

Stow-on-the-Wold Battlefield Landscape

Tracey Partida

The area of study incorporates approximately a half mile circumference around Greenfield Farm within which finds were made from surveys of 2018-2022, and lies directly south of the Registered Battlefield (Fig.1). This area encompasses land from Upper Swell, Lower Swell and Broadwell parishes.

SUMMARY¹

The combined data from available sources for the three parishes are mapped in Figures 2 and 3. From this it can be seen that the principal area of interest for this survey lay in the parish of Upper Swell. Upper Swell was surrounded by unenclosed land at Broadwell to the east and north-east, enclosed land at Lower Swell to the south, with the town of Stow-on-the-Wold lying to the south east.² It has not been possible to create a complete reconstruction of the historic landscape of Upper Swell due to the nature and paucity of sources. The plots of land identified at Upper Swell are taken from the enclosure act 1724³ and an estate map of 1844,⁴ but leaves a significant area of land with the core of the survey area where the nature of the land use is unknown.

Yet it is possible to hypothesize with some confidence that much if not all of this land was unenclosed in the mid-seventeenth century due to the names given on the 1724 enclosure act, an 1840 estate map (see below), and the information given in Ogilby's *Britannia* published in 1675. Ogilby provides maps of the principal roads in England and Wales as well as a written description of their routes. The *Itinerary* is quite specific in identifying the enclosed or open state of the road by using solid lines for enclosed and pecked lines for unenclosed (Fig.4). This format is also used to indicate when a road is enclosed on one side only. It is clear from Ogilby's map that road running north-west from Stow through Upper Swell parish was wholly unenclosed through our area of survey, including where it abuts a short section of the parish boundary with Broadwell. The written description of the route reinforces this interpretation:

*'From Stow **an open way** [my emphasis] leads you by Lower Swell and Upper Swell churches on the left, and Longborow church, Sir William Juxson's House, and Blockley church on the right; over Broadway hill or downs ...'.*

The other significant road in this area is the Roman Fosse Way, the modern A429, which runs north from Stow to Moreton in the Marsh. This road forms part of the parish boundary between Upper Swell and Broadwell and would have been in use in the mid-seventeenth century. Taylor's county map of Gloucestershire from 1777 is unfortunately unreliable in this area as it shows the Fosse Way passing through the village of Donnington and a parallel road between Donnington and Broadwell (the correct alignment of the Fosse Way) that peters out (Fig.5). It is uncertain whether the Fosse Way would have been enclosed along the parish boundary as it was not uncommon for parishes to be ring-fenced against their neighbours. But as has been seen on

¹ A full discussion of the sources is given below by parish and an index of sources given in the Appendix.

² No pre-nineteenth century map of the town of Stow-on-the-Wold has been identified. Therefore an approximate extent of the town has been mapped from the Ordnance Surveyors Drawings from 1816.

³ P323 SD 1/1

⁴ D674B/P66

the Ogilby map from a century earlier at least part of the parish boundary was then unenclosed (see above).

It can be stated with confidence that the parish boundary between Upper and Lower Swell where it borders the park had been enclosed since the late thirteenth century.⁵ A park of some 200 acres was created in 1253 and added to by a further 40 acres in 1294. The extent of the park as shown on Figures 2 and 3 is taken from the plots described in a sale catalogue of 1844 and subtracting the allotments made at enclosure of the rest of the parish in 1789.⁶ The extent of the park has remained remarkably consistent as it measured 240 acres at enclosure of the parish which accords with the 240 acres recorded in 1294. The internal structure of the park undoubtedly changed over time and has not been traced here, as not being relevant to our area of study. However, of particular interest to our study is the boundary it formed between the two parishes. Park boundaries, and especially deer park boundaries, were often of considerable size and construction, it being necessary to keep deer and other livestock in and poachers out. Such boundaries could be a stone wall or a bank and ditch with pale along the top. LIDAR data shows a substantial earthwork⁷ where the park abutted Lower Swell village, though field survey suggested this was not associated with emparkment. On the northern boundary, field survey revealed no earthworks, suggesting that emparkment was achieved by building a stone wall. Such a structure would have created a significant impediment in the landscape and may have had a significant effect on the position of troops and actions of the armies.

