid in £5 annual instalments. Unfortunately, John “junior” missed a couple of payments and, as we shall see later, complications were to ensue (Calmady Manuscripts: #372/4/28 and #372/6/3/2: Plymouth and West Devon Records Office). The Calendar of Devon Deeds enrolled shows that John Pynsent “of Combe” loaned Stephen Comyn £40 secured against his lands in North Bovey in 1556. And the same source shows that John’s son, Thomas Pynsent of Chagford, conveyed lands at North Cleave and in the North or East Wood in Pafford, in Moretonhampstead, to his father in 1574. It seems to be held against the repayment of bonds made out to Thomas’s brothers, John and Hugh by the end of March 1578.

John Pynsent, who was by then “the elder” of Bovey Tracey, died in 1575 and, fortunately for us, his son Hugh proved his will in the Prerogative Court of Canterbury – the most senior jurisdiction for the processing of wills in Southern England (Prerogative Court of Canterbury: 33 Pyckering: 1575). Had he filed it locally, in the Principal Registry of the Bishop of Exeter or of the Archdeaconry of Exeter, it would have been lost, destroyed like so many others when the Probate Office in Exeter was bombed during the Second World War.

John’s will was written in approved Protestant style. He left a bequest of £10 for the poor of the parish of Bovey Tracey and £5 each for his daughters Johanne and Elizabeth - who were by then probably married. He also left a legacy of a 100 marks (each worth 13s 4d) for his daughter Mary “to be paid at her marriage”, which we know occurred a few years later. She married the Rev. William St. Hill, the vicar of the neighbouring parish of Hennock in 1581. There were a few other minor bequests but nothing of significance for his sons John, Hugh, Thomas, Walter and George (birth order unknown), who appear to have been set up in farms or in other forms of employment beforehand. In closing, John gave the residue of his personal estate and a life interest in a property called “Comb Park” to his son Hugh and made him his executor.

John Pynsent “of Combe” is usually referred to as being a “yeoman” - a relatively wealthy farmer. There is nothing to suggest that he thought of himself as belonging to the “gentry”. The Elizabethans were extremely class conscious, to the point of enacting “Sumptuary Laws” to regulate approved styles of dress for the various social classes in 1562 and 1574, so it was a meaningful distinction. However, late in life, John appears to have taken an important step in raising the



Figure 4. John Pynsent's coat of arms.

status of his family. He seems to have applied to the Heralds (Figure 4) for a coat of arms (*gules, a chevron engrailed between three estoiles, argent*). The move evidently meant a lot to his son John, who was an upcoming merchant, but does not seem to have had much affect on the others, who were “yeomen” by trade and description throughout their lives. However, some of his grandsons seem to have been only too pleased to use variants of the arms in the 1600s. For instance, Thomas Pynsent of Woodland, in Devon and Ellis Pynsent of St. Petrock's parish in Exeter, both had the arms engraved on their funeral monuments when they died in the 1690s.

Shortly after John “of Combe's” death, his son John, who was by then a merchant in Chudleigh, asked his brother Hugh to return the bond he had signed when his father and mother had made over the previously mentioned tenement in Bovey Tracey. Hugh refused on the grounds that John had missed some of his payments. John, who was doubtless shocked by his brother's position, promptly sued him in the Court of Chancery (*Pynsent v Pynsent: C8/2/24: 1575*). This seems to be the first of countless occasions on which the Pynsent family made the trek to London to argue their cause at Westminster Hall (Figure 5), which, as the print from 1745 shows and Liza Picard (Dr. Johnson's London) describes, held the three principal



Figure 5. *The First Day of Term*, by C. Mosley after a drawing by Hubert Gravelot.

courts of civil law. The details of the case, along with many others discussed below, were dutifully scratched onto parchment (fortunately in English, not Latin) and are now preserved in the National Archive at Kew. Unlike the Courts of Kings' Bench which dealt with criminal matters, and of Common Pleas which focussed on civil law, Chancery was a “*court of equity*” where countless squabbles and domestic and local disputes were hammered out, theoretically before the Lord Chancellor and almost certainly at great expense. In this particular case, John Pynsent eventually conceded that he did not need the property (as he was living in Chudleigh) and conveyed it back to Hugh for £20. Hugh's statement to the court shows that he had other financial dealings with John and with at least one of his other brothers, Thomas, and he was quick to point out that he (Hugh) had refused to act as surety for one particular deal that his other brothers had entered into. Lending money, even within a family was a touchy business.

This story is primarily concerned with John “of Combe's” son, John Pynsent, merchant of Chudleigh and his descendants; however, his other sons Hugh, Thomas, Walter and George each made their mark in Devon and their descendants can be traced for at least a generation or two. Their descendants

were “armigerous” (entitled to a coat of arms) so they deserve a word as founders of co-lateral branches of the family.

Hugh Pynsent

John Pynsent “of Combe” set his son Hugh up on a substantial farm at Horridge, near Sigford in Ilsington parish, where he paid £5 for goods at the time of the “Devon Subsidy” in 1581. While there, the fastidious attention to detail he displayed in his earlier dispute with his brother re-emerged. Hugh took Thomas Pomeroy, to whom he owed his Parish tithe (church tax), to the Consistory (church) Court in Exeter, claiming that the 10% tax obliged him to pay *every tenth pig or sheep* rather than a tenth of every pig or sheep. By his interpretation, he couldn’t be expected to pay anything until the tenth animal was born. Evidently, he lost that round and was ordered to pay a fine of £6 for Pomeroy’s pains, aggravation and costs.

Hugh, who (if we are to believe Mr. Pomeroy, anyway) had a “*froward and perverse mind and disposition*” and was “*maliciously intending to defraud (him)*,” then took the case to the Court of Common Pleas at Westminster and, claiming “*custom of the manor... time out of mind*”, managed to get the judgment reversed. Mr. Pomeroy was apoplectic and took the next logical step. He charged Hugh and his witnesses of perjury and conspiracy to distort the “custom of the manor” and the case was heard in the Court of Star Chamber (STAC5/P28/19) in London in 1584. Who won this round I am not sure, but all those trips to London must have taught Hugh the power of litigation.

His son, Jonas Pynsent, was admitted to the Middle Temple, one of the Inns of Court, in London in 1598. Jonas became a well-known lawyer on the Western Circuit in the early 1600s (A History of English Assizes: 1558-1714; J.S. Cockburn); however, that is another story - but a colourful one!

George Pynsent

Hugh’s brother George was also very successful. He moved to Exminster in the 1570s and was a “yeoman” with goods that cost him £7 at the time of the 1581 “Devon Subsidy”. He had his own day in Court of Chancery in 1574 when he became involved in a dispute with George Drake over a bond and the “copyhold” of some land (Drake v Pynsent: C3/267/7: 1574). Copyhold was a medieval form of ownership, whereby the landholder paid rent and gave services according to the “custom of the manor” as shown in a “copy” of the relevant manor rolls.

George married twice and had had two sets of children. When he died in 1598, he left his eldest son, George, who was later to become Constable of Topsham, £110, and his son Robert, who was to become Rector of Cotleigh, “the residue of

his personal estate” and also made him his executor. He left his daughters from his first marriage, Elizabeth and Anne £30 and £10 respectively, and a joint interest in a property in Loddiswell. John, his young son from his second marriage, was to receive £10 and an interest in a property in East Allington. His daughter Judith, who was only a few years old at the time, got 100 marks. George put his younger children in the care of his widow, Mary, and specifically requested that she see to their education (Prerogative Court of Canterbury Wills: Lewyen V92 #66). The family was on the rise and spreading out from its humble roots in Bovey Tracey.

Thomas Pynsent

Brother Thomas appears to have been a “husbandman” in Chagford. He borrowed money from his father in 1574 (Calendar of Deeds Enrolled #102) and was, as previously noted, referred to by his brother Hugh in his deposition in Chancery in 1575. Thereafter, he drops out of sight – unless he moves to Colbrooke parish (near Crediton) and pays £1 in tax as his part of the 1581 “Devon Subsidy”. If he does, his family can also be traced forward a few more generations.

Walter Pynsent

Walter Pynsent must have been one of John’s younger sons. He did not derive as much benefit from his father’s largesse, as his brothers, although his father did ensure he had a small farm in Teigngrace. He was not a particularly wealthy man and was only charged £1 at the time of the “Devon Subsidy” in 1581. Later on in life, while making a deposition in the Ecclesiastical Court in 1598, he was to state that he was aged fifty-six years and had been a resident of Teigngrace for thirty years. This helps to establish his date of birth and parentage. Evidently, Walter had witnessed the signing of a will that was then in dispute (Moger Abstracts, Series 1: Dean and Chapter Bundle #96) and he was called upon to establish its validity. In 1617, Walter was involved in a dispute over a bond in the Court of Chancery with a local gentleman with the delightful name of Gentle Godolphin (Godolphin v Pinsent: C2/CHASI/G63/69: 1617). He was called as a witness in another case (Coppelstone v Southcott: C21/C33/20: 1617) the same year. At that time, he testified that he was 72 years old.

John Pynsent, jun.

John Pynsent, “junior”, who was probably the eldest of the four brothers, is next in line of descent to the Pynsent baronetcy. He moved to Chudleigh, a village that originally formed around the Palace of the Bishop of Exeter but was

by then a flourishing market town on the Plymouth road nine miles southwest of Exeter. He was to become a successful merchant.

CHAPTER 3

Chudleigh, Devonshire: 1532-1643

JOHN PYNSENT: 1532-1615: MERCHANT OF CHUDLEIGH, DEVON

Alice French: xxxx-xxxx

Married: 1557: Bovey Tracey

Children by Alice French:

John: 1560-1562:

Johanna: 1563-xxxx: Married Thomas French: 1588 (?)

Gyllinglye: 1564-xxxx

Margaret: 1565-1568

George: 1566-1566

Margaret: 1568-1568

John: 1570-1570

John: 1571-1643: Married Joan Downham: 1596

William: 1573-xxxx:

Bennet: 1575-1575:

Joan: 1580-xxxx: Married Thomas Stowell: 1599 (?)

Sir William's great-great-grandfather, John Pynsent (son of John and Johanna and brother to Hugh, Thomas and George) was born before the start of parish records. However, we know that it must have been around 1532 as we have his own declaration, made in 1602, that he was then *"70 years old, born in Bovey Tracey and dwelt there 30 years... prior to moving to Chudleigh"* (Special Commissions and Depositions Exch. K. R. Chester - Devon: 44 Eliz. Hilary, No.15). He made the statement in the Honourable Court of Exchequer Chamber where he and his brother Hugh, and another John Pynsent (who lived at Yeo in Bovey Tracey and came from a completely different branch of the family) were called to testify

regarding an alleged “interference with the customs and suit and service to the (Bovey Tracey) mills”. This was yet another disagreement as to the “custom of the manor”. The Court had convened to decide if ten farmers, including John Pynsent of Yeo, were obliged to grind their corn at the King’s mill, or whether they were free to take their corn to be ground elsewhere.

When John Pynsent’s father arranged for him to take a lease on the previously mentioned property in Bovey Tracey in 1551, he may well have thought that his son would set up in business there; however, it was as John Pynsent “of the City of Chudleigh, in the County of Devon, Merchant” that John conveyed the property back to his brother in 1576 (Calmady: 372/6/3/2).

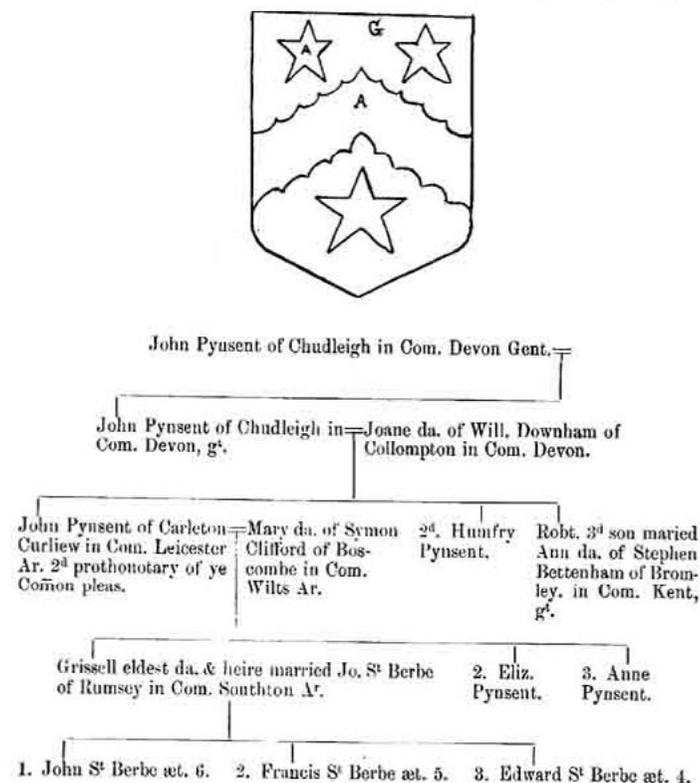
John arrived in Chudleigh in around 1562, which fits well with the first mention of a John in residence in 1564. The Devonshire economy of the time was still very much tied to wool production, weaving and the development and export of “new draperies” through the port of Exeter and, although the records do not specify his line of business, the textile industry is likely. His business must have taken time to grow, as he was more lightly taxed than his brothers George and Hugh when the taxman called for his contribution to the 1581 “Devon Subsidy”. He only paid £3.

John seems to have kept some of his father’s property in Bovey Tracey as the Church Rates for 1596 (Devon and Cornwall Notes and Queries, Vol. X) show a John Pynsent paid three shillings for “his tenement at Combe, and for ground at Clayparkes.” Interestingly, some of the other tenements at Combe were then in the hands of the French family. Perhaps they were part of his marriage settlement.

John married Alice French, a widow, in Bovey Tracey in 1557. They had a son (John) and a daughter (Johanna) baptized there in 1560 and 1563 respectively. The former was probably short lived. Their next child, a daughter (Gyllinglye), was baptized in Chudleigh in 1564. In all, they appear to have had eleven children; however, six died in infancy and four (Johanna, Gyllinglye, William and Joan) may also have died young, as they are unaccounted for. Only one son, another John born in 1571, is known to have lived to carry on the family name.

John’s Pynsent’s (male) line of descent is well illustrated by a simplified family tree. The original document, which is in the British Library [D.15, fo.6 3b], is reproduced in the Harleian Society edition of “The Visitation of Surrey, in 1662/8” (Figure 6). It shows that “John Pynsent of Chudleigh, in Com. Devon, Gent” - the individual we are dealing with - had a son, also described as “John Pynsent of Chudleigh, in Com. Devon Gent.,” and that the son married Joan Downham. The abbreviation “in com” almost certainly means “in commerce” and the title of “gent” clearly indicates that he was a “gentleman” and thus entitled to a coat-of-arms, as in those days usage of the term without official sanction was frowned on. The King’s Heralds periodically visited counties and checked the trees of the

Pynsent.

[D. 15, fo. 63^a.]

Jo. Pynsent

Figure 6. “Pynsent” in The Visitation of Surrey, 1662-8.

local “gentry” specifically to ensure that they and the coats of arms they were using were legitimate.

The tree was prepared and signed by John’s grandson, (Sir William’s grand-uncle), the Prothonotary (Clerk) of the Court of Common Pleas in 1662, a few years before he died. Interestingly, it shows the arms as “*gules, a chevron engrailed between three mullets, argent*” rather than the expected “*three estoiles, argent*”. Traditionally, an estoile was a star with six points, whereas a mullet only had five. Arms passed down through the generations from father to eldest son, so one might have expected the prothonotary to use mullets, not estoiles in his own device when the time came.

In the 1960s, Mr. R. R. Sellman, a local historian in Devonshire, examined the Clifford family archives at Ugbrooke and took notes from the Chudleigh accounts books. He found that John Pynsent was active in parish affairs between 1572 and 1578. He was churchwarden in 1572 and paid for “*things bought for soldiers*” in 1574. He provided “*smocks and kerchiefs for the poor*” in 1577 and purchased “*15 swords*” in 1578. Pope Pius V had excommunicated Queen Elizabeth in 1570 and the purchase of swords probably reflects an underlying fear of a Catholic uprising, perhaps supported by invasion from abroad, in the years leading up to the Spanish Armada in 1588. The fear must have been particularly acute after 1585 when Elizabeth banned Jesuits from entry into England. Amongst other civic duties, John was appointed constable in 1592 and one of four “*Overseers of the Poor*” in 1600.

John Honeywell (www.cs.ncl.ac.uk/genuki/Dev/Ashton/Honeywell) throws a different light on John Pynsent’s life and times. One of his ancestors, William Honeywell, a “*respectable and stocky yeoman who held lands in Ashton and Trusham parishes, and lived, I believe at Ridon, in Kingsteignton*” referred to John Pynsent several times in a diary he kept from 1596 until his death in 1614. He notes that on 1st May 1602, he (William) went to Chudleigh Market, bought a few items and “*lay at Pynsentt’s that night*”. The same year, while making notes for a will (that was later superseded), he wrote: “*To my acquaintances, and withall my good friends, Thomas Clifford, Mr. John Staplehill, Mr. Henry Estchurch, Mr. Richard Estchurch, Mr. Humphry Spurway, Mr. Hugh Osborn, Mr. J. Pynsent, Mr. Richard Prowse and six others, 20s each to make them rings*”. As we shall later see, it was a common practice to give friends a small token for “*mourning*”.

William Honeywell also knew other members of the extended Pynsent/ Pynsent family. In December 1605, he wrote that he “*went to Woodhouse and there sold to Robert Pynsent and his wife 36 pounds of pewter dishes at 7d per pound, which came to 21/-*.” Robert was from a different and, at that time (the beginning of the reign of James I) much less exalted, branch of the family.

However, its time was to come. Robert and his wife fathered two separate lines that over the years moved from farming to commerce and into law, where they achieved some measure of success and social standing. One branch farmed in Hennock until the early 1800s, and then became ship-owners and merchants involved in the Newfoundland fishery. (Sir) Robert John Pynsent, a successful barrister in Newfoundland, was a Member of the Legislative Council and was appointed Chief Justice of the Supreme Court of Newfoundland in the 1890s. The other branch stayed on in Devon. The farmers became tallow chandlers and soap boilers in Bovey Tracey and Moretonhampstead and had considerable success running a linen drapery in Devonport before taking to the legal profession. (Sir) Richard Alfred Pynsent co-founded the Birmingham law firm of Barlow, Smith and Pynsent in 1877 and was elected President of the Law Society in 1919. As we shall see, these two lines touched in the early 1800s and between them founded the re-born Pynsent family we see today.

In medieval and early post-medieval times, disputes over inheritance, land ownership, repayment of bonds, payment of tithes etc. often relied on oral testimony delivered in manor or other local courts. For instance, we find that a Thomas Pynsent (who exactly, I am not sure) was one of the jurors at the King’s manor court in Bovey Tracey on the 16th October 1531 where, among other items on the agenda, they discussed the fact that “*John Furseland, late of Bovey Tracey, gent, on 29th August (of that year), at Litelbovy in the jurisdiction of the manor of Bovey Tracey took and drove away three oxen of the goods of William Phelypp, being then and there impounded and took them to Hekhweke, against the liberties of the Lordship of the Duke of Richmond, and to the Lord’s prejudice*”. The results of the case are unknown.

Similarly, the death of one of the King’s “*tenants-in-chief*” could trigger an “*Inquisition Post Mortem*”. When it did, the Court of Chancery would issue a writ for an “*escheator*” to determine the status of the deceased’s property. He would swear in a jury of twelve respectable free-holders with knowledge of the deceased’s holdings and conduct an “*inquisition*”. A “*John Pynsent*” -- presumably either John Pynsent “*senior*” or his son, John Pynsent “*junior*” -- of Chudleigh, was appointed to several such juries in Exeter in 1609, 1610, 1611 and 1612. This was most likely the elder John, selected for his local knowledge and remembrance. However, he was getting to be an old man himself by then. He died in 1615.

As time passed, oral testimony fell out of favor and there was greater reliance on written records in court proceedings. Disputes were channeled through the local courts into higher Ecclesiastical and Civil Courts, and, in matters of “*equity*,” into the Court of Chancery. This led to a dramatic rise in both the number and status of lawyers. Education was becoming of increasing importance.

JOHN PYNSENT: 1571-1643: MERCHANT OF CHUDLEIGH, DEVON

Joan Downham: 1578-1625

Married, 1596: Chudleigh

Children by Joan Downham:

John: 1598-1668: Married Mary Clifford, 1596:
(Prothonotary, Court of Common Pleas)

Humphrey: 1599-1679: Merchant of Chudleigh, Devon

Mary: 1602-1604

Anthony: 1603-1605

Elizabeth: 1606-xxxx: Married Thomas Washer of Lincoln's Inn, London

William: 1608-1643: Married Anne Lancelot, 1640: London

Grace: 1610-1670: Married William Tothill of Bovey Tracey, Devon

Eleanor: 1613-1678:

Robert: 1617-1679: Married Anne Bettenham of Bromley, Kent

Sir William's great-grandfather, John Pynsent "junior" (as he would have been until his father died in 1615) was his father's only surviving son. He married Joan, daughter of William Downham of Cullumpton, Devon, in 1596 and had a large family that included four sons -- John, Humphrey, Robert and William (born in 1598, 1599, 1605 and 1608 respectively) -- and three daughters -- Elizabeth, Grace and Eleanor (born in 1606, 1610 and 1613) -- that survived into adulthood and contributed to the saga of the Pynsent baronetcy.

John Pynsent formally took over the family business in Chudleigh on his father's death in 1615, but must have been running his father's operations for many years before that. Sharing his father's name, it isn't always possible to differentiate between them. Mr. R. R. Sellman shows that one or other was "market man" from 1603 to 1613, and took a five-year lease on the Market and on St. Matthew's Fair for £100 in 1614. Clearly, the family fortune had increased markedly since John's grandfather paid £3 tax after the "Devon Subsidy" in 1581. The control or "farm" of the Chudleigh market was a lucrative business and the records show that its price rose considerably in the early 1600 as a result of competition.

John was well educated and, like his father, active in local affairs. We find that John Pynsent "junior" was paid for making a bond in 1594, and also for "writing about parish business" the following year. In his diary, William Honneywell, shows that on 2nd May 1607, he "went to Chudleigh Market and there delivered to Thos. Hewit £10 0s 0d for which I have his bond, and John Pynsent made it". According to Mr. Sellman, John Pynsent audited the accounts of "the four men" from 1612 to 1615 and was appointed to be one of them from 1617 to 1623. By tradition, Chudleigh was managed by a committee of "seven men"

who were chosen by the parishioners at an annual vestry meeting (The History of Chudleigh; Mary Jones: 1852); however, some decisions seem to have been made by fewer people and others by more. John was appointed Churchwarden in 1619 and remained active in the community into his fifties. He was "Supervisor for Highways" in 1623. A few years later, in 1627, "the eight men" are described as holding their monthly meetings at his house.

John Pynsent, of Chudleigh, Devon, Gentleman, "aged 60" was called upon to make two depositions in Court of Chancery in 1633 (Shapley v Carewe: C21/C9/22: 1633 and Cary v Dennys: C21/C3/6: 1633). In the former, John Pynsent, Thomas Will and Nicholas Ball say they tried (unsuccessfully, it seems) to negotiate a settlement between the plaintiff, a Mr. Shapley, and the defendant, Mr. Carewe, regarding a disputed mortgage over land purchased in South Milton (Molton? It's unclear.) John appears to have been appointed one of "four men" in 1640 and was signatory to a contract with Mr. James Moore to maintain the watercourse for bringing potable water to the community for the next twenty-one years (Anthony Crockett: "A Chudleigh Chronicle", 1985). By then, he was an old man.

John Pynsent had wealth and standing in the community. He was a "gentleman" and entitled to his coat of arms. However, he was did not belong to the "landed gentry" having acquired his wealth through "commerce". Nevertheless, his level of respectability had benefits and enabled him to make good marriages for three of his sons and two of his daughters. His eldest daughter, Elizabeth, married a lawyer, Thomas Washer of Hennock and of Lincoln's Inn, London, in Exeter in 1634. Thomas was presumably related to the John Washer, "gentleman", "Clerk of H. M. Court of King's Bench" who had sued Robert of Woodhouse's son, Robert Pynsent, and his wife Agnes (nee Stevens) in Court of Chancery over land in Ipplepen four years earlier (Washer v Pynsent: C2/CHASI/W100/34: 1630). Fortunately, that dispute involved a different branch of the Pynsent family, so would have passed relatively unnoticed. However, one between the "Ancients, Fellows and Students" of Lyon's Inn (one of the "Inns of Chancery", in London), and Jonas Pynsent, Hugh Pynsent's grandson and John's first cousin once removed, in 1637, for debts incurred by his father may have hit closer to home. Apparently Jonas's father (the Jonas Pynsent mentioned earlier) had lobbied for the appointment of one John Pearse as Treasurer of Lyon's Inn in 1626 and had stood as surety for his "true dealings". That had not turn out well and, as the elder Jonas had recently died, it was left to his son to sort out the mess. Thomas and Elizabeth Washer were to have at least three children, John, Thomas and Mary Washer who were later to be mentioned as legatees in their various Pynsent uncles' and aunts' wills.

Perhaps it is not surprising to find that Elizabeth, the daughter of a wealthy merchant, married into a family of lawyers. In the absence of any likely inheritance, the younger sons of "gentlemen," "yeomen" and "merchants" were

increasingly turning to the legal profession as a route to social advancement. It was also common practice for aristocratic families to send their sons to the Inns of Court for their education – the better to enable them to handle the estates they were to inherit – so, if nothing else, time spent in London would have provided them with useful contacts.

Attendance at the Inns of Court and their various affiliate Inns of Chancery rose dramatically between 1550 and 1610 (*W. R. Prest: The Inns of Court Under Elizabeth and the Early Stuarts 1590-1610*). On arrival, a young lawyer would have found Devonshire surprisingly well represented. According to Professor W. G. Hoskins, in his book on “Devon” published in 1954, no fewer than 350 Devonians sought admission to just one of the Inns of Court, the Inner Temple, between 1547 and 1660. He lists many of those that excelled there and, elsewhere, quotes an older source, Fuller, as saying that, “*The Devonshire men seemed to be “innated with a genius to study Law”*”. Perhaps he just meant they were unduly quarrelsome. Devonians were living in an increasingly complex and well-documented world, and the English, as we shall see, were developing a taste for litigation.

Jonas Pynsent, Thomas Washer and, later, John’s sons John and Robert Pynsent and his grandson William Pynsent were among the many who made the trip to London in search of advancement in the expanding legal profession

John’s daughter Grace married William Tothill, Esquire, of Bovey Tracey, who was also a “gentleman”. They had at least one son, Bartholomew, who was mentioned in her brother Humphrey Pynsent’s will in 1679. Bartholomew, in turn, appears to have had a son, Robert, who was to become one of his aunt Anne Pynsent’s (nee Bettenham) godchildren. This Robert Tothill was almost certainly Sir William Pynsent’s “kinsman”, the man who acted as his agent in London in the 1730s. Robert left his own estate to Sir William Pynsent and his daughter, Leonora Ann Pynsent, when he died in 1753, an act of generosity that would cause William Pitt considerable grief and time in court after the old baronet died in 1765.

