

Bards and Bensteads and their Essex, Cambridgeshire and Suffolk kin

Part 2

James Benstead – a mystery partially solved



Burrough Green village sign

For nearly 40 years, almost all that I knew about this man was that he had married Mary Watson in Great Chesterford in 1817, baptised two daughters in Bury St Edmunds and then disappeared off the face of the earth. Documents described him variously as post boy, servant and labourer. Post boy in that era could be a postilion rather than a man who delivers the mail, so servant would perhaps be a more general way of describing him. He disappeared before the first census was taken, so no clues as to his origins from that, and there was no sign of a likely

tree at me. The earliest proven to date was also named Richard Benstead. No baptism has been discovered for Richard¹ Benstead, but he married Mary Carrow at Bottisham on 15th July 1593. Before embarking on the Bensteads, a few words on the Carrow family. John Carrow married Clemente Powell at Bottisham on 14th December 1573 (see tree 18 - p. 69). They baptised five children there: John - 12th May 1575; Mary - 11th June 1576; Grace - 5th January 1579 and Justina and Thomazine on 25th February 1588. Only Mary and Grace reached adulthood, Grace marrying John Holbem at Elsworth in 1595, presumably at the tender age of sixteen.

John Carrow was a customary tenant of Anglesey Manor in Bottisham, making several appearances on the court rolls¹. The earliest entry I have found was on 3rd September 1581 when he was listed as a member of the jury or homage. Two years later, on 7th October 1583, he was recorded as in default for failing to attend. On 23th September 1585 he was again on the jury. One more entry of this kind is recorded, possibly in 1593 but the date is obscured. Entries on the court roll of 1st October 1595 are slightly contradictory. At the top of the membrane John Carrow is shown surrendering properties in Bottisham:

At this court it was presented by the homage that John Carrow ... held to himself his heirs and assigns ... one messuage with adjacent croft in Bottisham Street at the north end of Bottisham aforesaid ... and surrendered it ... and also a cottage ... built on the aforesaid croft ... and also one rod of land lying in the north end of the aforesaid croft and rendering 10/- per annum ... last court ...

The property was surrendered to one Thomas Banyle. However, an almost identical entry follows in which what appears to be the same property is surrendered to one Peter Scotte. This account seems to be reporting something which happened at a previous court and in both cases the surrenders were made through another customary tenant rather than the steward or bailiff of the court. Presumably, these events took place shortly before his death as at the bottom of the same membrane the death of his wife Clemente is recorded with her being named as:

Clementia Carrow late wife of John Carrow

This entry is even harder to read than the one referring to John. The parchment is crumpled in places and torn at the bottom, so incomplete. However, it seems to be referring to the land surrendered by her husband, and her two daughters - Mary Benstead and Grace Holbem - are clearly making a case for inheriting the property. What follows is a fairly loose translation from the Latin original, and may not be entirely accurate:

At this court it was presented by the homage that Clemente Carrow late wife of John Carrow tenant of the Lord... while he lived held in Street called the Long House and three acres of land ... there called The Little House and three acres of arable land and... Bounded on the north part by

¹ CA, R59/14/2/2 - Anglesey Manor Court Roll, 1569-1602

land of Richard Hasell ...[in] Bottisham Street in the common fields of Bottisham aforesaid rendering 15/4^d a year died... Richard Benstead and Mary, John Holbeam and Grace [claimed?] the field in strong terms to this court ... to hold the Little House and 3 rods of land adjacent to the Little House and Croft in the pightell aforesaid and also... called for the aforesaid Mary Benstead her heir and assign...and petitioned for the Long House and three rods of land to be held on the part of the aforesaid Grace Holbeam her heir and assign which... Richard Benstead and Mary, John Holbeam and Grace.. .

The rest is too faint and damaged to read, but a fine seems to have been paid, so maybe Mary and Grace were successful in reclaiming the property.

Bottisham is a long, thin parish between Cambridge and Newmarket. The north-west end is fenland, while the chalky south-east end is slightly higher. The parish is made up of three parts, Bottisham itself and two hamlets – Lode and Longmeadow. In Richard¹'s time, there were probably just over 100 households. *British History on-line*² suggests 104 households in 1563 and somewhere between 140 and 145 dwellings by the 1670s.

The Bottisham registers are full of Bensteads for the next two hundred years – though not easy to piece together, so how they are related to Richard¹ and his descendants is not always entirely clear.

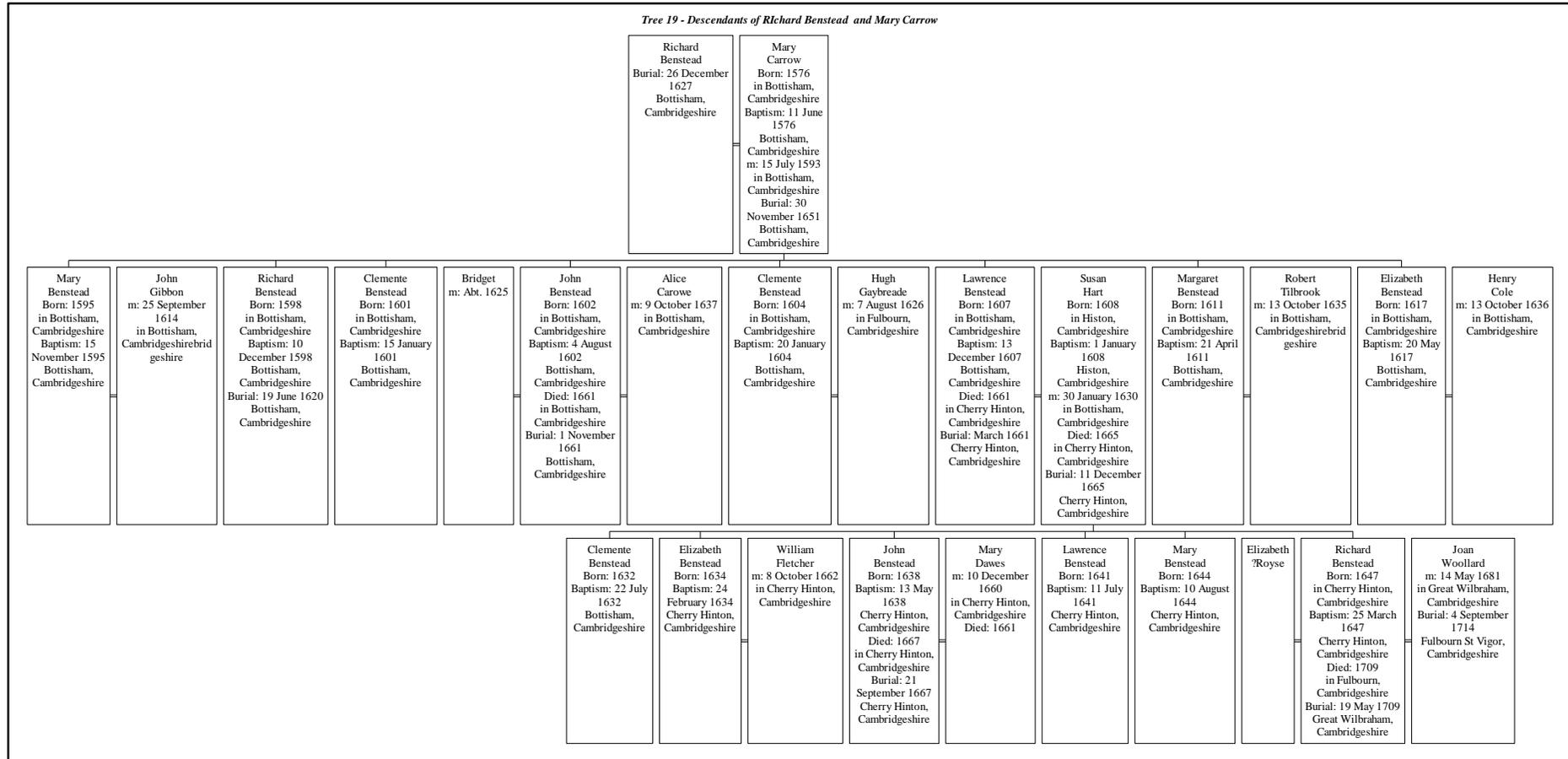


Holy Trinity Bottisham

Richard¹, a carpenter by trade, and his wife Mary baptised eight children at Bottisham, though not all survived. Their first child, Mary, baptised on 15th November 1595, married John Gibbon at Bottisham on 25th September 1614. Richard - 10th December 1598 - died as a young man and was buried on 19th June 1620. Clemente - 15th January 1601 also died young, although her burial is not recorded.

² <https://www.british-history.ac.uk/vch/cambs/vol10/pp190-196>

Tree 19 - Descendants of Richard Benstead and Mary Carrow



John was baptised on 4th August 1602 and married Alice Carowe – maybe a cousin – on 9th October 1637. Another daughter named Clemente was baptised on 20th January 1604, and married Hugh Gaybreade at Fulbourn on 7th August 1626. Laurence, our ancestor, was baptised on 13th December 1607. His life will be followed later. Two more girls followed: Margaret – 21st April 1611 – married Robert Tilbrooke on 13th October 1635, while Elizabeth – 20th May 1617 – married Henry Cole on 13th October 1636 (see tree 19 – p. 72).

As has already been seen, Richard and his wife Mary went to the Manor Court in 1595 to try and secure property which had belonged to Mary's father, John Carrow. Richard also served several times on the homage or jury of Anglesey Manor Court, the first time probably round about 1594 (the exact date is hidden by the binding). Strangely, in that entry³, his name also appears on the list of essoins – those in default for not attending the court session. The entry reads:

... William Brown for Richard Benstead, John Carrow for Richard Benstead...

The Latin word used is the abbreviation for 'pro'. As he was clearly present, I wonder if in fact the inference should be that he is making excuses for someone else. He appears again on the homage at two courts held in 1596, the first on 10th January in the second on the 31st October. He next served on the homage somewhere around 1604⁴ - the date is obscured by the binding - and again in 1612. In 1626⁵, at a court held on 17th April, he appears on a list of ameracements – the names of tenants held 'in mercy' for some infringement of manor rules. Presumably it wasn't a serious offence, as he also served as part of the jury at the same court.

Richard¹ Benstead died sometime after 17th November 1627. It was clearly an unexpected death as his will was nuncupative⁶ – in other words, dictated to witnesses in extremis. Nevertheless, he was not buried until 26th December, so maybe he lingered longer than expected:

Memorandum that upon Monday being the xviith day of November Anno Dmi 1627 Richard Benstead of Bottisham in the county of Cambridge carpenter being sick in body and upon his death bed yet being of perfect memory did make and declare his last will and testament in manner and form following That is to say he did give and bequeath to John Benstead his son and to Marie the wife of John Gibbons his daughter xii^d and all the rest of his goods whatsoever he did give and bequeath unto Marie his wife whom he did make and ordain sole executrix of his said will And being moved to remember the rest of his children he answered that he would leave them to the discretion of his said wife. There being witnesses Robert Cooke and Robert Bridge

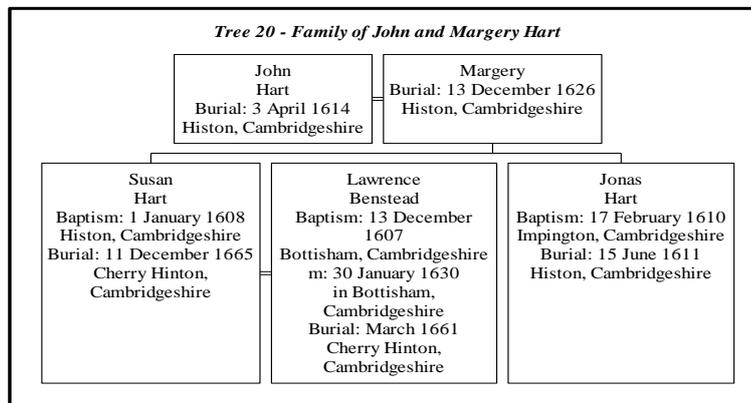
³ CA, R5/14/2/2, Anglesey Manor Court Roll, 1569 to 1602

⁴ CA, L1/22, Anglesey Manor Court Roll, 1603-12

⁵ CA, R59/14/2/3, Anglesey Manor Court Roll, 1626-47

⁶ CCL, VC 26:501, Will nuncupative of Richard Benstead of Bottisham, 1627

Probate was granted to Mary on the 5th January 1627. She outlived her husband by nearly 25 years, and was buried at Bottisham on 30th November 1651.



Lawrence, the next Benstead in our story, born in 1607, married in his home parish of Bottisham on 30th January 1630. His bride was Susan Hart, around a year younger, baptised on 1st January 1608 at Histon, about 9 miles away, to the north of Cambridge (see tree 20 - p. 74). She was the daughter of John and Margery Hart, and sister to a short-lived brother Jonas, baptised at nearby Impington on 17th February 1610 and buried at Histon on 15th June 1611. Her father had died when she was eight, (he was buried at Histon on 3rd April 1616) and her mother ten years later (she was buried in the same parish on 13th December 1626). Maybe Susan had kin in Bottisham whom she turned to, or maybe she found work there before her marriage.

A first child, named Clemance after her grandmother, was baptised at Bottisham on 22nd July 1632. Sometime after, the couple moved to Cherry Hinton, around five miles away and now almost a suburb of Cambridge. The parish was low-lying and marshy, apart from where the Gog Magog hills rise in the south-east, and had a considerably smaller population than Bottisham. The first element of the name supposedly comes from the number of cherry trees growing in the area. At the southern end of the village is a fresh, spring pool known variously as Spring Head, Robin Hood's Dip and Giant's Grave. The latter name comes from the legend that the giant Gogmagog was buried here.

Lawrence and Susan baptised five children at Cherry Hinton. Elizabeth, christened on 24th February 1634, married William Fletcher there on 8th October 1662. John was baptised on 13th May 1636 and married Mary Dawes on 10th December 1660. However, it was not a long marriage as he was buried there on 21st September 1667. Laurance, named for his father, was short-lived - baptised 11th July 1641, buried 22nd May 1742. Mary, baptised on 10th August 1644, disappeared from view. The last-born was our ancestor Richard² Benstead, baptised on 25th March 1647. Richard was also relatively young when he lost his parents: Lawrence was buried in March 1661 and Susan on 2nd December 1665. There seems to be a pervasive theory on *Ancestry* trees that Laurence and Susan both died in Fen Ditton around 1670, despite the fact that neither *Ancestry* nor *Findmypast* show any such burials there- in

fact no Benstead burials at Fen Ditton in a ten-year span around 1670, whereas both sites clearly flag up the burials at Cherry Hinton: a clear case of one person's error being mindlessly copied by others too lazy to do their own research, I suspect.



Cherry Hinton village sign

Unfortunately, Lawrence did not leave a will or any other kind of paper trail so no more is known about him. I suspect that, like the generations which preceded and followed him, he was a copyhold tenant, presumably at one of the manors in Cherry Hinton. However, he does not feature on the quitrents for Upperhall Manor⁷ nor in the three court rolls in the right time frame at Netherhall Manor⁸. He died just before the first Hearth Tax in 1662, so his name doesn't appear in the returns and he remains an enigma. The Hearth Tax transcript⁹ explains that the first column gives the sum paid in 1664 in shillings, the second the name of the occupier in 1662, the third the number of hearths and the fourth any changes. At 'Hynton', Lawrence's eldest son John is assessed, maybe in the property his parents had lived in. The entry reads:

1	John Benstead	1	now John Dixon
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Richard²Benstead and family - Fulbourn

With Richard² Benstead, the story becomes more detailed. Born in 1647, he must have married some time in 1671 as his first child, Richard, was baptised at Fulbourn (the parish next to Cherry Hinton) on 24th December 1671. The mother's name was Elizabeth, but no marriage record has been found. However, given that

⁷ CA, 107/Mp/29, Manor of Hinton Uphall with Great Wilbraham, 1654-90

⁸ LMA, H01/ST/E/075/005, 006 and 007, Netherhall Court Rolls

⁹ SoG, CA/PER, Cambridgeshire Hearth Tax, 1664, Nesta Evans, Susan Rose, BRS, 2000, London

the couple's last child was called Royse - a twin born four years before Richard married for a second time - it seems likely that the infant was named for a mother who perhaps did not survive the delivery. There was an Elizabeth Royse in Fulbourn; she married William Wyat there on 1st October 1662, and had five children with him - William, born 1664, Mary - 1665, another set of twins - William and Elizabeth - 1667 and Elizabeth again in 1668. Although documentary proof is lacking, my hunch is that Elizabeth Wyat née Royse was Richard's first wife.

Fulbourn is a low-lying parish about five miles from Cambridge; at its lowest it is only 25' above sea level, though it rises to 222' elsewhere¹⁰. It is remarkable for having had two parish churches - St Vigor and All Saints - sharing one churchyard. The tower of All Saints collapsed in 1766, and the two churches were amalgamated in St Vigor's. At the time Richard² was settled there, there were supposedly between 105 and 110 occupied dwellings¹¹ which seems a lot, as the same website suggests there were only 107 adults living there in 1676. Maybe the original source implied male householders by the term 'adults'.



All Saints and St Vigor Fulbourn

Richard² and Elizabeth had six children together. The first was named John and was probably born around 1670, though no baptism has been found. He married Mary Crane at Fulbourn in 1711, was mentioned in his sister's will in 1728 and died in 1739, unfortunately leaving no will of his own, although administration of his estate was granted. There is a possible burial at Bottisham, although this is more likely to be one of the many Bensteads who stayed in that parish. A son Richard was baptised on 24th December 1671 but presumably died young. Another son, William, was baptised on 10th November 1673, married Elizabeth Clements in 1700 at Fen Ditton, and raised a family at Great Wilbraham.

¹⁰ <https://www.fulbournpc.org/about-fulbourn/>

¹¹ https://en.wikipedia.org/wiki/Fulbourn#The_Five_Manors_of_Fulbourn

Before the next birth, Richard was assessed at 'Fulborne' for the 1674 Hearth Tax¹². The return shows his home as having one hearth. The next child, Elizabeth, was baptised on 4th April 1676. Twins Susan and Royse were baptised on 20th January 1677 at Fulbourn, and although the register is silent, my surmise is that mother and infants died shortly after.

Another daughter, named Ann, may have been the offspring of Elizabeth, but equally may have been the child of Richard's second wife (see tree 21 - p. 78). She was born Joan Woollard, possibly the daughter of Robert and Ann Woollard, baptised at Fulbourn on 2nd May 1641. She had been married in 1678 to John Chapman at Great Wilbraham, but when he died in 1680 she married Richard², on 14th May 1681 and also at Great Wilbraham. Richard and Joan baptised two of their children at Fulbourn - Richard on 4th March 1682 and Sarah on 13th September 1685, but omitted to christen our ancestor Robert Benstead. He was baptised at Fulbourn as an adult, on 24th March 1724. A note in the register gave his age as 36 years, suggesting a birth somewhere around 1687-8. This would make Joan a very mature mother if she was indeed the child born in 1641 and Robert gave his age accurately, so the jury is still out on her parentage. However, a Nicholas Woollard, who was baptised at Fulbourn in 1642 also as the son of Robert Woollard, paid tax¹³ on two hearths there in 1674, and could well have been Joan's brother.