It would be useful to establish if there had been a physical boundary in the mid seventeenth century between the parishes of Upper Swell and Broadwell where the boundary runs along the Fosse Way/A429. Had such a boundary existed it would have dissected the broad expanse of open ground lying in the two parishes thus affecting maneuverability. And also, with the boundary of Lower Swell Park, it would have created a funnel of ground leading into/out of Stow which may have been a considerable constraint to movement.

It might be possible to find more evidence of the uncertain areas in Upper Swell by examining the glebe terriers from the seventeenth century. However, it is far from certain that they would provide any useful clues especially given the lack of an early map.

Upper Swell

Most of the land within the survey area lies within Upper Swell parish. Sources for Upper Swell are poor and the most that can be said with any confidence is that it was enclosed by Private Act in 1724.⁸ Some ninety per cent of the land being enclosed was owned by the lady of the manor Elizabeth Rushout with the remaining land owned by the Rector. With his agreement enclosure was able to take place without the documents usually associated with the process being produced, notably a map. The Act provides little information as to the amount of land being enclosed, referring to yardlands, rather than acreage, which is an imprecise and largely unknowable quantity. Similarly the location within the township of said lands is not given. A few named plots are mentioned:

*‘the two fields of arable land and the two meadows called the Great Meadow and the Lessere Meadow and a parcel of arable land called the Old Hitching near adjoining to the said meadows **besides** [my emphasis] the common grounds or commons called the Sheephill and the Cowpasture,’.*

⁵ <https://www.parksandgardens.org/places/lower-swell-park>; <https://www.british-history.ac.uk/vch/glos/vol6>

⁶ D1388_SL_3_104; Q/RI/140

⁷ <https://houseprices.io/lab/lidar/map?ref=SP17232539>

⁸ P323 SD 1/1

The use of the word ‘besides’ is of note as it could be interpreted as ‘adjacent to’, or ‘as well as’. A plot of land called Hitching which lies between two meadows has been located from the 1840 estate map within our area of study (Figs 2 & 3). If the interpretation of the word ‘besides’ is taken as ‘adjacent to’ then there were also two common pastures, of unknown size, within this area. Conversely if the interpretation is ‘as well as’ then the pasture could have been anywhere within the parish.

In addition the estate map from c.1840⁹ marks ‘Moor Closes’ lying between the A424 and the parish boundary with Broadwell. The name Moor suggests this area was once unenclosed and that the closes adopted the name of the former land use. It is probable that it was still unenclosed in the mid-seventeenth century as evidenced by Ogilby’s map, but whether it was so at enclosure in 1724 is unknown. A coneygree, or rabbit warren, is also marked on the map closer to the village of Upper Swell and it is likely that was enclosed at an early date.

Lower Swell

Lower Swell was enclosed in 1789 and has an enclosure award but no map.¹⁰ However, the descriptions of the allotments being enclosed are very clear and precise and from this it has been possible to plot the extent of the enclosed Lower Swell Park. The history of the park is well documented by Historic England, Parks and Gardens UK, and the Victoria County History.¹¹ And there are numerous documents relating to the park held by Gloucestershire Archives.¹² From these sources it would be possible to reconstruct the internal divisions within the park at various points in its history. The significance of the park to this study is that most of its northern edge lies along the parish boundary with Upper Swell. It would be useful to establish what form the boundary took in the mid seventeenth century.

Broadwell

Broadwell was enclosed in 1792 and the sources are very good: an enclosure act, award, draft enclosure map and enclosure map.¹³ The draft enclosure map is of the most significance as it details the landscape prior to enclosure, while enclosure maps show only the new layout being imposed. From the draft enclosure map it has been possible to reconstruct the unenclosed lands at Broadwell and it can be seen that all the land lying adjacent to the parish boundary with Upper Swell were unenclosed either as arable open fields or common pasture. These lands taken with the moor closes in Upper Swell suggest that there may have been a very large tract of unenclosed land in this area. However, it is quite possible that either or both parishes may have been ring-fenced (though we have not determined whether such ring-fences were common in the seventeenth century Cotswolds), so that even if there was a significant expanse of unenclosed land there may well have been a barrier dividing it in the form of a wall or fence delineating the parish boundary.