John Pynsent’s third surviving daughter, Eleanor, never married. Her mother, Joan, had died in 1625 while she was young and she likely felt obliged to stay home and look after her father. He died in 1643 and his will was proven in Exeter in 1646 (*Devon Wills Index Library 1532-1800, #105*). Unfortunately, it was destroyed when the probate registry was bombed during the Second World War. After his death, Eleanor lived with her unmarried brother, Humphrey, who took over the family business. We will return to him later.

All three of John Pynsent’s other sons moved up to London in the 1630s, before the Civil War. John and Robert became clerks in the Court of Common Pleas and William became a draper. Only William had a son that survived into

adulthood and it is to him that we will eventually look for the establishment of the baronetcy.

CHAPTER 4
*Chudleigh, London and Croydon,
Surrey: 1598-1688*

**JOHN: 1598-1668: MARRIED MARY CLIFFORD, 1596:
(PROTHONOTARY, COURT OF COMMON PLEAS)**

Mary Clifford: 1604-

Married: St. Margaret's, Westminster: 1631

Children by Mary Clifford

Grissell: 1635-1658: Married John Saint Barbe: Ashington,
Somerset: 1653

John: 1637-xxxx

Elizabeth: 1642-1664: Married Sir John Bolles: Scampton,
Lincolnshire: 1662

Anne: 1647-xxxx: Married Sir Villiers Chernock, 1665.

Jane: 1651-xxxx

Dorothy: xxxx-1659

John Pynsent was the eldest of John Pynsent and Joan Downham's sons and one of Sir William's three grand uncles. He was born in Chudleigh in 1598 and, although there is no evidence he received legal training at an Inn of Court, he was a practicing attorney in Devonshire by the mid-1620s. It is possible he learned his trade through some form of local apprenticeship.

As a young man, John witnessed wills and signed off on household inventories. For example, he reviewed the estate of John Bennett "the elder", a gentleman of Chudleigh, in 1625 (Devon Inventories of the Sixteenth and Seventeenth Centuries) and is named as having acted as attorney for Christopher Heller in papers now held in the Ugbrooke (Clifford) Archives in 1632. He was later

employed by another John Bennett, gentleman of Chudleigh (quite possibly the son of the first), as attorney for the sale of property at Harcombe in that parish in 1634. The latter is one of many documents described by J.C. Tingey in the *Calendar of Devon Deeds Enrolled 1605-1763* (#1848).

John Pynsent married well. His marriage to Mary Clifford, daughter of lawyer Simon Clifford of Boscombe, in Wiltshire, and also of Kingsteignton in Devon, in St. Margaret's parish Westminster in 1631 must have provided him with influential friends and contacts and it may have been through his father-in-law that he acquired the "*Supersedeas Patent*" that led to his move to London. He held the patent, which gave him the right to issue "stays of proceedings" in lower courts and authority to direct legal matters to the Court of Common Pleas, from 1632 to 1635 (Exchequer Records: E215/746&7).

The move to London was well timed. Devonshire was not immune to the social unrest that was by then brewing across the country. The cloth trade was in trouble, the result of foreign wars and the ensuing market disruption. There was resentment against arbitrary taxation and religious reforms that seemed to move the Anglican Church towards more Catholic forms of worship. The changes were too much for local, somewhat puritan, tastes. Much of the resentment was directed at the Duke of Buckingham, the "King's Favourite" and the power behind the throne, but his assassination in 1628 did little to stem the tide. In fact, the situation was exacerbated in the mid 1630s by King Charles I's demands for "Ship Money", a non-parliamentary tax. The move was nominally intended to support Britain's coastal defenses but was seen by many as yet another attempt on the part of the King to govern without consulting Parliament.

John and Mary had at least six children, one boy and five girls. However, the son died young and only three daughters, Grissell, Elizabeth and Anne, survived into adulthood. The family lived in Westminster before the Civil War and sometime thereafter moved to "*a dwelling house in Bartlett Court in St. Andrew's parish, Holborn*". They must have lived very close to Thavies Inn, which was then one of the Inn's of Chancery housing legal clerks (solicitors) associated with the larger legal establishment of Lincoln's Inn. It is on what is now New Fetter Lane in the Chancery district of London. This was to be their city home for the next twenty years.

John likely saw the slide into Civil War more from the perspective of the London lawyer than the provincial merchant. Prior to the war, London merchants were conflicted. They resented the King's boycott of parliament, his un-parliamentary taxation and his infringement of their historic rights; however, they feared his power and grudgingly hedged their bets. Charles I had governed without calling a Parliament for some time but in 1641 his ill-advised attempt to impose an Anglican-style prayer book on the Scots, triggered a war that could only be

funded with Parliament's support. With considerable reluctance, he called one. The members arrived in a particularly uncompromising mood and produced a list of grievances that they expected to see redressed before they would fund the King's war. Matters came to a head when Charles marched troops into the House of Commons and tried to arrest five of the most outspoken members (John Pym, John Hampden, Denzil Holles, Arthur Haselrig and William Strode) on 4th January 1642. Pre-warned, they were absent and he failed. King Charles left the City a week or so later and started making preparations for the Civil War. When he left, it became easier for Londoners to openly side with Parliament. Particularly as many of those who didn't, fled. The fact that William Strode, one of the five members of parliament targeted, was the son of Sir William Strode of Plymton St. Mary in Devon and that his mother Mary Southcote came from Bovey Tracey speaks to the level of resentment in the Southwest of England.

John Pynsent does not appear to have taken an active part in the conflict. Rather, he remained in London and appears to have benefited from the administrative chaos that ensued. He had the right politics and credentials, courtesy of his pro-parliament leanings, and was in the right place at the right time. As we shall see, it was his brother, Humphrey, who had the unenviable task of trying to run a business in Chudleigh while keeping a tightly knit (but presumably split) community functioning during a time of war.

In 1652, Bezalleel Gaell, the executor of the will of one John Carpenter, made a deposition in Chancery to the effect that he had given John Pynsent, who was "*now one of the prothonotaries of the Court of Common Pleas, then a clerk in the office of Mr. Cony, a prothonotary in the same court*" papers concerning a loan repayment in 1642. John responded that the papers were lost at some point during the Civil War and he no longer had them (Gaell v Pynsent: C5/15/39: 1652). The loss of documents appears to have been an all too common occurrence during the war.

Two years later, John obtained the post of Second Prothonotary (a Senior Clerk) of the Court of Common Pleas, a position he was to hold until his death. He most likely bought it from an absconded royalist using an inheritance from his father who had died the previous year. Wilfred R. Prest (*The Inns of Court Under Elizabeth I and the Early Stuarts: 1590-1640*) describes how "*Thomas Corie bought the Chief Prothonotary's place in the Common Pleas for £10,000 in 1638*". Senior prothonotaries had considerable influence over the court's agenda and were able to levy fees, which had obvious financial benefits. The post would not have come cheap. The legal records of this period are catalogued according to the name of the office of the principal clerk handling the case and the National Archives at Kew contain numerous documents relating to John's caseload from Michaelmas (Christmas) Term 1645 to Trinity (Summer) Term 1668. Along with the

appointment, John gained admittance to Lincoln's Inn where he was appointed an Associate to the Bench in June 1644. At the same time, he bought Mr. Robert Anderson's chamber from the Inn Council, with the proviso that he should have his money refunded should Mr. Anderson (a Royalist) be reinstated. When Mr. Anderson signed the "*Articles of Oxford*", a document outlining fairly lenient terms of surrender in 1647, John's money was returned.

The Civil War (or Wars to be precise, as there were two periods of conflict) came to an end with the execution of Charles I on 30th January 1649. The monarchy was abolished and a republic, the "Commonwealth of England," was established under the control of a politically cleansed "rump" of the old parliament and of Oliver Cromwell, one of Parliament's principal generals who then assumed the title of "Lord Protector of England, Scotland and Ireland". Cromwell dismissed the parliament in 1653 and took personal control of the country until his death in 1658. He hoped his son, Richard, would follow him as "Lord Protector" but, under pressure both from the Army and a new parliament, Richard Cromwell resigned and King Charles's son, Charles II, returned from exile to assume the throne. John the Prothonotary survived the transition and doubtlessly profited from the ensuing legal scramble as royalists tried to reestablish their rights.

The Law Courts continued to operate throughout the war and the Commonwealth, but the political and social instability from 1642 to 1660 had lasting repercussions; countless Chancery documents testify to the legal confusion caused by the loss of documents "*through the violence of soldiers*" who requisitioned the manor-houses of gentry on both sides of the conflict and broke open their strong boxes in search of money and items of value. The records also show seemingly impossible levels of debt incurred on both sides, though it was the royalists who carried the worst of the financial burdens, as they were additionally required to "compound" or pay a fine for their "delinquency" after the war ended. The Reverend John Pynson of Talaton, for instance, had stood for the King in Exeter and had to "compound" under the "*Articles of Exeter*" in 1646. He was relieved of his parish and we find that, on 12th February 1651, "*Joanna, his wife begs a fifth of his estate for herself and four children*". It was granted (Committee for Compounding: Cases 1643-1660: Vol. II, p. 1410) and, during the Restoration, the Reverend gentleman was later returned to his estates. The whole sad story of his banishment was recorded for posterity in a book entitled "*Attempt towards Recovering an Account of the Number and Suffering of the Clergy of the Church of England etc. in the late Time of the Grand Rebellion*" by John Walker M.A. in 1714.

The Chancery depositions also speak to personal animosity fostered by war, as gentry on one side of the conflict settled personal scores with their neighbours on the other. One has to feel that Francis Buller, son of Sir Richard Buller, had it in for

John Pynsent, gentleman of Bere Ferrers (George Pynsent of Exminster's youngest son), as they bickered over a debt incurred in 1629 that may (or may not) have been fully repaid twenty years later. Certainly, it's easy to feel sympathy for John if, as he claims, Sir Richard was holed up behind the barricades in Plymouth and inaccessible when he (John) was supposed to make one of his payments (Pynsent v Buller: C9/7/152: 1649).

The post-war period was tough on winners as well as losers. The Calendar of State Papers Domestic describes the plight of one Capt. Wm. Shawe who "*had been clerk to Mr. Pynsent, one of the Prothonotaries of the Court of Common Pleas*" and had given up his position to serve the parliamentary cause. In 1645 he claimed that he was owed £400 arrears of pay, was destitute and was driven to plead for a job as a clerk.

John Pynsent meanwhile was doing very well for himself. However, he seems to have been conscious that his family and its growing wealth were founded "in commerce and law" and not "in land" and that he did not have the social status of the Clifford family that he had married into. The solution seemed to be to buy property so, after the war he and his wife, Mary, started to acquire and "flip" estates as their wealth increased.

In 1652, the Earl of Berkshire mortgaged a mansion house and six acres at New Elme, in Oxfordshire to John Pynsent's brothers Humphrey and Robert for £3,954. The debt was to be repaid within two years. However, the Earl defaulted and the brothers took possession in 1654 and transferred the title to John who had, presumably, come up with the money (Harvey v Pynsent: C10/100/62: 1662). Certainly, John owned the property when he died, in 1668.

John and Mary picked up the manor of Packington in Staffordshire and sold it to Robert Robotham in 1658 (Close Roll 9 Will. III pt 3 #12). Later, they bought an estate at Carlton Curlieu, in Leicestershire, and held that through to at least 1662. In fact, it was as "John Pynsent of Carlton Curlieu" that John made his submission to the College of Heralds during their Visitation of Surrey in the 1660s. Presumably he was in the process of moving to Surrey at the time. Their final acquisition was a large copyhold estate at Combe, in Croydon, that they bought from Daniel Harvey (who, apropos of nothing, discovered the circulation of the blood). Whether John and Mary ever spent appreciable time at New Elm or at Carlton Curlieu both of which are some considerable distance from London is not known. However, they certainly lived at Combe (or "Coombe" as it is now called – interestingly but I think coincidentally the name of his great grandfather's estate in Bovey Tracey). Croydon is close to London and the prothonotary likely returned there, rather than stay in London during the plague outbreak in 1666, and also later that year when the "Great Fire of London" destroyed half the city. The fire started in a baker's shop near the site of the Monument and spread outward

and westward over several days, eventually dying out in St. Andrew's parish just short of Chancery Lane. John's house in Barlett's Court probably survived - just.

John never owned land in Devonshire, although he made several attempts to do so. Early on, he tried to acquire the Lordship of the manor of Kingsteignton from the Clifford family. The manor had originally belonged to his father-in-law's (i.e. Simon Clifford of Boscombe's) brother Henry Clifford. When he died, in 1636, he left it to his wife, Martha (who was, as by right, entitled to one third for the duration of her life) and thereafter he gave the manor to his brother Simon for his life, and then to his (Simon's) son, who was also called Simon (House of Clifford: Hugh Clifford). In 1638, John Pynsent purchased the "reversion" or right to be next in line of inheritance of the manor. Unfortunately for John, both Simons died before Martha who held on to her part and denied his interest. She ensured that the manor went to her son, who (for some reason – perhaps he had fought for the "wrong" side during the war?) had previously been cut out of the line of succession. John, being the lawyer he was, resorted to the Court of Chancery (Pinsent v Clifford: C2/CHASI/P20/58) in 1646; however he lost and Martha's son, James Clifford, acquired the manor. He later sold it to Hugh, Second Lord Clifford and it remained in the Clifford family.

This was not to be John's only run-in with the Cliffords. He loaned Rev. Thomas Clifford of South Brent £20. However, when John attempted to claim the money from his estate, in 1639, his widow, Johanna (rightly or wrongly) refused to pay claiming the debt had already been paid (Pynsent v Clifford: C2/CHASI/P39/9: 1639).

In 1651, John Pynsent made another half-hearted attempt to purchase a manor in Devon. He tried to purchase the Lordship of the manor of Torbryan, near Torquay, from Thomas Savage; however he backed out after discovering that it was heavily encumbered (Tom v Ely & Pynsent: C10/6/106: 1649/50). A few generations on, land in Torquay would have been an asset well worth having.

In John's world, there were no banks and major purchases were commonly made with the help of wealthy financiers who could do very well for themselves – particularly if the debtor was financially stretched and unable to meet his obligation. It was not uncommon for failed mortgages to lead to out-right default and for loans secured by a third party to carry a penalty or "*a penal sum*" as it was called for non-performance of twice the amount loaned. Many, perhaps most, financiers would renegotiate a deal if a payment were missed; however the debtor commonly found himself in a spiraling round of payments that eventually far exceeded his initial obligation. For his part, the lender took considerable risk. There was no central land registry and property ownership could easily be misrepresented or encumbered and such documents as were produced might well have been out of date. Property advertised as "freehold", might turn out

to be "copyhold" or "leasehold" or, if genuinely "freehold", it could have been "entailed" by some previous owner. "Entailment" was a device used by the gentry to ensure that their freehold land was passed to their eldest son "in trust" for future generations. In true *Downton Abbey* fashion, the owner became, in effect, a "life tenant" on his own property, holding it for his heirs. He would have to "break the entail" to sell it.

John Pynsent would have known the risks as well as anyone. However, he held a lucrative position at the heart of the legal system. He had money and contacts and he seems to have been determined to raise his family's status. Presumably having the high-and-mighty indebted to him seemed like the way to go. Certainly, over time he appears to have become as much a financier as a Law Court Official. Presumably most of his deals were successful. Unfortunately we know very little about them as they left poor paper (parchment) trails. The deals that failed and ended up in Court are the ones that we know about.

Some examples: In 1662, John took Henry Ford to court for failing to provide a scheduled payment "*at his dwelling house at Bartlett Coke*" (Bartlett's Court?) on 28th August 1661. In this particular case Henry, who faced the loss of property in Alphington and Ipplepen, in Devon, did not deny the facts but he felt that the penalty for non-payment was excessive (Pynsent v Ford: C10/72/117: 1662), as it probably was. John's peers in Chancery seem to have agreed with Mr. Ford, as John did not get the property. Perhaps this was another failed attempt to obtain land in Devon. In 1651, John acquired the manor of Barnes, in Surrey, from Lancelot Symonds and became embroiled in a fairly typical dispute regarding competing rights. It seems that he had been unaware that Symonds had previously leased the property to Richard Piggott and that he, Richard, had subleased it to William Landhorne. He learnt of the problem when he was refused entry by the resident tenure-holder, Mary Sandford. John claimed that Mr. Symonds had mortgaged the property to him for £600 and, as he had failed to make the requisite payments in 1649 and 1650 the property was rightfully his. He also claimed that he was aware that the purchase came with some liens and liabilities but he had dealt with them before attempting to lease out the property himself. What he had not realized was that Mary Sandford held a right of occupancy. He generously allowed her to continue to hold the land until the expiry of her lease (Sandford v Pynsent: C5/403/261: 1651).

Later on in life, in 1665, John was named as a "Master in Chancery" when asked to assess the value of a payment to be made in a dowry dispute between Loveisgod and Katherine Gregory (Shakespeare Birthplace Trust: DR10/1411-1919). At the same time, he was still a protagonist in the Court of Chancery in his own right, dealing with issues relating to land ownership, debt and inheritance, some of which continued through until his death. One of the last suits seems

to have been particularly frivolous. In 1668, George Carewe, esquire, tried to involve him in a dispute he was having with Sir Henry Compton and Spencer, Earl of Northampton. George evidently owed £2,000 to one or other of them and claimed that he had deposited the funds in the prothonotary's office and it was thus liable and, besides, John Pynsent was holding the office of prothonotary "in trust" for Sir Henry Compton and should make the payment (Carew v Pynsent: C5/423-76: 1668). Perhaps John was negotiating the sale of his office.

On the domestic front, John and Mary succeeded in consolidating their position in London society through their daughters' marriages. Since the death of John's only son (date unknown), his daughters were his co-heirs apparent and they must have been extremely attractive marriage prospects. The eldest, Grissell, married John Saint Barbe in 1653. He was from Ashington in Somerset but held property at Broadlands, near Romsey, in Hampshire. Sir John's mother was the granddaughter of Sir John Popham who was at one time the Chief Justice and the marriage had the added benefit of strengthening the prothonotary's legal connections. John and Grissell had four sons; however, only three, Henry, John and Edward were alive when both their parents died within hours of each other in September 1658.

There is an impressive monument to Grissell, her husband and their children in Romsey Abbey, above that of Lord Mountbatten of Burma who was a later owner of Broadlands. The Saint Barbe monument (Figure 7) consists of a plaque located below busts of husband and wife inscribed: "An Epitaph upon John St. Barbe Esq., the son of Henry St. Barbe Esq. and Grissell his wife, the daughter of John Pynsent, Esq.: He about the 42 year of his age, she the 22 year of her age; Leaving four sons, Henry, John Francis & Edward, slept in the Lord". Beneath the inscription are two interlinked poems that, in slightly updated English read: Under John "Earth's Rich in Mines of Precious dust (And faithful ones) Since in her Bowels rest these Just (Whose silent bones) Death here do rest yet left not Earth (In Fame and State) But brought four sons to Perfect Birth (Triumph o're Fate)" and under Grissell "Whom Nature Wedlock Grace did tie (And faithful ones) In one Fast Chain of Unity (Whose silent bones) Because such Righteous & their Seed (In Fame and State) Shall flourish here and shall in Deed (Triumph o're Fate)" The poem is followed by "An Anagram upon their names: John, Grissell Sainte Barbe: 'Be in Shares in Blest Glorie': The Memory of the wicked shall rot but the remembrance of the just shall live forever".

Between the busts of husband and wife is a split coat of arms showing that of St. Barbe and Pynsent: the latter, in this case, showing "mulletts, argent". At the base of the inscription there is an explanatory note that reads: "John St. Barbe & Grissell his wife were buried 2nd Sepr. 1658, their son John was created a



Figure 7. The John St. Barbe memorial at Romsey Abbey.

Baronet 30th Decr. 1663 & died at Broadlands 7th Sepr. 1723." Beneath that, there are small statues of the four sons.

On the death of the baronet, the Broadlands estate passed to his cousin Humphrey Sydenham. He lost his money when the South Sea Bubble burst in the 1720s and was forced to sell the estate to Henry Temple, 1st Viscount Palmerston, in 1736. The original manor house has long gone and been replaced by the Stately Home that is there today.

By his will, John Saint Barbe directed that his widow (Grissell), his father in law, John Pynsent, the latter's brother, Robert, and one Henry Rogers were to be his executors and manage the Saint Barbe estates until Henry, the eldest of Grissell's three remaining sons should come of age. However, as Grissell died within hours of her husband the principal responsibility devolved to her father who had the boys tutored by John Rawlet, a man who was later to become a well-known poet and preacher. Margaret Manuel describes his position in the Pynsent household in Bartlett Court (John Rawlet: *Poet and Preacher*: Margaret Manuell, 1984). Henry Saint Barbe, the eldest of the sons, died in 1661 and it was his brother John Saint Barbe who inherited the Broadlands estate when he came of age. He did so as "Sir John St. Barbe" as his grandfather had purchased a baronetcy for him in 1663. One of the requirements for the honour was that the recipient be a gentleman of good birth who had an annual income of one thousand pounds a year. That he met the requirement says something about the value of the Broadland estate. It is worth noting that John Pynsent never applied for a baronetcy for himself, which suggests that his estates weren't quite up to it. Sir William Pynsent's father, the first baronet who we will meet later in the story, was then in his early twenties must have watched with interest.

The Court of Chancery was one of "equity" and its records are full of complaints about non-payment of debt either brought by or against the executors of wills who, in many instances, were quite removed from the initial transaction. Predictably, the prothonotary had to protect his grandson's estate from purported creditors. In 1661, Thomas Stallington of Cannington in Somerset sued John Pynsent, his grandson John Saint Barbe and other trustees over a bond, valued at £200, for a debt of £100 that John Saint Barbe's other grandfather Henry Saint Barbe had entered into several years before. Thomas claimed Henry's land was worth £1,000 per annum and that his son, John Saint Barbe (Grissell's husband) had acknowledged before he died that, although the interest had been paid, the principal was still outstanding (Stallington v Pynsent: C5/632-10: 1661). The issue was still unresolved two years later, when Grace Stallington resumed the cause after the death of her husband (Stallington v Pynsent: C5/632/9: 1663). John Pynsent claimed to have no knowledge of the debt and to have heard from his late son-in-law that he had paid all his father's debts. He himself claimed that

he had paid £1,860 of his own money in settling the debts his son-in-law had had when he died, and said that he had yet to recover the money from the Saint Barbe estates (Stallington v Pynsent: C5/40/56: 1661). In a further complication, John Saint Barbe had left £500 and jewelry to each of his four nieces, Katherine, Jane, Elizabeth and Amy Poole, the daughters of his sister Dame Katherine and Sir William Poole, when each should attain the age of eighteen years. In 1665, their guardian, Sir Courtenay Poole, felt obliged to sue the Pynsents for refusing to honour the legacy (Poole v Pynsent: C5/624/91: 1665). The outcome of that one is unclear.

Grissell's sister Elizabeth married Sir John Bolles of Scampton in Lincolnshire, in 1663 (Vicar General Marriage Allegations). Again, the connection probably came through the law as a John Bolles, gent, was a senior lawyer who disputed the Clerkship of the Commonwealth with Thomas Willis, esquire between 1645 and 1654 (The States Servants, G.E. Aylmer). However that particular family connection is not yet certain. Elizabeth died the following year, which agrees with a Court deposition made in 1670 that states that the prothonotary had only one daughter (Anne) living when he died in 1668 (Pynsent v Pynsent: C5/538/97: 1670)

Anne, the third sister, married Sir Villiers Chernock of Hulcote, Bedfordshire, in 1665. By this marriage, John linked the Pynsents to several extremely powerful families. Sir Villiers was the grandson of Sir William Villiers who married a daughter of Lord Say and Sele and had a brother married to the daughter of the jurist, Sir Edward Coke. Sir William's half-brother, George Villiers later became the first Duke of Buckingham, who was previously referred to as the "power behind the throne". George had been promoted by the protestant faction at Court in 1614 to counter the pro-Catholic and pro-Spanish tendencies of the Howard family, and had become a "favourite" of both James I and later Charles I. He wielded enormous power and essentially controlled the government before he fell from grace (A Monarchy Transformed, Britain 1603-1714). George arranged strategic marriages for his family and for several generations the Villiers retained considerable wealth and power. As we shall see, George's son, the second Duke of Buckingham, was a colleague of Sir Thomas Clifford and both belonged to the "cabal" of ministers that induced Charles II to sign the infamous Treaty of Dover.

John Pynsent wrote his last will and testament in June 1668 (Prerogative Court of Canterbury: Hene V328-158). In it, he left money for the education and apprenticing of scholars in Croydon and Chudleigh and for legacies for his extended family. He gave his estates at Combe, in New Elme and elsewhere to his wife for her life and then said that "*for as much as it was the hearty desire of my son John Saint Barbe, esquire, and my dear daughter, his wife, that I should adopt one of the their children and call him after my own name*" he would

give the reversion of his estates - after Mary's death - to Grissell's son, Edward Saint Barbe and his heirs with the proviso that he change his name to Pynsent. Should Edward die without sons, the estates were to go, successively, to the prothonotary's brother Robert and his heirs or, failing that, to his nephew William Pynsent (son of his brother William) and his heirs. He appointed William Foxwith, a solicitor at Lincoln's Inn, William Pynsent (his nephew who was by then a qualified lawyer) Thomas Washer (his brother in law who was yet another lawyer) and his two remaining under-aged grandchildren - John and Edward Saint Barbe as executors.

However, his wife Mary was reluctant to manage the estate and he added a codicil in August that, among other things, limited her to a life interest in the house and immediate land at Croydon and gave her an annuity of £350 out of the residue of the estate. Unfortunately he failed to specify who was to have control of the rest of the property during her lifetime. Perhaps he felt his original sequence of ownership would automatically kick in; however this was a family of lawyers.... The following day, he added a nuncupative (verbal) codicil making further bequests to family and servants and requesting that his nephew, William Pynsent handle the financial arrangements and produce quarterly statements. He died shortly thereafter. In fact, Mary seems to have left Combe after his death and gone to live with her daughter, Anne, in Bedfordshire. The house at Combe was rented out to a Mr. Bovey for a few years.

The Prothonotary was buried in St. Mary's Church in Croydon and his executors installed a monument to his memory on the north wall of the church. According to Burke's Extinct and Dormant Baronetcies, it consisted of a black marble tablet, supported by two Corinthian pillars, displaying his coat of arms, and an inscription "*Here lies the body of John Pynsent, Esq. one of the prothonotaries of His Majesties Court of Common Pleas, who departed this life the 29th August, 1668*". There was also a poem:

"The meanest part of him is only told - In this Inscription, as this Tomb doth hold - His worsen part, and both these early may - In length of time consume and wear away - His Virtue does more lasting Honours give, - Virtue and virtuous souls for ever live; - This doth embalm our dead beyond the art - Proud Egypt used of old; his Head and Heart - Prudence and piety enriched, his hand, - Justice and charity did still command; - He was the Churches and the poor man's friend, - Wealth got by Law, the Gospel taught to Spend. - From hence he learnt that what is sent before - Of our estates doth make him rich far more, - Than what we leave, and there did he send - great portions weekly, thus he did commend - His faith by works, in Heaven did treasure lay, - Which to possess his soul is called away: - Here only is reserved his precious dust, - Until the resurrection of the just"

(Croydon Homes of the Past: Clarence G. Paget: 1937). Sadly the monument was later destroyed by fire.