Just over twenty years later, in 1696, Richard signed the Association Oath¹⁴ at Fulbourn. This was the result of a parliamentary act passed for the *Better Security of His Majesties' Royal Person and Government* following a plot by Jacobites, and in some areas almost forms a census of male householders:

...And whereas there has been a Horrid and Detestable Conspiracy carried on by Papists and other Wicked and Treacherous Persons, for Assassination you Majesty's Royal Person, in order to Encourage an Invasion from *France*, to subvert our Religion, Laws and Liberty, We... Declare, That your Present Majesty King WILLIAM, is rightful and Lawful King of these Realms...

It goes on to say that the signatories promise to defend the king:

against the late King *James*

and that they will equally support William's heirs. Richard made his mark, a large capital R, and his surname appears as Bensted.

Given the amount of information that can be gleaned from manor court records on Richard² and his sons, it seems most unlikely that his father Lawrence wasn't a manor tenant. Richard makes his first appearance in manorial records in a document¹⁵ headed:

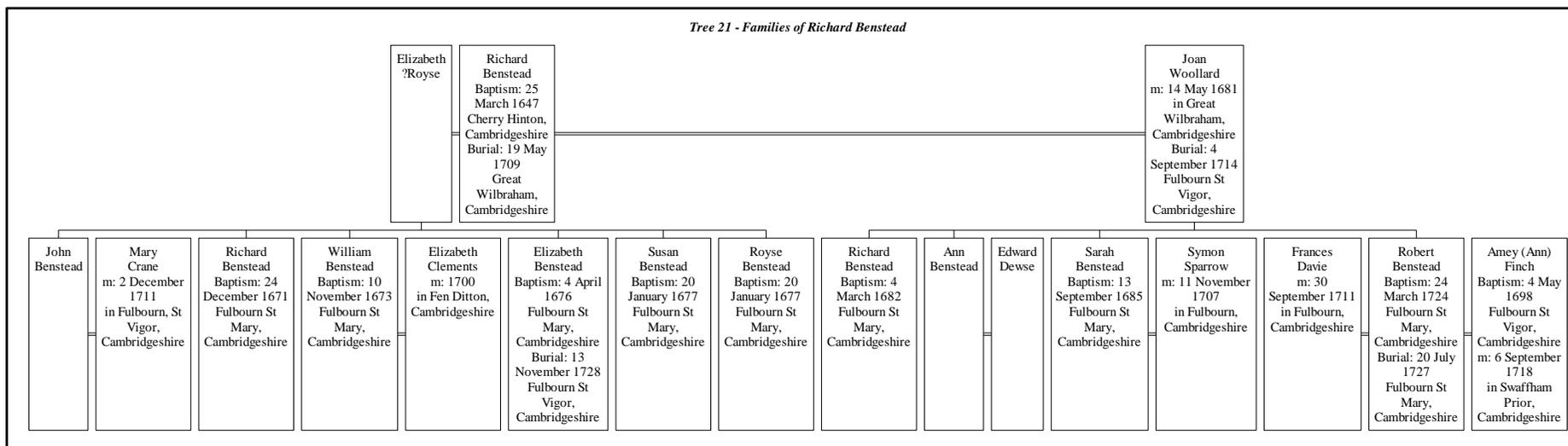
¹² SoG, CA/G 19, Cambridgeshire Hearth Tax

¹³ SoG, CA/G19, Cambridgeshire Hearth Tax, 1674

¹⁴ TNA, C 234/24, Association Oath Roll Cambridgeshire, 1696

¹⁵ CA, L78/1 (b), Zouches Manor Verdicts, 1701-69

Tree 21 - Families of Richard Benstead



Fulbourn Zouchis The verdict of the court holden for the manor foresaid
on Monday the fifth day of May 1701

Brief information on several land surrenders follows, and then there is a long list of names, including Richard Benstead. Over the page his name appears again, this time identified as a juror. A similar document, dated 19th September in the same year had the name Richerd Benstead, with a large R scrawled between as Richard's mark.

Richard was probably engaged in arable farming on the manor. He was either a respected tenant, or had an altruistic streak and couldn't say no, as he served on the jury for Zouches Manor on numerous occasions. Two entries were found in the manor minutes¹⁶ - 20th April 1705 and 5th April 1706. Additionally, the court book¹⁷ records him serving on 19th September 1701, 5th April 1703, 11th April 1703, 5th April 1706, 4th August 1706, and 23rd April 1708.

In May, close to death, Richard² surrendered his property¹⁸ so that his heirs could later be admitted to his holdings:

Benstead Ricus to the uses of his will

At this court it is presented by the homage that at the last court held 2nd May 1709 Richard Benstead of Fulbourn aforesaid Yeoman customary tenant of this manor aforesaid surrendered into the hands of the Lord through the hands of Thomas Hancock and James Kidman according to the customs of the said manor a house with an apple orchard and land... in Fulbourn aforesaid to the use and behoof intended and proposed as mentioned and declared in his last will and testament.

On the next page, at a court dated 7th June 1709, his death was reported to the court. When his son Robert came to claim the land¹⁹ on 8th April 1710, he paid a £2 5/- entry fine:

Robert Benstead to Richard Benstead

At this court it is presented by the homage that Richard Benstead, late customary tenant of this manor who held to himself and his heirs a tenement and apple orchard and acres and ... [namely] ... one rod and half a rod of land abutting the premises aforesaid held of this manor, before this court died ... and that before he died created his last will and testament surrendering into the hands of the lors of the manor aforesaid the customary land and tenement aforesaid to the use of his last will and testament aforesaid ... in this way comes Robert Benstead and presents in this court the last will and testament of the aforesaid Richard Benstead deceased, his father ... the 27th day of April A.D. 1709 in which will the premises aforesaid... in English as follows: viz: Imprimis I give to my son Robert Benstead this house wherein I now live with all the

¹⁶ CA, L78/1 (a), Zouches Manor minutes, 1700-42

¹⁷ CA, R59/14/18/1 (a), Zouches Manor Court Book, 1700-23

¹⁸ CA, R59/14/18/1 (a), Zouches Manor Court Book, 1700-23

¹⁹ CA, R59/14/18/1 (a), Zouches Manor Court Book, 1700-23

Barns Stables Outhouses Lands Orchards and all the other appurtenances thereunto belonging with this Proviso that he pay or cause to be paid unto my wife Joan Benstead the sum of twenty shillings per annum so long as she shall live and then Robert Benstead presented himself in this court and petitioned to be admitted to the aforesaid premises formerly granted and given of the Lord of the Manor and held by the rod ... to hold all and singular the aforesaid premises ... of Robert Benstead[to?] his heirs and assigns subject to the conditions of the aforesaid last will and testament according to the customs of the said manor by the rod, services and conditions there before owing and swearing well fealty was admitted tenant.

The entry, apart from the bit which quotes the will, is in Latin, so the transcription above is not fully accurate.



Fulbourn in relation to surrounding parishes

What else is known about this family is gleaned from wills and other manor records. Richard left a will²⁰ dated 27th April 1709 which shows that his wife Joan and offspring John, William, Elizabeth, Ann, Sarah and Robert were still living. His wife and youngest son Robert seem to be the main beneficiaries; presumably his older children had already been provided for:

Imprimis: I give to my son Rob^t Benstead this house wherein I now live with all the barns, stables, outhouses, lanes, orchard and all other appurtenances thereto belonging: with the proviso that he pay or cause to be paid to my Wife Joan Benstead the sum of twenty shillings per annum as long as she shall live.
 Item I give unto my son Robert my grey colt....
 Item I give unto her y^e brass pot and the second brass kettle for her life and after her decease I order her to give 'em to my son Robert Benstead....
 Item I give to my son Robert Benstead one flock bed and bedstead with one pillow, one bolster, one sheet and two blankets. Item one cupboard and one chest to my son Rob^t....

²⁰ CCL, Will of Richard Benstead, Fulbourn, 1710, Archdeaconry of Ely

Joan also received a bed and bedding, a barrel, a load of straw yearly, two bushels of wheat, two of rye and six pounds of bacon. Elizabeth was bequeathed £15, a bed, bedding and various items of furniture. Son William and daughters Sarah Sparrow and Ann Dewse were given a shilling each, a device preventing them from contesting the will, but in this instance, as their children are beneficiaries, implying that they had already received their portions, as, presumably had son John, who was named as executor. William's four children, and Sarah and Ann's sons each received a crown to be paid when they reached the age of ten. Richard made his mark, and the will was witnessed by John Seymour and Edward Dowse – presumably his son-in-law.

Sarah's marriage to Simon Sparrow took place at Fulbourn in 1707, but Ann's to Edward Dewse, which must have taken place before 1702, has not been found. When Richard² died shortly after making his will he was buried where he and Joan had married, at Great Wilbraham on 19th May 1709. However, Joan or Joanna Benstead, his widow, was buried at Fulbourn St Vigor on 4th September 1714.

Evidence from Richard²'s daughter Elizabeth Benstead, who never married, is also informative. She was buried at Fulbourn on 13th November 1727 and her will²¹ proved the following year. In it, she devised 5/- to her brother John Benstead, and a shilling to her brother William. Nephews William and Richard Sparrow each received 10/6, while nephews Richard and Robert Benstead:

sons of Robert Benstead (deceased)

received the same between them. Nephew Thomas Dewse got 5/6 and her sister Sarah Sparrow was named executrix. Susan Dowse, Elizabeth Ashby and William Hancock witnessed the will, and at probate her goods were valued as under £20.

Richard²'s eldest son John also appears in the manor records, but less assiduously than his father. He was listed as in default in 1700 but served as a juror in 1723²²; he appeared on a list of Zouches tenants in 1730²³. In 1722, for reasons unknown, John's brother Robert surrendered his inheritance from his father to him²⁴:

at the court Holden third April 1722

	H	Acres	Roods	P
Benstead John on the surrender				
of)	1			
Robert Benstead to a)				
to	0	0	1	20

²¹ CCL, WR12:149, Will of Elizabeth Benstead, Fulbourn, 1728

²² CA, R59/14/18/1 (a), Zouches Manor Court Book, 1700-23

²³ CA, L78/1 (j), Zouches Manor – list of tenants, 1730

²⁴ CA, R54/5/3 (a), Zouches Manor Record of Admissions – 1483-1743

and he held it until his death in 1739 when his other brother William inherited it²⁵.

at the court holden the 11th April 1740
Benstead W^m on the death of) 1 0 1 20
John Benstead to)

William appeared on a list of tenants in April 1744²⁶, but presumably died shortly after, as the 1745 list refers to:

The heirs of William Benstead

William and his wife both appear to be buried in nearby Teversham, although William's burial was in March 1744; maybe the news hadn't filtered back to Zouches Manor when the list was drawn up.

Benstead and Finch - Fulbourn

Robert Benstead, born towards the end of the 1680s, married Frances Davie at Fulbourn All Saints on 30th September 1711. A daughter, also named Frances, was baptised eleven months later on 30th August 1712. Nothing more is known about either; my guess is that both died soon after the birth. Robert married again on 6th September 1718, at Swaffham Prior, about 8 miles away, although his wife was also from Fulbourn. The register simply records:

Rob^t Benstead & Amey Finch Septemb^b 6

Two children came of this union, Richard³, our ancestor, baptised at Fulbourn on 23rd August 1719 and Robert, baptised nearly six years later on 25th March 1725. Nothing more is known about him, apart from the bequest in his Aunt Elizabeth's will when he was about two and a half. So again, it is presumed that, although he survived infancy he probably died young. However, given that his brother was living in Bottisham in the early 1750s, it is just possible that a couple of references in the Anglesey Manor records²⁷ to a Robert Benstead paying a rent of 6/- may refer to him, although there is possibly another Robert Benstead in Bottisham this could be.

Richard's baptism gives his mother's name as Anne, but this would be an easy mis-copying of Amy, and as Robert's baptism doesn't even record a mother's name, but leaves a gap, the implication is that the family was not well-known to whoever wrote the register. The will of Robert's sister clearly names both Richard and Robert as her brother's sons.

²⁵ CA, R59/14/18/1 (b), Zouches Manor Court Book, 1730-88

²⁶ CA, R52/24/5/(a & b), Zouches manor - List of tenants - 1744-5

²⁷ CA, R59/14/2/15(x), Anglesey Manor Quitrents, 1753

Robert's father's will, already referred to, shows that he inherited a house and land in Zouches Manor in Fulbourn. However, for some reason, some twelve years later, on 3rd April 1722, Robert surrendered this to his brother John²⁸. Again, the translation from the Latin is not perfect:

At this court came here into the Court Robert Benstead one of the customary tenants of this manor and in full court in front of the whole homage surrendered into the hands of the Lord by the hands of the seneschal of the Manor aforesaid by the rod according to the customs of the Manor aforesaid all that messuage or tenement and Apple Orchard with all the appurtenances pertaining along with a rod and a half a rod of ?plough land abutting the said premises and held of this manor by copy of court roll for the use and behoof of John Benstead and Mary his wife for and during their life or the longest lived of the aforesaid John and Mary and after the decease of the longest living of the said John and Mary to the heirs of the body of the aforesaid John and Mary....

And then came the aforesaid John in his own proper person and the aforesaid Mary... and asked to be admitted tenant to the aforesaid messuage or tenement with Apple Orchard and appurtenances....

As has already been seen, John then held the property until his death, when it passed to their brother William.



All Saints and St Vigor Fulbourn

Only three years after his adult baptism, Robert Benstead died, and was buried at Fullbourn All Saints on 30th July 1727.

Amy or Amey Finch – the name appears both ways in the records, was named after her mother when she was christened at Fulbourn St Vigor on 4th May 1698 (see **tree 22 – p. 85**). Her father was named Richard, but no records of his marriage or baptism have come to light. However, a Robert and a Richard Finch were both:

²⁸ CA, R59/14/18/1 (a), Zouches Manor Court Book – 1700-23

Discharged by legal certificate

from paying the Hearth Tax²⁹ at Fulbourn in 1674, which suggests they were poorer inhabitants. One of these could have been Richard's father. Robert Finch and his wife Ann baptised two children – Mary in 1675 and Edward in 1677, but the St Vigor register notes that the following two years are wanting. Could Richard have been born at this time? It would have made him a young father, and is possible, especially if Amy was indeed the firstborn. However, the theory is possibly strengthened by the fact that only a Richard Finch appears on the Association Oath³⁰ at Fulbourn. Maybe his baptism was elsewhere and earlier, or was simply omitted.

All the children were baptised at St Vigor's. According to the register, Amy was the eldest child, followed by Frances, baptised on 19th January 1700; Frances married John Stanton at Fulbourn on 16th June 1723. Dorothy was christened on 9th May 1703 and probably married John Bagshaw on 27th June 1727. The parish was St Andrew the Great in Cambridge, but the ceremony was solemnised at St Benet's College Chapel³¹. There is a marriage of a William Finch in the same parish two years earlier, but he doesn't seem to be connected despite the fact that Richard and Amy baptised a son of that name on 17th January 1706. There may have been another son, Richard, who would have to have been born before Amy. Maybe, though, he was the son of the other Finch on the Hearth Tax. He married Anne Gray at Fulbourn on 3rd October 1714. Of the couple's five children, at least two had recognisable Finch names – Frances and Dorothy.

Amy's father, Richard Finch, is a fairly shadowy figure. However, there are a few traces. At the manor court³² held on 8th October 1700, in the list of 'jurors for the King' the name:

Ricus ffinch – jur

can be clearly seen. Six years later though, on 5th April 1706, he appears on a list that seems to be recording those absent from the court. The document is headed with what looks like 'A Bill of Deziners'. A long list of names follows, some apparently marked 'eso' (maybe essoins) and others marked (possibly) 'col'. Richard's name has the second tag on it, whatever it means.

Richard Finch died in 1722. The burial entry at St Vigor reads:

Sept 21 Richard Finch Senr

²⁹ SoG, CA/G19, Cambridgeshire Hearth Tax, 1674

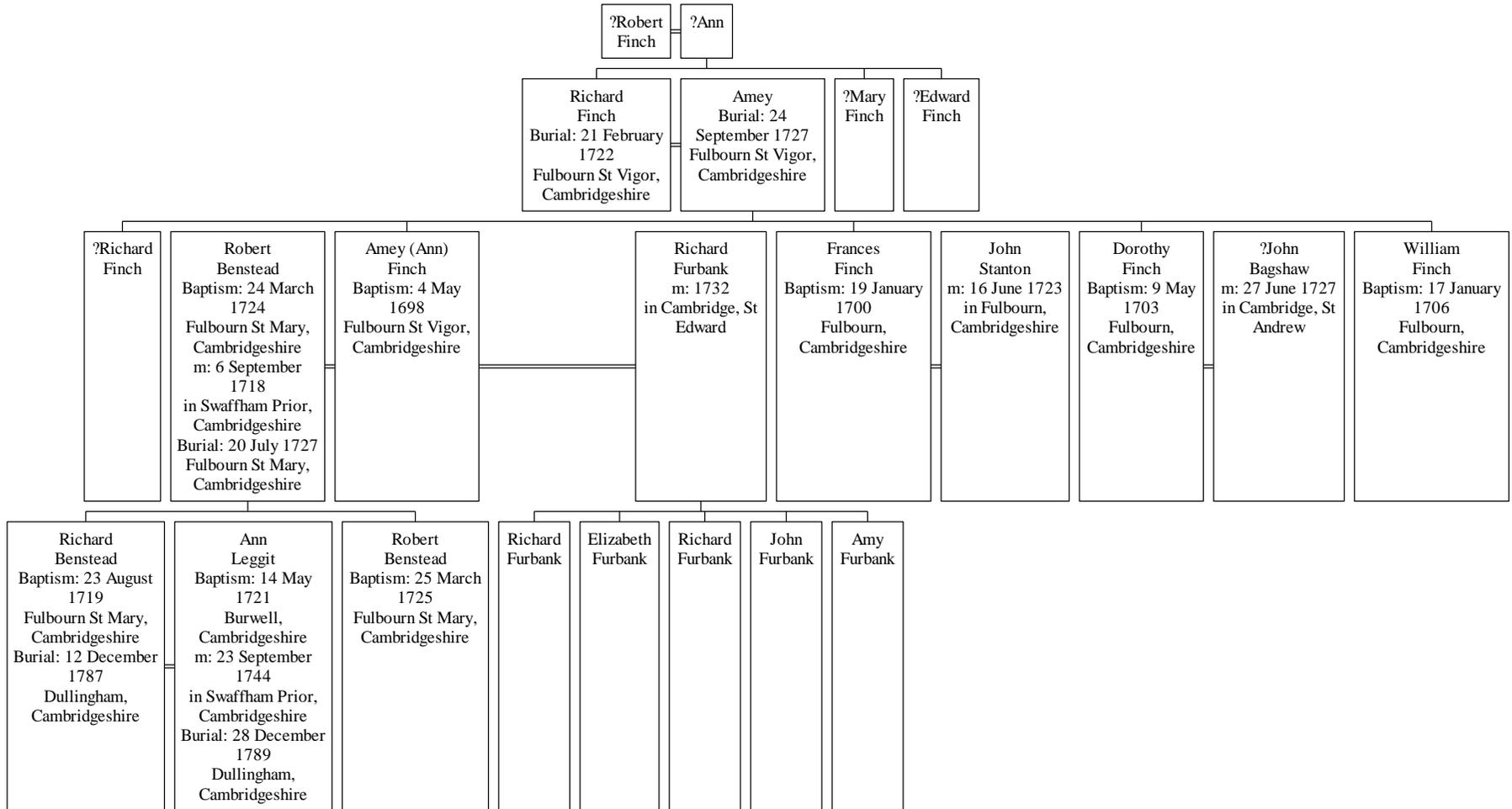
³⁰ TNA, C 234/24, Association Oath Roll, Cambridgeshire, 1696

³¹

<https://search.findmypast.co.uk/record?id=GBOR%2FPHILLIMOREMARS%2FYPCAM05%2F0047&parentid=GBOR%2FPHILLIMOREMARS%2FYPCAM05%2F0047>

³² CA, R59/14/18/1 (a), Zouches Manor Court Book, 1700-23 & L78/1 (a), Zouches Manor minutes, 1700-42

Tree 22 - Finches of Fulbourn



Some of this tree is speculative.

adding further credence to the idea of another son or at least a nephew. Unfortunately, he left no will. Amy senior followed five years later, in 1727. Her entry reads:

Sept: 24 Amey Finch Widow

Sadly for Amy junior, the deaths of her mother and husband occurred within less than nine weeks of each other. In fact, they are consecutive entries in the register. She was left to bring up Richard³ presumably by herself. However, it seems most likely that she eventually remarried. Her new spouse was Richard Furbank, whom she married at St Edward's Cambridge on 10th May 1732. The register records her as Amy Bensteade, and notes that the marriage was by licence. This couple produced five children, all baptised in Fulbourn. The odd thing is that they twice used the name Richard – once on 24th September 1732 and again on 18th April 1736. This must have been strange for Amy who already had a son of that name, but presumably her new spouse was keen to perpetuate his own name exactly.