⁹ D674B/P66

¹⁰ Q/RI/140

¹¹ <https://historicengland.org.uk/listing/the-list/list-entry/1000748>; <https://www.parksandgardens.org/places/lower-swell-park>; <https://www.british-history.ac.uk/vch/glos/vol6>

¹² See Appendix.

¹³ D612/15; D610/P1; Q/R1/30,

FIGURES

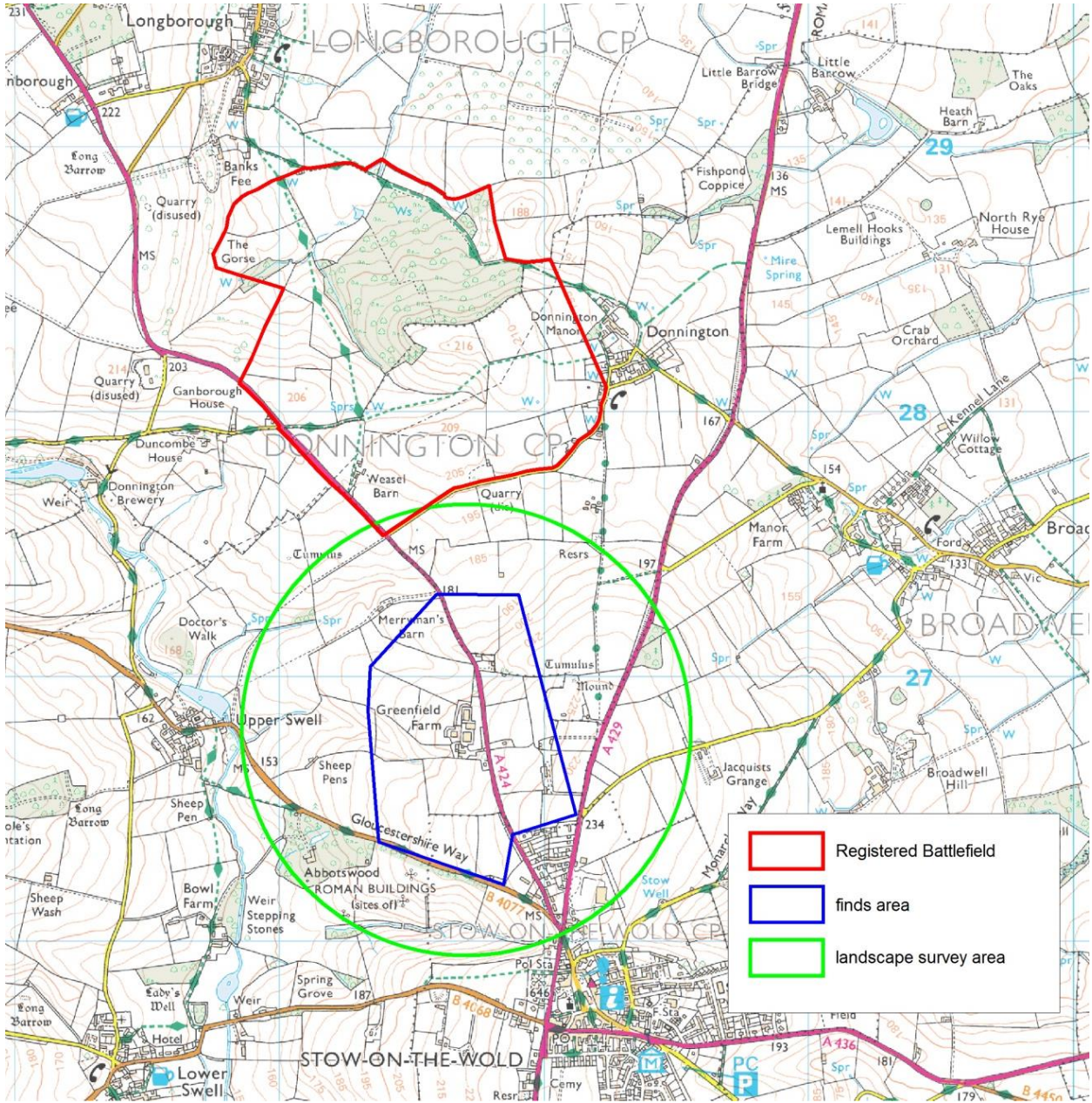


Figure 1: Area of landscape survey showing an approximate area of finds from 2018 – 2022 field survey, and the Registered Battlefield boundary from Historic England.