Shortly before he died, John had arranged to build a Free Grammar School in Chudleigh and endow it with £30 per annum out of his estates in Combe (Report on Charities Commission into the Charities of Devon (1826-1830)). He purchased an acre of land, part of the "*sporting place*" next to the church in Chudleigh, from Sir Thomas Clifford for £10 in 1667 and was building the schoolhouse when he died the following year. It was designed to house a schoolmaster and his family, and accommodate up to twenty-five paying pupil from outside the parish. It was to provide free education for local parishioners. The schoolmaster, who was to be of "*good name, manners and teaching, and conformable to the doctrine and discipline of the Church of England*" was to provide education up to university entrance standards. In his will (Prerogative Court of Canterbury: Hene, V. 328 #158) John gave "*unto five poor boys of the said parish of Chudleigh, to be nominated by my brother Humphrey Pinsent, my brothers-in law Thomas Washer and William Tothill, my nephews Thomas Washer, William Pinsent and Bartholomew Tothill, or the survivors of them, three pounds yearly for the space of five years next after my death, towards the buying for the said boys books and clothes to be taught at the free school in Chudleigh. But my will is that this exhibition shall cease to such of the said boys as shall not diligently attend their schooling and frequent the church every Lord's Day unless they or any one of them have a lawful impediment to the Contrary.*" As an incentive, he offered to "*give and bequeath towards (three of them) their maintenance at the University of Cambridge, yearly, five pounds apiece for the space of four years.*" John also gave £100 for the apprenticing of twenty children, "*to each of them as can read a bible*" from Chudleigh and Combe as part of his many bequests.

John nominated eleven people to be trustees of his new school. They included the above-mentioned brothers, brothers-in-law and nephews, his grandson Sir John St. Barbe and Sir Thomas (later Lord) Clifford. The last despite the latter's perhaps not so well hidden Catholic tendencies. Sir Thomas's father, Hugh Clifford of Ugbrooke, near Chudleigh, had been a Colonel in the Royalist army and there was no doubt where his political allegiances lay. His son Thomas had been too young to serve and had stayed out of politics during the Commonwealth. However, according to Hugh Clifford (Hugh Clifford: The House of Clifford: 1987) he was elected as Member of Parliament for Totnes after the restoration of the monarchy, and quickly made a name for himself. He started out as a strong advocate and promoter of the local wool and cloth industry; however, he came to national prominence as an outspoken supporter of the new Stuart regime. He came to the attention of Sir Henry Bennet (later Earl of Arlington), and they both rose rapidly in the King's favour. Thomas Clifford was knighted in 1664. He was

active in the Royal Navy and as a diplomat during the Dutch war that ended with the Treaty of Breda. He was financially astute and was appointed Comptroller to the King's Household, and Privy Councillor in 1666. When John Pynsent died, in 1688, Thomas was part of a Commission controlling the national Treasury and was a force to be contended with in Devonshire. His support for the school would have been crucial.

Clifford was later to become Lord Treasurer and one of the “*Cabal*” ministers (Clifford, Arlington, Buckingham, Ashley-Cooper and Lauderdale) who helped negotiate the Treaty of Dover, which Charles II signed in 1670. Within it, there were hidden terms to the effect that Charles was to receive money from France on the understanding that he would assist in its ongoing war with Holland and (at some unspecified time) declare himself a Catholic. In 1672, Charles made Clifford a baron under the title of Lord Clifford of Chudleigh and started to rescind the various laws then in place against Catholics and nonconformists. Unfortunately, this attempt at toleration was stymied by Charles' brother James, Duke of York (later James I) who prematurely declaring himself to be Catholic and brought about a predictable Anglican backlash. In 1673, Parliament forced the King to drop his plan to rescind the existing laws and it passed the Test Act – which was designed to ensure that no Catholic was able to hold office under the Crown in the Royal Household, in government or the armed forces. Lord Clifford was one of the few high-ranking statesmen who refused to sign. He resigned his positions in government and, with a thoughtfully provided warrant of pardon from the King for anything he might have done before 30th June 1673, he returned to Chudleigh where he died the following autumn. Charles II kept his word and converted to the Church of Rome in 1685, shortly before he died.

The codicil that John had had added to his will was poorly worded and work on the school had to be stopped until his estate was distributed and the funding was secure. In the event, it took a sitting of a “*Commission in Charitable Uses*” in Lambeth, in June 1670 (Petty Bag: Charitable Inquisitions 13/25) to clarify the situation. It confirmed John's intention to spend up to £200 on building the school house, and found that he planned to endow it with £30 per annum out of his land at Combe “*other than the house and surrounding meadow and orchard that he had left to his wife*”. The endowment was to remain attached to the estate regardless of ownership and it was, for the most part, paid by subsequent owners. The school survived a major fire that leveled much of Chudleigh in 1807 and it still stands today, albeit as a private residence. It has a plaque on its outer wall (Figure 8) showing his coat of arms above the following inscription: ‘*John Pynsent of Lincoln's Inne, esquire, boren in this Pish hath erected this for a Free School and Endowed it with £30 per annum forever 1668*’. For some reason, the colours on the arms are now reversed. The shield should be red (“*gules*”) and the



Figure 8. The Pynsent Free School in Chudleigh.

etoiles and engrailed chevron should be silver (“*argent*”). There is a similar but un-coloured coat of arms on the wall of the main room inside. Unfortunately, the school was endowed with £30 per annum cash; had it been endowed with land of comparable rental value, the bequest would have been of far more lasting value.

John's executors not only had difficulty in interpreting the meaning of his will, they had difficulty recovering his assets, even though some were for relatively small sums. The case of “*Foxwith and others versus Tremaine*” introduced an interesting point of law that is discussed in considerable detail in the published reports of Sir Edmund Saunter's pleadings in the Court of King's Bench. Apparently, John Tremaine owed John Pynsent £30 during his lifetime and, after his death, refused to pay it to his executors on the technicality that two of them, Edward Saint Barbe/Pynsent, who was then thirteen years old, and Sir John Saint Barbe, who was seventeen years old, were both minors. When he appeared to be losing the argument, Mr. Tremaine tried another tack, stating that he himself was not “*of age*” when he took on the obligation – something that the executors adamantly disputed!

The prothonotary's estate had still not been properly wound up in 1670, and Mary, John's widow, was sufficiently concerned about her annuity and her grandson Edward Saint Barbe's inheritance that she took the executors to court.

Her nephew, William Pynsent (Sir William Pynsent's father) responded on behalf of the executors. He explained that he was, by default, the sole executor as Thomas Washer and William Foxwith were "*unwilling or not minded to join with this defendant*", and her grandsons were, of course, minors. He entered the prothonotary's will into evidence and claimed that he was handling the estate finances - as was appropriate given the codicil in his uncle's will, and he submitted an inventory and statement of accounts. William was clearly frustrated by the whole process. He complained about missing documents, some of which he recollected seeing in his uncle's study at Combe after his death and "*although often in a friendly manner demanded of the Complainant Mary*" not yet received and, he believed, still in her possession. For instance, he was missing papers regarding mortgages of considerable value made by Sir William Courtenay and by Sir John Bolles, and he could not account for either of them. He also complained that Sir John Bolles and Villiers Chernock, his cousins' husbands, had appropriated the rents and profits of some of the properties and, as a result, he was unable to pay Mary her annual allowance of £350. There was not enough personal estate available. A very exasperated William appears to admit that he was supposed to buy land out of the residue of the prothonotary's personal estate over and above that required for expenses and bequests, but he says that without proper documentation and some cooperation from his relations there was not much he could do (Pinsent v Pinsent: C5/538/97: 1670).

The vaults of National Archive at Kew are full of claims and counterclaims filed by members of the Pynsent, Washer, St. Barbe, Chernock and Bolles families in Court of Chancery in the 1670s as they sought advantage or defended their positions. Most have yet to see the light of modern day. To say that they were tenacious would be an understatement. The disputes simmered on for years. However, in 1672, Croydon did pass to Edward Saint Barbe in accordance with the prothonotary's wishes. Edward kept his part of the bargain and was admitted to the copyhold of the Manor of Croydon, in July 1672 and to the Inner Temple in May 1674 under the name of "Edward Pynsent". He was admitted to the latter as an "armiger" - someone entitled to a coat of arms. One has to wonder whether, as an adopted son, he was entitled to a variant of the Pynsent arms, or if he was still using a variant of the St. Barbe arms. The heralds would doubtless have sorted it out.

In the early 1670s, Edward's grandmother still held the Mansion House at Croydon, albeit she was living with her daughter, so he took up residence in New Elme. However, his tenure was short-lived as he died "*beyond the seas*" in 1674. Shortly before his death, William Pynsent, the prothonotary's chief executor, was back in Chancery. This time he was acting on behalf of Edward who was trying to recover the money (£1,860) that should have gone to John

Pynsent out of the Saint Barbe's estate at Broadlands to reimburse him for paying his son-in-law's debts. William had papers to show that the money had been due and was attempting to recover it from the remaining co-executor of John Saint Barbe's will - his own uncle, Robert Pynsent. Robert, perhaps predictably, denied having the money (Pynsent v Pynsent: C7/277/39: 1674). Ironically, the outcome of this particular dispute became moot as Robert became legally entitled to the money when Edward died a few months later. Edward wrote his last Will and Testament in November 1674. It is a short document. He makes no mention of the real estate, which he must have assumed was to go to his grandfather's brother, Robert, as the prothonotary had intended. However, he left his personal estate to his brother, Sir John Saint Barbe (Prerogative Court of Canterbury: Dyer: V348 #68). Sir John and Robert Pynsent may have contested ownership of part of the estate as there is yet another case gathering dust at Kew (Pynsent v St. Barbe: C7/556/66: 1675); however, if so, the courts must have ruled in favour of the prothonotary's intended line of descent as the lands clearly went to Robert.

CHAPTER 5
Bromley: Kent

**ROBERT PYNSENT 1617 - 1679: MARRIED ANNE BETTENHAM XXXX:
(CLERK OF COURT OF COMMON PLEAS)**

Anne Bettenham: xxxx - 1693

Children by Anne Bettenham

Stephen: xxxx – xxxx: Married Ann Bassett 1656

When John Pynsent signed off on his pedigree for the Heralds at the time of their Visitation of the County of Surrey, in around 1662, (*Figure 6*) he referred to his brother Robert Pynsent as the 3rd son of their father, John Pynsent of Chudleigh and his wife, Joan Downham. Robert was therefore, another of Sir William's grand uncles. He appears to have been a late son born in 1617. His early life is poorly documented but he seems to have followed his brother up to London and taken a less exalted position in the legal bureaucracy. Many years later, while making a Court deposition in 1684, his widow was to explain that her late husband had been a clerk in the office of George Townsend, Esquire, "*one of the prothonotaries of the Court of Common Pleas*" (Williams v Pynsent: C5/193/34: 1684). Robert married Anne, daughter of Stephen Bettenham, a gentleman "*in com (merce)*" from Bromley, in Kent. When the marriage took place is unclear; however, it was likely before 1646 as Robert's brother John described himself as being "John Pynsent of Bromley" when he sued the Clifford family over the Manor of Kingsteignton (Pinsent v Clifford: C2/CHASI/P20/58). Anne must have been an heiress as Robert took over his father-in-law's estate at Sundridge Park and lived there until his death in 1679.

Robert and Anne most likely had a son named Stephen who married Anne Bassett in Lamberhurst, Kent, in 1656. However, I can find no other record of him and his uncle John makes no mention of him in his will, written in 1668. Presumably Stephen had already died childless. Certainly, if Robert had had a male heir, he would have inherited the prothonotary's estates in Croydon and Sir William's story would have been very different. There is no indication that Robert and Anne had any surviving daughters either.

Robert, like his brothers John and Humphrey, took advantage of his relative wealth, position and London contacts to finance mortgages and make strategic loans. In some cases, he seems to have cooperated with his brothers on quite expensive land deals. In 1652, he teamed up with John and Humphrey in providing a mortgage on the estate at New Elme, in Oxfordshire mentioned previously. The mortgage failed and the property was in John's hands when he died, in 1668. It then passed to Edward Saint Barbe/Pynsent and bounced back to Robert in 1674. He had other partners at other times. In 1656, he was involved in the purchase of Idbury Manor, in Oxfordshire from Bartholomew Coyeter (Maxwell Manuscripts: Leicestershire, Leicester and Rutland Records Office) and the following year Robert Pynsent, of London, Gentleman, Thomas Hord, of Shilton, Bedfordshire and John Loggin of Idbury, Oxford, signed a document regarding land in Bampton, Oxford (Coleman's Catalogue: V199. #113). Later, in 1669, Sir Edmund Turner bought the manor of Poolham in Edlinton, from Robert's niece (Elizabeth's husband) Sir John Bolles of Scampton. To do so, he had to pay £1,700 to Sir John Bolles and £1,500 to Robert Pynsent of Lyons Inn gent, as the principal mortgagees (Lincoln Archivist Report #12).

Unfortunately not all Robert's ventures went smoothly. In 1670, he sued a John Daniel of Bulmett, in Essex, for misrepresenting his ownership of lands in Acton, (near Sudbury) in Suffolk valued at £160 per annum. Robert had lent him £1,000 on the understanding that they were held in fee simple and he seems to have panicked when he discovered documents, dated 1629, that appeared to show that they were actually held by John Daniel's father and two others on a "*lease on three lives*". The latter was a fairly common form of ownership at the time. It was for a term of years subject to any one of three named people remaining alive. The lease could be renegotiated and extended in the event that any of the three died and had to be replaced on the title; however, there would be costs. John Daniel attempted to assure him that in this particular case all three individuals had died and that he was now the legitimate owner of the freehold (Pynsent v Daniel: C9/48/35: 1670). Robert took a more cautious approach in 1674 when dealing with Hercules Hyde of Hopton Wafers, in Shropshire. Hercules had come to him for a loan of £1,000 secured against a farm and other lands in Shropshire and

Robert went to Court looking for reassurance that Mr. Hyde actually owned the land and there were no prior encumbrances (Pynsent v Hyde: C6/225/45: 1674).

When Edward Saint Barbe/Pynsent died in 1674 Robert unexpectedly found himself the default legatee of his brother John's estates and the litigation roundabout continued to turn as members of the extended family disputed various aspects of his claim. Eventually, the courts appeared to have deferred to the prothonotary's original intent and John's original executor, his nephew William Pynsent, now had to deal with his other uncle. Robert must have taken ownership of the manor house and lands at Croydon but there is no indication that he moved there. He had little reason to do so as his own estate at Sundridge was only a few miles away.

By the mid 1670s, Robert was a senior clerk to one of the Prothonotaries in the Court of Common Pleas. He had considerable standing in the legal bureaucracy and a David Williams, of Glamorgan, asked him to train his son Henry to be an attorney at law. In 1673, Mr. Williams paid Robert £110 to do so (Williams v Pynsent: C5/193/34: 1684). Unfortunately, to the undoubted embarrassment of both, Henry embezzled £85 and absconded. Robert appears to have tried to settle the account with Henry's father but he died, in 1679, before he was able to do so. It was left to his widow, Anne, to bring a suit against the Williams family in the Court of Exchequer to recover the stolen money. The Williams countersued in Court of Chancery, in 1684, claiming back the money paid for Henry's education on the grounds that Robert was too old and frail to provide training for him. Anne refused to settle and was able to show that her husband, although getting on in years, was not significantly impaired. In fact, he had continued to work for several years after Henry absconded. As for the £85, Henry stole, she had a copy of the original agreement made between her husband and David Williams and she was able to show that it contained a clause absolving Robert of responsibility for any form of malpractice that Henry Williams might commit. (Williams v Pynsent: C5/96/55: 1684).

The laws of heraldry prohibit two people from using a given coat of arms at the same time, so the second and third sons of "armigers" commonly applied to the heralds for slightly modified versions of their father's device for themselves and their children. Robert may have done so; however, according to the "History and Topographical Survey of the County of Kent: Volume I", compiled by Edward Hasted in, 1797, Robert's arms were essentially the same as his by then deceased father, "*gules, a chevron engrailed between three mullets, argent*". They were placed on a plaque in St. Peter's and St. Paul's Church, in Bromley, along with the notation that "*Robert Pynsent de Sundbridge*" died on 30th December 1679. The British Archivists Volume 1 (1914-1915) refers to the arms in the church as being "*a chevron engrailed between three stars*" but gives no indication of the

colour scheme. Again, there seems to be a discrepancy between mullets and estoiles.

Robert had lived through one of the most chaotic periods in English history. He had survived the Civil War, Commonwealth and Restoration and had lived to be over sixty years old. He was a wealthy man in his own right and had, of course, fairly recently inherited his brother John's not-inconsiderable estates. Nevertheless, he never wrote a "last will and testament". Despite being a lawyer in an exceedingly fractious family, he succeeded in dying intestate. That he did so such a short time before the death of his brother Humphrey caused yet another round of litigation.

Sundridge, Robert's estate in Bromley had come from the Bettenham family through marriage but he had added to it. At some point, he paid Lawrence Lomax and his wife £1,800 for land in the nearby parishes of Bromley, Beckenham and Chislehurst. After his death, the Gyles family claimed a hereditary right to part of the Lomax purchase and Robert's widow, Anne was obliged to prove that her late husband held an unencumbered freehold in the Court of Chancery, in 1688 (*Gyles v Pynsent*: C9/111/47: 1688). Anne Pynsent, "of Bromley", was actually living in St. Giles in the Fields when she wrote her own last will and testament, in 1693. She directed her executors to recover money she was owed, sell her property in Ashford and give modest bequests to her servants, several Bettingham and co-lateral Pynsent relations (including Thomas Washer and his son, John), and her Chernock and Tothill godchildren. The latter included the Robert Tothill, son of Bartholomew who was the "kinsman" of Sir William Pynsent who, as mentioned previously, was to figure so prominently in the latter part of the tale. She also left some money for the apprenticing of children in Ashford (Prerogative Court of Canterbury: Box V419 #84). The tone of her will suggests that the extended family was still quite close, despite the seemingly interminable squabbles over her brother in law John Pynsent's estate.

When Anne died, Sundridge passed to Thomas Washer "of *Lincoln's Inn*" although whether with or without the help of the courts is unclear. Thomas was, presumably, Robert's nephew, the son of his sister, Elizabeth and her husband, Thomas Washer of Hennock. The prothonotary had left him a bequest of all of his printed law books in 1668 and he would by then have been a well-established lawyer. The house at Sundridge Park has long since been rebuilt. It seems to be an up-market hotel that caters to weddings.

John Pynsent's property in Croydon passed to his nephew William Pynsent in accordance with the prothonotary's original intent. Thus, Clarence Paget (*Croydon Homes of the Past*) shows that, "In April, 1680, the Manor Court of Croydon was alerted to the fact that Robert had died without issue holding several parcels of freehold and copyhold land, to which under the will of John Pynsent, the next

heir was William Pynsent, who was a nephew to the testator. At the same Court William Pynsent was admitted to the copyholds and in 1683 paid a fee to the Lord of the Manor for license to demise them". By then, William was buying up property in Urchfont, in Wiltshire and he was looking for a quick sale. Coombe House survived into the 1800s but eventually succumbed to expansionary pressure from London.

CHAPTER 6

Chudleigh Revisited

HUMPHREY PYNSENT: 1599-1680: MERCHANT OF CHUDLEIGH

Humphrey was the second of John Pynsent and Joan Downham's surviving sons and another of Sir William's grand uncles (*Figure 6*). He stayed on in Chudleigh and officially took over his father's commercial interests when he died in 1643. However, he had probably been running the business for his father for quite some time by then. Humphrey never married but lived with his sister, Eleanor (Barter v Pynsent: C10/165/18: 1672). According to Mr. Sellman, Humphrey first appears in the local records in 1621 when, as a relatively young man, he leased a house in the Chudleigh on the lives of himself and his brothers Robert and William for a fine (payment) of 22 shillings and 4 shillings (rent) a year. He also appears in 1631, when his father, John, obtained the lease of access across a curtilage (piece of enclosed land surrounding a house) in Chudleigh Town on the lives of his three sons, Humphrey, William and Robert (Ugbrooke Archives). Otherwise, most of the family business appears to have been carried out in his father's name.

Timing is everything, and Humphrey's could hardly have been worse. Although the Devonshire economy had been fairly stable up to and into the early 1630s, concern over arbitrary government and non-parliamentary taxation increased as the decade progressed, and puritan thought was becoming deeply entrenched in the cloth towns. The puritans meant well. However, they felt they were pre-chosen for salvation and were obliged to save their less fortunate neighbours from their inherent wickedness. That probably did not go over too well with all of them, for instance the landlord of the Clifford Arms. It is probably fair to say that Devon merchants and tradesmen were more supportive of Parliament than the surrounding "gentry"; however, at the onset of war in 1642 it was far from clear

that Parliament would prevail, and there must have been many in and around Chudleigh who would have been delighted had the Royalists won. They would, doubtless, have included most of the Cliffords and Chudleighs. Colonel Hugh Clifford, of Ugbrooke, the Lord of the Manor had commanded a regiment of foot against the Scots in 1639 but died shortly thereafter and so took no part in the Civil War. His son, Thomas (later Lord Clifford) was, as we have seen, too young to fight in the war but made his Royalist sympathies apparent in 1660, at the Restoration (House of Clifford: Hugh Clifford).

Chudleigh was to see more than its fair share of the ebb and flow of War. In November 1642, Cornish troops bypassed the Parliamentary stronghold of Plymouth and laid siege to Exeter. Whilst doing so, they presumably created havoc in the surrounding countryside. The following January, they retreated back to Cornwall and Chudleigh may have had a brief respite until the Royalists returned to take control of Exeter in September, 1643. Plymouth continued to hold for Parliament and it remained an ongoing source of concern to the Royalists through out the war. Although most of the action in 1644 and 1645 took place in north and central England, and around London, towns like Chudleigh found that they had to maintain what was essentially an army of occupation. By the autumn of 1645, Parliament had rebuilt its army and was back on the offensive in the southwest. Sir Thomas Fairfax, who commanded the foot soldiers for parliament and Oliver Cromwell who was in charge of the cavalry moved into the area and, after a few local skirmishes, caught Lord Wentworth, the Royalist commander and his army napping (playing cards, it is said) at Bovey Heath on 9th January 1646. Fairfax made Chudleigh his regional headquarters and there was a critical council of war there on 8th and 9th of February. His "New Model Army" blockaded Exeter at the end of March and Oliver Cromwell negotiated and signed terms for its surrender on the 13th April. With that, the City was brought back under Parliamentary control (Devon and Exeter in the Civil War: E. A. Andriette, 1971) - presumably much to the relief of most of the inhabitants of Chudleigh. As noted previously, the Reverend John Pynson, the Rector of Talaton was among the Royalists taken at Exeter. He was released after swearing to take no more part in the fighting, surrendering his living and agreeing to "compound" (pay a fine) amounting to two times the annual output of his estates (Calendar of State Papers Domestic: 28th July, 1646). The Reverend John comes from a different line of the family. However, his great-grandson, John Pinsent, makes a cameo appearance near the end of this story.

Where Humphrey stood on political matters, we do not know and if he had any sense he would have kept his thoughts to himself. Humphrey was one of the "Seven Men" responsible for Chudleigh's administration during these critical years and was responsible for keeping the parish books. The latter show numerous

expenditures made as a result of the billeting of troops in 1644 and 1645. The account book shows entries for food and drink "after ye rate of 6d for every man's dinner", for oats, a bridle and saddle, and for firewood over the winter etc. They also include a bill for costs for a dinner that a Colonel Wise held for Lord Wentworth (History of Chudleigh: M. Jones and W. W. Snell: 1875). Whether the army reimbursed the town fathers for any of these costs seems doubtful, knowing the reputation of one of the local Royalist Commanders, Lord Goring (Devon and Exeter in the Civil War: E. A. Andriette: 1971). His reputation was so bad that the Lord Fairfax made a specific point of paying his bills in a calculated effort to win the "hearts and minds" of the people. Humphrey was parish overseer in 1645, 1664 and 1674, churchwarden in 1647 and 1668 and a signatory for the appointment of a schoolmaster for the parish school – an institution that predated his brother's foundation. Humphrey and his brothers' in law and nephews all seem to have had a hand in the setting up of "Pynsent's Free School" in the late 1660s and early 1770s.

Humphrey leased Chudleigh Market intermittently between 1642 and 1650, during the Civil War and the early years of the Commonwealth, and also thereafter; however, he faced increasingly stiff competition from Phillip Veale who was also interested in leasing it. Between them, they managed to push the price from £71, paid by Veale in 1651, to £81 paid by Humphrey the following year. Humphrey seems to have held on to the market until 1656; however, he then lost it to Veale again, who paid £90 (presumably per annum) for a five-year lease. When Humphrey finally regained control of the market in 1677, it cost him £120 (Old Chudleigh: R. M. Ellis).

In the absence of banks, local gentry and wealthy merchants provided money for mortgages and Humphrey and his sister Eleanor both appear to have lent money to their neighbours, although in lesser amounts than that risked by their brothers in London. Perhaps predictably, they too found themselves caught up in litigation in the Court of Chancery. In 1655, Eleanor lent John Reeve of Bovey Tracey a mortgage on a property called Bridgland, in Chudleigh, worth £170 and a property in Bovey Tracey called Hithercombe, worth £100. She transferred both mortgages to Humphrey and, some years later, he claimed the property by default (Barter v Pinsent: C10/165/18: 1672). The following year Humphrey lent £14 on a mortgage on a house in Chudleigh to John Eastchurch. The deal fell through and Eastchurch, who claimed to be "poor, aged and blind", felt he had no option but to take Humphrey to court in 1663 (Eastchurch v Pinsent: C5/604/4: 1663).

As we have seen, loss of documents, through the "violence of soldiers" or otherwise, was a common cause of litigation. Of course, there were winners and losers in this and some litigants may have fraudulently claimed "loss of

documents” to support their position. In 1669, Humphrey and his brothers-in-law, William Tohill and Thomas Washer, found themselves being sued by Henry Maddocke and Katheryn Gill, of South Brent, for “*conspiracy, with others, to withhold documents*” that were, allegedly, left in Humphrey’s father’s possession following a land transfer in 1639. Humphrey claimed no knowledge of them and said that, as he was his father’s executor, he would have had the documents had they been there (Maddocke & Gill v Gill, Pynsent, Tohill & Washer: C10/158/117: 1669). There is nothing to suggest that John or Humphrey had had their documents vandalized during the war. Though doubtless they had their pocket picked by transient soldiers.