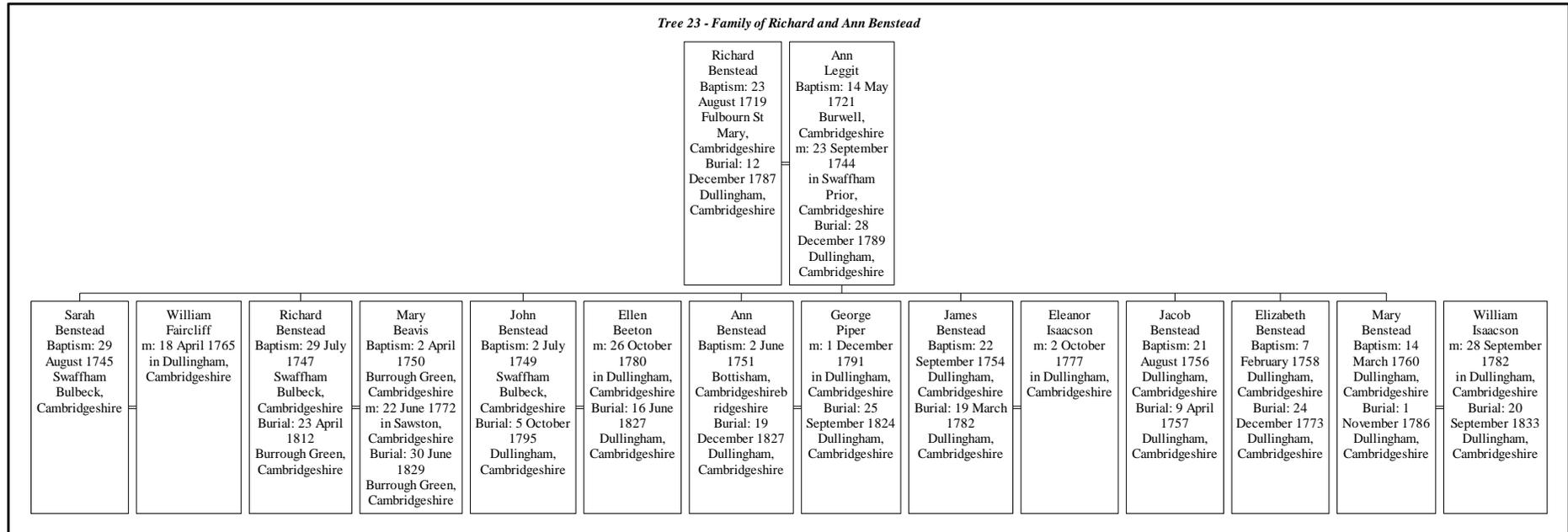
The other three Furbanks were: Elizabeth – 23rd June 1734, John Rowland – 9th July 1742 and Amy – 18th June 1747. Amy seems to have been successful in raising all her second brood apart from the first Richard, as all subsequently married at Fulbourn. Elizabeth probably married Thomas Battle in 1756 (there is another Elizabeth married in 1765); Richard married Mary Joscelyne in 1760; John married Mary Kidman in 1762 and the youngest, Amy, married Zachariah Fletch in 1764. Their mother Amy's burial doesn't seem to have been recorded at Fulbourn and hasn't been found elsewhere.

Richard³ Benstead – from Fulbourn to Stetchworth and Dullingham



St Mary Swaffham Bulbeck

Tree 23 - Family of Richard and Ann Benstead



Richard³ Benstead left a comprehensive paper trail for the latter part of his life, but for some time it was not clear where he had originated. The only feasible baptism seemed to be the one at Fulbourn in 1719:

Aug^t 23 Richard son of Robert and Ann [sic] Benstead

but how to prove it? In addition, there was no sign of a marriage for a Richard Benstead in the right time-frame to fit with his known children at Dullingham. Then a marriage turned up at Swaffham Prior St Mary in 1744, missed initially because of the slightly aberrant spelling:

Rich^d Banstead & Ann Legit by banns Sep^r 25th



St Mary and St Cyriac & Julitta Swaffham Bulbeck

At adjacent Swaffham Bulbeck were three baptisms; for Sarah on 29th August 1745, for Richard³ on 29th June 1747 and for John on 2nd July 1749 (see tree 23 – p. 87). These three proved to be Richard of Dullingham's three eldest children. It is not known who was responsible for his upbringing after the death of his father Robert. It may have been his mother Amy, but given that she named sons from her second marriage Richard, it is possible that he was farmed out to kin or friends; if so, this may have broken the bonds with his birthplace, or he may just have wanted to go and seek his fortune. The two Swaffhams are about seven and eight miles from Fulbourn. Bottisham, where his next child, Ann, was baptised on 2nd June 1751, is between the Swaffhams and Fulbourn. Dullingham, where Richard and Ann finally settled, was about nine miles from Fulbourn and six and a half from Bottisham. Here Richard and Ann baptised four other children: James - on 22nd September 1754, Jacob - on 21st August 1756, Elizabeth - on 7th March 1758, and finally Mary - on 14th March 1760. Almost each of these births was neatly two years from the preceding and subsequent child.

Dullingham is around four miles south of Newmarket and fourteen east of Cambridge. It was, like most of the other parishes the Bensteads inhabited, largely

agricultural. When Richard³ moved his family there, much of the land was still open fields; enclosure took place later. The next parish to the north-east is Stetchworth. Just over the parish border is the corn mill, and it was this Stetchworth Mill which Richard³ Benstead bought in 1760³³. From the footpath which runs behind the mill, Dullingham church is clearly visible in the valley.



St Mary Dullingham

If there had been any doubts as to whether the Richard Benstead baptising a daughter in Bottisham was the man later settled in Dullingham, an entry in the Dullingham Court Roll³⁴, dated 19th November 1754 dispelled them:

At this Court it is found and presented by the homage that Thomas Flack customary tenant of the said manor did out of court on the fifth day of July last past surrender by the rod into the hands of the Lord of the said manor by their hands and acceptance of Moses Bye in the presence of Robert Lake two like copyhold tenants of the said manor All that his Windmill with a piece of ground called Mill Hill thereto belonging Holden of the said manor by copy of court roll with their and every of their appurtenances to the only use and behoof of Richard Benstead of Bottisham in the County of Cambridge Miller and his heirs and assigns absolutely and forever Now at this Court came the said Richard Benstead in his own proper person and in full and open court humbly craved of the Lord of the said manor to be admitted tenants to the said premises according to the tenor of the said surrender To whom the Lord of the said manor ... did deliver seisin thereof by the rod To have and to hold the said Windmill Mill Hill and appurtenances to him the said Richard Benstead and his heirs ... according to the custom of the said manor by the rents and services therefore due and of right accustomed And he gave to the Lord for his fine etc and is therefore admitted tenant and did his fealty for the same.

³³ CA, 101/T/1164, Agreement to purchase

³⁴ CA, R105/025, Dullingham Court Roll, 1745-54

The fine noted in the margin was £5, quite a substantial sum. Richard³ immediately surrendered the property to the uses of his will, a device which ensured that he could choose whom to leave the property to, rather than it descending by the custom of the manor.

Richard³ Benstead was either a good businessman, or had acquired capital through inheritance or some other means. Six years later, he bought another mill, this time freehold and at Stetchworth. This mill had been continuously recorded between 1674 and 1901³⁵. In the mid-20th century it was converted into a house, and is now a thriving B & B. Not much more is known about it. The first extant mention of it is in a release in 1674³⁶ when miller William Marsh paid £65 for it. By 1690 it was in the hands of Edward Pratt, but in 1696 a mortgage for 1,000 years was taken out on it. In 1747 this was assigned to one John Collen, and it was from him that Richard Benstead acquired it in 1760³⁷, paying Collin the considerable sum of £80. Confusingly, but not surprisingly, this property also stood on land referred to as Mill Hill:

Articles of Agreement made this 26th day of June 1760 Between John Collin the elder of Stetchworth in the County of Cambridge Miller And Richard Benstead of Dullingham in the same County Miller of the other part as follows ... First in consideration of the sum of four score pounds of lawful money by the said Richard Benstead unto the said John Collin on 11th of August next ensuing the date hereof, one Guinea part thereof was this day paid by the said Richard Benstead, and the remaining sum of £78 and 19 shillings to be paid on the said 11th day of August next upon the executing and conveyance of the freehold Windmill hereinafter mentioned. He the said John Collin has Bargained and Sold to the said Richard Benstead all that piece of ground called the Mill Hill with the dam thereunto belonging Also a Windmill thereon built Also all the millstones gears turning gears utensils and all other implements and appurtenances thereunto now belonging unto the said John Collin And also the same is now in the tenure or occupation of him the said John Collin or his under tenants And also that the said Windmill situate standing and being in the parish fields of Stetchworth ...and also the said John Collin shall and will make a clear title in the law to the said premises as aforesaid upon the 11th day of August next ensuing the date hereof upon payment of £78.19 shillings being the residue of the purchase money ...

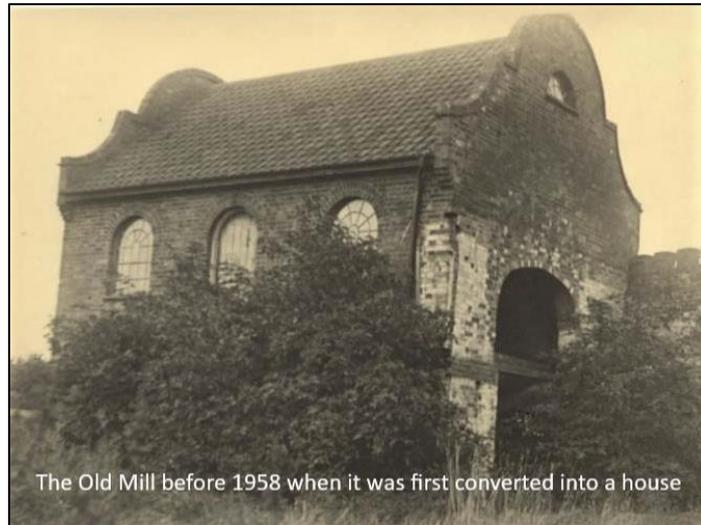
And the said Richard Benstead for the consideration aforesaid doth. .. agree to pay to the said John Collin the sum of £78.19 shillings the residue of the purchase money aforesaid upon the executing or conveyance of the freehold Windmill as aforementioned ... And also it is agreed between the said parties that the said Richard Benstead shall enter upon the Windmill on the said 11th day of August next, and to take and use the same as he pleases.

³⁵ <https://www.british-history.ac.uk/vch/cambs/vol6/pp170-176>

³⁶ CA, 101/T/1148, Release, Stetchworth and Dullingham, 1674

³⁷ CA, 101/T/1164, Agreement to purchase Stetchworth Mill, 1760

The signatures of both John Collin and Richard Benstead appear at the bottom and the document was witnessed by Robert Chapman and Thomas Flack. Richard³ owned Stetchworth Mill until he died, when he devised it to his son John.



The Old Mill before 1958 when it was first converted into a house

Stetchworth Mill

Courtesy of <http://www.theoldmill.info/>

Sometime before 1763, he must have loaned money or accepted a conditional surrender to one Abraham Clement, as an entry in the index of the Dullingham Court Book of that date records:

Benstead Rich^d Acknowledgment of Satisfaction Ab^m Clements

So presumably the debt was repaid.

Only two Land Tax Returns³⁸ survive for Dullingham in Richard³'s time, for 1768 and 1771. Curiously, the former apparently records his rent as 4 shillings, the latter £4, which seems an unlikely hike, so I suspect one of them is wrong, probably the former. The rate for 1768 was set at 3 shillings in the pound, with Richard assessed at 6 shillings half yearly and 12 shillings yearly. In 1771 the heading reads:

Dullingham Cambridgeshire To witt: An assessment made the 27th Day of May 1771 by John Wells and Simon Bulbrooke being his Majesty's Commissioners Appointed Assessors of the Land Tax for the said parish and for raising the sum of £205 being the said sum charged upon the said parish for one year at 4^s in the pound.

Richard's entry reads:

Rents p.a.	Quarter	Half Year
£ s	£ s	£ s
4 Richard Benstead	4	8

³⁸ CA, R59/53, Dullingham Land Tax, 1768, 1771

He took on John Moore as an apprentice on 10th October 1769, appearing in the Register of Duties paid for Apprentices³⁹ as:

Rich^d Benstead Dullingham Cambridge Miller

George Piper (presumably brother of the Samuel who was apprentice to Richard's son at Borough Green) was taken on as apprentice in 1777. The poll book of 1780⁴⁰ shows Richard³ eligible to vote on account of the mill, and notes his abode as Dullingham. A subsequent entry places his son Richard Benstead in Burrough Green.

The parish registers and churchyard memorials also help place Richard³ and his family in Dullingham. As has already been noted, his and Ann's last four children were all baptised there between 1754 and 1760. Their youngest son, Jacob, was buried there aged seven months on 9th April 1757. Elizabeth, their penultimate daughter, died aged 15 and was buried at Dullingham on 24th December 1773. The other children all lived to adulthood and married in the church at Dullingham. With the exception of our ancestor, Richard⁴, and his sister Sarah, they were all buried there too.

Sarah married William Faircliff on 18th April 1765, but her burial has not been found. John became a miller like his father, and married farmer's daughter Ellen Becton by licence on 26th October 1780. His signature appears in the Overseers' Accounts⁴¹ 'allowing' the accounts in 1790 and 91, and at a Dullingham Vestry Meeting held on Easter Monday 1792, he was one of six men appointed to the Office of Overseer for the parish, and was responsible for disbursements as such two years later. He served as Overseers in 1792, 1793 and 1794, so presumably either well-respected or a conscientious citizen. He died on 5th October 1795.

Ann married the apprentice, George Piper, on 1st December 1791, when she was 40, and was buried on 19th December 1827 - the longest lived of the family. James, who married local girl Eleanor Isaacson on 2nd October 1777, became a miller, but was, according to the register, accidentally killed at Cavenham in Suffolk by a wagon. His son Stephen, who died at 17, is also buried in Dullingham churchyard. Mary, the youngest of Richard and Ann's brood, married Eleanor's brother William Isaacson (another miller) on 28th September 1782 but died only four years later on 29th October 1786; she was buried on 1st November.

An extract from *Dullingham Yesterdays* by Peter Jeffery⁴² adds detail to what is known of James and Mary Benstead:

James Benstead was 15 years old when he cut his name into the stonework

³⁹ <https://www.ancestry.co.uk>, UK Register of Duties Paid for Apprentices Indentures, 1710-1811

⁴⁰ <https://www.ancestry.co.uk>, UK Poll Books and Electoral Registers, 1538-1893

⁴¹ CA, P60/12, Dullingham Overseers' Accounts, 1790-7

⁴² http://www.dullingham.com/history/history_social_body.htm

of St Mary's Church, Dullingham. Up in the tower he wrote 'JAMES BENSTEAD HIS NAME 1769. Of all the graffiti inside and outside the church James' effort is the neatest and most precise.

James was the son of the village miller who came to Dullingham about 1750. James became a miller like his father and when he was 23 he married Eleanor Isaacson... the marriage... lasted less than five years because in the winter of 1781-2 he went to Cavenham where he was killed in a wagon accident.

Six months after James' death, his sister, Mary Benstead, married another member of the Isaacson family, William, brother of Eleanor. Mary's marriage was short also. Her third son died only a few days old and two weeks later Mary herself was buried in Dullingham churchyard. For a few more years the mill remained with the Benstead family until it was put up for auction in 1795 when William Isaacson became miller.

In 1782, Richard³ wrote his will⁴³. He was, he said:

labouring at present under some indisposition of body

so he clearly felt that he should set his affairs in order. In the event, he lived for another five years. His first bequest was to his wife Ann:

I give and devise unto my well-beloved wife Ann Benstead one annuity or yearly rent or sum of ten pounds of lawful money of Great Britain for the term of her natural life ... paid out of my freehold windmill situate standing and being in the parish of Stetchworth in the said county of Cambridge, and out of the piece of ground on which the said windmill is built

In addition, she was to receive:

all my household stuff, Linnen, Goods, Chattels and Effects of every sort kind and nature whatsoever or wheresoever

To his son John Richard³ devised:

my copyhold windmill standing and being in the parish of Dullingham in the said county of Cambridge with the stones and all going gueres [sic] implements utensils and appurtenances to the same belonging, also the piece of ground upon which the said windmill is erected

However, this was only for the term of the childless John's life, as after his death it was to pass to Richard's youngest son James and his heirs.

According to *British History on-line*⁴⁴:

⁴³ CCL, Cambridgeshire Collection, VC 45:68, Will of Richard Benstead of Dullingham, 1782

⁴⁴ <https://www.british-history.ac.uk/vch/cambs/vol6/pp157-170#p32>

A windmill, which belonged to the manor [of Dullingham] in 1279 and to Beauchamps moiety in 1343, was perhaps that standing on an artificial mound c. 600 yd. south of the village, which had given its name to Mill field by 1552. It belonged as copyhold to John Breton in 1683 and by 1795 to William Isaacson, whose granddaughter Mary sold it c. 1850 to Elijah Moore. The Moores ran it, employing three millers in 1871, almost until it closed soon after 1900. Only the mound remained in 1976.

John was bequeathed £30 and the freehold mill at Stetchworth was also devised to him, but under similar terms; he was to hold it for life and then it was to pass to his brother Richard⁴; after Richard⁴'s death it was to pass to his grandson John, aged four at this point, second son of his son Richard. Presumably he assumed that his eldest grandson, Richard⁵ would inherit his father's mill at Burrough Green.



View from Stetchworth Mill - Dullingham Church Tower in valley

Richard³ then turned to monetary bequests: Richard junior was willed £100; Ann and Mary, still unmarried at this point, were given £110 each. After his wife's decease - when the annuity was no longer needed, the Stetchworth mill was to be used to provide further legacies: sons Richard and James and daughters Sarah Faircliff, Ann and Mary Benstead were to have £20 apiece. His wife Ann and son Richard were nominated as executors and the will was witnessed by R Chapman and Elizabeth Chapman, and Thomas Watson. (Could this have possibly been Mary Watson's father? There is no way of knowing.) Richard signed each page, and also the end of the document, as Richeard Benstead.

Presumably at this point, his wife and son were happy enough to be nominated executors, but by the time Richard³ died at Dullingham on 10th December 1787 - he was buried two days later as:

Richard Benstead the elder (Miller)

some dynamic in the family had changed. Maybe Ann was old and infirm by this point and couldn't face the hassle. However, there may have been some issue with Richard⁴ as well, as when the pair renounced the executorship on 5th February 1788⁴⁵, their statement, began as follows:

Whereas Richard Benstead the Elder of Dullingham in the county of Cambridge Miller deceased did in and by his last will and testament in writing nominate constitute and appoint his wife Ann Benstead and his son Richard Benstead of Burrough Green in the said county of Cambridge Miller joint executors as in and by the same reference being thereunto had will appear Now know all men by these presents that we the said Ann Benstead and Richard Benstead the son for divers good causes and considerations us thereunto especially moving do and each of us do hereby renounce and utterly disclaim the execution of the said last will and testament

No hint of what the 'especially moving' causes may have been, and perhaps the phrasing is just a means to an end. It may also have been that Richard³'s will was complicated. Willing both his mills to his second son John for life only (he had no children of his own) and then giving one to the elder son in trust for his second grandson and the other to his youngest son may have seemed the fairest way of dividing his property – Richard⁴ was, after all, already in possession of Burrough Green Windmill, which he presumably intended to pass on to his own eldest son – but the division may have caused some friction between the siblings. At any rate, they requested that administration may be passed to Ann's second son, John.

Subsequently, on 16th February, John Benstead appeared before the surrogate and swore that this mother and brother:

absolutely refuse taking upon themselves the burthen of the execution

of the will. He then took out a bond for £100 obliging him to administer his father's estate, to complete an inventory of his goods by the end of May and to make a true account of his administration to the court by the end of February 1789.

Richard³'s widow Ann did not long survive him, adding credence to the idea that she was not strong enough to administer her husband's estate. If son John met the terms of his bond, she would have lived to see probate granted, but died at the end of 1789. She was buried at Dullingham and the entry reads:

Ann Benstead widow Dec^{br} 23. 1789 --- Tax

In 1985, the Cambridgeshire Family History Society transcribed the surviving headstones in Dullingham churchyard⁴⁶. Clearly many were only partly legible, and

⁴⁵ CCL, Cambridgeshire Collection, VAC 3.61, Admon of Richard Benstead of Dullingham, 1788

⁴⁶ SoG, Dullingham MIs, CA/M7

they have noted uncertainties in the typescript by putting details in brackets where the headstone isn't clear. So the transcript for Richard and Ann appears as follows:

65a In memory of (left side)/ (RICHARD) BENSTEAD/ who died 10 Dec 1787/ aged (78) years. (right side)ANN wife of/(RICHARD) BENSTEAD / who died ... Dec/

If the bracketed 78 was correct, then Richard³ would have been born in 1709 rather than 1719, but I suspect a worn 6 could easily be read as a 7.



Dullingham Guildhall

Sometime between Ann Benstead's death in 1789 and her son John's death in 1795, as substitute executor for his father's will, John must have paid the legacies owing to his surviving sisters, Sarah Faircliff and Ann Benstead (later Piper). It appears that either no documentary record of this transaction was made or kept, so when Richard⁴ and his son John Benstead wanted to prove that there was no longer an outstanding charge on Stetchworth Mill they had to create a legal release. Tucked into another document⁴⁷ are several pages of deed polls executed by both William and Sarah Faircliff and George and Ann Piper in which they state that both women had received their legacies of £20 before the elder John Benstead died. Further into the bundle are the formal releases⁴⁸ made by William and Sarah Faircliff and George and Ann Piper to Richard and John Benstead. Dated 7th July 1801, the wording is identical in both, citing Richard³'s will and stating that they:

acknowledge the receipt and payment of the said legacy or sum of £20 by the said John Benstead deceased and that the same was so paid in full discharge and satisfaction of the said legacy or sum of £20 charged to the said Windmill ground hereditaments and premises... [and] do hereby acquit release exonerate and discharge the said Richard Benstead the son of the said testator and John Benstead the grandson of the said testator...

⁴⁷ CA, 101/ T/ 1162, Assignment for mortgage on Stetchworth Mill, 1747

⁴⁸ CA, 101/T/1167 & 101/T/1168, Release from Legacies, 1801

of any charge on the property. Father and son needed this proof, as they were about to make a Lease and Release⁴⁹, and thereby sell Stetchworth Mill.

Legit, Legitt, Legget, etc. – Swaffham Prior

Those who recorded Ann Benstead née Leggat's family were as inconsistent in the spelling of their surname as the family was consistent in choice of Christian names. The entry in the transcript of Burwell's register reads:

1721 May 14 Leggat (BT Leggatt) Ann dau of Thomas

When she married in 1744 the register recorded her as Ann Legit. I have seen six different spellings of this surname in the records. However, they did favour the name Thomas for their sons, and so it is that, beginning with Ann's father, five Thomases can be traced back to the earliest found so far, one Thomas Legatt who married Susan Rydlington at SS Cyriac and Julitta, Swaffham Prior on 4th September 1603. Not much more is known about Thomas¹ Legatt. A son named Anthony was baptised at Swaffham Prior ten months after the wedding, on 10th June 1604, but was buried as a young man on 8th July 1629. The only other child of the union seems to be Thomas², also baptised at Swaffham Prior on 1st November 1606. Nothing else is known about Susan's origins or demise. Thomas¹ died a few months after his son Anthony, in 1629, and was buried at Swaffham Prior:

Thomas Legat sepultus fuit 1^o die Decembris



St Cyriac and St Julitta Swaffham Prior

⁴⁹ CA, 101T/1169, Lease and Release, Stetchworth Mill, 1801

None of the Legats seem to have left much of a paper trail, but they did stay fairly sedentary. It was only later in Ann's father's life that the family finally left Swaffham Prior for adjacent Burwell. Swaffham Prior is another of the group of long, thin Cambridgeshire parishes in the Fens favoured by this branch of the family. A leaflet published by Cambridge County Council⁵⁰ describes it and its neighbours as follows:

Reach, Burwell and Swaffham Prior have the characteristic shape of many fen-edge villages, with long narrow strips crossing three types of soil – sandy boulder clay, chalky loam and fen. In early times only the middle third, on which the village stood, would have been laid out in fields. The upper third was forest, used for timber, and the lower third fen, which provided marshy summer grazing for cattle as well as reed for thatching, and plenty of fish and fowl. These fen-edge communities were largely self-supporting and, except for occasional fairs and markets, had no cause to go beyond their parish boundaries.

Ruler-straight man-made watercourses (Lodes) connected each of these villages to the River Cam and provided opportunities for trade.

The original village street in Swaffham Prior marked the boundary between fen proper and hillier more chalky land. Like Fulbourn, the village is distinguished by having had two churches sharing one churchyard, namely SS Cyriac and Julitta's, and St Mary's, resulting from the fact that after the Norman Conquest, the village was held by more than one landowner, two of whom were eager to make their mark by building a church. An act of parliament had united the two parishes in 1667 but stipulated that both churches should continue in use. By 1783 St Cyriac's was dilapidated and St Mary's became the principal church, but when it was struck by lightning St Cyriac's was rebuilt. The lady of the manor then complained that her family was buried in St Mary's and insisted the church be maintained. By 1850 St Cyriac's, rebuilt in Georgian gothic style, had gone out of fashion, so St Mary's was restored.

For Thomas² Leggat there is scant information (see **tree 27 – p.101**). Born in 1606, the transcript of his baptism at SS Cyriac and Julitta shows the usual spelling inconsistencies:

Thomas the son of Thomas Leggate {BTs] Leggat [PR] and Susan[n] his wife was baptized the 16 daye of November in the year abovesaid

He married at St Mary's on 25th April 1629:

Matrimoniu~ solemnizat fuit inter Thomam Legat & Elinor Grange vicesimo quinto die Aprilis

and was buried at Swaffham Prior St Mary on 19th February 1659.

⁵⁰ [https://www.visitcambridge.org/dbimngs/EarthworksWay\(1\).pdf](https://www.visitcambridge.org/dbimngs/EarthworksWay(1).pdf)

Initially, I assumed that his wife Elinor Grange was the daughter of George and Ellen Grange, baptised on 21st November 1613 at Swaffham Prior. However, not only would this make her a very young bride, only 16 years old, but also there is the burial of an Ellen Grange, daughter of George, at Bottisham on 12th September 1620. So unless George and Ellen had a daughter named Elinor and another named Ellen at the same time – which is possible but unlikely – it is more feasible that Thomas Legatt married George Grange’s widow. George had been buried at Swaffham Prior on 5th January 1625, only 3 months after the baptism of his final child.

George Grange had married Ellen Boughtill or Bowtill at Swaffham Prior on 26th May 1611:

Georgius Grange et Helena Boughtill nupti fuere Maij 26

There is no baptism for Ellen Boughtill at Swaffham Prior, or anywhere nearby. George and Ellen’s first three children – Tamessenn – 19th January 1611, Eleanor – already mentioned, and Bridgett – 17th December 1615, were all baptised at Swaffham Prior. George – 17th May 1616, Joan – 17th September 1619, William – 17th June 1721 and Susanna – 25th June 1623 were all baptised at Bottisham. The last child, Francis, was baptised at Swaffham Prior SS Cyriac and Julitta on 9th October 1625. Marriages have been found for Bridget – married Oliver Nipps in 1644 and Joan – married Thomas Barber in 1645, and a George raising children with a wife named Mary in that period is probably Ellen’s son, so she must have been widowed with at least three young children.

It is worth making a brief digression here regarding George Grange and his family. As has already been pointed out, none of the Leggets left much of a paper trail, suggesting perhaps that they occupied a fairly humble station in life. None of them left a will, and the only one for whom an occupation is given in a register was labelled a labourer. George Grange, on the other hand, came from a land-owning family. George’s parents were Thomas Grange (or Graunge) and Thomasine Rudston. His father’s will⁵¹ gives his occupation as gentleman and makes reference to lands in Bottisham and Stow cum Quy. In addition, the manor of Swaffham Bulbeck⁵² was held under lease by members of the Grange family, many of whom also left expansive wills. The family originated in Appleyard upon Wiske and East Harsley in Yorkshire. George’s mother belonged to a family which was also wealthy and well-connected, and had provided the area with an MP in the first half of the 16th century. This family didn’t seem to offer likely marriage material for the Leggets, which was another reason to doubt that Thomas² Leggat would be allowed to marry George’s second-born daughter.

⁵¹ TNA, Prob11/17, Will of Thome Graunge of Swaffham Prior, 1610

⁵² <https://www.british-history.ac.uk/vch/cambs/vol10/pp252-258>

However, George clearly wasn't a perfect son as far as his father Thomas was concerned. To begin with, the will specified a bequest:

to every of my sons (except my eldest son) three score pounds

This might be read that, as heir-at-law, George was already well provided for, were it not for the following:

Whereas my son George hath put me to some extraordinary charges and not given me good content in his course of life in regard whereof I have had the ... respect unto him other than made a settled estate to him and his heirs in reversion after the decease of me and my wife of a house and tenement land in Bottisham yet hoping for reformation in him and to the end he may the better preserve his said estate I do give unto him twenty pounds

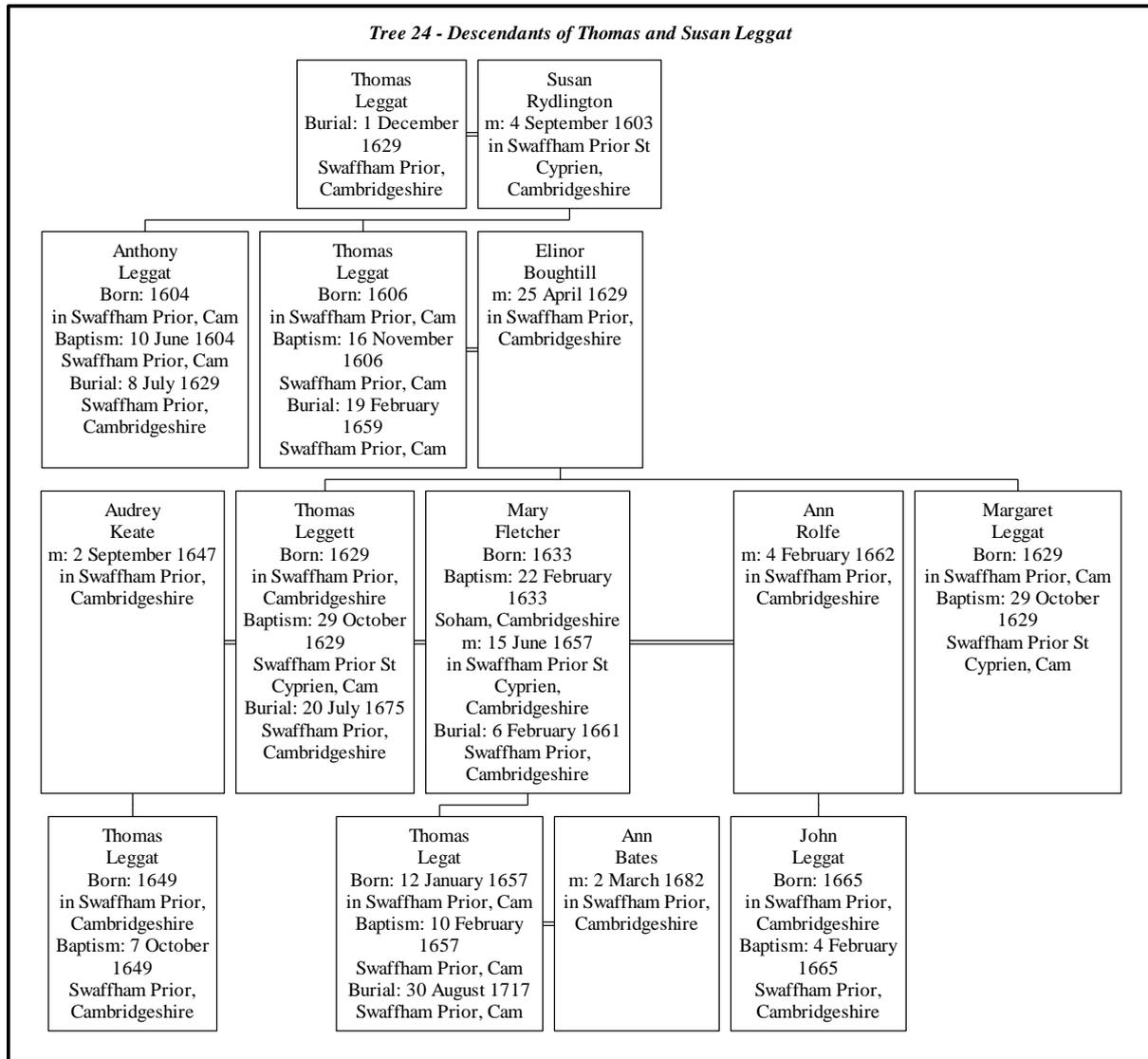
It is impossible to know how George had displeased his father. He may have been a spendthrift, or not followed his father in matters of religion – Thomas' will shows he considered himself one of the elect, so with Puritan leanings. But it is also tempting to wonder whether George's affections had led him to make a relationship with someone his family considered a social inferior. Thomas died in January 1610; George Grange and Ellen Boughtill married in May 1611. Of course, he may not have met Ellen until after his father's death, but it is tempting to speculate.



St Mary Swaffham Prior

It is hard to know whether loneliness or expediency led Ellen or Elinor to marry Thomas Legatt, but the couple's only children, Thomas and Margaret, were baptised only six months after the wedding, on 29th October 1629, so Eleanor was clearly a pregnant bride. She would also have been a mature one, probably close to the end of her child-bearing years, which might explain why there were no subsequent children. It is also possible that the birth of twins (if they were twins) led to her death, but no record of her burial has come to light, either then or later.

Tree 24 - Descendants of Thomas and Susan Leggat



Her son Thomas³ Legett's baptism was recorded at St Mary's in Latin:

Thomas filius Thoma Legett & Elinora uxoris eius baptizat fuit vicesimo nono de Octobris

but by the time of his second marriage the world had changed. (He had a presumably short-lived marriage, solemnised at St Mary's on 2nd September 1647 to Audrey Keate, resulting in a son Thomas, baptised on 7th October 1649.) By 1657, church marriages had been outlawed by Cromwell and replaced by a civil ceremony. The information recorded is much more detailed than the usual parish records, but was copied, presumably at the time of the Restoration, into the parish register. The relevant page is headed, 'Civil Marriages October 24 - 1653 May 19 1661':

1657 June 15 LEAGATE Thomas - Mary FFLEACHER
An agreement of marriage between Thomas Leagate of Reach, and Mary Fleacher ye daughter of George Fflecher likewise of Reach, delivered May the 23: was published three severall Lordes days next after the receipts of the

saide agreement.

Thomas LEAGATE and Mary FFLECHER having expressed there [sic] consent unto marriage June 15 before me in the manner and in the words expressed in the late act of parliament for marriages were married and declared to be from thenceforth husband and wife, by me – (unsigned)

As well as offering yet another variant on the surname, this also gives us Thomas' abode. Reach at this time was a hamlet due north of Swaffham Prior, partly in Burwell parish with that village about the same distance away as Swaffham Prior. *The Earthworks Way*⁵³ leaflet describes Reach:

Now a peaceful hamlet huddled round its green, Reach was once an important port and later on a town holding a famous fair. In medieval times foreign merchants sailed up the Cam and along Reach Lode to trade at wharves and quays in the village... The Devil's Dyke once ran right up to Reach Lode [but] ...before the start of the thirteenth century was demolished to create what is now called Fair Green; an annual fair is still held there every May Day.



Reach village sign

If the family stayed at Reach, it might explain why a later generation seemed to belong to Burwell, just down the road. However, the same lack of a paper trail makes it hard to be sure, as Thomas³ consistently used one or other of the churches at Swaffham Prior.