A later Chancery case, in 1691, shows that Humphrey Pynsent gave Elizabeth Manning a loan of £25 secured on a “*close of land and messuage or tenement*” in Totnes. She was unable to repay and Humphrey’s executor, his nephew William Pynsent (Sir William’s father) took possession of the property and mortgaged it to an apothecary (chemist) despite the objections of the Mannings family who felt aggrieved at the loss of the property given the size of the original loan. The court document contains an interesting schedule of rent payments Humphrey and William had received and deductions they had allowed between 1677 and 1691. The latter includes items as “*town rent*”, tithes, poor rates, widows’ support, and a considerable amount for repair work (Manning v Pynsent & Mayne: C9/248/68: 1691).

Humphrey never achieved the wealth and status of his brother John but he was a rich man in his own right. The Hearth Tax Return of 1674 shows that his house had seven hearths, indicating a very substantial dwelling. He had never married, so had no children. However, when he sat down to write his will, on 11th April 1678 he still had two sisters, Elizabeth (Washer) and Eleanor, a brother Robert and a nephew William still living, along with several Tohill and Washer nephews and nieces. He left £10 to the parish of Chudleigh, to buy stock to produce interest to give to the poor. He forgave his sister, Elizabeth Washer the outstanding payments on a bond, and gave relatively minor bequests to several of his other relations. However, true to form, he left the bulk of his estate to his nephew, William Pynsent (Sir William Pynsent’s father), presumably as he was the most senior male in the Pynsent line. William must have been relatively unknown to his Devonshire relations. He had been born in London and had followed his uncles into the legal profession. He was a member “*of Lincoln’s Inn*” and would have been best known to the family (rightly or wrongly) as the executor whose handling of the prothonotary’s will had caused so much delay in the setting up of the school. Nevertheless, Humphrey made him his principal beneficiary. He gave him the town mill at Chudleigh, some land called the Tyne (Teign) Marshes and his rights to several houses in Chudleigh, Newton Abbot,

Bovey Tracey and Lustleigh. He also made him his executor. Humphrey’s sister, Eleanor Pynsent, who had been his companion all his life received a token bequest of £5 – presumably as she was then dying. She succumbed a week later and her will was proved in Exeter, in 1678. Unfortunately it will have been destroyed during the Second World War.

Humphrey died, in Chudleigh, on 15th January 1680 only a matter of weeks after his brother Robert died intestate, in Bromley, on 30th December in 1679. Thus, in a matter of weeks William Pynsent went from being the “poor cousin” (in this case “poor nephew”) to being the beneficiary of all of the brothers: William (his father, who had died many years before), John (William was now, [finally, he must have thought] principal residuary legatee of his estate) and Humphrey, and he was also a partial beneficiary of his uncle Robert.

Predictably, the closeness of the deaths of Humphrey and Robert set off another round of litigation. Humphrey’s remaining sister, Elizabeth Washer appears to have been particularly aggrieved that her brother’s lands in Devonshire should go to a London-based lawyer, and she attempted to frustrate his probate of Humphrey’s will by claiming that Humphrey had never made a will, or that if he had, he had not been “*compos mentis or of a good sound and well disposed mind and memory at the time of making such will*”, and that the lands should descend to her and her family and to Villiers and Anne Chernocke and Bartholomew Tohill as “*heirs at law*.” She also questioned William’s assertion that her brother Robert had died in Kent before Humphrey, and claimed that if he had not, Humphrey’s estate would have gone to him and, after his death intestate a few weeks later, to them ... That summer, William felt he had no recourse but go back to Chancery and lodge a complaint (Pynsent v Pynsent: C7/557/48: 1680). He read Humphrey’s will into the Court Record, explained the situation and requested subpoenas to be directed to his relatives demanding their attendance and an explanation. They duly appeared. Their collective response was along the lines of ... “*Oh that will*.” William Pynsent finally got to probate it in the Prerogative Court of Canterbury on 6th December 1680 (Prerogative Court of Canterbury: Bath #171).

There are other court cases from around this time that have yet to be researched. However, the prothonotary’s line of descent held and William evidently saw off any attempt to take the Croydon estate from him. As noted, the Manor Court records show that Robert died without issue and William was admitted to the copyhold. Although his aunt Elizabeth had failed to acquire Humphrey’s estate, she did not lose out entirely. She managed to acquire part of the Sundridge estate from her brother Robert. The records show that it passed to her son, Thomas Washer, who was also “*of Lincoln’s Inn*”. The rest of the Sundridge property seems to have gone to the Tohills. How well Thomas Washer and William Pynsent got on is hard to say but it is perhaps worth noting that Thomas’s father had refused

to help in the probating of the prothonotary's will. Needless to say, the disputes did not end there.

CHAPTER 7

London

WILLIAM PYNSENT: 1608-1643: MARRIED ANNE LANCELLOT, 1640:

LONDON

Anne Lancelot: 1621 - 1684

Children by Anne Lancelot

Anne: 1641-xxxx

William: 1642 – 1719

Sir William Pynsent's grandfather, another William, was the fourth son of John Pynsent and Joan Downham. He was the shortest lived and his life is the least well documented. We know that his father named him and his brothers Humphrey and Robert in "*leases on three lives*" signed in 1621 and 1631, but thereafter know little of his life until he joined his brothers John and Robert in London, in the late 1630s. Prior to that, he may have lived in Woodbury, near Topsham, where his mother's family seems to have come from. Alan Slee, in an article entitled "The Building History of Urchfont Manor" (Wiltshire Archaeological and Natural History Magazine (Vol. 79, 1985, pages 192-200) says that the prothonotary's nephew (this man's son) William came from there and that he "*was the only son and heir of a father described on a church memorial as a 'gentleman'*". That may be true as there were relatively few Pynsent "*gentry*" around at the time and he certainly would have qualified. Regardless of whether he spent time in Woodbury, William unquestionably moved up to London where he married in 1640 and died in 1643. He was buried at St. Mary Aldermary.

William married Anne Lancelott in Stepney, London in October 1640. She was daughter of John Lancelott, "*Citizen of London*" and sister and co-heir of his son,

John Lancelott. According to *The English Baronetage: Containing a Genealogical and Historical Account of All the English Baronets, now Existing: Their Descents, Marriages and Issues*, which was published by Thomas Wotton in the second baronet's lifetime, in 1741, her brother was a "gentleman of the Privy Chamber to King Charles II and sometime agent at Constantinople who for his loyalty to King Charles I suffered the loss of several thousand pounds". For all that Anne's family brought William useful contacts within the mercantile community in London in the run-up to the Civil War, it must have been a particularly stressful time. William and Anne had two children, a daughter Anne, baptized in 1641, who died young, and a son William, who was baptized in August 1642.

William Pynsent, senior, is almost certainly the woolen draper of Watling Street that was, with others, "persuaded" by the Committee of Lords and Commons for the Safety of the Kingdom to contribute £4,000 to the Parliamentary cause (Calendar State Papers Domestic: 1643). Whether he gave his share willingly or not is unclear.

William wrote his last will and testament in 1643. In it, he describes himself as being a "Merchant tailor of St. Mary Aldermary". It is a short document by which he gives a token ring to his business partner, William Driscoll, acknowledges a debt of £400 from his brother John "which he long since lent me to begin my trade with" and desires that his "kind wife Anne" be his executrix and pay-off his debts. His young son was to have two-thirds of his estate. The remaining third presumably went to his wife, for her life as her jointure. William was still a relatively young man when he died and there is nothing to indicate that he was particularly wealthy. His brother John (the prothonotary) witnessed the sealing of the will and his wife, Anne, proved it in the Prerogative Court of Oxford, in 1644 (PROB 10/641/131-263). After fleeing London, Charles I set up court in Oxford which, technically, then became the seat of government and home of the probate court.

William died about a month after the first battle of Newbury, which took place west of Reading. However, there is no reason to believe that he was in any way involved. He most likely took ill in London, wrote his will on the 17th and died on 23rd October. His death left his wife Anne Pynsent, a young widow with a one-year old son. What happened to them is uncertain; Anne probably returned to the Lancelott family for the duration of the Civil War and for most of the Commonwealth period, however that is speculation. In 1659, she married Reverend Richard Knightsbridge, Rector of Streatham, in Surrey and started a second family that does not seem to have figured very strongly in William's later life. At that time, William would have been around seventeen and contemplating the legal profession. Anne outlived her brothers-in-law, John, Robert and Humphrey Pynsent and lived to see the extraordinary change in her

son's fortune in 1680. When she died, in 1684, she left bequests to her younger children and gave her son William Pynsent "my own picture and the best of my brother, Lancelott's pictures and silver plate" (Smith MSS #964 Item 13: Society of Genealogists). By then, William was rich, married and living at Urchfont in Wiltshire.

CHAPTER 8
Urchfont

**WILLIAM PYNSENT: 1642-1719: MARRIED PATIENCE BOND, 1676:
LONDON**

Patience Bond: 1656 - 1736

Children by Patience Bond

William: 1678 – 1765: Married Mary Starr (nee Jennings) 1705

Humphrey: 1679 – xxxx

Robert: 1681 – xxxx

Patience: 1683 – 1716: Married John Wallis 1706

Lancelot: 1686 – 1695

Anne: 1687 – xxxx: Married Thomas Hatley 1718

John: 1689 – xxxx:

Susanna: 1689 – xxxx:

John: 1690 – 1749:

Elizabeth: 1691 – 1759:

Robert: 1693 – 1738:

Sir William's father, William Pynsent was the only son of William Pynsent and Anne Lancelott. He was baptized in St. Andrew's, Holborn, in August 1642 a little more than a year before his father died. It is not clear where he grew up; however, he was roughly the same age as his cousin Elizabeth and was clearly well known to his uncle John and his family. He had no great financial expectation and it is, perhaps, hardly surprising that his uncle steered him towards the legal profession. William matriculated from Oriel College, Oxford, in 1655 and was admitted to Lincoln's Inn in 1667. He also had connections to New Inn and the Middle Temple. Their records show that in 1670 the Masters of the Bench agreed

to lease a plot of land at New Inn to William Pynsent and others for the purpose of building. He must have been a relatively newly qualified lawyer going about his business when his uncle John wrote his last will and testament in 1668.

What he made of the will when it was read is not known; however, he might well have wondered why the old man had left his estates to an adopted grandson rather than his one and only nephew. It must have been particularly annoying that he was nominated one of several executors responsible for the transfer of the estates to Edward Saint Barbe and that, in the (presumably at that time seemingly unlikely) event of his death without heirs, to have the estates then go to his uncle Robert - albeit he was by then unlikely to have heirs - before they would, somewhat begrudgingly he must have thought, come to him. That is not to say that he was totally ignored in the will. John left William an annuity of £50 per annum until such time as he should marry and £1,000 when he did so. He also left him all his legal precedents and manuscripts. However, he would have to work for his legacy as the prothonotary's nuncupative codicil made him responsible for the finances and the other executors, including Mr. Foxwith, a more experienced and "arms length" lawyer, bowed out leaving him to deal with the execution of the will. John's widow, Mary, may have had a case when she sued her late-husband's executors (ostensibly on her grandson's behalf) for delay and abstraction of legacy. Perhaps William had been in no hurry to transfer the estates and revenues that he held in trust as executor. However, as we have seen, he seems to have had reasonable cause for complaint himself. The real estate issues were eventually resolved and Edward St. Barbe/Pynsent took control of the Croydon copyhold by 1672.

William Pynsent was described as being "*of Lincoln's Inn*" at the time of his marriage to Patience Bond in 1676 (Vicar General's Office: 1660-1679). She was the daughter of John Bond, Alderman of London. They had at least eleven children between 1678 and 1693. However, four died young and only three of the remainder (a son and two daughters) married. Their eldest son William, who was born in 1678 in Kingston on Thames, was to become the second baronet and his father's principal heir. Humphrey, the second son was born in London shortly after William's uncle Humphrey died in Chudleigh, leaving him as his principal beneficiary. He most likely died in infancy. The third son, Robert, was baptized at Fleet Street in 1681 but died in 1684 at Urchfont in Wiltshire, which was by then the family home. Patience was baptized in Urchfont in 1683 and married John Wallis in 1706. Lancelot, "*son of Rt. Hon. William Pynsent, Esq.*" was born in 1686 but died there whilst still a boy in 1695. Another daughter, Anne "*daughter of Sir William Pynsent, Bart.*" was born in Urchfont the following year. She probably lived to adulthood and married Thomas Hatley in 1718; however, one source (Society of Genealogists Card Index) suggests that that Anne was 24

years old at the time of her marriage. For this to be correct, the present Anne would have had to die young and another daughter of that name be born around 1694. The couple certainly had no scruples about re-using names. William and Patience appear to have had twins, John and Susanna, in 1689. They were baptized in Holborn, London and most likely both died in infancy. Another John arrived in Urchfont in 1690. There, the parish records show that he was the "*third surviving son of Rt. Worshipful Sir Wm. Pynsent Bart*". The first and second at that time were, presumably, William (aged 12) and Lancelot (aged 4). John was to live to adulthood but he never married. Patience had a daughter, Elizabeth, in 1692. She did not marry either but lived to be executrix of her younger brother Robert's will. She died in 1759. Robert was the youngest child, unless there was, in fact, a second daughter Anne. He was born and baptized in Urchfont in 1693 and was a bachelor when he was buried there in 1738.

William started acquiring land in Wiltshire in 1678, before either of his uncles, Humphrey or Robert, had died. He probably realized that Robert's days were numbered and that John's estate at Croydon would come his way before too long but he may not have expected to inherit his uncle Humphrey's estates in Devon. Certainly his aunt Elizabeth Washer appears caught unawares. William was evidently doing very well for himself; either that or the dowry Patience brought to the marriage two years earlier was enough for him to start thinking about becoming a country gentleman.

At any rate, he started buying up property around the village of Urchfont, on northern Salisbury Plain (six miles south east of Devizes) in 1678. According to Wiltshire Notes and Queries (Volume 6, 1908-1910), William bought "*16 messuages, 3 barns, 2 tofts, 10 gardens, 10 orchards, 110 acres of land, 10 acres of meadow, 54 acres of pasture, 10 acres of wood and common of pasture in Erchfont, Escott and Stockweek*" from a John Richards and his wife, Margaret in 1678. The Victoria History of the Counties of England (Wiltshire) confirms the purchase and also shows that John Richards gave him the lease on the rectory sometime before 1681. Over time, William increased his land-holdings from around 1,600 to 4,000 acres. Why he chose Urchfont is unclear. However, Hugh Rivers Pollock in his article "Notes on Erchfont Manor House" (Wiltshire Archaeological and Natural History Magazine; Vol. 46 (1938) pp. 35-49) and Alan T. C. Slee in his article on the "The Building History of Urchfont Manor" (Wiltshire Archaeological and Natural History Magazine: Vol. 79, (1985) pp.192-200) both suggests that William knew of the area through Olive Matthews, his "cousin" Robert Tothill's (actually his maternal first cousin and Grace Pynsent's grandson's) wife. Alan Slee says that she was a local heiress and that William bought land from her. That may be true but I have no record of it. However, Robert and Olive Tothill were close friends of the Pynsents, and William's son,



Figure 9. Urchfont House, as it exists today.

the second baronet probated Robert's will and erected an impressive memorial to the couple in the church at Urchfont.

William's land purchase came without the Lordship of the manor, or even a residence suitable for a "gentleman of means". It was only the first step in his social advancement. He promptly commissioned the building of a brick mansion "in the reformation style" on the site of John Richard's old house, approximately half a mile from the church. It still stands (Figure 9). After a long history as a private residence and more recently a residential college, it was sold to a firm of developers in April 2013. Hugh Rivers Pollock and Alan T. C. Slee describe the building in considerable detail, and Slee includes a reproduction of a panel above the fireplace in the original library showing the East front of the house as it looked in the 1690s, shortly after it was built (Figure 10). The building is recognizable but the foreground may reflect some degree of artistic license. William and Patience and their family lived at Urchfont from around 1683 until he died in 1719 and, although his eldest son and heir was to move to Curry Rivel, his widow stayed on at Urchfont with her unmarried children until she died in 1736. The house and property stayed within the family until the death of the second baronet when it passed to William Pitt. The Wiltshire Records Office contains countless documents relating to leases and other land transactions made during the Pynsents' ownership.



Figure 10. View of the East Front of Erchfont (Urchfont) Manor with Elegant Figures in the Garden and Swans in the Foreground by the British (English) School, c. 1700.

In the early 1680s, when Philip, Earl of Pembroke and Montgomery (one of the largest landowners in Wiltshire) was looking to clear his debts, he "docked the entail" of Patney manor, and sold it to William Pynsent for £5,200. William paid the Earl £3,000 shortly before he (the Earl) died, in August 1683 and had the remaining £2,200 in hand to complete the transaction when he did so. The timing was bad as, almost inevitably, there was litigation over the Earl's estate. In this case, the Earl's brother, Thomas, and Philip's widow, the Countess Dowager, disputed the executor's distribution of his estate and his creditors were uncertain

as to who should get William's second payment. They sought clarification through the courts in 1684 (*Bawdon v Thomas and Pinsent*: C9/415/67: 1864). William's purchase of the manor of Patney, which is approximately three miles northeast of Urchfont on the northeast side of the Andover Road (A 342), was the second step in his social advancement. It came at about the time he sold his inheritance at Croydon, and it seems likely he used money from the sale of one to finance purchase of the other. This was to become a matter of some importance in the 1730s and 1740s when his grandson argued that he had bought it with the prothonotary's surplus personal estate, and as it was "entailed" his father had no right to either encumber or dispose of it. It seems more likely, given what has gone before, that William purchased Patney from the sale of his copyhold land and that he was free to do with it as he wished.

Whether William continued to practice law we don't know. However, he did dabble in the mortgage market, so some of his money may have come from other sources. For instance, in 1679, William felt obliged to sue John Scott in Court of Common Pleas for non-payment of a bond with a penalty of £120. As a result of this action, the Sheriff of Lincoln awarded William several plots of land in Fishtoft, near Boston in Lincolnshire, and he sold them to Matthew Dickenson. Scott, felt that William had taken more of his assets than he had actually been granted and he took him to court of Chancery (*Scott v Pynsent*: C9/80-101: 1681). Similarly, in 1678, William lent two large sums of money to a Thomas Carter in expectation of interest and a quick payback that never came. There was confusion as to which payments related to which of the two bonds and, in 1694, William calculated that he was still owed approximately £296 and £45 in legal expenses (*Eaton v Pynsent*: C6/301-11: 1694).

William was created baronet on 13th September 1687 when a Royal Warrant was sent to the Attorney General for a privy seal to discharge the baronetcy fee of £1,085 due to the King from Sir William Pynsent, of Erchfont, County Wilts. It was paid on 14th November (King's Warrant Book XII, p283). Sir William was doubtless pleased with his baronetcy, but he gave King James II little thanks for it the following year when a constitutional crisis erupted. Like most "Whigs", Sir William appears to have believed in a constitutional monarchy, the power of parliament and the supremacy of the Anglican Church. He was not intrinsically wedded to James II who was openly Catholic and like most of his kind, must have been horrified to hear of the birth a prince who would displace his Protestant sister Mary in the line of succession. Sir William must have been all too pleased to see James flee from the country and to hear of the arrival of William of Orange. The "*Glorious Revolution*" as it came to be known was, in reality, a coup designed to put James's daughter Mary on the throne; although it was clear that the real

power was actually being passed to her Dutch husband, William. He was to rule jointly with her until her death and then on his own, as William III.

Sir William was elected as Member of Parliament for Devizes and attended the "*Convention Parliament*" called to oversee the transition from James II to William and Mary. The election itself was constitutionally questionable as there was no monarch in place to call it. However, needs must, and it was called. It was dominated by "Whigs" and promptly rationalized the change in the monarchy and came up with a Bill of Rights to limit the power (and the religion) of future monarchs. William retroactively legitimized the parliament in February 1689 and proceeded to introduce a strong Dutch influence into England's social and cultural life.

The new king had his own agenda. He wanted the financial and military support that England, which was by then a thriving mercantile nation, could provide in his on-going war with France. Its importance was to become apparent a few years later, during the reign of Queen Anne, when the Duke of Marlborough and Prince Eugene stymied the ambitions of King Louis XIV. The part played by the British army is aptly and graphically described by Sir Winston Churchill (in his book: *Marlborough: His Life and Times*; Vols. 1-4), "*A scarlet caterpillar, upon which all eyes were at once fixed, began to crawl steadfastly day by day across the map of Europe, dragging the whole war with it.*" Among the "redcoats" were Captain Robert and Ensign James Pinsent, of the Royal Irish Regiment of Foot. They fought at Blenheim, Ramillies, Oudenarde and Malplaquet in 1704, 1706, 1708 and 1709 respectively. Robert's brother, Captain Henry Pinsent died on an earlier campaign, during the storming of Namur in 1695. The origin of this branch of the family is obscure, although it seems to have been living in Ireland since the early 1600s. As a "Whig", Sir William doubtless supported Marlborough's efforts and fumed quietly as the "Tories" negotiated the Treaty of Utrecht, in 1713. Sir William's son, William would have been an impressionable young man at the time and he may well have adopted his father's political stance later in his life.

Sir William Pynsent only stood for parliament the once, in 1688-9. He does not seem to have been a particularly active member (The Commons 1660-1690: B.D. Henning III). It was a good time for him as he consolidated his position in Wiltshire. He was named a Justice of the Peace in July 1688 and was "*pricked*" (chosen) as Sheriff of Wiltshire in 1688-9 and again in 1691-2, and 1693-4. By convention, the High Sheriff of a county was supposed to live in his county. Unfortunately, William had a problem with this in 1694. That year, he applied for, and was granted a license to live outside of the county (Calendar State Papers Domestic: 1694). Why, or where he lived that year is uncertain. Perhaps he still had interests in London.

Meanwhile, Sir William's eldest son, William, matriculated from New College, Oxford in 1696 and married Mrs. Mary Starr, aged 26, a widow, at St. John, Wapping, in 1705. She had been born Mary Jennings and was, with her sister Elizabeth, a coheir of their brother Thomas Jennings of Burton in Curry Rivel, Somerset. They were "*tenants in common*" of his estate, which meant that they had equal rights to the same property, which was a complication as the both of the young ladies contemplated marriage. Sir William and his son spent the next few years working with Elizabeth and her husband and with their trustees to disentangle the estate. It was a major undertaking and took until 1711 to complete. When done, Sir William arranged for the final partition agreement to be sanctioned by a Private Act of Parliament (*Figure 11*).

Sir William had married his eldest daughter Patience to a clergyman, Rev. John Wallis, Junior, of Soundess, Oxfordshire, in 1706. He was rector of Titsey, in Surrey. Sir William made a settlement worth approximately £2,000 on his daughter. His son in law was named a trustee in numerous conveyances and indentures made by the family over the next few years and, given that Patience died in 1716 and he remarried, he may well have felt he was drawn far deeper into Pynsent family affairs than he would have wished. The couple had two surviving children, a son Tavernor and a daughter Patience. The former seems to have had little to commend him. As we shall see, he went so far as to take his father to court over the handling of what he considered was to be "*his*" inheritance. The latter married into the Peach family and had three sons, Edward, John and Henry. Many years later, a few days after hearing about his legacy in 1765, William Pitt asked his solicitor, Mr. Nuthall, to look into the other beneficiaries named in the will. He had this to say about the Wallis family: "*I write this post to Tavernor Wallis, Esq., as you desired betwixt whom and the family of Peach I find there is no good understanding and according to the report I have received, this same Mr. Wallis must be a very quarrelsome mortal. Mr. Nicholas dropped something of this to me, and Mr. Peach says he beat his father, the poor old parson, the last time they met. I find it behooves me to be very civil to him*".

The baronet's daughter Anne married Thomas Hatley, mercer of St. Martin, Ludgate, at St. Giles, Cripplegate in 1718 a few months before he died. It seemed like a good match at the time and Sir William contributed £2,000 to the marriage as her dowry. For his part, Thomas contributed his reversionary interest in his late uncle, Thomas Ginder's £2,000 in bank deposits and his leasehold estates. The latter included the Manor of Shevingford (northeast of Canterbury) and control of the Pelican Inn, both of which were in Kent. Thomas Ginder had died two years previously and, at the time of the marriage, both were held by his widow Thomas's aunt Dorothea as part of her jointure. Thomas conveyed his reversionary interest to his father-in-law, his wife, John Wallis and one Henry Horton, to hold

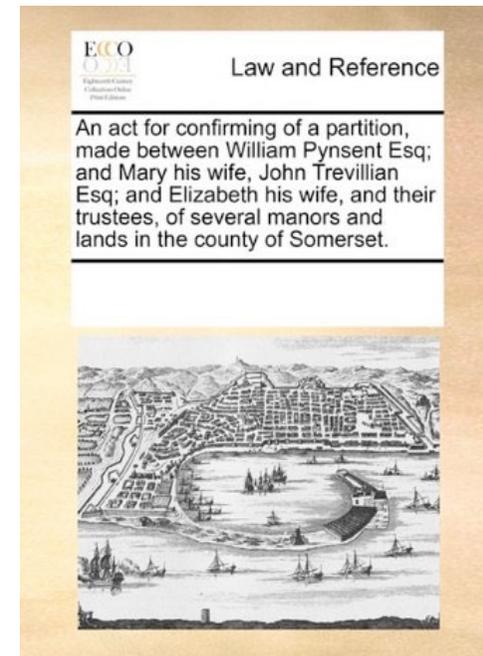


Figure 11. An act for the confirmation of partition, as published in 2010.

for Anne and her children "*in bar of dower*" (his contribution), and it was agreed that in the unlikely event that Thomas should die in Dorothea's lifetime, his other freehold should be used to raise an annuity of one hundred and forty pounds to hold Anne over until Dorothea died.

As it happened, Thomas did die while Dorothea was still alive and, in 1729, Anne was left a young widow with a son, another Thomas, and three daughters, Patience, Mary and Anne. Her son died shortly thereafter and the reversion that he had inherited from his father passed to Anne's daughters, who were minors. This created an inheritance problem that was compounded by the fact that Thomas's freehold and a small annuity that Anne had, produced only forty pounds, not the hoped for one hundred and forty per annum. In 1732, in the absence of any other form of income, Anne took Dorothea to court, saying that she was entitled to timber from the Ginder estate and she should be allowed to cut trees to provide for her children until they received the full reversion, and she obtained her full widow's benefit (*Hatley v Ginder*: C11/1501-30: 1732; *Hatley v Wallis, Tothill & Pynsent*: C11/1502-18: 1732). How that worked out, I am not sure. However, Anne's predicament was still an issue when Dame Patience Pynsent, her mother, died in 1735. The principal bequest in her will was an annuity of £40 to her daughter Anne to be paid out of dividends from bank stock. It was to be paid

“during so long time as she shall continue a widow and unmarried, and for and during the life of Mrs. Ginder” In addition to looking after Anne, Patience made small bequests to the rest of the family and to Robert Tothill and pointedly absolved her unmarried daughter Elizabeth, and her principal servant, Mary Merritt, from the cost of their years of “boarding” at Urchfont. She gave Mary Merritt £100 and most of her household and personal possessions; however, most of her money and financial securities went to her son William, who had by then long-since assumed the baronetcy (Prerogative Court of Canterbury: PRO11-676). Anne’s brother, Robert made no mention of his sister Anne’s predicament in his will, in 1738 (Prerogative Court of Canterbury: PROB 11-692), which suggests that the issue had been resolved, most likely through the death of Mrs. Ginder.