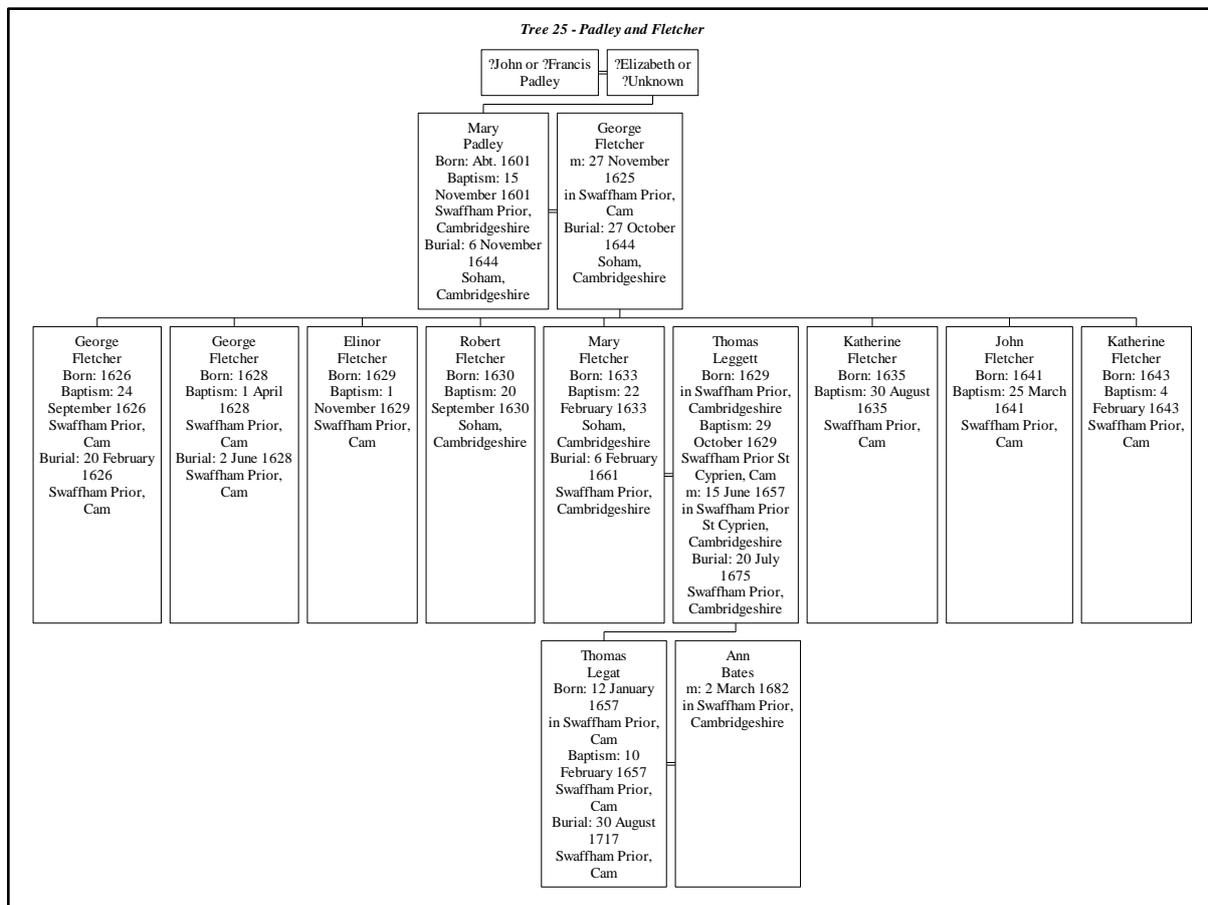
Again, there was only one child from this marriage, our ancestor Thomas⁴, who arrived seven months later:

⁵³ [https://www.visitcambridge.org/dbimngs/EarthworksWay\(1\).pdf](https://www.visitcambridge.org/dbimngs/EarthworksWay(1).pdf)

Thomas the sonne of Thomas and Mary Legget borne Jan 12th was baptized Feb. xth 1657

Thomas³'s wife Mary died four years later and was buried at Swaffham Prior on 6th February 1661. Nothing daunted, Thomas married for a third time, to Ann Rolfe on 4th February 1662. His new wife gave him one more son, John, baptised at Swaffham Prior on 4th February 1665. Nothing more is known about them. Thomas was buried at Swaffham Prior on 20th August 1675.

Fletcher and Padley – Swaffham Prior and Soham



Mary Fletcher's marriage entry names her father as George Fletcher and places him at Reach, in Swaffham Prior parish. However, although most of her siblings were baptised there, Mary and one brother were baptised at Soham, around eight miles to the north. Her parents, George Fletcher and Mary Padley had married at Swaffham Prior on 27th November 1625. A son George was baptised there on 24th September 1626, but was buried at 5 months old on 20th February 1626 (see tree 25 – p. 103). Another George was baptised there on 1st April 1628, but followed his brother on 2nd June the same year. Elinor was also a Swaffham Prior baptism – 1st November 1629, but Robert was baptised at Soham on 20th September 1630. Mary

followed; her baptism taking place at Soham on 22nd February 1633 with her recorded as:

Marie Fletcher f George & Maria

Three younger siblings were christened at Swaffham Prior: Katherine – 30th August 1635, John – 25th March 1641 and another Katherine – 4th February 1643. Their parents died the following year, and were both buried on 22nd October 1644 at Soham, not Swaffham Prior. Given the coincidence of the burials on the same day, it seems likely that some infection carried them off together.



Swaffham Prior

George's antecedents have not been found, and Mary Padley's origin is mired in confusion. There are two baptisms of a Mary Padley at St Cyriac, Swaffham Prior in the early 1600s. The first, on 15th November 1601 is to a John and Elyzabeth Padley; the second, on 16th October 1603, is to a Francis Padley. Both men baptised a run of children – John between 1601 and 1612, and Francis between 1603 and 1616. One theory is that the two men were brothers and could be the sons of one Richard Pedley. Two baptisms at Ickleton seem plausible, for John in 1577 and Richard in 1579.

However, John Padley died in 1612, as a will was proved in the PCC⁵⁴ on 20th November that year. If this is the right father, then he was a yeoman, living in Reach in Swaffham Prior, but with connections to Lincolnshire. He makes two bequests of 12d each to churches, one at Reach and the other, as far as I can tell, in Fosdyke, which is just south of Boston in Lincolnshire. Wills were only usually proved in the Prerogative Court of Canterbury if property was held in more than one diocese (or you were very rich). Cambridgeshire was largely in the diocese of Ely, whereas Lincolnshire was served by the diocese of Lincoln. Other bequests include his house and land in 'Burrell' [Burwell?] field to his son John, and £15 apiece to daughters

⁵⁴ <https://www.ancestry.co.uk>, Prob 11/120, will of John Padley of Reache, 1612

Ann (not baptised at Swaffham Prior) and Mary. Wife Elizabeth gets the rest apart from bequests to his sister's family. At the end of the will is a list of debts owing to him – totalling around £44 and debts owed – totalling around £27. A proviso was made that, should John junior die, the house and land were to be split between the sisters. John junior was buried in 1616, so does that make it more likely that the Mary Padley who married George Fletcher was John rather than Francis' daughter? Maybe, but it can't be proved.

The later Leggetts – Swaffham Prior and Burwell

Thomas⁴ Legget only appeared in the Swaffham Prior records on three main occasions, and on each, his name is spelled differently. His baptism reads:

Thomas the sonne of Thomas and Mary Legget borne Jan 12th was baptized
Feb xth 1657

The marriage entry on 2nd February 1682 reads:

Thomas Legat & Anna Bates Feb 2

while he was buried on 30th August 1717 as Tho: Leggett.

Nothing further is known of Ann Bates other than the names of her children, all of whom were baptised at Swaffham Prior. The first, Mary, only lived for three days after her baptism and was buried on 19th February 1683. Another Mary was baptised on Boxing Day 1685, but was buried on 22nd January 1685. Our ancestor Thomas⁵ came next, and was christened on 19th December 1686. A brother named Jonathan was baptised on 11th January 1690 but seems to have been buried as John four days later. Another John, baptised on 7th August 1692 married Sara Halls in 1710, and baptised a baby named Sara the following year. Thomas and Ann's final child, named Helen, was baptised on 18th December 1695.

Thomas⁵ Legget married twice. His first marriage, at Swaffham Prior on 28th July 1703, was to a lady recorded variously as Ellen, Elling or Helen Hunt (**see tree 26 – p. 107**). This couple had eight children, all baptised at Swaffham Prior, three of whom were named Thomas, but for reasons that will become clear, the name died out in this generation. Ann was baptised on 28th January 1704 but presumably died young as the name was used again in Thomas' second family. She was followed by the first Thomas, christened 28th April 1706 and buried nearly two years later on 23rd August 1708. Hannah, baptised on 13th June 1708 married Thomas Cracknell on 9th May 1738. Next came short-lived Mary – baptised on 21st December 1713, buried 23rd August 1714. Susanna, christened on 8th January 1715, may have made a fairly late marriage to Samuel Noon in 1751. Elling was baptised on 21st December 1717, while the last child was another Thomas, baptised on 3rd September 1719, ironically, as it later proved, at Burwell.



St Mary Burwell

This Thomas, having survived the dangers of infancy, nevertheless had a tragically short life. His burial record at Swaffham Prior records him as the son of Thomas and notes that he:

dyd by the fire at Burwell Sept 8 1727

The story of this event can still arouse pity and horror even at the distance of nearly 300 years. A brief outline of the story appeared in the *Cambridge News*⁵⁵ a few years ago:

The shocking story of the Burwell fire in Cuckolds Row is remembered in the graveyard of St Mary the Virgin church, with a memorial depicting a flaming heart. On the tombstone of the words: 'To the memory of the 78 people who were burnt to death in a barn at Burwell on September 8, 1727.'

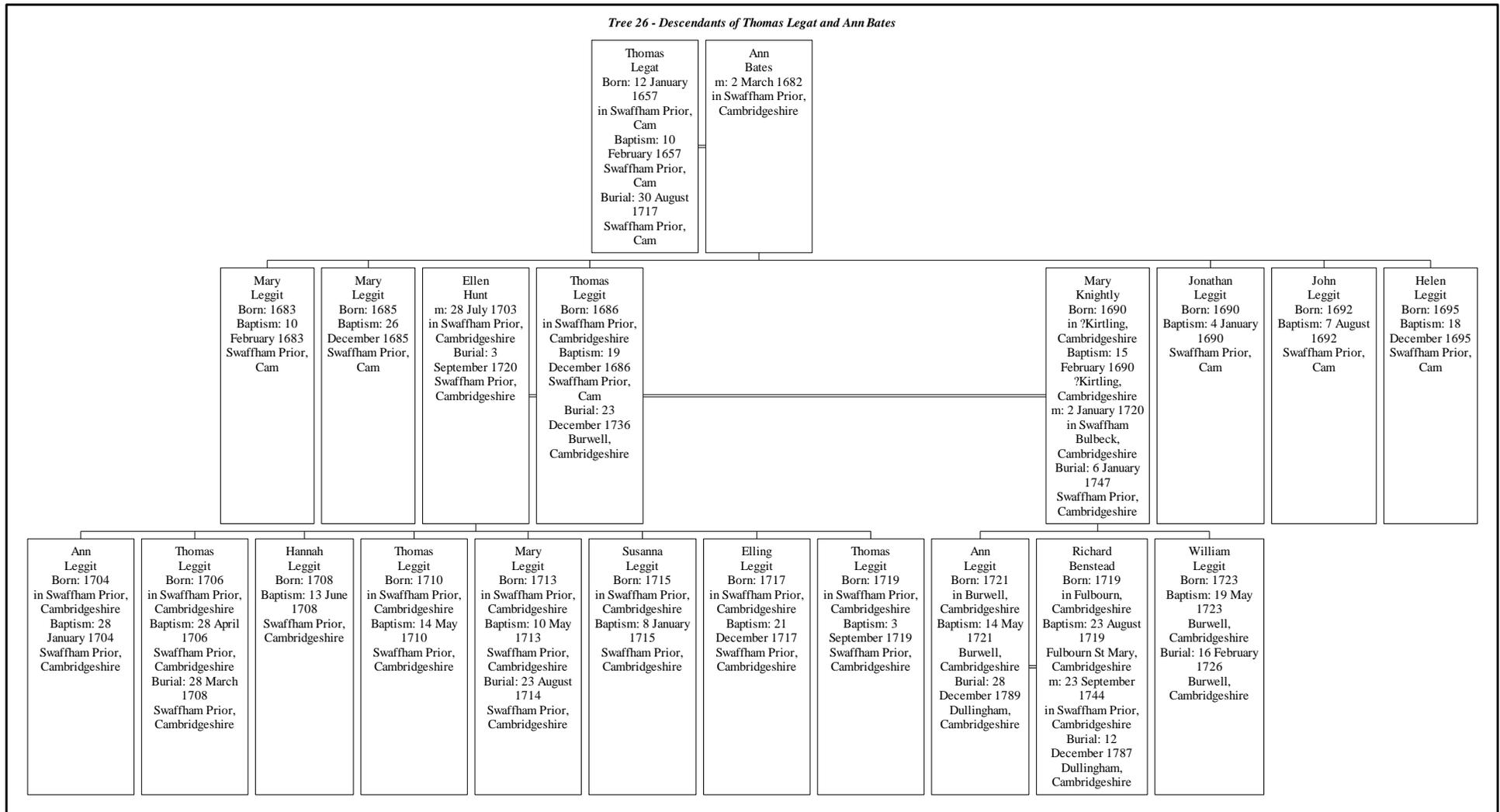
The story is told in Burwell's parish register: 'At about nine o'clock on the evening of September 8th 1727, fire broke out in a barn, in which a great number of persons were met together to see a puppet show.' The cause of the fire was a lantern with a lighted candle in it, which had been accidentally knocked over, setting fire to straw.

A first-hand report from a survivor claimed many more people than the barn could accommodate wanted to see the show, so the door was nailed shut to prevent anyone else from coming in.

All those who died were buried in the churchyard of St Mary's, and a few months later the man who had been in charge of the lantern was tried at an assize held in Cambridge, but was acquitted.

⁵⁵ <https://www.cambridge-news.co.uk/news/cambridge-news/day-51-children-died-village-12034825>

Tree 26 - Descendants of Thomas Legat and Ann Bates



Nearly half a century later, there was a dramatic conclusion to the terrible tale. A local newspaper reported that an old man living in a village near Newmarket had made a deathbed confession – admitting to starting the fire deliberately.

The newspaper said: ‘He said he had a burden to disclose. He then confessed that he had set fire to the barn at Burwell on September 8th 1727. He said he was an ostler at the time, and that, having an antipathy to the puppet showman, was the cause of his committing that diabolical action attended with such dreadful consequences.’

A more detailed version of the story, from which the following extracts are taken, also appears on-line⁵⁶:

A Georgian Era tragedy of the puppet show in 1727 resulted in 78 people dead, many of them children. The story begins with a man who owned a family run puppet show who was named either Richard [or Robert] Shepherd. As he was passing through the village of Burwell...with his wife, his daughter, and two servants, he decided to put on a show and rented a barn on 8 September.

Word quickly spread that Shepherd was going to perform that evening... [in Cuckolds Row]. Young people and children were particularly excited ... and attendance promised to be high because people would not have to travel far and because Shepherd was charging an entrance fee of 1^d.

As predicted, the huge crowd arrived that evening hoping to see the show. Unfortunately, the barn could barely accommodate the 140 people who gained entrance, and there were plenty of people outside wanting to attend. Among those who wanted access was an ostler named Richard Whitaker... He thought that he should get in free as he worked for the farmer who owned the barn. Shepherd did not think so and told him at the door that he had to pay just like everyone else.

The crowd eventually became so great and space so limited some of the people became disorderly, and those in charge of controlling the crowd became worried. They decided that the best way to prevent any trouble and stop more people from entering was to bar the small barn door that allowed entrance and exit. However there was no lock bar, so it was decided to nail the door shut, which was done from the inside.

When the show began at 8 p.m. the opening performances included a conjurer and a two-handed piece performed by the Shepherds. Whitaker, in the meantime was determined to see the show, and so...he climbed into the hayloft and over a partition between the stable and barn.... To light his way, he carried a wooden lanthorn with a short candle.

Whitaker soon found a hole in the straw that allowed him to watch the

⁵⁶ <https://www.geriwalton.com/a-georgian-era-tragedy-at-a-puppet-show/>

performance. The hayloft contained dry straw and the area where Whitaker was watching from was also dry, as was the thatched roof that covered the barn and stable. The next thing anyone knew was a fire was started...

Because the hay and roof were so dry it took no more than a moment for the entire ceiling to be suddenly ablaze. When people realised there was a fire, they made a mad rush towards the door, but no one could exit because the doors were nailed shut. People became hysterical and tried to break down the door, while embers ... began to fall onto the crush of people attempting to exit.

After the fire erupted... Whitaker immediately absconded. As the fire raged people outside realised... that the people inside were trapped. According to [*Ipswich Journal*] '[No one was] getting out till a Man run his Head against the weakest part of the Door and broke it... people... eagerly streamed out but because the door was so small, they tripped over each other, blocking the exit, and stampeded or fell over those who fell down...



Memorial to the Burwell Fire

Whitaker was later found and caught, but despite the fact that 51 children and 27 adults died the court acquitted him. However, in the same account the *Ipswich Journal* is quoted, showing that he made a deathbed confession in 1774, admitting that he had deliberately started the fire:

'It is reported that an old man died lately near Newmarket, who just before his death, confessed that he set fire to the barn at Burwell...when no less than 80 persons lost their lives, and that his having an antipathy to the Puppet-shew man was the cause of his committing that action.

A slim volume⁵⁷ describing the events of that day was published in 1769, and included a list of the names of those who died. Page 16 records:

Leggitt, Thomas, Son of Thomas Leggitt of *Reche*

On the same page appear the names of the daughters of Abraham Killingbeck, the children of Henry and Sarah Palmer, an excise officer and his wife, and Stephen Manning:

A lad deaf and dumb, and whom the author of this narrative well remembers

It was maybe a mercy that Elling, Thomas Junior's mother, had died in 1720, but it must have been a devastating blow to Thomas⁵, and possibly to his second wife - Mary Knightly or Nightly whom he had married at Swaffham Bulbeck on 2nd January 1720. There had been two more births before Thomas junior's death; the first was of our ancestor Ann, later married to Richard Benstead, and baptised at Burwell on 14th May 1721. Once again there is a spelling discrepancy, according to the transcript, between the register and Bishops' Transcripts:

1721 May 14 Leggat (BT Leggatt) Ann dau of Thomas

Mary's second child was a boy, William, baptised on 19th May 1723. However, he died before his third birthday and was buried at Burwell on 16 February 1726. So, with the death of Thomas Junior in the fire, and the subsequent burial of Thomas⁵ on 23rd of December 1736 - the register noting his abode as E Roche [Reach] and his occupation labourer - the male Leggat line, with all its Thomases, finally died out.



Fair Field - Reach

Mary Knightly may have been born in Kirtling in 1690:

⁵⁷ CCL, *An Account of a most terrible fire that happened on 8th September 1727 at Burwell*, T Gibbons, London, 1769, printed for James Buckland, Paternoster Row

Mary daughter of W^m Knightly and Margaret his wife was baptised Feb. 15

Kirtling is only around 12 miles from Swaffham Prior, so it is feasible, but there is no proof. Mary outlived her husband by 11 years and was buried as a widow on 6th January 1747 at Swaffham Prior.

Richard⁴ and Mary Benstead – mainly Burrough Green

We now come to the parents of mystery man James Benstead. As has already been said, Richard⁴ was baptised at Swaffham Bulbeck on 29th July 1747. From the age of around eight, and for the rest of his childhood, he lived in Dullingham. However, his marriage took place in 1772 at Sawston, around 14 miles to the south-west:

Richard Benstead and Mary Beavis was married June 22

Mary's family came from Burrough Green, so it was not immediately clear why the wedding took place so far away, especially as Mary had property in her home parish. However, her brother, seven years her junior, was baptised at Sawston, and her father paid land tax there, so Mary's family must have lived there for part of her life. The marriage was by licence⁵⁸ which gives the following information:

Richard Benstead b 1748, age 24, Miller, bachelor, ML year 1772, ML date 1772, Spouse Mary Beairs [sic], Bondsman, William Taylor, Sawston, farmer, parish, Dullingham, Place, Sawston

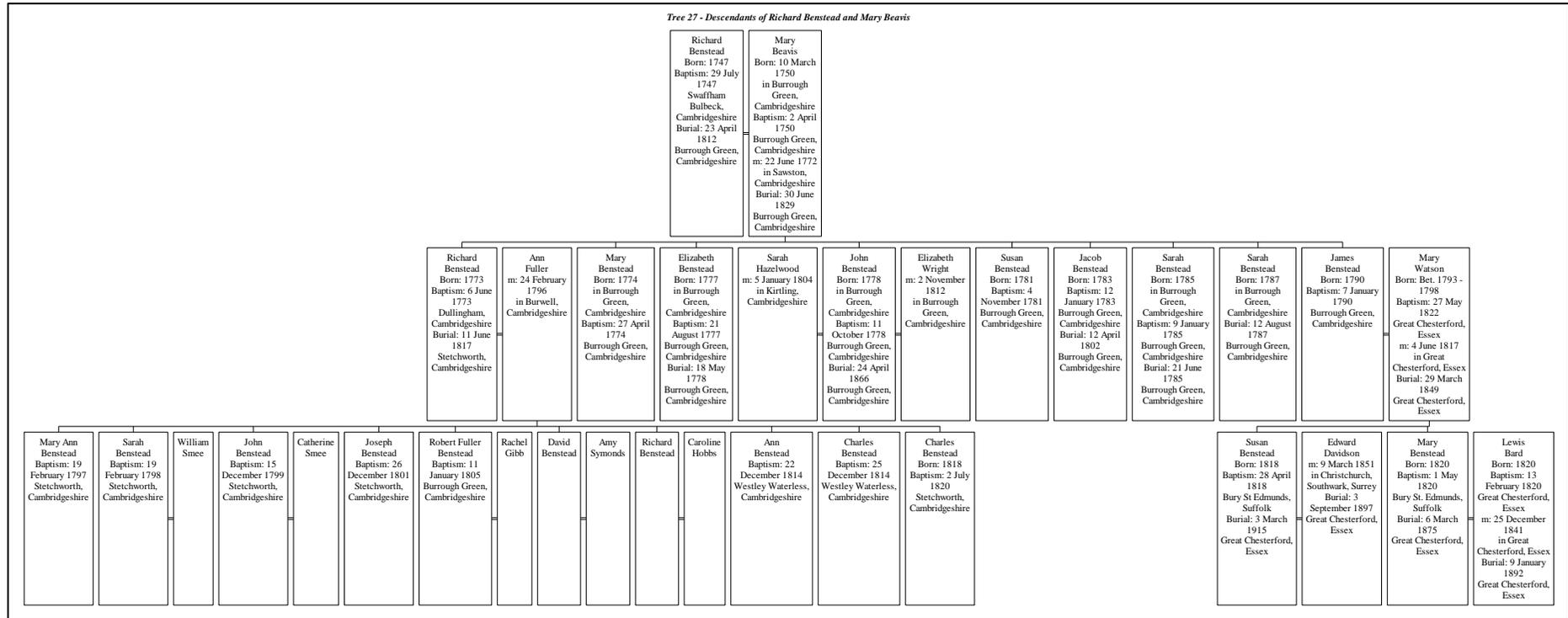
For a miller's son, presumably trained in his craft by his father, Mary would have seemed a good prospect as she was about to be admitted to the mill and associated land in Burrough Green⁵⁹, as the manor court book shows:

Special Court held 26th November 1772,
Richard Benstead the younger And Mary his wife Admitted on their own Surrender To Hold to the [sic] Richard and Mary for their lives and the life of the longest liver of them with the remainder to the right Heirs of the said Richard for ever To All that piece or parcel of Land containing by estimation One Rood (more or less) lying and being in the parish of Burrough Green in a certain place called Mill Moor with a windmill thereupon erected with the appurtenances to the same belonging heretofore the estate of Thomas Beaveis and late of Robert Beaveis his son AND ALSO to all that Close of Pasture Ground called Cattshill Close otherwise Cattlehill Close in Burrough Green aforesaid containing by estimation Four Acres (be they the same more or less) heretofore the estate of Daniel Rawling and late of the said Robert Beaveis.

⁵⁸ www.findmypast/ Ely Diocese Marriage Licences, 1684-1811, CUL, EDR G2/26

⁵⁹ SoG, FHC film no: 596698 Item 7: Manor Court Book Burrough Green (KL14/2 Manor of Burrough cum Brettons 1732-95)

Tree 27 - Descendants of Richard Benstead and Mary Beavis



The said Richard Benstead Surrendered the beforementioned premises to the uses of his will.

Both properties have the word 'rent' written beside their description, and the margin also records that Richard paid an entry fine of £12 12 shillings. A book on the history of Burrough Green⁶⁰ makes rather cryptic reference to the fact that the mill was copyhold and on the land of Heneage, Earl of Aylesford and Charlotte his wife at this time:

Skin 6, Sept. 1770 and Oct. 1771.

The windmill at Mill Moor stood on a rood of land and was copyhold

Burrough Green is another of the long, thin parishes so prevalent in south-east Cambridgeshire, only half a mile wide at its narrowest point. It is bordered by both Dullingham and Bottisham, and like Dullingham and Stetchworth, butts onto the Suffolk border. In Richard's time, there were two inns, one at either end of the large Green⁶¹. There was also a Charity School, built in the early 18th century, which still stands at the edge of the Green.



Figures of a boy and girl on the façade of Burrough Green Charity School

Having secured a living, Richard and Mary settled to starting a family (see **tree 27 - p. 112**). Richard was baptised at Dullingham on 6th June 1773, but the rest of the family was christened at Burrough Green: Mary on 27th September 1774, Elizabeth on 21st August 1778, though she was buried seven months later on 18th May 1778; then John on 11th October 1778, and Susan on 4th November 1781. The next three had short lives: Jacob was baptised on 12th January 1783, but died aged nine; he was buried on 12th April 1802. A Sarah was baptised on 9th January 1785 but

⁶⁰ SoG, Store A CA/Per, *The History of the Parish of Burrough Green*, W M Palmer, Cambridge, 1939

⁶¹ <https://www.british-history.ac.uk/vch/cambs/vol6/pp141-147>

buried on 21st June the same year while for a second Sarah, only the burial date – 12th August 1787 - is recorded. Finally, on 7th January 1790, Richard and Mary baptised our ancestor James.



Font - St Augustine Burrough Green

Within two years of acquiring the mill, Richard took on an apprentice⁶²:

24. Dec 1774 Rich: Benstead of Burrough Green in co Cambridge Miller Sam:
Piper

Eight years later he took on another:

22.3.1780 Rich: Benstead of Burrough Green in co Cambridge Miller Thomas
Wells

In the same year he appeared in the Poll Book⁶³, enfranchised, it seems, by the possession of a house rather than the mill:

1780 Burrough Green Richard Benstead H

A couple of years later, Richard³ and Mary were presumably in need of capital, as they took out a mortgage on their property⁶⁴:

⁶² <https://www.ancestry.co.uk>, UK Register of Duties paid for Apprentices' Indentures 1710-1811

⁶³ <https://www.ancestry.co.uk>, UK Poll Books and Electoral Registers

⁶⁴ SoG, FHC film no: 596698 Item 7: Manor Court Book Burrough Green (KL14/2 Manor of Burrough cum Brettons 1732-95)

Court held 28th May 1782

Conditional Surrender from Richard Benstead and Mary his wife Dated the 6th day of January 1782 of all that piece or parcel of Land containing by Estimation One Rood (more or less) lying and being in the parish of Burrough Green in a certain place called Mill Moor with a windmill thereupon erected with the appurtenances to the same belonging heretofore the estate of Thomas Beavis and late of Robert Beavis his son AND ALSO to all that Close of Pasture Ground called Cattshill Close otherwise Cattlehill Close in Burrough Green aforesaid containing by estimation Four Acres (be they the same more or less) heretofore the estate of Daniel Rawling and late of the said Robert Beavis to the use of William Smith of the town of Cambridge in the county of Cambridge yeoman For securing the payment of £160, and legal Interest for the same on the first Day of July next ensuing the date hereof -

Presumably they repaid within the requisite six months, as, in November 1784 they took out another mortgage, also for £160, but as a marginal note against the earlier entry notes:

Satisⁿ acknowledged ... 1st July 1785

The wording of the second entry echoes the first.

Court held 1st July 1785

Acknowledgement of satisfaction to Rich^d Benstead and Mary his wife from W^m Smith on a conditional surrender Inrolled [sic] at a Court held 28th May 1782. Conditional Surrender from Richard Benstead and Mary his Wife Dated the 2nd day of November 1784 of all that piece or parcel of Land containing by Estimation One Rood (more or less) lying and being in the parish of Burrough Green in a certain place called Mill Moor with a windmill thereupon erected with the appurtenances to the same belonging heretofore the estate of Thomas Beavis and late of Robert Beavis his son AND ALSO to all that Close of Pasture Ground called Cattshill Close otherwise Cattlehill Close in Burrough Green aforesaid containing by estimation Four Acres (be they the same more or less) heretofore the estate of Daniel Rawling and late of the said Robert Beavis To the use of John Casbourne of Ashley in the County of Cambridge Farmer For securing the payment of £160 and interest for the same on 2nd day of May next ensuing the date hereof.

It is possible that Richard raised part of the cash to repay the mortgage taken out on Burrough Green windmill by selling off another parcel of land. In 1784 a final agreement⁶⁵ was drawn up between William Cole, gentleman, and two other parties: Richard and Mary Benstead, and George and Elizabeth Cusfield, presumably of Stow cum Quy. It was not unusual for small property owners to join together in this kind of sale, to keep costs down. So it is impossible to be sure which of the:

two messuages two barns two stables two curtilages two gardens one orchard two acres of pasture two acres of fen with the appurtenances in

⁶⁵ CA, R59/15/19, Final agreement on property in Burrough Green and Stow cum Quy, 1784

gather two Rates & half at 2:16:2 p Rate
 Collected by Rate
 Due to the Surveyors

£7 1/5 1/2
 £7 0/5 1/2
 1/ - 1/2



Burrough Green

Courtesy of <http://www.burroughgreen.com/>

A Rental for Burrough with Bretttons Manor⁶⁷ should be informative regarding Richard⁴'s holdings, but also begs questions, both regarding dates and money due:

Manor of Burrough with Bretttons in the County of Cambridge.
 A rental of all the Rents payable to the Lord of the said Manor for the year
 Due at Michael^s ... 1791

Due at St Michael 1789

	£	s	d
3 Richard Benstead for lands late Elliotts		10	8
8 Richard Benstead's for late Robert Beavis		8	

This should make Richard's bill 18 /8, but at the bottom of the page in pencil is a note:

Bensted to pay 1-17-4

Was he wildly in arrears? Or was he, as he was later, already farming the Burrough Green Charity School land? This has two sums listed, one at 17/10 due and the other at £1 15/8 received, but even so, it doesn't add up.

The general impression, reading the paper trail left by Richard⁴ is either that he had less financial acumen than his father, or that society was changing. Certainly, in this era, the big landowners were consolidating their holdings and the old yeoman

⁶⁷ CA, P17/28/10, Rental of Burrough with Bretttons 1790

class were being squeezed out. On 7th July 1795 the Manor Court Book⁶⁸ noted that Richard and Mary had repaid the loan taken out in 1785 with John Casburn of Ashley two years previously, and that Casburn had acknowledged satisfaction on 28th December 1783. This however, had simply freed Richard up to make another conditional surrender on the same day of Burrough Green windmill and the land it stood on, this time to James Herbert of Cambridge, inn holder, and his wife Elizabeth. This time he received £400, but was enjoined to repay it – which he presumably did – by the following June:

Richard Benstead and wife to James Herbert and wife conditional surrender also at this court the homage present that on the 28th day of December in the year of our Lord 1793 Richard Benstead of Borough green in the County of Cambridge Miller and Mary his wife customary tenants or one of them are customary tenants of the Manor aforesaid did the said Mary being first solely and apart from her said husband examined ... and consenting out-of-court by the rod surrender ... All that piece or parcel of land containing by estimation one Rood more or less lying and being in the parish of Borough Green aforesaid in a certain place called Mill Moore with a windmill thereupon erected with the appurtenances to the same belonging heretofore the estate of Thomas Beavis and late of Robert Beavis his son And also all that close of pasture ground called Catshill Close otherwise Cattlehill Close in Borough Green aforesaid containing by estimation four acres (be the same more or less) heretofore the estate of Daniel Rowling and late of the said Robert Beavis to all which premises the said Mary the wife of the said Richard Benstead was admitted by the name of Mary Beavis at a court held for the said manor the 19th day of October 1771 as heir of Joseph Beavis her brother...

Richard was still in possession of some property, as the following entry in the Court Book shows that on 20th March 1795 he had surrendered to the uses of his will:

All and singular his customary and copyhold messuages cottages the lands tenements and hereditaments whatsoever and wheresoever Holden of the said manor by copy of court roll with their and every of their appurtenances

Richard⁴ Benstead had been nominated co-executor along with his mother when Richard³ wrote his will in 1782, but when his father died in 1787, Richard⁴ refused the executorship in favour of his brother John. Nevertheless, he still stood to inherit Stetchworth Mill after his brother's death. Maybe it was being made to wait until John died that made him renounce the executorship. He had presumably received £100 within 12 months of his father's decease, but it doesn't seem to have been enough to solve his financial problems. On 18th June 1796, Richard and Mary made a last surrender of Burrough Green windmill. This time it was final, not conditional; it was to the big landowner in the area and the final line of the entry makes it clear that there is no redress, and that the property is now:

To the only proper and absolute use and behoof of the Right Honourable Heneage Earl of Aylesford Lord of the said manor his heirs and assigns

⁶⁸ CA, R54/10.3, Burrough cum Bretttons Court Book, 1795-1920

for ever.

It may have been some comfort that, with his brother's death in 1795, Richard⁴ was now the owner of the freehold Stetchworth Mill. However, on 5th June 1797, Richard took out a mortgage of £15 9/9 for 1000 years on the mill with interest at 5%. The lender was one George Galley of Great Bradley in Suffolk. The mortgage document⁶⁹ describes Richard as of Burrough Green and a farmer, and the only brother and heir at law of John Benstead, miller of Dullingham. The mill is described as:

a smock mill formally a post mill and which was blown down but lately erected and built by the said Richard Benstead deceased

This description doesn't quite tally with the only pictures I have seen of Stetchworth Mill, but maybe the smock part was demolished before the photos were taken. Richard had until 5th December to repay the principal if he wanted to regain the mill. In the meantime, Galley owed him rent of one peppercorn.

Richard⁴ paid Land Tax⁷⁰ at Burrough Green. In 1798 he had been assessed on two plots of land:

Proprietor	Occupier	
Earl of Aylsford	Richard Benstead	3 / 4
The Charity School	Richard Benstead	1 / 4

so was presumably farming the Charity School land alongside mill work for his landlord, the Earl of Aylesford.

Presumably, Richard⁴ managed to pay back the loan to Galley, although I have found no proof of this. On 7th July 1801, he and his son John received affidavits⁷¹ proving that they had paid the legacies charged on the mill owed to Sarah Faircliff and Ann Piper – Richard³'s surviving daughters. A week later, on 13th July, the reason why they needed this became clear as Richard and John made a Bargain and Sale, followed the next day by a Lease and Release⁷² on Stetchworth Mill to Robert King of Dullingham, gentleman. The latter document is long-winded in the extreme, citing portions of Richard³ Benstead's will, and confirming that the legacies charged against Stetchworth Mill have been paid. It then spells out in no uncertain terms that the mill is now to belong to Robert King and that Richard and John have no further claim to it. On the reverse of the document is written:

Received the day and year first within written of and from the
within-named Robert King the sum of three hundred and fifteen 315£
pounds being the consideration money within mentioned to be by

⁶⁹ CA, 101/T/1166, Mortgage for 1000 years on Stetchworth Mill

⁷⁰ <https://www.ancestry.co.uk>, UK Land Tax Redemption, 1798

⁷¹ CA, 101/T/1667 & 8, Release of legacies

⁷² CA, 101/T/1169, Lease and Release

him paid in full for the absolute purchase of the premises within conveyed. As witness our hands

Richard and John both sign, and it is witnessed by John Cooper.

The following year, he was again selling property⁷³. This time, presumably, it was the house he had previously surrendered to the uses of his will. It seems to have been his own son who was baling him out:

Indenture dated December 1802 between Richard Benstead of Borough Green Miller and John Benstead of Borough Green one of the sons of the said Richard Benstead. In consideration of the sum of £80 to the said Richard Benstead by the said John Benstead, he the said Richard Benstead hath granted, enfeoffed etc unto John Benstead all that cottage or tenement lately altered or rebuilt now divided into two tenements with the yards and garden etc now in the occupation of John Serjeant and Richard Benstead son of the said Richard Benstead...

As a coda to this, in 1812, John Benstead took out a mortgage⁷⁴ on this property with William Isaacson, presumably his uncle.



St Augustine Burrough Green

By 1804, it seems Richard⁴ was either thinking about retirement, and selling up accordingly, or was short of funds and selling up out of necessity. An advert appeared in the *Bury and Norwich Post* on Wednesday 11th April 1804 as follows:

To be SOLD by AUCTION, By ROBERT ISAACSON, On Thursday the 12th of April 1804, Upon the Premises, THE Farming Live and Dead Stock, Household Furniture, Dairy and Brewing Utensils, sound and sweet Beer Casks, and other Effects, of Mr. RICH. BENSTEAD of Borough

⁷³ CA, R59/15/20, Feoffment of an estate in Burrough Green

⁷⁴ CA, R59/15/21, Mortgage of a messuage in Burrough Green

Green, near Newmarket, in the county of Cambridge; comprising 5 useful cart mares and geldings, a useful pony about 13 ½ hands high, with great strength and action; 2 of the cart mares are in fine condition, one rising 4 the other 3 years old, and are likely to make capital carters; excellent road waggon, 2 tumbrils, stetch and ridge rolls, cart and plough harness, ploughs, harrows, cow cribs, sacks, shack forks, swathe rakes, &c, &c.; brewing, copper, boilers, kettles, saucepans, pier glass, tables, chairs, crane, grates, barrel churn, standing keeler, cheese press, cheese moats, sound and sweet iron-bound beer casks, &c.

Sale to begin at Ten o'clock.

Richard⁴ Benstead lived for another eight years until 1812. The burial register at Burrough Green gives the date of his death and his age as well:

April 23 Benstead Richard late miller and farmer otp died Apr 21. 64

Does the phrase 'late miller and farmer' imply retirement or financial disaster in this instance? There is no way of telling. However, it is perhaps significant that there was no will, and that the second son, John, was consistently described as a labourer in the records. If the family was slipping down the social scale, it would help explain why Richard's youngest son, James, left his native village.

Richard's widow, Mary, outlived him by seventeen years, and was buried at Burrough Green, where she had been living:

Mary Benstead Boro' Green June 30 1829 78

The rest of her story and that of her family will be told later.

Of Richard and Mary's children who survived to adulthood, James' story has already been told, although it is perhaps worth noting that his two daughters appear to have been named after the sisters for whom no burial has been found. Richard⁵, his eldest brother, born in 1773, married Ann Fuller at Burwell on 24th March 1796. Curiously, banns had been published four months earlier in November 1795. Between 1797 and 1805, Richard and Ann baptised five children at Stetchworth: Mary Ann, Sarah, John, Joseph and Robert Fuller. It is from Sarah and John's descendants (they married William and Catherine Smee respectively) that the DNA matches come. Robert married Rachel Gibbs.