The youngest of Sir William’s three surviving daughters, Elizabeth Pynsent never married. She seems to have lived with her mother at Urchfont and to have stayed on there after she died. Nevertheless, she was living with her brother William at Burton Pynsent, when she came to write her own will, in 1759 (Prerogative Court of Canterbury: PROB 11-851). It is a short document as by then the family was much reduced in size. She asked to be buried at Urchfont and left a bequest of £200 to each of her nieces, Mary and Elizabeth Wallis and Patience Peach, with a further £300 to follow when her brother, William (the second baronet), died. He was, after all, considerably older than she was and there was no expectation that he would outlive them all. She gave her nephew, the infamous Tavernor Wallis, *“all the chambers in Clifford’s Inn, in London, formerly occupied or belonging to my brother, Robert Pynsent, deceased”*. Elizabeth gave her niece (the second baronet’s daughter) Leonora Ann Pynsent £100 *“to be laid out in the purchase of a diamond ring to remain and kept in her family in memory of me”*. What happened to the ring is uncertain; there was some discussion about its absence when her brother’s estate was transferred to Pitt. Elizabeth left one hundred guineas to her *“kinsman”* Robert Tothill and, like her mother, left her principal servant, an annuity for her life, or until such time as she should marry. Robert Tothill was evidently an important member of the extended family. The bequest was a sign of affection, as he was a rich man and would have had no need of the money.

In the late 1710s, Sir William was getting to be an old man and he must have had just about enough of his squabbling relations. However he was back in court in 1715 as an executor of his mother-in-law, Patience Bond’s will. She had died in 1710 fully intending to pay for the education and maintenance of her daughter Sarah’s sons Thomas and Henry Mompesson. She instructed her own son, John Bond and Sir William (her son-in-law) and his son William to sell her copyhold estates and use the proceeds and the residue of her personal estate (after other bequests) to look after them. They were to use any money left over to buy them

freehold property, which suggest the amount expected must have been quite large. Unfortunately, John Bond and his young son, also called John, both died in 1714 before her instructions could be carried out and it fell to Catherine Bond, John’s daughter by a second marriage, to probate their wills and complete the arrangements. She proved to be uncooperative and, as she refused to provide an account of her grandmother’s estate, Robert Tothill sued Patience Bond’s remaining executors on behalf of the two boys who were still minors. He did so in his capacity as *“their next best friend”*. Sir William and his son, William, were reluctant to get involved. Perhaps they considered it to be a domestic matter best sorted out by the Bond family. However, they did not deny the facts of the case or that they had obligations under the original will. There does not seem to be any animosity between Robert Tothill and Sir William in this. The suit has the feel of a contrived attempt to break a deadlock with Catherine. Sir William, who was by now seventy-two years old, offered to renounce his executorship in favour of a trustee appointed by the court. What excuse his son gave for not stepping up, I am not sure (Tothill & Mompesson v Pynsent: C11/1970-35: 1715).

That was not to be the end of the matter. At the time of his marriage to his second wife (Winifred), John Bond had entrusted much of his property in Highworth, in Wiltshire, and Sundridge in Kent (originally acquired from Robert Pynsent?) to Sir William Pynsent and others to provide for her jointure, and to look after her children. Her daughter Catherine was entitled to £4,000 out of the estate when she turned eighteen, in 1712. For some reason, it had not been paid when her father and brother died in 1714. This may explain why she was less than cooperative when it came to the Mompesson legacy. In 1717, Catherine sued Sir William and his wife, Patience Pynsent and Sarah Mompesson (who were her aunts) for dereliction of duty in not coming up with the money. She had recently married Alexander Denton and said that she needed the money to pay down her husband’s mortgage - as had been agreed in her marriage settlement (Pynsent v Denton: C11/2282-116: 1717).

Sir William, the first baronet, wrote his own last will and testament in May 1719 (Prerogative Court of Canterbury: PROB 11-570). In it, he left minor bequests to his wife and near family *“for mourning”* and made a careful disposition of his estate. He left his house at Urchfont to his wife, as long as she remained unmarried and in residence, after which it was to go to his eldest son William. He left his wife an annuity of £23 17s *“payable out of the hereditary revenue excise which I formerly (in 1705) purchased”*. After her death, the annuity was also to go to William, who was to be his executor and residuary legatee after the payment of his debts and legacies. Sir William left his youngest son Robert, yet another lawyer, the sum of £1,100 and all his *“books and manuscripts relating to the science or profession of the law”*. However, in a codicil he explains that

as he has already given Robert £1,000 and that payment should be taken into account. He added that he had given his daughter Anne her £2,000 inheritance at her marriage the previous year; however, he also gave her a pearl necklace to remember him by. He left his unmarried daughter Elizabeth £2,000 at her marriage and said that until then she was to have an annuity of £60 out of his estate. She was also to have a pearl necklace. Presumably he had given his eldest daughter, Patience, a similar dowry when she married in 1706.

William left his son John an annuity of £100 for life and his grandson, William (son of the second baronet) an annuity of £100 from the age of 15 years until his marriage. The three annuities were charged against his manor of Patney and other property in Urchfont in Wiltshire, his manor of Thornhill in Dorset, his holdings in Bromley in Kent, his mill, marshes and his other property in Chudleigh in Devon, and also his fee farm, tithing and hundred rents in Wiltshire "*which I purchased of the late Duke of Bolton*". Sir William transferred his assets to his son-in-law, John Wallis and to a friend, Francis Eyles "*in trust*" for the execution of the will. Perhaps by convention but also as a sign of good faith, he stipulated that the annuitants had the legal right to "*take distress for the payment and satisfaction of the said annuities*". This gave them permission to take assets of equivalent value if the trustees reneged on their annuities. Distress was usually accomplished through impoundment of cattle or sheep, or a garnishee of rents. Sir William hoped the trustees would come to some sort of accommodation with the annuitants that precluded the actual sale of real estate. He was not to know the trouble that one of those £100 per annum legacies was to bring. He would doubtless have rethought his bequest if he had realized that it would destroy the family.

Sir William left his real estate (subject to the legacies) to his eldest son, William; however, he did so with a clear line of entail. The estates were to descend "*in tail male*" to William's elder or, if necessary, younger sons in line of seniority and, in default of issue, to the first baronet's sons John and Robert and their male heirs, again in order of seniority. Each recipient was to pass the land on to his eldest son. Sir William also entailed the lands that his daughter in law, Mary Starr, had brought with her when she married his son William, in 1705. That year, Sir William's manor of West Harnham and other lands in Urchfont in Wiltshire, and in Oxfordshire, and her lands in Somerset were included in a complex marriage settlement whereby he took control of her lands and assured their descent through their male heirs. By his will, Sir William confirmed the entail to his son William and his heirs-male; however, he added reversions in favour of his sons Robert and John and their heirs so as to ensure that the property stayed in the Pynsent family. Sadly, his efforts were in vain. Robert and John both died without children

and the entail failed completely when his grandson, William's son William died, childless, in 1754.

The baronet left a few other minor bequests, including £10 to the poor of the parish of Urchfont and £5 to the poor of Chudleigh – which does not seem particularly generous under the circumstances. Sadly, he did not think to increase the endowment to the School in Chudleigh. He died in September 1719 and was buried at Urchfont Church. However, there is no visible memorial to him. When he died, his eldest son assumed the title and took over management of his estates. The transfer of ownership is hard to see in Wiltshire where father and son shared the same name and title. However, it is more apparent in Somerset. There, the Churchwarden's Accounts for Curry Rivel showed that "William Pynsent, Esq.", held occupied tenancy valued at £180 10s one year and "Sir William Pynsent, Bart." held it the next.

Sir William and Patience had three sons that survived into adulthood; however, only the eldest, William, married and had children. There is very little known about John Pynsent other than that he was born at Urchfont and his father left him the annuity mentioned above. He lived with his brother at Burton in the 1730s and was caught up in William's dispute with his wayward son, and he was buried in Urchfont in 1749. He appears to have stayed home and lived the life of a gentleman. Perhaps he helped his elder brother run the estates.

Robert Pynsent was born in Urchfont and was buried there in 1738. He was the youngest son and could have had little expectation of a major inheritance. His father, realizing as much directed him into the legal profession and in his will left him "*all [his] books and manuscripts relating to the science or profession of the law*". He also left him a bequest of £1,100; however, a codicil shows that he had already received £1,000. It may have been used to purchase a court appointment, as he was a Deputy Clerk of the Crown in Chancery in 1725.

That year, Robert was called upon to give evidence in the impeachment trial of Thomas, Lord Macclesfield the Lord High Chancellor. Lord Macclesfield had been charged with "*High Crimes and Misdemeanors in the Execution of his Office*" and Robert was called upon to say how much money, per annum, he accounted the late Lord Chancellor out of the Hanaper's Office (where writs were processed) whilst working there. He replied that "*as far as he can charge his memory it (was) about £1,300 or £1,400*", and he later said that it was above £1,000 but he could give a more exact figure if had his vouchers available to him. The Earl happily admitted that it was around £1,100 and that said the amount was not in dispute. This particular point was hardly enough to sink the Lord Chancellor; however, the case became more compelling and he was eventually convicted (A Complete Collection of State Trials and Proceedings for High Treason... Volume XVI). Robert was still a Deputy Clerk of the Crown when he

died (of “*gout of the stomach*” according to Burke’s Genealogical and Heraldic History of the Extinct and Dormant Baronetcies). In his will, Robert describes himself as being of “*Sergeant’s Inn, in Chancery Lane*” although we know he owned chambers in Clifford’s Inn as his sister Elizabeth was later to pass them on to their nephew, Tavernor Wallis. Robert gave small bequests to several family members, including his “*cousins*” Robert Tothill of Red Lyon Street, Clerkenwell, London and Thomas Mompesson of Sundridge, in Kent. He gave the latter £1,000 with a reversion to his sister Elizabeth Pynsent should he, Thomas, die childless. He also gave an estate at Little Paxton in Hertfordshire valued at £30 per annum to his friend Benjamin Pomfret. The residue of his estate was to go to his sister Elizabeth, whom he made his executrix (Prerogative Court of Canterbury: PROB 11-692).

CHAPTER 9

Curry Rivel: 1705-1725

**WILLIAM PYNSENT: 1678 – 1765: MARRIED MARY STARR
(NEE JENNINGS): 1705**

Mary Starr (nee Jennings): 1679 – 1712

Children by Mary Starr (nee Jennings)

Mary: 1707 – 1732

Leonora Ann: 1708 – 1763

William: 1710 – 1754

William Pynsent, later second baronet, was born and baptized in Kingston Upon Thames in Surrey, in 1678, the year that his father started to buy property at Urchfont in Wiltshire. Why his mother gave birth there is unknown. Perhaps her family had property, or perhaps she had left London for fear of infection during one of its all too frequent epidemics. William grew up at Urchfont and was sent up to Oxford where he matriculated from New College in 1696. He lived a relatively simple life; later complaining that he was twenty five years old before his father gave him an allowance of any sort – and that was only £50 a year for the maintenance of a man and a horse. His father had no intention of spending his newly found wealth frivolously and he clearly realized that his son William needed to marry well if the family was to establish credibility with the gentry.

In 1705, Sir William arranged for his son to marry Mary Starr, widow of Edmond Starr, of New Court, a young heiress from a respectable family. She was an attractive prospect as her father Thomas Jennings of Burton, in Curry Rivel, in Somerset and his heir, her brother, had both recently died and she and her younger sister, Elizabeth Jennings, were coheirs of their considerable estate.

The sisters had joint ownership. To complicate matters, part of the estate was then occupied by their grandmother, Elizabeth Pitt and the remainder, including the Mansion House at Burton, was held by their mother, Mary Jennings, as part of their respective jointures. Clearly, the Jennings estate would have to be split before the two sisters could marry.

Sir William negotiated a settlement before his son's marriage to Mary was formalized. On the 1st June 1705, he conveyed his lands in West Harnham and Urchfont in Wiltshire, Thornhill in Dorset and at New Elme in Oxfordshire, to the value of £1,000, to John and William Speke, to hold in trust for his son William and his bride to be, and for their "*heirs male*". The following day 2nd June 1705, Mary Starr sold her reversionary rights to a substantial amount of listed property in Curry Rivel and Drayton in Somerset then in the possession of her mother, and her similar interest in other lands elsewhere in the county then held by her grandmother, to John Bond and William Marsh for five shillings in trust for her use until the marriage and, after that, to the use of Sir William and then his son William, and eventually to their joint male heirs. This effectively entailed her lands, which were valued at around £500. Henceforth they could only be leased out for a maximum of twenty-one years. The agreement specified that Mary and her sister Elizabeth would negotiate a formal separation of their two estates within seven years of the deaths of their grandmother and mother (Pynsent v Pynsent: C12/1190-10: 1740).

Elizabeth Jennings married John Trevellian in 1709 and needed the partitioned as much as her sister did and they came to an amicable agreement in March 1711. Mary would have the Manor of Hambridge, the Mansion House at Burton and other property that was then in her mother's possession, and Elizabeth would get the remaining estates that were held by their grandmother. It was a complicated deal and Sir William submitted it to the House of Lords for formal ratification under the "*Pynsent Estate Act*". The proposal was reviewed in the House and the parties concerned were called in to give their consent on 2nd May 1711 (Manuscripts of the House of Lords; Vol. IX (New Series): 1710-1712).

As an addendum, Sir William Pynsent and his son and daughter-in-law, and John and Elizabeth Trevellian (and others) signed additional deeds, in October 1711, that conveyed the manor of Hambridge and other assets in Somersetshire to William Phelipps and William Speke to hold in trust for Mary Pynsent, alone. For some reason, they were not to be considered part of her husband William's estate but were to descend to her heirs, unless she signed conveyances witnessed by three people in her own lifetime that disposed of the estates some other way. The arrangement gave her a level of economic independence rarely seen by married women at the time. They were usually beholden to their husbands. In the 1730s, her son William was to claim that he, not his father, was the rightful

heir of Hambridge. However, his father was quick to point out that Mary had in fact transferred it to him on 13th May 1712, shortly before she died. He added that she was in London at the time and he was at home in West Lavington and, by inference, not in a position to have pressured her into signing the document (Pynsent v Pynsent: C12/1190-10: 1740). William Pynsent "junior" would just have to wait.

The marriage took place in Wapping, in London, on 20th June 1705 and William and Mary set up house in West Lavington a small community on what is now the A360, approximately four miles southwest of Urchfont. They were to have three children, Mary, Leonora Ann and William baptized in the church there before Mary died, intestate, in London in 1712. She was buried in Urchfont. Sir William never remarried and it is unclear who looked after his young children when he eventually moved down to Burton.

Sir William may have had an illegitimate daughter Elizabeth, although if he did there is very little known about her and no mention was made of her in any of the court depositions made in the 1730s. According to the pedigree of the family of Lane of Badgemore: "*William Lane, Esq. b. in 1709, m. Elizabeth Pynsent, of the family of Sir William Pynsent, Bart of Burton Pynsent, co. Devon, and by her (who had been previously m. to Mr. Anderson, and d. in 1807) had issue:*" The records show that an Elizabeth Pynsent had, indeed, married George Anderson of the Middle Temple, in St. George's Hanover Square, London, in December, 1741; however, there is no indication of her parentage. She was likely born in the 1710s and remains an enigma.

Mary's first husband, Edmond Starr, had died in 1700 leaving her to execute his will, which she did in 1703. However, there were complications and she felt obliged to sue Margaret Martindale for £500 that she believed was still owed to his estate. Mary started proceedings to recover the money under the name of Mary Starr but found that she was obliged to re-launch the suit in her husband's name after her marriage to William (Pynsent v Martindale: C5/331-54: 1705). This appears to be William's first suit in Chancery independent of his father. It certainly was not to be the last.

A few days before she died of smallpox ("*while she was dying*" according to the records), Mary received a letter from Elizabeth Serle, the executrix of one Elizabeth Starr, of Seaton, in Devon. She claimed that Mary had failed to pay a £1,000 legacy that should have been in her first husband's will. The letter was forwarded to William in Wiltshire and he said that this was the first he had heard of it. He admitted that his wife had estates valued at £12,000 that included property in Seaton that had come from her husband as part her first marriage settlement. However, he said she had probated Edmond's will several years before and he thought the unpaid legacy should have come out of Elizabeth Starr's father, John

Starr's estate when he died in 1690. As far as he was concerned, neither Edmond nor Mary had anything to do with it (*Serle v Pinsent*: C7/312-52: 1713).

William's relationship with his mother-in-law, Mary Jennings, does not seem to have been very good and it probably deteriorated after her daughter's death. She may have resented her estates going to a less well-connected family, especially one that had been implicitly, if not explicitly, Parliamentary during the Civil Wars. William's wife, Mary, was a granddaughter of a prominent Royalist, George Speke of Whitelackington in Somerset. His eldest daughter, (William's mother-in-law), Mary Speke, married Thomas Jennings of Burton and Mary and her sister Elizabeth were their two daughters. Their uncle John Speke married Elizabeth Pelham and his son (Mary and Elizabeth's cousin), George Speke, married Ann Peer-Williams. The two of them had an only surviving daughter, Anne Speke who married Frederick Lord North (Second Earl of Guildford) in 1756. This, much to the delight of Horace Walpole and the chattering classes in the 1760s, gave Lady North a tenuous connection to the Pynsent family and a possible claim to their estates.

After his daughter-in-law's death, Sir William must have been extremely thankful that he had had the foresight to arrange for the partition of the Jennings estate to be confirmed by a Private Act of Parliament. It left no room for her relations to dispute the Pynsent claim to Burton. Nevertheless, his son William, was sufficiently concerned about his rights that he accused his mother-in-law of "*appropriating lands and rents*" and of being "*maliciously intent on spoiling her jointure estate at Burton*" by cutting trees amongst other things, knowing that the estate would revert to him on her death. She replied that the Pynsents had no interest in one of the properties he was concerned about, Coate's tenement, and that his interest in Earnshill farm came from a small loan made by Edmond Starr before he died. She claimed that the farm was charged with a £100 annuity as a part of her jointure and that she was using the proceeds to pay her late husband's debts. She admitted that she had cut timber for construction work, as she was entitled to do, but denied any intention of cutting down the avenue of trees leading to the "Capital Mansion" at Burton. Far from spoiling the estate, she said, she had added to it by planting orchards (*Pynsent v Jennings*: C11/743-13: 1714). Sir William and his son may have over-reacted but Mary was not particularly forgiving. She retaliated by taking her son-in-law to court over this, or some other related issue (*Jennings v Pynsent*: C11/2340-16: 1714) later the same year, 1714. Obviously, there were tensions between the two families for as long as she lived. Mary Jennings most likely died in 1714 or early 1715 as the Church Warden's Accounts for Curry Rivel show that William Pynsent paid £157 10s for "*late Mad. Jennings*" in 1715. Despite the death of his wife, William must have decided that

his future lay in Somerset, not Wiltshire. He seems to have taken possession of Burton and moved his family down there shortly after her death.

In October 1710, while he was still living in West Lavington, William ran as a "Whig" for one of the Borough of Taunton's two parliamentary seats. However, he lost, and two "Tories", Sir Francis Ware, Baronet, and Henry Portman, Esquire, were elected (DD-SAS-C-795-TN-40: Somerset Heritage Office). His loss can hardly have come as a surprise as he must have been largely unknown to the electorate. Undeterred, he ran again in February 1714, when elections were held on the accession of the first Hanoverian King, George I. William may have been better known by then but he was still a newcomer to the county and he lost again. The Returning Officer claimed that the two "Tories", Sir Francis Ware, Baronet and Henry Portman, Esquire, received 637 and 635 votes respectively, and the "Whig" candidates, William Pynsent and James Smith, Esquires received 381 votes each. The election had not gone smoothly, so this time round the "Whigs" petitioned Parliament to have the results overturned. They showed that the Returning Officer had refused to accept legitimate votes from their supporters and that he had allowed questionable electors to vote for their opponents. They pointed out that in previous elections the total electorate had consisted of around 600 people, whereas on this occasion it appeared to be over 1,000! They thought that approximately 500 votes were spurious but the returning officer had refused let them to scrutinize the poll. It was probably business as usual on the electoral scene, but this time the "Tories" had gone too far. In this particular case, the House of Commons accepted the petition, analyzed the borough charter, the electoral roll and the returns and concluded that there had, indeed, been considerable manipulation and interference. The House voted that William Pynsent and James Smith, Esquires should represent the Borough of Taunton (DD-SAS-TN-159-4: Somerset Heritage Centre), which they did until 1722.

Rosemary Sedgwick in "*The House of Commons 1715-1754*" shows that William Pynsent voted for the septennial bill, which limited the life of any parliament to a maximum of seven years, and for the repeal of the Occasional Conformity and Schism Acts that had been put in place to prevent dissenters from holding public office or teaching. However, he was not a particularly active member of the House and he chose not to run again. Still, he remained interested in politics and he was to offer "*his interest*" (support) in Taunton to Sir Charles Wyndham in 1734, and in Bridgewater to Bubb Dodington in 1741. As we shall see, he thought about having his son William run for his old seat in the 1730s but nothing became of it. William seems to have settled down to become a Country Gentleman. He was, however, to be "*pricked*" (selected) as High Sheriff of Somerset in 1741-42.

William Pynsent entered parliament at the start of a rare period of peace and relative tranquility in British politics. However, his time was not completely devoid of excitement. In 1715, James II's son, James Francis Edward Stuart (the "Old Pretender") landed in Scotland, hoping the Scots, and the English for that matter, would prefer to be ruled by a Catholic Stuart monarch rather than by a Protestant German prince. They were not, and he returned to France somewhat chastened shortly after the battle of Sheriffmuir. Perhaps the most dramatic event during William's term in parliament was the collapse of the South Sea Company. The previous "Tory" administration had given it a monopoly of trade in Spanish America in 1710, in return for its taking over a large part of the country's unsecured national debt. The speculative bubble that developed around the enterprise burst in 1720, leaving shareholders devastated and the Government quietly delighted that it had off-loaded a considerable amount of public debt. Whether Sir William, as he was by then, was impacted by the crash or not, I don't know. The "Whigs" remained in power after the next election and Sir Robert Walpole, the new Prime Minister and his protégé Henry Pelham appear to have provided relatively stable government through to the 1750s.

CHAPTER 10

Burton Pynsent: 1725-1765

Sir William retired to Burton after his brief foray into politics. He was a man of substance and influence with three children and two large estates to manage. It is perhaps surprising that he did not remarry. It is not clear who, other than servants, looked after his children while they were young. Perhaps his son's emotional troubles stem from "abandonment issues"; however, that is speculation. On the face of it, Sir William appears to have taken his parenting duties seriously. He sent his daughters Mary and Leonora Ann to school in Dorchester, and his son William to a school in London.

Everything seems to have gone reasonably well until William reached the age of fifteen years in 1725. It was then that Sir William's family life began to unravel. His son, perhaps not unreasonably, expected to receive the annuity that his grandfather had left him but Sir William would have none of it. He had lived frugally as a young man and he was not about to hand over £100 a year to his fifteen-year-old son! He made enquiries and found that he could legally apply the money to his son's education and maintenance and that is what he chose to do. William was not happy, but he was powerless to do anything about it until he reached the age of twenty-one. When he did so, in 1731, the damage was done and the family was in trouble. The whole sorry saga is laid out in numerous complaints, answers, statements and "depositions" taken under oath by various Commissioners of Enquiry acting on writs issuing out of the Court of Chancery between 1732 and 1746 (*Figure 12*). Young William may have grown up in the same world as Henry Fielding's lovable character "Tom Jones" (*Tom Jones*; published 1749), and he certainly lived amongst a similar cast of disreputable characters; however, he seems to have lacked Tom's charm and ultimately, as we shall see, his good fortune. The dispute with his father never was amicably resolved.



Figure 12. *The Court of Chancery during the reign of George I* by Benjamin Ferrers, c. 1725.

Francis Eyles of Earnshill, one of the many witnesses called upon to testify in the 1730s, states that Sir William had asked his “cousin” and London agent, the ubiquitous Mr. Tothill, to make arrangements for his son’s education and to keep the accounts. At first, Sir William sent his son to Mr. Durpllass’s school in Queen’s Square, Ormond Street; however, he later moved him to one in Fulham run by a Mr. Vallet. By then, William was already a problem. His sister, Leonora, was later to recall that while the family was staying at her grandmother’s house, at Urchfont, her father had received a letter from Mr. Vallet saying that his son had given notice that he would not be coming back to the school. Needless to say, he was furious. Afterwards, she asked her brother why he had quit and he told her “he was afraid a child would be laid to him”. Clearly he thought he had got a girl in trouble and was unwilling to face the consequences (Pynsent v Pynsent: C11/1366-8: 1735).

Sir William took advice and sent his son to Mr. Sympson’s school in Sevenoaks, in Kent, despite the fact that Mr. Sympson (who obviously knew of William’s reputation) wanted £50 per annum, which Sir William thought excessive. Nevertheless, he asked Mr. Tothill to make arrangements and to “lay out what he thought was proper for clothing the defendant, (young William) and other necessities for him whilst he continued in Mr. Sympson’s School”.

William continued to misbehave. On returning home shortly after his twenty-first birthday, he admitted to Leonora that he had acquired debts of over £150. She said that in one case he had borrowed £50 from a servant maid at the school and had told her he was over twenty-one and legally able to sign the relevant papers, which, of course, he wasn’t. Leonora said that he seemed to be upset about it. At this point it is not clear whether he was upset at having lied, or at having been caught out. Leonora also said that he told her he had written to his father’s steward in Wiltshire and asked him to send him money out of the estate – presumably without telling his father.

When asked, Leonora said she thought her brother spent his money on extravagance and “mean company” and that she knew he hunted with an excise man. In the mid-1730s, the government derived approximately a third of its revenues from excise taxes on the production and consumption of alcohol and excise men were, needless to say, not exactly popular members of the community (The Vital Century: John Rule: 1714-1815). She added that William also went out drinking with him, and with an itinerant schoolmaster and an apothecary’s apprentice: not the most desirable of companions for a baronet’s only son. She mentioned that at some point her brother had been drawn into a dispute between a butcher and someone else, and it had led to a lawsuit. Leonora also mentioned that her father frequently received concerned letters from her uncle Robert Pynsent and his agent Robert Tothill, in London, and from his various

schoolmasters complaining that his son was neglecting his studies and becoming quite ungovernable (Pynsent v Pynsent: C11/1366-8: 1735). Sir William was not a happy man.