When Richard⁵ and Ann moved to Westley Waterless – for reasons shortly to be explained – they had four more children. However, it seems likely from the records that they didn't always arrange christenings directly after the birth. The baptism of Richard took place in 1813, eight years after the last Stetchworth one although census returns⁷⁵ suggest a birth in 1806. This Richard married Caroline Hobbs. There was also a son David, who probably was born at Stetchworth around

⁷⁵ HO 107/1762, 1851 census, Stetchworth; RG 9 /1031, 1861 census, Stetchworth

1812 in the census return⁷⁶ is to be believed. He married Amy Symonds in 1838, with the marriage entry confirming his father's name, but no baptism has been found. The next recorded baptism at Westley was of Ann, on 22nd December 1814. Three days later, she was buried but her parents baptised a son Charles. Was he a twin, or an older child for whom the parents now wanted the insurance of baptism? He would fit into the apparent gap between 1806 and 12. Presumably, though, he also died young and Ann was already pregnant with her last child, another Charles, when Richard died, probably unexpectedly. He was buried at Stetchworth on 11th June 1817, aged 44. Charles wasn't baptised until 3rd July 1820, but the register notes both his birth in 1818 and the fact that he was the son of Richard Benstead Miller and Ann, late Fuller.

John, born 1778, married Sarah Hazelwood at Kirtling on 5th January 1804. She gave him three children, John, Ann and William, before dying aged 26. She was buried in her home parish of Kirtling on 21st February 1811. John remarried on 2nd November 1812 at Burrough Green. His new wife, Elizabeth Wright, bore him four daughters and a son: Elizabeth, Eliza, Charlotte, Stephen and Caroline. Only Eliza and Charlotte married – the former to Jabez Swan and the latter to David Symonds. On each of his children's baptisms, John was described as a labourer. He was living with his married daughter Charlotte in 1851⁷⁷ but in 1861⁷⁸, although still an 'Ag Lab', he was head of the household again, residing with his son William. He was buried at Burrough Green on 22nd April 1866, aged 88 and described as of this parish.

The mill at Burrough Green was Richard's⁴ livelihood for over twenty years and before that the livelihood of various members of his wife Mary's Beavis family. Fortunately for me, one Henry Wozniak⁷⁹, about whom I can find nothing other than a description of him as a 'mill enthusiast' wrote a detailed history and description of the mill at Burrough Green, known as Six Mile Bottom Windmill. I am indebted to him for his extensive understanding of mill technology and his research on the Bensteads and Beavises associated with the mill.

The account begins by describing the mill as:

a post windmill with a roundhouse which presently stands in a ruinously derelict condition upon Bungalow Hill, BURROUGH GREEN

Fortunately, since he wrote that in 1980, the mill has clearly undergone extensive restoration and now stands proudly in good condition. He cites dates inscribed inside the mill showing it to have been extant from at least 1764, but believes some of the materials used may date from an older mill built in the 16th century. Some of the

⁷⁶ RG 9/1031, 1861 census, Stetchworth

⁷⁷ HO 107/1762, 1851 census, Burrough Green

⁷⁸ RG 9/1031, 1861 census, Burrough Green

⁷⁹ CCL, *Six Mile Bottom Windmill, Burrough Green Cambridgeshire – An Interim History*, Henry Wozniak, 1980

building techniques used also apparently point to an earlier date. Most intriguing, and well backed up later in the document, is the suggestion that the mill has twice been moved.



Six Mile Bottom Mill⁸⁰

Wozniak has clearly explored the mill in detail, and noticed that on the forward brayer (a pivoting beam or lever used to adjust the gap between the millstones), the initials R B and the date 1774 appear. As he puts it:

For reasons which will become apparent... it is believed that these initials commemorate Richard Benstead

The evidence I have uncovered would also point to this. Richard⁴ and Mary Benstead baptised Richard⁵ at Dullingham in 1773, but Mary – the next child – was baptised at Burrough Green, as were the rest of her siblings. It would be easy to imagine Richard, in charge of his own mill for the first time, carving his initials and the date where they would stay for all to see. Or maybe it was an act of defiance, committed before he took out his second mortgage on the mill.

Although the mill is now in Burrough Green, there is, according to Wozniak, plenty of evidence that it once stood in Westley Waterless and was moved when work began in 1846 on the Chesterford to Newmarket Railway. In addition, the final miller, one George Noble, had believed that it originally stood in Burrough Green. Wozniak set out to prove this, and although no direct proof has been found, he has found plenty of circumstantial evidence which would add credence to this belief:

⁸⁰ CCL, Y6 K58 4813

In 1796 a windmill standing upon Mill Moor, BURROUGH GREEN was surrendered to Heneage Finch, fourth Earl of Aylesford.

He has found no further record of this mill in Burrough Green, but notes that the land on which a mill appeared in Westley Waterless in 1810 was owned by the said Heneage Finch. A map of Westley Waterless published in 1787 shows no mill. Had the Six Mile Bottom mill, dated to at least 1764 been there, it would have been shown. Back in Burrough Green, another mill, not under Finch's control, was built close to Mill Moor around 1796, so the Earl may have considered it was better to move his to a more profitable location. In addition:

One Richard Benstead had held and worked the Mill Moor windmill from 1772 until he surrendered it to the earl so that its connection with the Six Mile Bottom windmill standing at WESTLEY is a little strengthened by the Inscription: "R B 1774" which is to be found on the mill's forward brayer to this day; and further by the fact that Benstead's son, also Richard, was the earliest of the millers known to have worked at WESTLEY.

He goes on to say:

The Beavises (Mary's family) and the Bensteads were almost archetypal yeoman smallholders whose frequently lamented passing is still the subject of protracted controversy amongst historians. They were the independent peasantry 'who were vaunted as the glory of England, and have been so much mourned ever since they disappeared'. By their time, copyhold had become practically equal in status to freeholds. The Bensteads' property was taken over in the classical manner: By the Manor Lord developing and consolidating his estates at the time of the enclosure of the land.

Richard⁴ Benstead surrendered the copyhold of the mill to the fourth Earl of Aylesford, Lord of the Manor for both Burrough Green and Westley Waterless, in 1796. According to an account of Cambridgeshire Enclosure Records⁸¹ the Earl of Aylesford enclosed his land in Burrough Green by private agreement in 1793-4. As a final coda, Wozniak points out that Richard⁴ was charged under his father's will with maintaining the mill at Stetchworth, and points to the indenture of 1797 mortgaging the Stetchworth Mill⁸²:

...it was described as: "formerly a post mill which was blown down and lately re-erected and built" as a smock windmill "by the said Richard Benstead".

He suggests that Richard⁴ may have given up the Burrough Green windmill in order to repair the Stetchworth one. However, he omits the key word at the end of the

⁸¹ <https://ccc-live.storage.googleapis.com/upload/www.cambridgeshire.gov.uk/residents/libraries-leisure-%26-culture/Inclousure%20maps%20at%20Cambridgeshire%20Archives.pdf?inline=true>

⁸² CA, 101/T/1166, Mortgage

sentence - deceased – which implies that it had been rebuilt by Richard³, so must have been repaired before 1787. Nevertheless, if it hadn't been maintained in the following generation, it could well have been in need of some expensive tlc.

Presumably Richard⁵'s tenure at Westley Waterless, but in the same mill building, was on a very different footing.



Six Mile Bottom Mill Burrough Green - restored

Beavis – Burrough Green, Sawston and Kedington

Mary Beavis' married life has already been covered, but there is more to tell. She was born on 10th March 1750 and baptised at Burrough Green on 2nd April (see **tree 28 – p. 128**). Her parents were Joseph and Ann Beavis. Mary was their eldest child; Ann was baptised ten months later, on 9th February 1751, also at Burrough Green. No further trace of her has been found. Nearly seven years later, the couple baptised a son, also named Joseph, but at Sawston. The date for this event was 7th December 1757, but I wonder whether he was born earlier than this. Maybe Joseph intended to take him back to Burrough Green to be christened, like his siblings, but never got round to it.

This is speculation, but although Joseph was buried on 31st December 1770, back in Burrough Green as:

Beaveis Joseph a minor

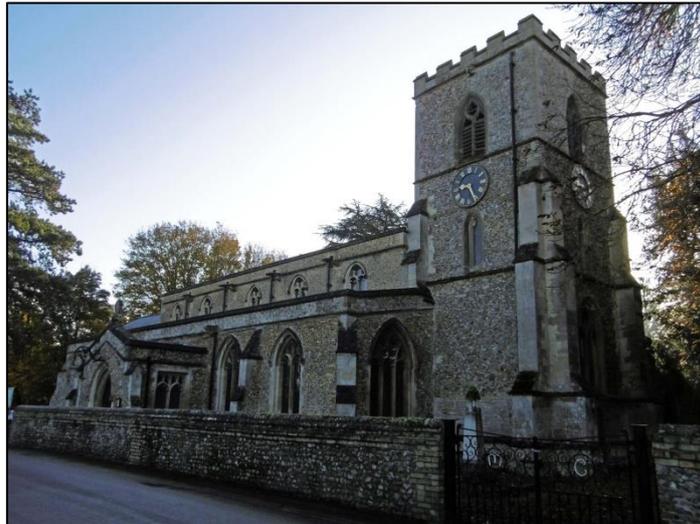
and his uncle Robert's will⁸³, written on 4th May 1770, stipulated that he was not to inherit until he was 21 years old, nevertheless, when Mary was required to take on administration of her brother's estate, the documentation described him as a

⁸³ CCL, VC 42:185, will of Robert Beavis 1770

'bachelor', not a word usually associated with a thirteen year old. Later in the same document, he was described as a yeoman – again, a title not usually given to a child.

Reading between the lines, it seems that Mary and her brother grew up in Sawston, but that when their father Joseph died in 1762, his brother Robert took his nephew on, probably as apprentice miller with the aim of passing Burrough Green Mill on to the next generation. In the administration⁸⁴, Mary was described as:

only sister of Joseph Beveis deceased who died a bachelor and intestate



St Mary Sawston

She was said to be of Sawston, and supported in the £40 bond by William and Frances Taylor of Sawston – he was a wheelwright, and presumably either a friend or neighbour. Having appeared before the surrogate on 13th April 1771, she was enjoined to make an account of her administration by 31st March 1772. As Joseph's nearest – and presumably only - kin, she stood to inherit his whole estate, mainly consisting, presumably, of his bequest from Robert Beavis, his uncle. This stipulated that Joseph was to receive:

all that my freehold messuage or tenement wherein I now dwell in Burrough Green aforesaid with the outhouses orchard and appurtenances thereunto belonging and all the household goods and furniture therein and that shall be therein at the time of my decease, all my ready moneys and security and securities for money excepted... Also I give devise and bequeath all that piece or parcel of land containing by estimation one Rood be the same more or less lying and being in Burrough Green aforesaid in a certain place there called Mill More and also the Windmill thereupon erected and built and now standing with all the stones gears implements... and appurtenances thereunto belonging and pertaining unto my said nephew Joseph Beavis his heirs and assigns for ever. Also I give and devise all that my copyhold close of pasture ground called Cattshill Close otherwise Cattlehill Close lying and being in Burrough Green

⁸⁴ CCL, Admon of Joseph Beavis 1771

aforesaid in containing by estimation four acres be the same more or less late in the estate of Daniel Rawling unto and to the use of my said nephew Joseph Beaveis his heirs and assigns for ever

Presumably Mary made an efficient job of winding up Joseph's affairs, as beside the mark of Mary Beavis on the document is the statement:

Sworn at Cambridge the day and year above written before me
Elias Thackeray Surrogate

Let administration pass.

Just under three months later, Mary married Richard Benstead. It would be interesting to know whether they were already courting, whether Mary felt she needed a man to run her property, or whether Richard was a miller in search of a mill!

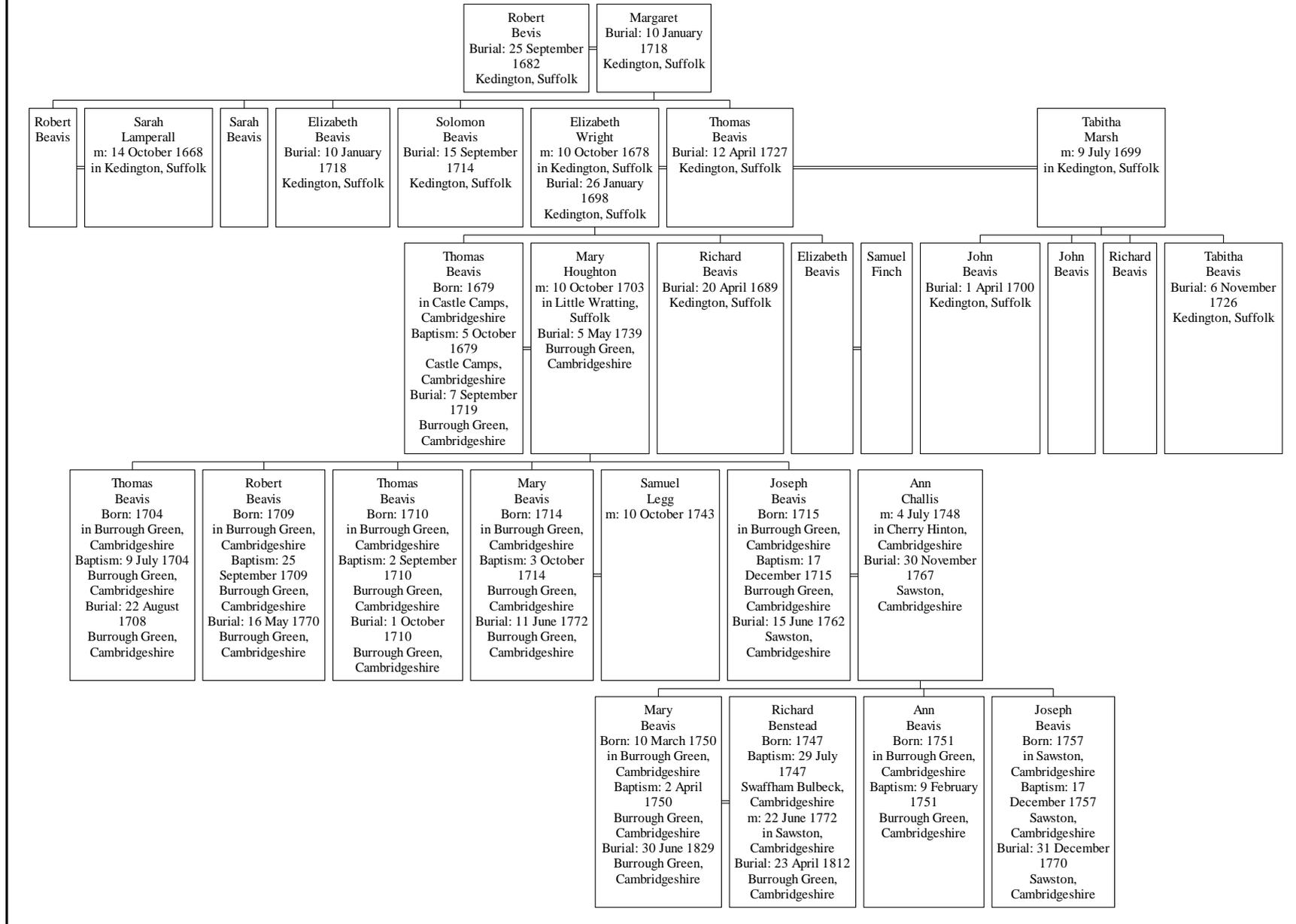
Mary's father, Joseph Beavis, seems to have had one foot in Burrough Green and one in Sawston. He was the youngest of three surviving children, and, as his brother Robert had inherited the family mill, maybe Joseph had to seek his fortune elsewhere, but returned to his home parish to baptise his two daughters. He had been baptised at Burrough Green on 17th December 1715, the son of Thomas and Mary Beavis, but by the time he married Ann Leader on 4th July 1748, he had already moved:

Joseph Beves of Sawston and Ann Leader widow of Cherry Hinton
in Peterhouse Chappell



Peterhouse Chapel Cambridge

Tree 28 - Descendants of Robert and Margaret Bevis



The marriage is recorded in the Cherry Hinton register, but according to the Cambridge Archives catalogue⁸⁵, most marriages which took place between 1695 and 1753 took place at Peterhouse Chapel rather than the parish church.

Joseph paid Land Tax⁸⁶ in Sawston in 1759 – the first year for which records survive, so he probably paid it earlier as well. The record is headed:

An Assessment made y^e 3rd day of may in y^e year 1759 upon y^e Parish of Sawston in y^e County of Cambridge, According to an Act of Parliament, Granting an Aid to his Majesty by a Land Tax of four shillings in y^e Pound &c

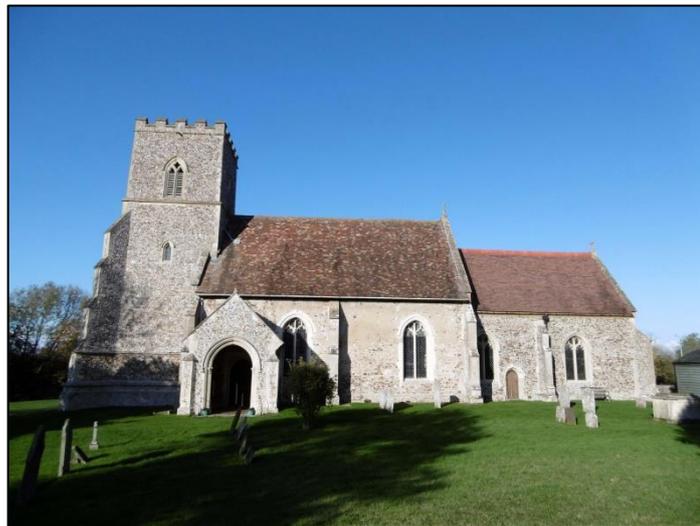
He appears to be middle of the range with regard to what he paid:

Joseph Beavis 0: 2: 0

The next entry relates to May 1763, and by rights should refer to Joseph's son of the same name as Joseph senior died at Sawston in 1762:

Joseph Bevies was buried June y^e 15

However, the revenue was often slow at updating things, and as Joseph junior was a minor, it is possible the tax was on his father's estate. The same amount of tax was paid.



St Mary Castle Camps

⁸⁵

<https://calm.cambridgeshire.gov.uk/CalmView/Record.aspx?src=CalmView.Catalog&id=KP39%2f1%2f1&pos=8>

⁸⁶ FHC DGS 8041215, Land Tax Assessments, Sawston, 1759-1834

Ann Beavis was born Ann Challis, and married her first husband, Robert Leader, on 25th June 1737 at Cambridge Holy Trinity by licence, although the marriage entry describes him as of Stow cum Quy and her of Dullingham. No likely baptism has been found for her there or elsewhere. This first marriage was short-lived, as Robert was buried in his home parish of Stow cum Quy on 4th November 1739. There seem to have been no children. She outlived her second husband too, as Joseph Beavis was buried at Sawston in 1762. Her burial took place there five years later, on 3rd November 1767.

How Joseph Beavis made his living is unknown, but his father was a miller, and owned and operated the Burrough Green windmill. Thomas was baptised at Castle Camps in 1679:

Thomas son of Thomas Bevis and Elizabeth his wife was baptised Octobr 5.