John Pynsent added that his brother was extremely worried about his son's behavior and had decided that, when young William turned twenty-one, he would send him abroad to continue his education. Once he had settled down, Sir William hoped he would be fit for the grand jury and he would get him elected a Member of Parliament. Sir William had also told John that he planned to see his son married to "*a lady of good fortune*" and that he intended to leave him a good estate at his death. John Blake, a family friend, also testified to Sir William's ambitious plan to send his son abroad, arrange a good marriage and then see him elected Member of Parliament for his old constituency of Taunton. In fact, he said, Sir William hoped his son would, in spite of everything, make "*a handsome figure in the world*" (Pynsent v Pynsent: C11/1366-8: 1735).

William was in Dorchester when he reached the age of twenty-one years, on the 30th November 1730, so his father sent two of his servants to bring him home. The visit seems to have started well enough and several deponents, including members of the household staff at Burton, were later to testify that he was well received. They said he stayed there for three or four months and then left suddenly, after refusing to sign some papers his father had prepared (Pynsent v Pynsent: C11/947-20: 1735). In fact, Sir William does seem to have been happy to see his son and may have thought that now his son was "of age" and legally responsible for his own actions he would be ready to settle down. He made few demands of him, only asking that he stay out of trouble and study or at least read for an hour a day. Sadly, there was little chance of that!

Sir William had been buying up land in the neighbourhood for years, consolidating the family's holdings in Somerset, and Francis Eyles makes the point that he had also added significant "*accommodations for husbandry*" to improve the productivity of what would eventually be his son's inheritance. He said Sir William paid so much attention to acquiring land, as opposed to other assets, that he feared for his (Sir William's) daughters' dowries. When he jokingly raised the point, Sir William replied that that his daughters would just be taking money out of the family (Pynsent v Pynsent: C11/1366-8: 1735). It seems clear that Sir William had every intention of passing his estates over to his son, if he would just behave.

Indeed, Sir William had been adding to his holdings around Burton and he may have been a bit obsessive about it. In 1731, Mary Hayse took him to Court of Chancery over twenty acres and a two-acre plot of leasehold land called "*Burton Field*" she had been left on the death of her husband and was holding for her son, who had not yet come of age. The property was intermixed with Sir William's

and he clearly wanted it. She said that he offered her money or some woods in lieu and, when that failed, he argued a technicality in her lease. She testified he then threatened to destroy her clover and said he let his cattle loose on her land, dammed her springs, cut down her trees, impounded her cattle and stole her apples. If true, it is not a particularly flattering reflection on the baronet. (Hayse v Pynsent: C11/2040-19:1731).

As for adding "*accommodations for husbandry*", Sir William's bitterness about his son's rejection of his efforts to build an inheritance for him is shown in a remark he made to John Waitt of Wyke, a local yeoman who was present when Sir William took down some outhouses on Owlstreet Farm. He said: "*(he) would not leave anything on lands destined for his son besides what the law obliged him*" (Pynsent v Pynsent: C11/947-20: 1735).

Leonora, in the deposition she made in 1735, also said that when her brother came home after his twenty first birthday, her father had explained to him that he would never be able to make anything of himself unless he surrendered his annuity, and she claimed that he eventually came to accept this. In fact, she said William was relieved to have a plan to save him from ruin and he appeared to be in a hurry to get the relevant papers drawn up so that he could get on with his life. Doubtless much relieved, Sir William set out to implement his plan. John Blake, a serge maker from Taunton, says Sir William introduced his son to the "*gentlemen of the town*" and they discussed having his son run for parliament at the next election, which was scheduled for two years hence. They held several meetings, during one of which Sir William explained that in the interim he intended to send his son to University at Leyden or Geneva to better qualify him for the position.

At around the same time, Sir William asked Mr. Blake to wait on one "*Mrs. Hays, a young lady, reputed a fortune, as this deponent has been informed, of £30,000 and upward*". Presumably, this was not the Mrs. Hayse he had had dealings with in 1731! Sir William asked Mr. Blake to see if she would allow him, Sir William, to drop by and discuss the possibility of marriage to "*a young gentleman of (his) recommendation*". Needless to say, Mrs. Hays wanted to know the name of the young man upfront and, as Mr. Blake was not authorized to provide it, she asked him to tell Sir William not to trouble himself. A few days later, Sir William sent Mr. Blake back with permission to tell her he was referring to his son and that, if she would agree to the marriage, he would "*surrender any part of his estate or the whole, only reserving an annuity for his life, to settle on her by way of jointure*". Mrs. Hays must have known about William. She told Mr. Blake that she had no intention of altering her condition at that time. Nevertheless, Sir William sent him back again to ask her if she would entertain a meeting with his son to discuss the matter. She declined and with that Sir William accepted defeat. He then asked a Mr. Noble of Taunton to propose a match

between his son and the sister of a Mr. Jeffrey, who was also a reputed fortune of about £30,000. However, nothing came of it as she claimed to be pre-engaged. The local gentry were clearly well aware of William's past behavior and, in truth, one can hardly fault the young ladies "of quality" for not wishing to take him on (Pynsent v Pynsent C11/1366-8: 1735).

Sir William may have thought that once his son was home he would behave with more decorum than he had while at school. If so, he was sadly mistaken. According to Leonora, Sir William became increasingly frustrated with his son's aversion to reading or any form of study, and he was angered by his "low-life, drunkenness, cursing, swearing, lying and other vices". William spent his time with guns, dogs and in fishing and, of course, in drinking, both at home and in a local brandy shop. He was becoming abusive. Leonora says that he attempted to "debauch" her maid and "had once attempted to force this deponent's sister (Mary)". While upon another occasion, he "in a very immodest manner proposed to debauch this deponent and used many indecent gestures". Leonora's maid, Susannah Child, describes one such occasion. She says she was with her mistress and William's other sister (Mary) in his bedroom after he had gone to bed – why is unclear – and that after Mary left he "used several expressions and postures very indecent in the presence of his said sister Leonora (his other sister being gone from the room) and to this deponent and (to) his sister Leonora, (did) speak full in the mouth to her". The following morning he cursed the deponent (Susannah) for "not turning the bitches (meaning his sisters) out of his room". She also said that William frequently made indecent attempts on her.

Francis Eyles, who was very familiar with the family, also accuses William of attempting to "debauch" his eldest sister. Mary died in 1732 and was thus unable to testify as to what happened. Needless to say, Sir William was exceedingly angry and embarrassed by his son's conduct. However, he did not throw him out of the house. Leonora quoted him as saying that William behaved like a "pampered stallion". We will never know for sure, but his behaviour sounds more like boorish posturing than actual violence. One thing we can be sure of though, is that the story will have leaked out into the local community (Pynsent v Pynsent: C11/1366-1735)!

Sir William had a dilemma. He had built up an impressive estate but feared for its future. He thought "he had very just reason to apprehension that, upon his (son's) attaining his age of twenty one years he would be prevailed upon by persons who had taken advantage of his indiscretions to dispose of his interest in the estates he would be entitled to under the (his grandfather's) will and (other) settlements". He discussed the matter with his solicitor and, after countless discussion with his son, came up with a plan that provide for him and also prevented the future alienation of the family estates. Much to Sir William's relief,

it included the termination of his son's annuity. In 1744, he was to say that he asked Mr. Templeman to draw up papers to entail the family's inherited property and, he says as a gesture of good will, he asked him to include property that he himself had purchased out of his own funds. Mr. Templeman started to do so, but had to withdraw and it was a Mr. Samson, of London, who eventually prepared the documents. William had triggered the change of solicitor through a conversation he had with his uncle John. When his uncle mentioned the prospect of a "good marriage" his response had been: "damn my father and the blood of the Pynsents for I will never marry to increase the blood of the Pynsents but will give my estates to Templeman's son" - meaning, as his uncle supposed - the son of Peter Templeman of Dorchester, Sir William's solicitor (Pynsent v Pynsent: C11/1366-8: 1735). Mr. Templeman recognized a conflict of interest when he saw one and bowed out. The outburst shows that William may not have bought into the programme as much as Leonora thought.

The crisis came to a head in March 1730, when Sir William produced the papers and asked his son to sign them. He refused and insisted that he be allowed to discuss the contents with friends (Pynsent v Pynsent: C12/1190-10: 1740). Why the change of heart? In 1735, Leonora thought it was because he had met with "evil counselors", presumably including some of his creditors. She said that when he refused, her father was furious and told her brother to get out of his sight, and he did so. He went to stay with a Mr. Noble at the Crown Tavern. Later, when tempers had settled, Sir William's eldest daughter Mary (who, one might have thought, had little reason to lobby on behalf of her brother) arranged for him to bring Mr. Noble to dine at Burton with her father. He did so and, in the course of discussion, Mr. Noble told Sir William that his son would only come home if he were to receive £300 per annum to his own independent use. Sir William refused outright and his son immediately rode away - never to return - at least before October 1735, the date of the deposition.

If young William had financial troubles before the outburst, they were now considerably worse. He had no money and may even have regretted his behaviour. At some point, he asked Mr. John Blake of Taunton, the man who had acted on the family's behalf in discussions with Mrs. Hays, to serve as an intermediary. He did so, and Sir William told him he had "endeavoured to hide all his (son's) miscarriages and advised him to retrieve his misspent time, and that he might come home as soon as he pleased". William's response "was that he would not return to his father unless he would allow him £200 a year independent of his father". He had dropped his expectation by £100. This was progress of a sort, but not enough of a compromise to resolve the underlying dispute (Pynsent v Pynsent: C11/1366-8: 1735).

It is not clear where William went on leaving Burton. However, he probably stayed on in the neighbourhood. The Reverend John Blake (sic – a relation of the Taunton merchant?) of Curry Rivel thought that he was staying with friends or relations and that he followed “rural sports”. He says he had met him at a christening, “*disguised in liquor and (he) used some indignities and offence to this deponent by pushing him about in a rude manner and throwing white powder about his gown*”. Leonora heard from her grandmother, Dame Patience Pynsent, that William had beaten the reverend gentleman with his own cane. The irate Rev. Blake was not amused. He told Sir William that he should give his son £500 and sent him to Prussia - as he was not fit to live in England! Dame Patience, who had an ear for gossip also volunteered that her grandson had been seen at a cudgel match, which was no place for a gentleman. It must have been extremely embarrassing for the baronet.

William was chronically short of money. Leonora, who seems to have been an active correspondent, heard from Lady Grosvenor that he had borrowed £400 on the promise to pay £1,000 on his father’s death. She also said that Mr. Eyles had told her that William had offered to sell the reversion of a property worth £110 per annum for £500, after her father’s death. In that instance, the presumptive purchaser declined but William must have found someone else, as the tenant later told Leonora that “*someone from Salisbury had told him that he had given William £400 and that one day he would be his landlord*” (Pynsent v Pynsent: C11/1366-8: 1735). These questionable deals may have provided ready money but they did nothing to pacify his father.

William was later to claim that his father insisted he sign the documents sight unseen; however, that seems unlikely given that his father thought he had reached agreement with him and was keen to move on. Nevertheless, it was a significant point of disagreement. In 1745, the Masters in Chancery made up a list of questions to be addressed to Sir William’s solicitors. They included: “*Did you read the document to the complainant (William) and leave it for him to examine and tell him his father was happy for him to seek advice?*” This clearly begs for the answer yes. Sir William had, somewhat foolishly, destroyed the documents in the aftermath of the confrontation and, as he had no way of showing what his intentions were with regard to his son’s estate, his solicitors were also asked for any copies, drafts or notes in their possession (Pynsent v Pynsent: C11/1963-15: 1745).

Sir William claimed that as part of the deal he had agreed to settle his son’s debts and he admitted to being very angry at his refusal to sign; however, he denied ever telling his son that he would buy up his debts, sue him and put him in jail if he refused (Pynsent v Pynsent: C12/1190-10: 1740). However, at some point, he must have decided to do just that. John Paine, a Taunton merchant,

went on record to say that in 1731 Sir William offered to pay his son’s debts if he would assign them over so that he could recover them from his son, and he had declared that “*he would by some means or other get the defendant into goal, and that he should lie there and rot*”. John Paine says he refused to sign the debt over, but Sir William paid it anyway. Mr. Paine then said he would return Sir William his money if his son ever offered to settle the debt himself. They left it at that. Three months later, Sir William’s bailiff returned with a warrant that empowered Sir William to sue his son and demanded that Mr. Paine’s sign it. He refused and the bailiff returned a few days later with Sir William’s note for the original payment and demanded his money back. Mr. Paine went on to testify that William did pay his bill – eventually (Pynsent v Pynsent: C11/1366-8: 1735). Where the money came from is not stated.

Clearly, something had happened over those three months. William was, of course, upset that his father had used his £100 per annum annuity for his education and maintenance. He felt that his grandfather had intended it to be for him to spend as he wished. He was still entitled to the annuity and must have been worried about losing it. He decided to force the issue by “*taking distress*” under the provision laid out in his grandfather’s will. In so doing, he moved what had been a purely domestic dispute into the courts where it remained essentially unresolved as late as 1746. In the early years, the principal issue seems to have been whether Sir William could reasonably withhold his son’s annuity before he came of age. Later, it developed into a dispute over his son’s longer-term inheritance. By then, it was clear that Sir William and his son were never going to be reconciled and William wanted to be sure that his father did not “*dock*” (cut off) the entail and deprive him of what he felt should be his by right of inheritance (Pynsent v Pynsent C11/1366-8: 1735).

William obtained a judgment out of Court of King’s Bench in 1732 and instructed a Mr. Richard Harrison to “*take distress*” from one of the farms in Patney. Mr. Harrison gave the tenant advance warning and then removed four geldings and one hundred and forty four sheep that were valued by the Court at £142. Sir William and Richard Noyes, his unfortunate tenant, responded by starting legal proceedings in the Court of Chancery (Pynsent v Pynsent: C11/1217-7: 1735). In depositions made in June and November, Sir William admitted that his father had left his grandson the £100 per annum annuity from the age of fifteen years to his date of marriage; however, he argued that his father had no right to encumber the manor of Patney beyond his death. Despite that, he admitted that he had used money from it in honouring his father’s bequests to his brother John and his sister Elizabeth. Sir William also argued that if the annuity was valid in law he should be entitled to deduct money spent on his son’s maintenance and education, and

that that amounted to £1,000. He also claimed that he had spent a further £1,000 in other costs, including his son's debts (Pynsent v Pynsent: C11/1217-7: 1735)

For his part, William, in answers he gave in July and December acknowledged that neither he nor Mr. Harrison had any complaint against the tenant, Mr. Noyes but, as the latter's farm at South Clay and Shortlands was owned in fee simple by his father and Mr. Noyes held it by lease, he was entitled to enter and "*take distress*" for the seven years since his fifteenth birthday. He disputed his father's estimate of expenditures on his education, suggesting it was nearer £480, and he denied his father's estimate of expenditures on his debts and other items. As far as he was concerned, he had been kept on a "*mean and inconsiderable allowance*" since he turned fifteen. William clearly felt that his grandfather had left his father a rich man and he had intended him to have the money without the deductions.

It took the clerks in Chancery three years to prepare a plan of action. In 1735, they came up with a set of "interrogatories" or questions to be put to witnesses on behalf of both parties and they commissioned two sets of gentlemen to conduct the interviews. William Prater, Robert Loder, James Long and William Hawkes were asked to conduct those held at the Bell Inn in Curry Rivel in June of that year (Pynsent v Pynsent: C11/947-20: 1735) and Robert Methuen, John Weekes, William Jay and Robert Loder were called upon to perform the same service at the Red Lion Inn, in Somerton, in October (Pynsent v Pynsent: C11/1366-8: 1735). The questions were put to a variety of family members, local gentlemen, merchants and staff. Interestingly, at this point nobody seemed particularly concerned about the legality of the annuity or of the "*taking of distress*". Chancery being a "*Court of Equity*", the Masters seemed to have been more interested in establishing Sir William's status and standing in the community, the nature of his land holdings, their value and how he acquired them. The issue seems to be about whether he could afford to pay the annuity. John Waitt of Wyke, Sir William's bailiff, aged 33 gave a typical response: he testified that Sir William lived at a rate of £1,500 to £2,000 per year. He had a coach and six horses and five or six servants in livery, and he was of the grandest figure and condition of any gentleman in his neighbourhood.

Without the judgment, it is difficult to say what the outcome was. However, one hopes that Mr. Noyes was reimbursed for his troubles. With regard to the annuity, it is not clear what Sir William had originally given his son, or what he proposed to give him to replace it; however, some (largely illegible) notes scribbled down by an unnamed lawyer attending a hearing on the issue in the mid 1740s are preserved as manuscripts in the British Library (36054 – f29b). They seem to suggest that Sir William, who was at that time a defendant in a different suit brought by his son, had allowed him £50 per annum.

Back in Chancery, in 1742, Sir William explained that when his father died, his estates produced £700 per annum but his mother had control of the mansion house at Urchfont and £230 per annum for her jointure. Out of the remainder, he had to pay his father's annuities to his brother, John (£100) and to his sister, Elizabeth (£60) and also bring up his three children. Sir William went on to say that he had spent £545 on his son's education and maintenance (considerably less than his first estimate) after he turned fifteen and that he withheld the sum from the legacy as he believed he was entitled to in law if his own estates could not readily carry the full cost of the annuity. He went on to grumble that he had not been given an independent allowance until he was twenty-five years old. He also said that when he married (in 1705) his father only allowed him £230 per annum out of his expectant estates, while he himself took £500 per annum out of his daughter-in-law, Mary Starr's Jennings estates! Sir William obviously thought his son was being treated very generously. Nevertheless, the Court directed him to pay his son £206 and instructed him to provide Messrs. Francis Eyles and John Wallis with copies of the deeds, settlements and other agreements they would need to negotiate and draw up a formal agreement between the two parties. Needless to say, this never happened (Pynsent v Pynsent: C11/2474-31: 1742).

Dame Patience Pynsent died in 1736, mid-way through the court proceedings. Her will shows that she gave an annuity of £40 per annum to her unfortunate daughter Ann Hatley, a token sum of £10 to her sons John and Robert, her son-in-law John Wallis (husband of her late daughter Patience) and to her daughters Ann and Elizabeth, and a bequest to her principal servant. She appointed Sir William executor of her will and he duly proved it in the Prerogative Court of Canterbury (PROB11-676). In doing so, he finally gained control of the rental income from her jointure lands at Urchfont. Sir William's brother, Robert Pynsent, the solicitor of Sergeant's Inn died two years later, in 1738. In addition to bequests made to his "cousin" Thomas Mompesson and to "his dearest friend, Mr. Benjamin Pomfret" mentioned earlier, he left his estate to his unmarried sister Elizabeth. She proved his will in the Prerogative Court of Canterbury (PROB11-692). Interestingly, although Robert acknowledges his niece Leonora in his close family, he makes no mention of his nephew William.

What became of William after he left his father's house is hard to say; however, by 1738 he was living in Wingfield (or as it was sometimes called, Winkfield), a few miles west of Trowbridge in Wiltshire. In August of that year, he wrote his last will and testament (PROB11-822). It is a simple document. He requests a decent burial, payment of debts, makes a couple of minor bequests and gives all his remaining real and personal estate to a "*Mr. Edward Wadman, of Wingfield, gentleman, his heirs and assigns forever*". At first glance, it is not clear why William, who was twenty-eight years old and still felt that he was heir presumptive

to his father's fortune, should give everything to Mr. Wadman. However, time would tell. In November of the same year, he added a codicil giving £100 due to him on the mortgage of a house in Wincanton, in Somerset, to Mrs. Editha Wadman, wife of Edward Wadman, "to her own, sole and separate use, free from the power, control or intermeddling of her present or any other husband". William's early relationship with the Wadmans' is uncertain but it is worth noting that Editha (nee Adams) had married Edward in 1721 and they (ostensibly) had three sons, Robert, born in 1724, John, birth date unknown and William Pynsent Wadman, born in 1733. They also had at least one daughter, Hannah. James Waylen, who wrote *A History of Devizes* in 1859, describes the third son as being William's "protégé"; however, he may well have been his child. The will may have been part of a settlement. Whether he knew it or not, Sir William may have had an illegitimate grandson.

As it happened, Edward died in 1744 and Editha obtained letters of Administration for him in the Consistory Court of Sarum. William appears to have married her shortly thereafter - although I do not know when or where. She must have been in her mid-forties and James Waylen claims that one of the ways William had offended his father was by marrying a "very old woman". Sir William may very well have despaired of legitimate grandchildren. However, the rift had occurred long since. That they married is significant as it ended William's entitlement to an annuity, and gave him responsibility for the education and maintenance of Editha's children. Many years later, William Pitt's solicitor, Mr. Nuthall was to describe Editha as being "a very obscure woman". However, as she and her husband had both predeceased Sir William and there were no known children by the marriage, he was not overly concerned.

There were renewed stirrings in Chancery in 1739 (Pynsent v Pynsent: C11/2695-11: 1739) and 1741 (Pynsent v Wallis: C11/1080-20: 1741/1745); however, I have not seen the documents. In the second, William took his uncle John Wallis to court, so it is probably related to his and the deceased Francis Eyle's failure to negotiate a formal settlement between him and his father. The dispute flared back into life in earnest in 1742 when William, who was concerned about his inheritance now that his father was in his mid-sixties, brought several suits in Chancery against his father, his uncle John and aunt Elizabeth, John Wallis and the now deceased Francis Eyles. He was determined to prove that he was entitled to the family estates and he started by forcing his father to submit a copy of the settlement his grandfather had made with Mary Starr (nee Jennings) at the time of their marriage (Pynsent v Pynsent: C11/1069-34: 1742).

In 1744, William restated his claim to the annuity and sought to show that his grandfather had entailed not just his own lands in Wiltshire, Dorset and Oxfordshire, and elsewhere, but also his mother's lands in Somerset and they

should pass to him and his heirs regardless of what his father thought. He claimed that his grandfather had conveyed estates in Patney, Thornhill and elsewhere, to John Wallis (and the, now deceased, Francis Eyles) for the payment of the annuities, and he insisted that his uncle John and his aunt Elizabeth testify that they had received theirs without having to resort to "taking distress". They did so, but denied that the Manor of Patney had been encumbered in the process. They thought that their brother had disposed of the land he inherited in Bromley and Chudleigh, and that he had sold the manor of Thornhill, in Dorset, to fund them. If that was the case, William insisted that the remainder of his grandfather's estates, which were worth approximately £1,000 per annum, were entailed and as "heir expectant" he had every right to copies of the relevant documents. Clearly, he was afraid that his father would sell the property and pass the papers over to the purchasers to prevent him from proving his entitlement. He asked the court to ensure the deeds were brought into court for safekeeping.

At the same time, William also said that his mother had conveyed her half-interest in the Jennings estates, valued at £500, to John Bond and William Marsh and he had a similar right of expectancy to those. He knew there had been complications as his mother and her sister were "tenants in common"; however he thought that those issues had been resolved with the passing of the *Pynsent Estate Act* in 1711. As far as he knew, his mother's interests had been conveyed to his grandfather to be held in trust for the eldest male heir of the marriage, in other words, for him. He was right.

At first, Sir William seems to have been reluctant to admit that his father had been entitled to give annuities based on his ownership of Patney; however, he admitted he had accommodated his father's wishes. As for his son's annuity, he thought it should be used for some practical purpose. However, he denied that all of the family property was entailed and should automatically descend to his son on his death. He pointed out that, although his wife's property had originally been transferred to his father, the manor of Hambridge had been given back to her, and her heirs, in October 1711 and she had sole control of the property without his involvement. Sir William agreed that the manor would have gone to his son but for a provision that had allowed her to transfer the title to whomever she pleased and she had legally conveyed it to him in May 1712, shortly before she died. It was therefore his to dispose of as he wished. His exasperated son then questioned whether his mother was mentally capable of conveying her estate. It was a weak argument and Sir William had the documents and the upper hand (Pynsent v Pynsent: C12/1190-10: 1740). Nevertheless, Sir William must have realized that his son would inherit much of his estate.

William, meanwhile, still had money troubles. Quite apart from living expenses, the court cases would not have been cheap. In 1739 he signed an

agreement with Isaac Stagg of Thavies Inn, London, by which he mortgaged his father's Manor of Patney for an annuity of £50 per annum for ten years. In return for which, Isaac was to receive an annuity of £100 per year for the rest of his life from the death of Sir William. The baronet, naturally, considered this an infringement of his rights and yet again sued his son in Chancery in 1745. In this instance, William appears to have backed down and terminated the agreement before the suit progressed beyond the "*complaint*" and "*answer*" stage (Pynsent v Pynsent: C11/1601-7: 1745).

By 1745, William's circumstances had of course changed. He was now married. He had no annuity and he had stepchildren to consider. Around now, he appears to have re-read his grandfather's will and realized that the trustees, the long-suffering John Wallis and the (late) Francis Eyles had been asked to use any personal estate remaining after his grandfather's debts and expenses had been paid to buy real estate. He was not aware of any having been bought, and he sued John Wallis for withholding the money. John answered that although Sir William had died with real estate worth around £1,500 per annum, his personal estate was worth very little, largely because he had recently made sizable dispositions to his daughters (Patience and Anne) and to his son (Robert). John admitted to finding a "*trivial amount*" prior to the taking of the inventory; however, he denied wrongdoing. Although William's complaint is missing from the documents, he had most likely been on a fishing trip hoping to find some way of securing his future until his father should actually die. John Wallis was having none of it. He stated that he had been "*an entire stranger to the Pynsent family*" at the time of William Pynsent's marriage to Mary Starr in 1705 and he was not prepared to take responsibility for what had happened then. This was true enough; he had married into the family the following year (Pynsent v Wallis: C11/1080-22: 1745).

John's son, Tavernor Wallis, must have watched the saga of the Pynsent family with interest and learnt a trick of two from his wayward cousin. In 1748 he sued his father in Court of Chancery over the sale of lands in Kent that he felt should have been "*entailed*" to him as his legitimate male heir. The problem arose because the broad terms of an agreement made before John Wallis's marriage to Patience Pynsent back in 1706 were changed when the actual settlement was made, and the outcome was different. Tavernor claimed that Patience's father, the first baronet, must have been unaware of the changes (as he would never have allowed them) and been induced to sign the second document while drunk (Wallis v Wallis: C11/383/-56: 1748). John Wallis was, by now, extremely nervous about his dealings with the Pynsent family. So much so, that he felt obliged to counter-sue his son and Sir William Pynsent for the return of documents related to his own marriage settlement, and to the land sales and purchases that followed

(Wallis v Wallis: C11/344-19: 1748). Sir William seems bemused, saying that he had never withheld them. In fact, he said he had offered to show them to John and had some of them sent up to Robert Tothill, in London, so that his solicitors could make copies. Faced with the documents, Tavernor appears to have backed down. However, his relationship with his father was badly impaired and the latter cut him out of his will. A newspaper article describes how Tavernor's grandfather had married an heiress of the Tavernor family and his son, John Wallis, had married (Patience) the daughter of Sir William Pynsent (Jackson's Oxford Journal: Saturday November 20th 1830). It goes on to say that John had an only son, Tavernor Wallis, who was of Whitechurch in Oxfordshire, and that he was disinherited. John Wallis died in 1754, putting an end to any further thoughts of litigation that Tavernor might have had. Losing one estate through abusive behaviour is folly enough. As we shall see, Tavernor managed to lose two.