Castle Camps is at the extreme south-east corner of Cambridgeshire, bordered on one side by Essex and the other Suffolk. None of his siblings were baptised there; however, neither have their baptisms been found in Kedington, in Suffolk, where I suspect Thomas grew up. On 10th October 1703, Thomas married Mary Houghton at Little Wratting in Suffolk, less than two miles from Kedington:

Tho: Beavis jun: de Kedn coelebs et Maria Houghton de Wratting
solita 8^{ber} 10^{mo} Banns



St Mary Little Wratting

Straight after the marriage, the couple settled at Burrough Green. An entry in the Manor Court Book⁸⁷ shows Thomas apparently acquiring Burrough Green Mill and the surrounding land, and nominating his three month old son Thomas as heir:

⁸⁷ SoG, FHC film no: 596698 Item 7: Manor Court Book Burrough Green (KL14/2 Manor of Burrough cum Brettens 1732-95

Court 6th October 1704

Admission of Thomas Bevis by the Surrender of Charles Collin to a peece of land and Windmill to him and his heires = and after his death to his son Thomas and his heires.

[In margin] fine - 05^{ff}
fine - 03 ^{ff}

A subsequent entry records an event only a few months before his death in September 1719:

Court held 10th July 1719

Thomas Edwards admitted to him and his Heires to One Tenement or Cottage with an Orchard thereto adjoining and belonging with the Appurtenances in the Occupation of Christopher Ranew And also One other Tenement or Cottage with the Appurtenances in the Occupation of William Pretious in Burrough Green aforesaid upon the Surrender of John Jarvis clerk

Thomas Beavis admitted to him and his heires to the aforesaid Messuage or Tenement abovementioned with the Appurtenances upon the Surrender of the said Thomas Edwards.

Sadly, Thomas did not live long to enjoy his new property, as the Burrough Green register records his burial on 9th September 1719. He had made his will on 20th August, but its brevity, and the fact that he was only 39 years old, suggest that sickness had come on him suddenly. It begins:

... I Thomas Beavis of Borough Green ... Miller

and immediately names his wife Mary as executrix. A single statement of intent follows:

all my real and personal single estate (viz) y^e mill and close situate in y^e said parish of Borough Green as also y^e house I dwell in as also what tenements join to it whether it be Freehold or copyhold [to be] divided equally amongst my three children or any of y^m who shall be alive at her decease

It was witnessed by Samuel Knight, William Pledger and Mary Bedwell, and Thomas made his mark. Probate was granted to his widow Mary on 16th October 1719.

Thomas and Mary had baptised five children at Burrough Green. The first Thomas - named in the court roll - was baptised on 9th July 1704 but was buried aged four on 22nd August 1708. Robert, who later became a miller and, lacking heirs of his own, started the chain of events which led to Richard and Mary Benstead owning the mill, was baptised on 25th September 1709. Another Thomas also died as an infant; he was baptised on 3rd September 1710 and buried a few weeks later on 1st October. Mary, baptised on 3rd October 1714 grew up to marry Samuel Legg at Burrough Green on 10th October 1743. Baptisms have been found for four Legg

children: Mary, Samuel, Joseph and Ann, but there may have been another, named Alice. The last-born child was our ancestor Joseph, baptised on 17th December 1715. He would have been less than four years old when his father died.

Following his father's death in 1719, Joseph Beavis' elder brother Robert was admitted to two properties in Burrough Green⁸⁸ – a messuage, which implies a fairly substantial house, and a cottage:

Court held 16th March 1721

Robert Beavis an Infant admitted to him and his heirs to One Messuage or Tenement with an Orchard thereto adjoining And also One other Tenement or Cottage with the Appurtenances in Burrough Green as only Son [sic] and Heir of Thomas Beavis his father deceased.
Guardianship committed to Mary Beavis his mother.

There is no reference to the windmill, and this seems, as will become clear later, to have reverted to Robert's grandfather, also Thomas Beavis. A further entry in the Court Roll on 12th October 1725 says:

Thomas Bevis Surrender All his lands to the Use of his Will.

The contents of this will will be discussed later. Suffice it to say for now that, by the time Robert wrote his will⁸⁹ in 1770, he was in a position to devise the mill as well as his other property. Having no children of his own – he seems never to have married – he disposed his estate between his nephews and nieces, principally his brother Joseph's son:

I Robert Beaveis of Borough Green in the County of Cambridge Miller ... give devise and bequeath all that my freehold messuage or tenement wherein I now dwell in Burrough Green aforesaid with the outhouses orchard and appurtenances thereunto belonging and all the household goods and furniture therein ... all my ready moneys ... excepted, unto and to the use of my nephew Joseph Beaveis son of my late brother Joseph Beaveis his heirs and assigns for ever. Also I give devise and bequeath all that piece or parcel of land containing by estimation one Rood ... in Burrough Green aforesaid in a certain place there called Mill More and also the Windmill thereupon erected and built and now standing with all the stones gears implements... and appurtenances thereunto belonging and pertaining unto my said nephew Joseph Beaveis Also I give and devise all that my copyhold close of pasture ground called Cattshill Close otherwise Cattlehill Close lying and being in Burrough Green aforesaid in containing by estimation four acres ... late in the estate of Daniel Rawling unto and to the use of my said nephew Joseph Beaveis

⁸⁸ SoG, FHC film no: 596698 Item 7: Manor Court Book Burrough Green (KL14/2 Manor of Burrough cum Bretttons 1732-95

⁸⁹ CCL, VC 42:185, Will of Robert Beavis of Burrow Green, 1770

The next entry is slightly puzzling. The bequest is clearly meant to be for the son of his sister Mary, who married Samuel Legg. However, for the whole of this section, the family's surname is given as Newman. No trace of a subsequent marriage for Mary has been found, and the children's names agree with those she had with Samuel Legg. A tenement or cottage – presumably the second property Robert had been admitted to as a child – was willed to:

my nephew Joseph Newman son of my sister Mary Newman

Fortunately, the admission to this bequest survives, and Joseph is catalogued⁹⁰ as:

Joseph Newman alias Legg

Aliases were not uncommon in this period. Joseph Newman of Weston Colville came to the manor court⁹¹ to be admitted to his inheritance on 19th October 1771, and held it until December 1795⁹², when he:

surrendered [it]... in the presence of Richard Benstead of Burrough in the said county Farmer and Richard Hopkins ... Innkeeper two customary tenants witnessing the same according to the custom thereof... to John Hopkins of Brinkley, miller.



Wards House Sawston - 16th c

In Robert Beavis' will, Joseph's sister Mary heads a list of those to receive legacies; hers is for £10. His servant Walter Jennings and several other members of the Jennings clan each receive £20 or £10, and a godson Robert Ling receives £5. He then instructs his executors to sell:

all my messuages or tenements and lands and hereditaments and

⁹⁰ <https://calm.cambridgeshire.gov.uk/CalmView/advanced.aspx?src=CalmView.Catalog>

⁹¹ CA, R59/15/12 Burrough with Bretttons Court Book

⁹² CA, R54/10/3 Burrough cum Bretttons Court Book, 1795-1920

estate situate lying and being in Sawston

which suggests it was not only Joseph who had connections with that parish, and divide the proceeds between nephew and niece Joseph and Mary Beavis, and nephews Joseph and Samuel Newman, niece Alice Newman and sister Mary Newman.

Walter Jennings is named sole executor, and made responsible for the 'tuition' of Joseph Beavis while he is a minor. He is also to administer any rents or profits due to Joseph for the boy's benefit until he reaches adulthood. The witnesses were W Elsdon, James Price and Marion Braham. Robert signed his name. Clearly, he had been a successful miller enabling him to live a fairly comfortable life.

The Beavis line can be traced for two further generations, but not in Cambridgeshire. As has already been intimated, Joseph Beavis' father Thomas probably grew up in Kedington or Ketton, just over the border in Suffolk and on the edge of Essex. It lies in the Stour Valley, and its only claim to fame, as far as I can see - apart from a splendid church - is a Duck Race (plastic yellow ones) held on the river to raise funds for church restoration. It does, however, have an 18th century watermill, to which Thomas Beavis senior may have had links. (There was also a tower mill at one time.) While the church stands proudly at the top of the hill - a celebration of the local landowners, the Barnardistons, as much as of God, I suspect - the mill nestles at the bottom of a steep hill, beside the stream which powers it.

This Thomas Beavis was the son of one Robert Beavis, and married Elizabeth Wright at Kedington on 19th October 1678. Thomas junior, presumably their eldest child was, as has already been stated, baptised at Castle Camps in October 1679. The family was clearly living back in Kedington when the attempted Jacobite assassination plot against William III sparked the Association Oath of 1696⁹³. Thomas Beavis signed this document in a clear hand, spelling his surname Beveis. The names of his brothers, Solomon and Robert also appear, but both men made their mark.

For Thomas and Elizabeth's other children no baptisms have been found. A son Richard was buried on 20th April 1689 at Kedington and a daughter Elizabeth married Samuel Finch but these names are only known through Thomas' will. On 26th January 1698 the Kedington register recorded:

Elizabeth Beavis wife of Robert buried

If she had been Kedington born, it seems likely that she was the daughter of Richard Wright and his wife Margaret (possibly born Teat if theirs was the marriage at Little Thurlow in 1654). Richard Wright was presumably somewhat better off than Robert Beavis, as the Hearth Tax shows him paying on two hearths rather than

⁹³ TNA, C 213/264/11, Association Oath Roll, Suffolk, 1696

- like Robert - being exempted on one⁹⁴. Richard's will⁹⁵, written on 8th June 1680, states him to have been a miller, and bequeaths his estate to his wife Margaret with the proviso that after her death it shall be equally divided between:

my two sons and my daughter

Infuriatingly, he omits their names. He was buried at Kedington on 17th November the same year.



Old Mill Kedington

If Richard was Elizabeth's father, it may well be that her inheritance helped Thomas Beavis make his fortune. His inventory⁹⁶ confirms that he was a man of more substance than his contemporary Robert Beavis - Thomas' father. His clothing and money in pocket alone were valued at £3 7/6, while items in the house included feather and flock beds and bedding; pewter, a warming pan, and glass cases. There was wheat and cheese worth £6 in the house, and a store of grain along with items of the trade in the mill. In terms of livestock, a horse and colt and sow and six pigs were valued at over £5. He was owed £11 6/2 in debts, both good and bad, and the total of his estate was valued at £53 8/-.

A year after Elizabeth's death, Thomas Beavis married again. His new wife, whom he wed at Kedington on 9th July 1699, was named Tabitha Marsh. A first child, John, was buried on 1st April 1700, but there must have been another son given the same name as he appears in his father's will, as does a brother named Richard. A daughter named Tabitha after her mother was buried on 6th November 1726.

Thomas Beavis must have been a man of some substance, as he had the right to vote, something which was only available to those who held a free-hold worth

⁹⁴ *Suffolk in 1674 Hearth Tax - Suffolk Green Books, no XL, vol 13*, pub. George Booth, Woodbridge, 1905

⁹⁵ BStERO, IC 500/11/134/148, Will of Richard Wright of Kedington, 1680

⁹⁶ SRO, IC/500/3/20/168, Probate inventory of Richard Wright of Ketton, 1680

40/- . As a result of this, the electorate was tiny. The vote was public, and the names of those who polled were listed alongside those they voted for. So the Suffolk Poll Book for 1710⁹⁷ records at Kedington:

Thomas Beauvis HD

The preamble explains that H was Sir Thomas Hanmer and D Sir Robert Davers. Both served as MPs.



SS Peter and Paul Kedington

The link between the Kedington Beavis family and the one at Burrough Green would seem tenuous were it not for the detailed will⁹⁸ that Thomas Beavis of Kedington wrote on 1st March 1726. He confirmed that he was a miller, living in Kedington als Ketton and then devised:

unto Mary Beevis of Burrow Green in the county of Cambridge widow my daughter in law All that my copyhold messuage and tenement situate standing and being in Burrow Green aforesaid ... now in the use and holding of the said Mary Beevis and her assigns for and during the term of her natural life and from and after her death I give and devise the said messuage and premises to Robert Beevis her son and his heirs for ever.

The next clause suddenly explains why Robert Beevis was not admitted to the windmill until after it was surrendered to the uses of the will of Thomas Beavis in 1725.

Item I give and devise unto the said Robert Beevis my grandson all that my copyhold windmill with the piece of ground whereupon it now standeth in Burrow Green aforesaid and all other the appurtenances thereunto belonging To hold to him the said Robert Beevis and his heirs for ever.

⁹⁷ SoG, Sf/P 1710, Suffolk Poll Book

⁹⁸ BStERO, IC/500/1/181/193, Will of Thomas Beevis of Kedington, 1726

However, this still raises as many questions as it answers. Thomas junior had, in his albeit brief will⁹⁹ written in 1719, made his wife Mary sole executor of his estate, which included, he said:

y^e mill and close situate in y^e said parish of Burrough Green

Yet six years later, his father seems to be bequeathing the same mill. Was Thomas Beavis, sick and less than three weeks away from death, confused as to who actually held the property? He had run the mill, presumably, since 1704 and may have considered it 'his' even though his father held the copyhold. Alternatively, it may have been the younger Thomas who had been admitted in 1704 and the property may have been placed in his father's hands during his son's minority. Another possibility, though less likely, is that there was a second mill in Burrough Green – predating the one referred to by Wozniak¹⁰⁰ which was built in 1796, but this seems unlikely. Either way, the mill was to remain in the hands of the Beavises and their descendants through five generations.

To return to Thomas senior's will, he then deals with the rest of his deceased son Thomas' family, leaving the mill to Robert on the condition that:

the said Robert Beevis ... shall well and truly pay or cause to be paid to Joseph Beevis his brother or his assigns the sum of ten pounds of good and lawful money when and so soon as the said Joseph Beevis shall attain his full age of one and twenty years and also ten pounds more of like money within two years next thence following And also do and shall likewise pay unto Mary Beevis his sister the sum of ten pounds of like money when and so soon as she shall have attained her full age of one and twenty years or day of her marriage

Should Robert fail to pay up, then Joseph and Mary were given the right to possess the mill.

Thomas then turned to the rest of his own children, and his bequests show him to have been a man of some substance. To his son Richard he willed:

all those three messuages cottages or tenements ... in Ketton aforesaid and now or were late in the several holdings of William Woolacar Margaret Betts and Susan Mirkin widow and one piece of arable land lying in the common fields of Ketton aforesaid called by the name of Grimes Acre and which together with the said three last mentioned tenements I purchased of Thomas Poulter

Son John also receives property, three further:

⁹⁹ CCL, VC 38:46, Will of Thomas Beavis of Burrough Green, 1719

¹⁰⁰ CCL, *Six Mile Bottom Windmill, Burrough Green Cambridgeshire – An Interim History*, Henry Wozniak, 1980

messuages cottages or tenements situate standing and being in Ketton aforesaid and now are or late were in the several tenures or holdings of John Woolacar Thomas Flemon and John Lagdon

John also received the bulk of Thomas' household goods. Daughter Elizabeth, married to butcher Samuel Finch, was only willed one property in Kedington, with the proviso that if she died without heirs it devolve to her brother John. She was also given a legacy of £5. Her children, Samuel, Tabitha and Elizabeth Finch received 20 shillings each. Thomas' sons Richard and John were named executors, and the will was witnessed by John Woolacar – one of Thomas' tenants – Susanna Dear and Richard Bowker.



Mill House Kedington – 17th c

Although no baptism has been found for Thomas, he must have been the son of Robert and Margaret Bevis. Robert was probably born sometime in the early 1600s, and may have been descended from the Robert Bevers of Ketton who paid 2s and 6^d in tax on goods valued at £3 in 1568¹⁰¹. He was almost certainly the Robert Bevis who was listed at Ketton as one of the 'Able Men of Suffolk' in 1638¹⁰². The Hearth Tax of 1674¹⁰³ presumably also mentions him, although the references may be to his sons, as first names are not given. The relevant entries appear under the heading 'certified for', i.e. exempt due to poverty:

Beavis, Panell)	
Bumstead, Gilman)	4
Browne, Browne)	
Smith, Bevis)	4

¹⁰¹ *Suffolk in 1568 – Subsidy Return Being the Return for a Subsidy granted in 1566*, Suffolk Green Books, no 11, pub Paul and Matthew, Bury St Edmunds, 1909

¹⁰² *Able Men of Suffolk 1638* transcribed from the original ...in the State Papers of Charles I, vol 411, ed. Charles Edward Banks, Boston, 1931

¹⁰³ *Suffolk in 1674 Hearth Tax – Suffolk Green Books, no XL, vol 13*, pub. George Booth, Woodbridge, 1905

Interestingly, as the preface to the volume explains, Suffolk set the bar for exemption pretty low:

One of the complaints made by the king's friends was that the ministers and churchwardens were as ready to grant certificates of poverty as the Justices were to accept them. Here in Suffolk we see that out of about 28,400 houses about 10,500 were exempted, which looks as if certificates were given easily.

A quick count at Keddington shows 41 households 'certified' while only 31 paid the tax.

Much of the information about Robert and his family comes from his will, although the parish register gives a few clues. It notes the marriage of a presumed son Robert to Sarah Lamperall at Kedington on 14th October 1668, and the burials of the said Robert on 23rd December 1707, and two of his siblings, Elizabeth - 10th January 1718 and Solomon - 15th September 1714. Robert senior's burial took place on 25th September 1682, but no record has been found for Margaret, unless she was the 'widow Bevis' buried in 1718. However, this is more likely her daughter-in-law Sarah.

Robert's will¹⁰⁴ shows that he was a husbandman rather than a miller, and clearly less prosperous than his son. He only had one house to leave - the one he lives in, and that went to his son Robert along with 20 shillings. Daughters Sarah and Elizabeth received 10 shillings each, as did son Solomon, and his wife Margaret received 30 shillings. Interestingly, Thomas, our ancestor, was only willed 5 shillings. Solomon and Margaret were named executors and left the residue of the estate. Robert made his mark in front of witnesses Charles Darby and John and Elizabeth Cracknill.

The inventory¹⁰⁵ taken of his goods after he died by Thomas Poulter and Josph Reeve also shows a man of modest means:

	Li	s	d
Imprimis his wearing cloaths and money in pocket	1	09	09
Item Wood in the yard valued at	00	10	0
In the chamber below 1 bead and beadsted)			
& 2 huches and what belongeth)	2	00	0
Item the Brash valued at)			
& one Box valued at)			
One flock Bed 1 pilow & one ?Bougher	00	8	00
In the hall 2 tabels 1 form 1 pot)	00	15	0
& 1 kneading ... whith all other things)			
here belonging valued at			
the [?aples]	3	4	
1 Bond at	20	00	00

¹⁰⁴ BStERO, IC 500/1/136/90, will of Robert Bevis of Kedington, 1681

¹⁰⁵ SRO, IC/500/3/21/7, Probate Inventory of Robert Bevis of Kedington, 1682

Sume tot

25 6 1

Presumably the bond was money owed to him, as it is included in the total, but it begs the question as to how he could loan £20 when the rest of his goods came to only just over £5.

From Soham - the furthest point north in this story - to Thaxted - the furthest point south - is around 35 miles, while from Histon to Kedington - west to east - is only 25 miles. Yet this branch of the family has encompassed three counties, Essex, Cambridgeshire and Suffolk, giving me a truly East-Anglian heritage.

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