Several of the main characters in this drama had died by the time Sir William's unmarried sister, Elizabeth, wrote her last will and testament in 1749, and the only members of her immediate family that she mentions are her brother and her Pynsent (Leonora Ann), Wallis (Mary and Elizabeth) and Peach (Patience) nieces, and her nephew Tavernor Wallis. She left Leonora money for a diamond ring and she left the Wallis and Peach girls two hundred pounds apiece with an additional three hundred pounds to come after her brother, Sir William's, demise. Presumably such money as she had was tied up in the estate. She left her nephew Tavernor "*all the chambers in Clifford's Inn, in London, formerly in the occupation or belonging to my brother Robert Pynsent deceased*", despite his having taken her brother-in-law, John Wallis, to court the previous year. Her other main bequest was of one hundred guineas to her "*kinsman*" Robert Tothill – not that he would have needed it. However, he too had died by the time her brother, Sir William, probated her will ten years later, in 1759 (Prerogative Court of Canterbury: PROB 11 – 851).

Back to William: in 1753, William Pynsent's stepdaughter, Hannah Wadman, married Edward Mortimer who, as part of his marriage settlement, transferred a tenement and several plots of land in Trowbridge to William Pynsent and William Belchier, of Epsom, Surrey, to hold for Hannah for her jointure (Devon Records Office: 281M/T849). The same year, William and Edithea Pynsent of Winkfield, Wiltshire co-signed other deeds involving George Houghton of Idford and Richard Burcombe, of Bradford, in Wiltshire that may have been part of the same settlement (Coleman Catalogue: V. 70, #424). At this point, Edithea must still have expected her husband to inherit at least some of the Pynsent fortune and she must have had some expectation of it being passed down to her children. However, it was not to be as William died in June of the following year, 1754. He was buried at Wingfield.

William's death caused considerable confusion in high-society as "The Gentleman's Magazine", among other news outlets reported his death as that of his father, the second baronet. The logical outcome of this confusion was that after the latter's death, in 1765, other sources, notably the "Genealogical and Heraldic History of the Extinct and Dormant Baronetcies of England" were to claim that it was the third baronet who had died! William's death brought to an end over twenty years of family squabble and grief, at least as far as he was concerned. His father, Sir William soldiered on but the driving force in his life, his fight with his son, had come to an end. Sir William was living at Burton with his remaining daughter, Leonora Ann. She was forty-eight and unlikely to marry and he must have realized that now that last-minute forgiveness of his son was not an option, he had no obvious heir. Pitt was fortunate; he timed his rise to national prominence (1758 to 1761) to perfection.

William's death left Edithea with no hope of any claim on the Pynsent estates. She must have been in her fifties and it would have been a crushing blow for her. In fact, she had troubles of her own at the time. Edward Mortimer had died and her daughter Hannah had married James Concanon and died herself shortly thereafter. James accused Edithea of confederating with William Belchier, the remaining trustee of Hannah's first marriage settlement, over her estate. Presumably he had his eyes on disposition of the tenement and plots of land in Trowbridge (Concanon v Pynsent: C12/500-27: 1759).

Edithea Pynsent wrote her own will in 1760. In its simplicity, it shows the state in which her husband had left her. She acknowledged the "many sums of money I and my late husband, William Pynsent Esq., have had and received" from her son by her first marriage, John Wadman, and she made him her executor and principal beneficiary as her eldest son, Robert, had already died. She also gave him all her household goods, furniture and personal effects, saving only five guineas for her youngest son, William Pynsent Wadman, for mourning and some clothes for Jane and Mary Henderson and for her sister, Ann Down. John Wadman was then "at sea" and William Pynsent Wadman was "abroad" so she asked Mr. Maurice Jarvis of Trowbridge to see that she was decently buried and to look after her property. She asked her niece Sarah King to stay on in the house until John returned. In the event of his death, what little she had was to go to her son William Pynsent Wadman. Edithea died in 1763 and John Wadman probated her will (Prerogative Court of Canterbury: PRO Film #11/886). William Pynsent Wadman was probably in Virginia at the time. Many years later, in 1775, the Virginia Gazette posted a couple of advertisements to the effect that William Pynsent Wadman of Cabin Point was selling up and sorting out his finances before returning to Britain. By then, the dust at Burton Pynsent had long settled. There is nothing to show that he ever felt cheated of the inheritance.

Robert Tothill, who was Senior Clerk of the Privy Seal during the reign of George II, seems to have been a fixture in the Pynsent household. He "had the most intimate friendship with Sir William Pynsent and resided in his house in the country several months every summer" (English Reports: Vol. III: Brown Vol. VII). The rest of the year he lived on Red Lion Street, in the Chancery district of London where he acted as Sir William's agent. Amongst other things, he arranged for his son's schooling in the late 1720s and coordinated the transfer of documents to John Wallis in the 1740s. His wife predeceased him and he had no children, so he left the bulk of his estate to Sir William and his daughter, Leonora Ann.

Robert died in 1753 leaving Sir William as his executor. In his will, he asked Sir William to construct a monument to his, and his wife (Olive, nee Matthew's), memory in the chancel of Urchfont Church. The sarcophagus is still there. Surprisingly, it is the only visible sign of the Pynsent family in the body of the church despite their pre-eminence in the area for almost ninety years. It bears the following inscription: "Underneath are deposited the remains of Olive, wife of Robert Tothill, Esq. late senior clerk of the privy seal to his Majesty George the Second, one of the Justices of the Peace for the Counties of Wiltshire, Middlesex and Kent and one of the Governors of the Hospitals of Christ, St. Thomas and St. Bartholomew, who died 14th November 1731, aged 53 years, and the said Robert Tothill who died February 13th, 1753, aged 78 years. Sir William Pynsent, Bart his kinsman and executor erected this monument pursuant to his will".

Robert left Sir William the dividends from £4,000 of Capital Stock in the Bank of England, annuities with an aggregate value of £148 per annum, a mortgage for £1,000 and a bond worth £600. He left his principal London residence, on Red Lion Street in Clerkenwell (north of High Holborn) to a Mary Cartwright with a reversion to Leonora Ann Pynsent, William's remaining daughter. He also left Leonora Ann thirteen rental houses on or around Red Lion Street, his dwelling house and rural estate at Oveny Green at Nockbolt (Sundridge, near Sevenoaks) in Kent, and his rental property in Patney, in Wiltshire. The Tothills had probably acquired Oveny Green out of Robert Pynsent's estate in 1679. The only stipulation Robert made was that Leonora Ann must live in his house in Oveny Green for three months of the year, and that she must keep all the properties in good repair. He also left six houses to Sir William Pynsent and gave Elizabeth Wallis and Patience Peach (John Wallis's daughters) side by side houses in Red Lion Street.

Leonora Ann was also to receive the dividends from the £4,000 in Bank Stock after her father died. The bequest was for her lifetime only and the inheritance was to pass to "the heirs male of her body, lawfully begotten": This despite the fact that she was at the time single and 42 years old. In the (seemingly likely) event that she should die without heirs, it was to pass to a William Dawe "son of William Dawe who married my wife's niece.... upon condition that he takes and

constantly uses the name of Tothill, and resides in my house in Kent four months in every year". He then gave minor bequests to his servants and, interestingly, directed that his "affectionate friend" residuary legatee and executor, Sir William Pynsent, box up his plate and "to enjoy my estates". He seems to have been positively inviting legal action. Shortly after his death, William took control of the bank stock and, as Mary Cartwright had predeceased her benefactor, Leonora Ann took control of Robert's freehold and leasehold property. She promptly sold the former.

Robert Tothill's estate was sufficiently large that the Attorney General, Sir Dudley Ryder put in a claim on behalf of the state. His (untenable) position was that as Robert had died childless without making a valid will, the estates should, logically, escheat to the Crown. In May 1753, He testified that "the said Robert Tothill at the time of his signing, sealing and publishing the said will was not of sound and disposing mind, memory and understanding, or if he was, that the said will was not executed according to the form required by the laws and statutes of this realm for devising of lands." In their answer, Sir William and Leonora read the will into the court record and were able to convince the Chancellor to the contrary (Pynsent v Attorney General: C11/1670-3: 1753).

Leonora Ann (Figure 13) died a decade later, in 1763. She had written her own will in April 1757, before her aunt Elizabeth had passed away but evidently felt no need to change it. She left mourning rings for her now deceased aunt and her cousin, Thomas Mompesson, one hundred guineas to her father's housekeeper, Ann Keech, and a legacy of twenty guineas to Sarah Anderson who was then living with, and presumably looking after, her father. After expenses, the balance of her estate was to go to her "honoured father". She had sold most of the property she had acquired from Robert Tothill and had bought a farm called Moortown in Curry Rivel with the proceeds, so she added a codicil on 10th May 1763 ensuring that it too was left to her "dear father". There is not much to indicate she had been abused there. Leonora died on 18th September 1763 and Sir William arranged for the probate of her will on 2nd November of that year (Prerogative Court of Canterbury: PROB 11-893). Leonora could have distributed her possessions far and wide but she chose not to. She left the final decision on the disposition of the family estates to her father, for whom she shows no lack of affection. He was now around 85 years old and, having out-lived his wife, his son, and his three daughters, had a decision to make!

Sir William wrote his own last will and testimony on 20th October 1763, after Leonora's death but before completing her probate. His will makes interesting reading. It is divided into three parts. In the first, he identifies his nephew, Tavernor Wallis "son of my late sister Patience", albeit he miss-names him and calls him "John", and gives him one thousand guineas. He then identifies "the



Figure 13. Lenora Ann Pynsent, photograph of a portrait taken in 1881.

three sons of my niece Peach, sister of the above named John (sic) Wallis and daughter of my said late sister Patience (whose names and place of abode are unknown to me)" and also gives them a thousand guineas each. Other than a bequest of twenty guineas to the above Thomas Mompesson "for mourning" that is essentially it for family bequests. The second and main part of the document comprises a list of older servants and retainers and their dependents, ranging from his mother's servant to his own bailiff, gardener and game-keeper and gives each of them annuities, ranging from thirty guineas per annum to three shillings per week out of his estates in Somerset.

In the third part he leaves "every his manors, messuages, lands, tenements, rents and hereditaments, whatsoever in the several counties of Wilts, and Somerset or either of them or elsewhere.... to the Right Honourable William Pitt of Hayes in the County of Kent, Esquire, late Secretary of State to his present Majesty, and his heirs and assigns for ever". He also leaves him all of his personal estate, makes him his executor and says: "I hope he will like my Burton estate, where I now live, well enough to make it his country seat". Sir William added a codicil later the same day, asking Pitt, who was to acquire the presentation of the vicarage of the parish church at Curry Rivel along with many other hereditaments, to appoint the Reverend Mr. John Blake, Clerk, the present curate thereof – should he be

still living. He was presumably the reverend gentleman that his son William had taken a stick to all those years ago. The clergyman must have been a constant reminder of his son's delinquency. Sir William left his will in the hands of his housekeeper and died on 10th January 1765.

CHAPTER 10

Outcome

Sir William must have been lonely and disappointed. His parents had had eleven children, seven boys and four girls, but only three, he himself and his sisters Patience (Wallis) and Anne (Hatley) had married and had children. He had had a son and three daughters before losing his wife some fifty years before, but his daughters never married and his son had left no legitimate heir. Besides, he had outlived them all.

Looking at what was left of his family tree, Sir William would have realized that the next logical male heir was his sister Patience's son Tavernor Wallis; however, if there is any truth to Mr. Nuthall's assertion that he had a reputation for being abusive, it is not hard to see why Sir William passed him over! He must have felt that his own son had harassed him for over twenty years and he was not going to end up giving his estates to someone equally unpleasant. He gave him a thousand guineas to show that he had not been entirely overlooked: which is better than the proverbial "shilling". There were no other living nephews. Mr. Nuthall was later to tell Pitt that Tavernor's sister Patience (Peach) and her husband were living in Westerham, in Kent and that they had three sons (Edward, "*a chemist in Woodstreet*", John, "*studying law at the Temple and soon to be called to the bar*", and Henry Peach "*a clergyman at Shinfield in Berkshire*") any one of whom might have been a suitable candidates for the estate, particularly had he agreed to take up the family name, but they too were passed over with a legacy of a thousand pounds. They do not appear to have had any great expectation of receiving anything anyway and were probably pleased with what they got. Thomas Mompesson, one of Sir William's mother's relations, died in Sundridge in 1767 and his estate seems to have passed to the Peach family and they seemed satisfied.

Sir William's sister Anne (Hatley) had had a son, Thomas Hatley; however, he had died young. It is not clear what had happened to Anne and her daughters since the fight with Mrs. Ginder. She may have remarried but if she had more offspring they too were overlooked.

As for his wife's family, Horace Walpole, in a letter to Lord Hertford on 20th January 1765 suggests that Lady North (Ann Speke) thought her husband, Lord North, was likely in the running as she was a collateral relation of the Jennings family. There may have been other candidates as well but Sir William and his mother-in-law had not been on particularly good terms and it seems unlikely Sir William gave them much thought. The answer was to give his estates to someone he admired and be done with it.

Sir Tresham Lever, writing on *"The House of Pitt"* in 1947 says that Lady Chatham, in a letter preserved at Chevening, insists that her husband and Sir William Pynsent had never met. This may be true. However, Pitt likely knew of the Pynsent family. He was then living at Hayes, south of Bromley in Kent and he would have known of the Tothill and Washer families at Sundridge and, if he attended the Church of St. Peter and St. Paul, he should have seen the memorial plaque to Robert Pynsent of Sundridge. Needless to say there were rumours and Von Ruville in his *"William Pitt, Earl of Chatham"*, written in 1908, claims that Pitt knew of the bequest in advance. Alan Slee, in his *"Building History of Urchfont Manor"*, is one of many who describe Sir William's supposed visit to London and his rejection at Pitt's front door by servants who were so put off by his *"disreputable appearance"* that they refused him entry. Presumably he came in a bath chair. I doubt any servant of that era would have had the temerity to argue with a coach and six with the arms of a baronet emblazoned on it. Perhaps he should have tried to see him at Hayes, in Kent.

Of course, there were other ways of alerting Pitt to his good fortune and conspiracy theorists maintain that he did know in advance. They say that Pitt, who was at that time out of favour with King George III, in poor health and aware of Sir William's politics, deliberately withdrew from parliament during the discussion and passage of the Stamp Act, which was passed on 22nd March 1765. They claim that had the *"Great Commoner"* actively opposed the bill, it would never have passed and Britain would not have lost its American colonies (Country Life Oct 6th, 1934). Pitt may have been distracted around the time of the vote, however, I doubt if his absence from parliament was premeditated. I think it more likely that Sir William realized the controversial nature of his bequest and had no intention of facing the consequences of his decision by announcing it in advance. When he died, the circus did, indeed, come to town! This was, after all, the world of Horace Walpole, Samuel Johnson, David Garrick, William Hogarth

and Richard Sheridan. The latter, who was born in 1751 and wrote *"The Rivals"* in 1775 and *"School for Scandal"* in 1777 must have loved it.

Horace Walpole broke the news of Sir William's death to Sir Horace Mann in a letter written on 13th January, 1765: *"There is somebody dead somewhere – strong marks of novelty, you see – in Somersetshire or Wiltshire, I think who has left two hundred thousand pounds to Mr. Pitt, to Mr. William Pitt, to **the** Mr. Pitt, the man who frightened the Great Mogul so three years ago and who liked to have tossed the Kings of France and Spain in a blanket if somebody had not cut a hole in it and let them slip through. Somebody the first was called Pinsent or Vincent, the town and I are not sure of the name yet; but it is certain he never saw the said Mr. Pitt – I hope that was not the best reason for the legacy! The parson of the parish who made the will has sent word to Hayes that it is lodged in the housekeeper's hands; who has command from the defunct not to deliver it but to the legatee or order. Unluckily, Mr. Pitt is in bed with the gout in his hand, and cannot even sign the order; however Lady Chatham has sent for the will, and it is supposed her order will suffice. You may depend on the latter part; I had it but two hours ago from Lady Temple [Pitt's sister?], whose Lord has been to Hayes this morning on this affair"*.

A few days later, on 20th January, Walpole wrote to Lord Hertford adding colour and gossip to what was then in general circulation: *"You have heard to be sure, of the great fortune that is bequeathed to him (Pitt) by a Sir William Pynsent an old man of near ninety, who quitted the world on the peace of Utrecht; and, luckily for Mr. Pitt, lived to be as angry with its pendant, the treaty of Paris. I did not send you the first report, which mounted it to an enormous sum: I think the medium account is £2,000 a year, and £30,000 in money. This Sir William Pynsent, whose fame, like an aloe, did not blow till near an hundred, was a singularity. The scandalous chronicle of Somersetshire [presumably Lady North] talks terribly of his morals:"* Most editions of Walpole's letters omit the next sentence and continue with: *"Lady North was nearly related to Lady Pynsent which encouraged Lord North to flatter himself that Sir William's extreme propensity to him would recommend even his wife's parentage for heirs; but the uncomeliness of Lady North, and a vote my Lord gave against the Cider Bill, offended the old gentleman so much, that he burnt his would be heir in effigy. How will all these strange histories sound at Paris!"* The offending sentence was, apparently: *"He was said to have had parts and humour, not many scruples, living to her death with his only daughter in pretty notorious incest"* (Walpole Mem. Geo. III, ii 32-33) – which is just about as damning as it gets!

The daughter in question, Leonora Ann, had never married but had, like many another, stayed home and kept her father company into his old age. However, she shows no sign of animosity to her father and was the most outspoken of the

family during her father's legal wrangles with his son in the 1730s and 1740s. She stayed on with him even after receipt of a substantial inheritance from Robert Tothill, in 1753. In the end, she left it all to her "honoured" father, and probably meant it. One has to wonder if Lady North had not heard from an old-timer, perhaps in one of the salons of London or Bath, that there had been some sort of scandal associated with the family... It was a long time ago and the details were vague but it was something about William debauching his daughter. The sins of the son perhaps, in this case, rebounding on the father!

It is also true that Sir William could have made a will in favour of Lord or Lady North and then changed it after the house voted on Lord Bute's notorious cider tax in the spring of 1763. There was time enough for an angry old man change his mind and his will. We will never know.

With Lord North out of contention, the pundits cast around for other possible rejected recipients. On 27th January, Walpole wrote to Lord Hertford (Ambassador in Paris and Lord Lieutenant of Ireland) saying "Do you know that Sir W. Pynsent had your brother in his eye! He said to his lawyer, 'I know Mr. Pitt is much younger than I am, but he has very bad health: as you will hear it before me, if he dies first, draw another will with Mr. Conway's name instead of Mr. Pitt's, and bring it down to me directly'". Later, Walpole was to write that: "immediately before his death, [Pynsent] had indubitably given orders to his lawyer to draw a new will entirely in favour of General Conway but it was not prepared in time" (Mem. Geo. III, ii 32). Why Sir William would have considered General Conway, I have no idea. Perhaps Walpole was just trying to get a rise out of his friend, Lord Hertford. For the most part, society appears to have ignored the possibility that he might pass the estates down to a lesser-known family member.

William Pitt read the will and accepted the bequest without hesitation. At the outset, he arranged for his benefactor to be buried at Urchfont. However, he either neglected to put a plaque on the wall or it has since been removed. In the 1860s, there was considerable correspondence between "E.W.", "D.P." and "Z.Z." as to whether Sir William was, in fact, actually buried there (Notes and Queries: Third Series: Volume VI:). In November 1864, "E.W." who clearly considered himself the authority on the matter wrote that the family had a vault under the chancel that had been taken over by another family. He also said that there were, at one time, two Pynsent funeral hatchments (black-edged, lozenge-shaped frames surrounding the deceased's coat of arms) present in the church - probably one for the second baronet showing the Pynsent and Jennings arms quartered and one for his brother Robert. However, they were by then long gone. In a later issue of Notes and Queries, in 1868, he added that a silver plated, engraved coffin plate with the family arms quartered with those of Jennings (ermine, a lion rampant sable) had recently been discovered on the opening of the vault for a

fresh interment (Fourth Series, Volume II). He also thought a plate, for "Eleanora Ann Pynsent" – presumably Leonora Ann – had been found at the same time. The parish records show that the family was interred there and he felt the evidence was convincing.

Pitt clearly felt that some recognition of his benefactor was in order and in 1766 he sponsored a poem in Sir William Pynsent's honour: [Pynsent: A Poem (sunt et sua praemia laudi)]. It was printed for J. Williams, "next the Mitre Tavern, Fleet Street" and a copy now resides in the British Library. It purports to reflect on Sir William's vision of British history since he retired from parliament and seems to follow the thesis later propounded by Lord Macaulay and others that in his youth Sir William had been disappointed by the Treaty of Utrecht, in 1713, and that he had been equally aggravated with the Treaty of Paris, in 1763. Neither, as far as he was concerned, were in England's best interest. The poem explains his admiration for Pitt ("One hope is still for England to be found, - bepeace'd, and with four shillings in the pound. - For Pitt still lives: the terror and the hate - of every puny minister of state"). It ends "Pynsent, as Nestor old, as Nestor sage, - His patriot warmth unchille'd by icy age, - Resolves heroic, lost long since his son, - to take the first of England's for his own; - doubt hangs not on the choice: beyond compare - he sees one man, and makes that man his heir".

Within days of receiving his bequest, Pitt asked his solicitor, Mr. Nuthall, to arrange for the payment of the various legacies and bequests. Mr. Nuthall reported back to Pitt on 31st January, just three weeks after Sir William's demise, flagging Tavernor Wallis's quarrelsome nature. Pitt should have realized that he would have to fight for the estate. In the end he fought his own personal "Seven Years War" with Tavernor Wallis in the Court of Chancery (Pitt v Wallis: C11/1871-29: 1714-1760; Pitt v Wallis: C11/1890-32: 1727-1760; Pitt v Wallis: C12/35-21: 1765 & Pitt v Wallis: C12/351-12: 1773). The final decision did not come until down until 1773.

While probating Sir William's will, Mr. Nuthall sent Pitt a copy of Robert Tothill's will and tried to reassure him regarding this part of his bequest: "altho' it may alarm you to see the real estates, £4,000 Bank Stock, and these annuities left to Mrs. Pynsent [Leonora Ann] for life only and after her decease to the 'heirs male' of her body', and for want of such issue to other people, yet clearly in law, the stock and annuities could not be entailed at all by any such limitation, and she, the devisee as clearly took an estates tail in the real estate which she could bar and extinguish by Fine and Recovery and make the estate her own, and she certainly did it, for Mr. Woodcock told me yesterday, and Mr. Peach today, that Mrs. Pynsent sold all the real estates left her by Mr. Tothill's will, and the latter said that part of the Wiltshire estates was purchased with the money". He was less encouraging regarding the interest on £4,000 and the exchequer annuities

left to Sir William for life and destined to go to Leonora for her life and then to her *“heirs male”*, or others. He felt that as she had died in her father’s lifetime, it was a lapsed legacy and the money should go to the *“other party”*, presumably Mr. William Dawe.

William Dawe had married Robert Tothill’s wife’s niece and was a residuary legatee in Robert Tothill’s will. He had never contested Leonora’s ownership or right to sell Mr. Tothill’s real estate, or Mr. Tothill’s bequest to her father; however, when Sir William died he appears to have woken up to the possibilities and launched a claim for the Bank Stock, the annuities and the leasehold premises. This led to a separate fight in the courts that lasted for six years, from 1766 to 1771. The dispute between Pitt and William Dawe and Maximilian Western concerns only a small part of Sir William’s estate; however, it is well documented. It came before Sir Thomas Sewell, Master of the Rolls in June 1766 and he ruled in favour of Pitt (Reports of Cases in Chancery: Henry Maddock, Vol. 1 488-511). A month or so later, William Dawe-Tothill (he had changed his name in compliance with the original testator’s wishes) wrote to Pitt saying that he accepted the ruling of the court and that he was not planning to appeal. He wished Pitt a long enjoyment of the estate. Reassured, Pitt promptly sold the Bank Stock and annuities. However, in 1770, Mr. Dawe-Tothill changed his mind and appealed the ruling before the Lords Commissioners for the Custody of the Great Seal. They reversed the decision. A lot had happened by then, and the Commissioners asked the Master of the Court to do his best to estimate the present value of the financial assets and real estate as if they had not been sold in the interim.

In July 1766, the King asked Pitt to form a government and raised him to the peerage as Viscount Pitt of Burton Pynsent and Earl of Chatham. The following two years must have been extraordinarily difficult for him as he ran the country as Prime Minister and also dealt with the fall-out from his bequest. The Earl had already spent a considerable amount of money rebuilding Burton and he must have been extremely alarmed by decision of the Lords Commissioners. He appealed their ruling to the House of Lords and finally received confirmation of his right to the Tothill part of the Pynsent inheritance on 7th May 1771. Lord Chief Baron Parker and Lord Chief Justice Mansfield, *“in the name of the rest (who were unanimous) gave their opinions, which were supported in a number of cases, “that had the words ‘heirs male of the body of Leonora Ann Pynsent’ been used in the will, it was a collective name that described all the issue, and would be in favour of the respondent, but as no such contingency happened, they were unanimous in concurring that the limitation, with the remainder over to the respondent, was not in good law”*. In other, less legalistic and confusing words, the Lords ruled in favour of one of their own, the Earl of Chatham (Gentleman’s Magazine, V. 41, 1771).

The Reverend Robert Pynsent, rector of Killymore, in Ireland also contested Sir William’s will, although with considerably less conviction. He sued on the grounds that *“the testator had no right to make such a bequest to the prejudice of him the heir at Law”*. Robert claimed to be a *“cousin”* or *“nephew”* but in reality came from a branch of family that had been resident in Athy, County Kildare, in Ireland since at least the mid 1600s. It is a poorly defined branch that contains numerous clerics and also army officers some of whom, as we have seen, fought with Marlborough during the Blenheim campaign in the early 1700s. Robert was Rector of Kilmurry and Dunmoyland, Limerick from 1741 to 1772; Prebendary of Donoghmore, Limerick 1764 to 1766; Rector and Vicar of Macroom from 1767 to 1772; Vicar Choral of Limerick from 1773 to 1778 and Prebend of Moville, Derry from 1772 until his death in 1781 (Clerical and Parochial Records of Cork, Cloyne and Ross: Vol. II). He had no credible claim to the baronetcy. Although I have yet to study the documents, he lost his case but assumed the baronetcy anyway. The Gentleman’s Magazine noted his passing in 1781: *“At Bristol, the Rev. Sir Robert Pynsent, Bart. a gentleman well known for his contest with the E. of Chatham for the Pynsent estate”*. He married but had no children, so his presumption came to an end.

There were other, less serious claimants. On the 18th January 1765 the Exeter Flying Post wrote that *“Last Friday, died at his seat near Taunton, in Somersetshire, Sir William Pynsent, Bart. in the 95th (sic) year of his age. He has left all his personal estate, which is said to be upward of £150,000 to the Hon. William Pitt, Esq., But his Real Estate, as we are informed must fall (as being next heir at law) to John Pynsent, tin plate worker, who some years since kept trade in Totnes but lately worked as a journeyman in this city”*. John was (most likely) a great grandson of the Reverend John Pynsent of Talaton, the man who supported King Charles during the siege of Exeter and was evicted from his living after the Civil War. The Rev. John had been restored and his family had had enough success down through the generations to qualify as *“local gentry”*. On 21st of January, Joseph Johnson, a grocer and presumably one of John’s friends wrote a somewhat sycophantic letter to Pitt to inform him of John’s lineage and his claim to the hereditary estate, asking him to *“do him that justice, as the nature of his cause will admit and deserve”* (DD/GL/187: Somerset Heritage Library). If John was not trying one on, his friend Joseph was doing so on his behalf! The Earl must have known exactly what the nature of John’s cause would admit and deserve.

Other members of the Talaton branch also felt aggrieved as is shown in an unsigned and undated letter that was probably passed to my father by a Mrs. Mathews in the 1960s: It reads: *“I have always been told that Sir William Pynsent of Burton Pynsent was nearly related to the last Jonah of Talaton: my late great-aunt Jane Pynsent Garvis, who died in 1882 aged 85, has often told me that her*

aunt Jane, wife of Mr. Jonah Pynsent, had often told her that Sir William, when in his last illness sent for his cousin Jonah intending to will his property to him, but as the time of year was winter, Jonah declined, not caring to risk a journey in bad weather into Somerset and so offended Sir William that he gave his money to Earl Chatham..." . I can't speak to the weather, but find it hard to believe that a farmer in his forties would begrudge a thirty odd-mile trip into Somerset to tie up an estate of that size.

The legal wrangles continued and it was not until 1773 that the Earl knew that he had clear title to the estate. In the meantime, his legal battles must have been an ongoing source of gossip and entertainment in London, Bath, and elsewhere. Several people remark on the saga. Even a Frenchman, Monsieur Grosley, F.R.S., in his *"Tour of London"* noted the interest taken in Pitt's inheritance: *"During my stay in England the whole Kingdom rang with the report of a legacy of a very considerable amount left to Mr. Pitt by a Country Gentleman, Sir Robert (sic) Pynsent, who though no way related to that minister, gave this mark of regard for his political abilities"* (Monthly Review of Literacy Journal, Vol. 47: Sept. 1772).

Ironically, Pitt was to pay a political price for accepting Sir William's estates in 1765 and an Earldom the following year. His detractors were to publish a poem (in fact, a parody on a well-known ballad) in response to what they saw as the *"Great Commoner"* selling-out. It was entitled *"Pynsent's Ghost"*. The narrative suggests that Sir William had given Pitt his estates in a fit of insanity and had come back from the dead to haunt him and reclaim them: *"Villain repent - repent, though late, - Thy broken oaths and vows, - And give me back my lost estate, - Since shame hath stripped thy brows. - How could you say the Cause was good, - And yet that Cause forsake? - How could you say you sought not gold, - Yet gold on all sides take?"* (History of Devizes: J. Waylen: 1859).

CHAPTER 11

Burton Pynsent & Pynsent Column

Pitt made his first visit to Burton in July 1765 and decided to take up Sir William's recommendation that he make it his family home. Despite the legal issues, he sold his home at Hayes to Hon. Thomas Walpole and set about adding a new wing to the east end of the old Jacobean manor house, which would henceforth be known as "Burton Pynsent" (Figure 14). He discussed the layout of the garden and the general look of the estate with "Capability" Brown, planted trees everywhere and set about building the column on Troy hill (Christopher Hussey: Country Life, October 6th, 1934). In 1767, he sold his newly acquired property in Wiltshire to the Third Duke of Queensbury for £26,500 to help pay for it all and the same year finished building the Pynsent Monument. It is 140 feet tall and has an internal staircase that allows visitors and (if the newspapers are to be believed) the occasional cow to reach the top and survey the vast expanse of Sedgemoor. The Taunton Courier and Western Advertiser (Saturday 19th June, 1948) describes at least two occasions on which young heifers strayed from the herd, climbed the stairs and were extracted by Mrs. Betty, the farmer's wife, with considerable difficulty. According to notes prepared by Robert Dunning for the *"Burton Pynsent Charitable Trust, Pynsent Column Appeal"* in the 1980s, it cost him, Pitt, £2,000 to build. Over two hundred years of wind and rain were to take their toll and by the 1980s, the column was in dire need of attention. Fortunately, the Getty Foundation, English Heritage and many others responded to the appeal and it was renovated in the early 1990s. To this day it remains a notable landmark and memorial to a disappointed man and his troubled family.

One would like to think that William Pitt enjoyed Sir William's Burton estate; however, it is not clear that he did. He missed Hayes and bought it back from Hon. Thomas Walpole a few years later. Perhaps, given his health issues, he needed somewhere closer to London. He died at Hayes in 1778. Nevertheless,



Figure 14. Burton Pynsent House, as it exists today.

the Earl had kept Burton Pynsent and his widow Lady Chatham lived there with her granddaughter Lady Hester Stanhope until she died. Her second son, Hon. William Pitt must have spent much of his early life there. He was to be Britain's Prime Minister on three occasions between 1782 and 1806 and was in office in 1803, when his mother died, and in 1804 when the Pitt family sold Burton Pynsent. *"The distinguished estate of Burton Pynsent which was brought to the hammer at Garraway's Coffee-house, on Tuesday, sold in different lots for £43,155. This property was the legacy of Sir William Pynsent to the late Earl of Chatham, in testimony of his regard for the character and services of that statesman. Lady Chatham enjoyed it during her life, and on her demise it passed away to a new class of proprietors"* (Ipswich Post: Saturday October 20th 1804). The latter had no intention of living there and much of it was demolished the following year.

The dismantling of all but the Earl's new wing is recorded in graphic detail: *"The Household furniture, valuable fixtures some old china and glass and a variety of other effects, in the extensive Mansion House of Burton Pynsent; comprising of bedsteads and furniture, excellent goose feather beds and suitable bedding, Axminster and other carpets, of most beautiful patterns, in high preservation, of the first qualities and of a very large dimensions, cabinets and cabinet articles*

of every description, brewing utensils, etc.:" were auctioned off and then *"The whole of the valuable materials of the capital and very extensive Mansion House, with numerous offices, outbuildings, garden walls, capital green house, and hot houses, belonging to Burton Pynsent Estate, consisting of capital timbers, girders, quartering, and floors, of the first quality, many tons of flat lead gutters, and pipes, marble and other chimney pieces, excellent sashes, glazed with plate and crown glass, three hundred rod of brick work, a large quantity of slating, pavement and a great variety of all other building materials."* were sold on 13th May, 1805 (Morning Chronicle: April 13th, 1805).

The wholesale destruction of what must have been a local landmark did not go over well with the locals: *"To the Editor of the Bristol Mercury: Sir: In May, 1805, I attended the sale of a property well known in Somersetshire, I mean the Mansion, furniture and estate of the late Lord Chatham. It was called the Burton Pynsent Estate and, if I recollect aright, was left to that nobleman by Sir William Pynsent, as a memento of the high respect he had for him as a patriot and honest servant of his Country. After the death of the Great Chatham it was occupied by his Lady, until she died. It was then sold by public auction, the house to be torn to piecemeal. The estate cut up, and even a monument of stone erected upon the estate, sacred to the name of Pynsent was brought to the hammer."* Lord Chatham's physician, a Dr. Woodford of Taunton purchased the monument and later conveyed it to a Col. Pinney who was the next owner of the estate (Historic Landscape Register: somerset.gov. uk.). Without his intervention it would not have survived; however, it still stands atop Troy Hill – a "folly" and reminder of a lost world.

Another monument also survived the carnage: *"In a small shrubbery, near the house, stood a simple but beautiful testimonial of feelings and attachment to this spot. That should (with the manner it come into the family) have consecrated the land, and made it Holy in the eye of a Pitt forever. It was a marble Urn, inscribed, on the one side "To the Dear Memory of William Pitt, Earl of Chatham, this marble is inscribed by Hester [his bellowed wife]. On the reverse: "Sacred to Pure Affection, this simple urn stands a witness of unceasing Grief for him who excelling in whatever is most admirable and adding to the exercise of the sublimest virtues the sweet charm of refined sentiment and polished wit, by gay converse rendered beyond comparison happy, the course of domestic life bestowed felicity inexpressible on her whose faithful love was blessed in a pure return, that raised her above every other joy but the parental on and that still shared with him. His generous Country with publick monuments has eternised his fame; this humble tribute is but to sooth the sorrowing breast of private woe". These, Sir were the inscriptions on the Urn; but there were also upon it, when it met my eye, the following lines, written in pencil mark: "Just God! Before*



Figure 15. The Chatham Vase in Chevening Park.

my Country's final doom, grant that the great, th' immortal Chatham's shade may rise indignant from the silent tomb to view the havoc that his sons have made". These lines were evidently written during the sale, and spoke to the strong feelings of some rustic poet, on seeing this once fine mansion about to be razed to the ground and the name of its donor treated with neglect if not contempt. The sale serves to show the little value the descendants of the Great and the Good in general place on the gifts of their Country or their Country's Friends, beyond the immediate means they afford of pampering unbounded waste, luxury and extravagance; and the beautiful picture of domestic happiness, in a union of virtue and truth, appears to me so cheering, after the scenes of the present day, that I have trouble to copy them from my memorandum book, for your service, if you think proper to make use of them in any way in your valuable paper: *Old Times*: (Bristol Mercury: Monday November 27th, 1820). The marble urn (Figure 15) was sold on but was later recovered by the Stanhope family and now resides at Chevening House, near Sevenoaks, the official residence of the Foreign Secretary of the United Kingdom. Sadly, the pencil marks are unlikely to have survived the passage of time.

His house may have been destroyed, but Sir William's memory lingers on in portraits sold off as what was left of his world succumbed to the auctioneer's hammer. There appear to have been several, at least two of which were, for a while, in Pinsent hands. Certainly a Thomas Pynsent of Westward Ho! and his



Figure 16. Sir William Pynsent by Thomas Gibson, photograph taken in 1881.

cousin Elizabeth Satterley Splatt of Torquay had copies in the 1880s. In 1929, my grandfather (Francis Wingfield Homfray Pinsent) went to visit his half sister (Lucretia Anna Maud Pinsent), a Sister in Religion in Rome and while there he abstracted the following from her diary entry for the 11th July 1886. At that time she would have been Abbess of St. Scholastica Abbey, in East Teignmouth in Devon:

"When cousin Ellie (Mrs. Keddle – Thomas Pynsent's niece) was here about a fortnight ago she gave me some particulars of our family which being of historical interest I insert them: Sir William (the 4th Baronet (sic)), owned an estate which was and is very fine in Somersetshire called Burton Pynsent. Out of admiration to the great statesman, William Pitt, he presented it to him on the death of him and on the death of his only child, a daughter, Leonora Anne, and so it went out the family 140 years ago. Baron Pynsent (sic) was one of Pitt's titles later on. Among other places this may be found in Macaulay's Essay on W. Pitt. ... An original portrait of this latter (Sir William Pynsent), which came from Burton Pynsent, is in the possession of Mr. Thomas Pynsent of Westward Ho! An excellent copy of it is in the Elms, Torquay; the property of Mr. Splatt, whose wife was a Miss Pynsent." That there should be two copies of his portrait is perhaps not surprising.



Figure 17. Portrait of a Man attributed to John Smibert, c. 1730.

Presumably there was one at Urchfont and one at Burton. The fact that they were both in the family is!

At the same time, my grandfather also photographed a memorandum describing the portraits that seems to have been written by Thomas Pynsent on the 8th August 1881; presumably Mrs. Keddle sent the memorandum to her kinswoman, Lucretia, after the visit. Interestingly, it had been placed on a page from a prayer book ("The Lament for a Sinner") for photographing. It states: "*Sir William Pynsent was born 168- died in 1765; at the back of the right hand of Sir William was painted "J. Gibson, 1739", which letters cannot now (1881) be seen. The picture was cleaned by Hopson of Bideford – I think it was, the painter's name and date probably destroyed thereby – Gibson was born in 1680, died 1751. Mr. W. B. Peren, of Compton Darville House, Southern Petherton, near Martock, Somersetshire, has a similar portrait of Sir William with the name of Thomas Gibson 1737 thereon, in which the position of the left hand is different from what it is in this picture, consequently this picture, dated 1739, may have been copied from the one Mr. Peren had, and the position of the left arm altered: - Memorandum - August 8th, 1881. Thos. Pynsent*".

Mr. Peren died in 1885 and his copy of the portrait, along with the rest of his household estate was brought to auction: "*Messrs. Palmer are instructed to sell*

by auction on Thursday March 19th, the whole of the excellent modern household furniture, brilliant-toned cottage pianoforte (by Collard & Collard), china, glassware, valuable oil paintings, engravings, carriages and other valuable effects, late property of W. B. Peren Esq. deceased", which includes a "very valuable oil painting of Henrietta Maria, Queen of Charles I believed to be by Van Dyke, ditto Sir William Pynsent, Gibson, choice oil paintings etc ..." (Western Gazette: 13th March 1885). It seems likely that Thomas attended the auction and bought Mr. Peren's copy. When he died two years later, it passed to his daughter, Jane Augusta (nee Pynsent) and her husband, Colonel Thomas Andrews Rawlins. The copy owned by Mr. Splatt's wife, Elizabeth (nee Pynsent), and hung at "The Elms", in Torquay, had probably been bought by her father, Joseph Pynsent who, as we shall see, might well have been inclined to attend the break-up sale at Burton, in 1805.

Whether Thomas Pynsent ever had his copy of the portrait photographed is unknown; however at some point he appears to have taken the copy from "*Above the fire place in the dining room at the Elms*" (Figure 16) and "*a portrait of a daughter of Sir William Pynsent which I saw at the house of a Mr. Munckton of Curry Rivel in which parish Burton House was situated*" (Figure 13) to Mr. C. Payne, a photographer in Langport, in Somerset. If the attribution to Sir William's daughter (which is written on back and signed by Thomas Pynsent) is correct, it must be the likeness of Leonora Ann Pynsent, as it is of a mature woman; her sisters Elizabeth and Mary died aged nine and twenty-five respectively. Copies of both of these photographs are (perhaps through the generosity of Mrs. Keddle long ago) now in my possession.

In an undated letter to Lucretia Anna Maud, in Rome, her step-mother, Lady Emily Hetty Sabine Pynsent wrote "*I want to get the picture of Sir William Pynsent of Taunton, Col. Rawlings has the original and Mrs. Splatt has an excellent copy, but what she has done with it I do not know. I wrote to her about it but she did not answer*". Sadly, she was unable to acquire them.

When and where the portraits went on leaving the family, I do not know for sure; however, I have my suspicions. According to Richard H. Saunders (John Smibert: Colonial America's First Portrait Painter: Richard H. Saunders, 1995) there is a portrait of Sir William Pynsent by Thomas Gibson (Figure 3) in the Earl of Rosebery's collection and a similar but miss-attributed portrait in the Brooklyn Museum where for many years it passed for the likeness of Lt. Gov. William Tailer and was erroneously attributed to John Smibert. According to Saunders, "*Sheldon Keck, paintings conservator at the Brooklyn Museum, examined the portrait in the 1940s and concluded that the signature "is definitely later, probably over 150 years later, than the original paint underneath". The portrait (Figure 17) is virtually identical to other portraits, such as of Sir William Pynsent [Earl of Rosebery] [cat.*

No. 522] by Smibert's London Contemporary Thomas Gibson (c. 1680-1751)". It is interesting to note that the position of the left hand in the photograph of the portrait from "The Elms" is similar to the one in the Earl of Rosebery's collection (Figure 3).

So, who were Joseph Pynsent and Thomas Pynsent and why the change of name?

CHAPTER 12

Pynsents Reborn

The Burton Monument cast a long shadow and the story of Sir William's bequest to the Earl of Chatham must have been retold countless times within the larger Pynsent family. As we have seen, the Irish and Talaton families were quite happy enough to exaggerate their level of kinship. However, it is to Newton Abbot, in Devon, in the early 1800s that we should look for the rebirth of the Pynsent family. At that time, there were two merchants: Mr. John Pynsent, the son of a wealthy farmer in Hennock, and his neighbour Mr. Thomas Pynsent who was the son of a very successful tallow chandler in Moretonhampstead. They knew each other well and must have suspected they were somehow related. However, they probably weren't aware that they had a common ancestor in the Robert Pynsent of Woodhouse that we met earlier.

Their lines joined in 1799, when Joseph Pynsent, the youngest of John's seven sons, married Anna Thomasin Crout Pynsent, Thomas's eldest daughter. Joseph was a ship's broker in London and Anna, unfortunately, took sick and died a few months after moving up to join him. On the rebound, Joseph turned to her cousin, Elizabeth Pynsent, daughter of Thomas's brother John, for support and he married her the following year - having better luck and several surviving children.

Joseph Pynsent was a character in his own right. He combined his shipping interests in London with farming at Lettaford on the edge of Dartmoor and was quickly drawn into a then ongoing national debate on "political economy". Roughly: Should the United Kingdom opt for protection or for free trade? He advocated protection and claimed to strongly identify with the policies of his hero, none-other than William Pitt, later Earl of Chatham. He wrote countless letters to Nicholas Vansittart (Chancellor of the Exchequer), the Marquess of Londonderry (Foreign Secretary) and other notable politicians during the 1820s and 1830s berating their (liberal) policies. These letters, and others directed to the

editor of the *London Morning Post* were published under the signature of “Joseph Pinsent, *A True Pittite*” (e.g. *London Morning Post*: Saturday 15th February 1822; Monday 9th March 1822). They must have raised the blood pressure of many an English gentleman. The “Pittites” were the ultimate conservatives of their day and Pitt, himself, would have been horrified. As Lord Macaulay was to show through quotations included in Frederick Arnold’s “The Public Life of Lord Macaulay”: Tinsey Bros.: 1863), “There are indeed two Pitts, the real and the imaginary – the Pitt of history, a parliamentary reformer, an enemy of the Test Act and Corporation Acts, an advocate of Catholic Emancipation and Free Trade; and the Canonized Pitt of the legend as unlike his namesake as Virgil the magician to Virgil the poet, or St. James the slayer of Moors to St. James the fisherman”. Joseph Pinsent was sincere but mistaken in thinking he was following in his idol’s footsteps.

The first indication we have of Joseph’s fascination with Pitt and the baronetcy comes in 1802 when we find he was one of many who responded to “A Subscription for erecting a statue of the Right Hon. William Pitt, late First Lord of the Treasury, and Chancellor of the Exchequer, for the distinguished and valuable services which he has rendered to his country during the course of his able and upright administration” (*Hampshire Chronicle*: Monday 21st June 1802). He contributed the grand sum of £5 5s. Two years later, in 1804, we find the birth of his son “Joseph William Pitt Burton Pinsent,” recorded in the parish records of St. George’s Parish, Bloomsbury. Sadly, the boy died the following year. However, nothing daunted, he called his next son “Joseph Burton” which was at least less of a mouthful. The latter was to have a productive life as a grain merchant in Bristol and a dairy farmer in Melbourne, Australia. Joseph’s wife, Elizabeth died in 1808, in Moretonhampstead, and Joseph married for a third time, this time outside of the family. He married Ann Tucker and had, amongst other children, a son he named Charles Pitt Pinsent. Charles later ran sheep in Australia and eventually settled in New Zealand. Joseph Pinsent died in 1835 and was buried in North Bovey where there is a monument to his passing. Interestingly, it includes the “family” coat of arms purloined from the baronetcy. By that date, the Heralds had given up trying to ensure that coats of arms only passed from father to son.

Joseph Pinsent’s fascination with Sir William must have had a profound effect on his nephew Thomas Pinsent of Pitt Farm in Hennock. He had been educated at Pynsent’s Free School in the neighbouring parish of Chudleigh and, of course, knew all about the prothonotary’s endowment and the baronetcy. Thomas went so far as to go back through the parish registers – presumably looking for a link to the baronet’s family. He did not find one and, to his credit, he resisted the temptation to fabricate one. Instead, he found that he was a direct descendant of Robert Pinsent of Woodhouse.

Thomas was a wealthy farmer with little interest in running his farm. He thought of himself as a “country gentleman” and clearly felt that his line now warranted the status the ‘Pynsent’ name implied. He decided to do something about it. Two days before his marriage, in 1843, he wrote a memorandum that includes the following: “From this day forward I propose adopting the orthography of the family name used in former times and thus subscribe myself this eleventh day of July one thousand eight hundred and forty three; sgd. Thos. Pynsent.” It was thus as “Thomas Pynsent” that he signed the backs of the portrait photographs described above.

The resurrection of the Pynsent family line did not pass unnoticed in the Pinsent family at large. In 1868, Thomas Pynsent attended a political rally called about Government funding for Roman Catholics and asked Sir Stafford Northcote, (a prominent Conservative minister) if all his election promise should be treated as “null and void?” The question caused considerable outrage in the local press and the following appeared in the Exeter and Plymouth Gazette on Friday 25th September of that year. “Political Gossip: We are desired to state that the Mr. Pynsent, who was so insolent to Sir S. Northcote at Barnstaple and Bideford, is not Mr. Pinsent, a respectable hay and straw vendor, Market-place, Bideford, but his cousin Thomas, who has changed the “i” into “y” and is now called Thomas Pynsent, Esquire, Mr. White, who seconded Mr. Pynsent, is not Mr. E.M. White, of Bideford, the architect who built Bideford Church, but Mr. White, a respectable tailor, Mill street, Bideford.”

Thomas built Pitt House, an impressive pile (*Figure 18*) on his farm in Hennock (Chudleigh Knighton) but eventually sold it and moved to Cheltenham and then Westward Ho! His only son, Vernon Pynsent, died an infant and his own plans for a dynasty failed. Thomas passed his considerable wealth down to his three daughters, Margaret Jane, Jane Augusta and Florence Lambe, who were born in Europe at various points on the “Grand Tour”. Thomas’s portrait of Sir William went to his daughter Jane Augusta (Rawlins).

Thomas lobbied hard to get his cousins, Joseph’s sons and daughters to change their names as well and had some success. Although Joseph Burton does not appear to have been totally committed, he used it intermittently in England and more consistently in Australia. His younger half-brother, Charles Pitt, bought into the change and seems to have used it throughout his life. Joseph’s daughters also appear to have signed on. His daughter Elizabeth married Charles Pitt’s early business partner in Australia, Mr. William Francis Splatt and the couple later adopted one of Charles Pitt’s daughters, Frances Elizabeth Pynsent. What happened to the copy of the portrait at “The Elms” is unknown.

Between them, the two half brothers succeeded where Thomas Pynsent failed. They reestablished the Pynsent family in the United Kingdom and in Australia



Figure 18. Pitt House, Chudleigh, as it exists today.

where it can still be found. It is a living memorial to Sir William. Although the old man decided against passing his legacy to a remote member of his own family subject to the adoption of his family name, the family itself saw to its resurrection.

FIGURES

Figure 1

Grainger, Ken. "Burton Pynsent Monument." Photograph. Geograph. Web. 12 January 2014. <<http://www.geograph.org.uk/photo/1577459>>

Figure 2

Hoare, William. William Pitt, 1st Earl of Chatham. National Portrait Gallery, London. Wikimedia Commons. Web. 12 January 2014. <http://commons.wikimedia.org/wiki/File:William_Pitt,_1st_Earl_of_Chatham_by_William_Hoare.jpg>

Figure 3

Gibson, Thomas. Sir William Pynsent. n.d. John Smibert: Colonial America's First Portrait Painter. By. Richard H. Saunders. Yale University Press, 1995. 249.

Figure 4

Pinsent, Robert. John Pynsent's Coat of Arms. 2014. Photograph.

Figure 5

Mosley, C, after a drawing by Hubert Gravelot. The First Day of Term. 1738. Mercurius Politicus, 7 February 2012. Web. 12 January 2014. <<http://mercuriuspoliticus.wordpress.com/2012/02/07/thence-into-the-hall/>>

Figure 6

"Pynsent." In The Visitation of Surrey 1662-8. The Harleian Society, 1910. 94. <<http://ukga.org/cgi-bin/browse.cgi?action=ViewRec&DB=13&bookID=190&page=94&submit=Submit>>

Figure 7

Searle, Mike. "John St Barbe memorial – Romsey Abbey." Photograph. Geograph. Web. 12 January 2014. <<http://www.geograph.org.uk/photo/2593362>>

Figure 8

Pinsent, Robert. Pynsent Free School, Chudleigh. 2011. Photograph.

Figure 9

Middleton, Christopher. "How to get a bargain West Country mansion." *The Telegraph*, 27 April 2013. Web. <<http://www.telegraph.co.uk/property/westcountryproperty/10017999/Go-West-for-a-bargain-country-home.html>>

Figure 10

British (English) School. View of the East Front of Erchfont (Urchfont) Manor with Elegant Figures in the Garden and Swans in the Foreground. c. 1700. Urchfont Manor, Wiltshire. BBC – Your Paintings. Web. 14 January 2014. <<http://www.bbc.co.uk/arts/yourpaintings/paintings/view-of-the-east-front-of-erchfont-urchfont-manor-with-ele65111>>

Figure 11

An act for confirming of partition, made between William Pynsent Esq; and Mary his wife, John Trevillian Esq; and Elizabeth his wife, and their trustees, of several manors and lands in the county of Somerset. Gale Ecco, Print Editions. 2010. Print.

Figure 12

Ferrers, Benjamin. The Court of Chancery during the reign of George I. c. 1725. National Portrait Gallery, London. Wikimedia Commons. Web. 14 January 2014. <http://commons.wikimedia.org/wiki/File:The_Court_of_Chancery_during_the_reign_of_George_I_by_Benjamin_Ferrers.jpg>

Figure 13

Leonora Ann Pynsent. Photograph. C. Payne. 1881. Collection of Robert Pinsent, British Columbia.

Figure 14

Sparkes, John H. "Burton Pynsent House." Photograph. Images of England. Web. 14 January 2014. <<http://www.imagesofengland.org.uk/Details/Default.aspx?id=431249>>

Figure 15

Yarham, Ian. "The Chatham Vase, Chevening Park." Photograph. Geograph. Web. 14 January 2014. <<http://www.geograph.org.uk/photo/3550525>>

Figure 16

Gibson, Thomas. Sir William Pynsent. n.d. Photograph. C. Payne. 1881. Collection of Robert Pinsent, British Columbia.

Figure 17

Smibert, John (attributed). Portrait of a Man. 1730. John Smibert: Colonial America's First Portrait Painter. By. Richard H. Saunders. Yale University Press, 1995. 248.

Figure 18

"Pitt House, Chudleigh." Photograph. Rightmove. Web. 14 January 2014. <<http://www.rightmove.co.uk/property-for-sale/property-39610594.html>>