(Basemap Reproduced from Explorer® 1:25 000 scale by permission of Ordnance Survey®. On behalf of The Controller of Her Majesty's Stationery Office. © Crown Copyright 2023. All rights reserved. License number 100039996 Registered Battlefield Area © Historic England 2018 used under a OGL v3.0. Battlefield data © Battlefields Trust 2023)

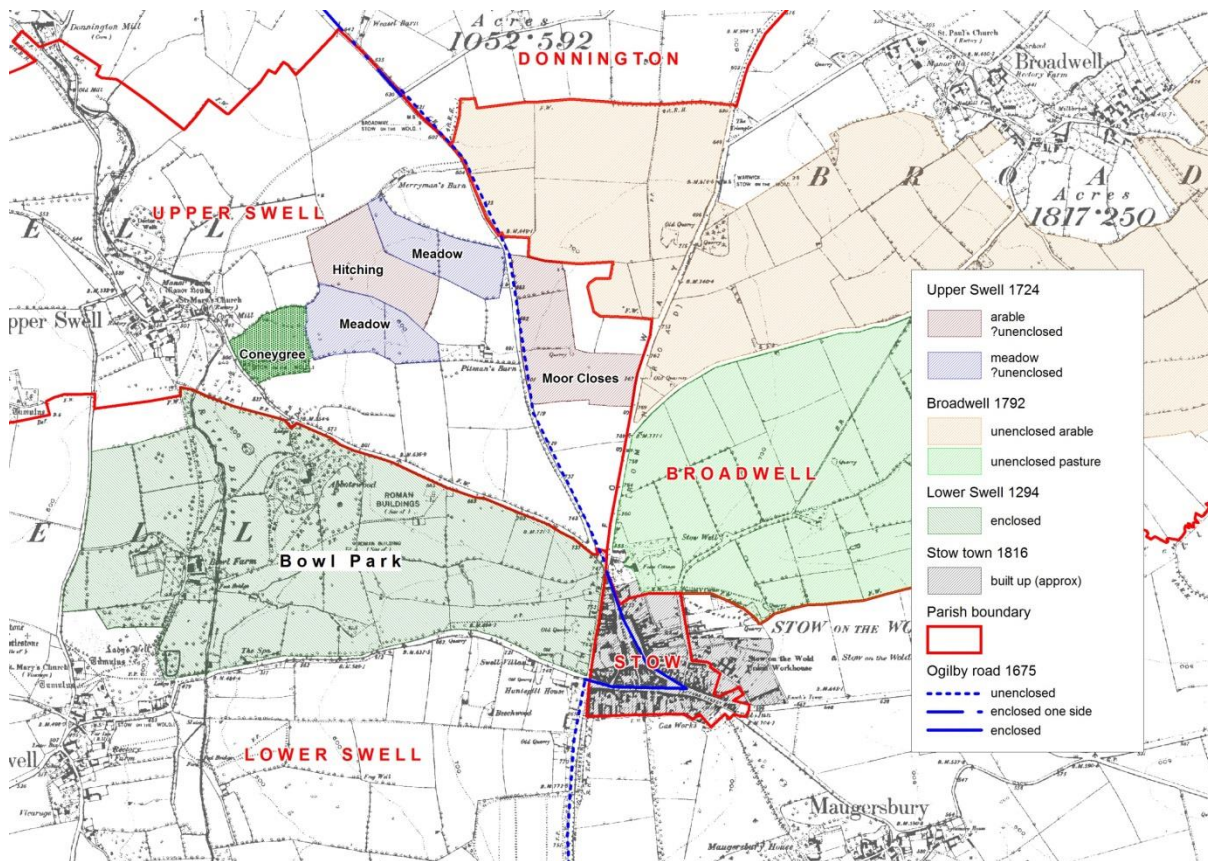


Figure 2: Compilation of historic landscape data against a background map from the Ordnance Survey 1st Edition 1:10,560 scale mapping from the 1880s.

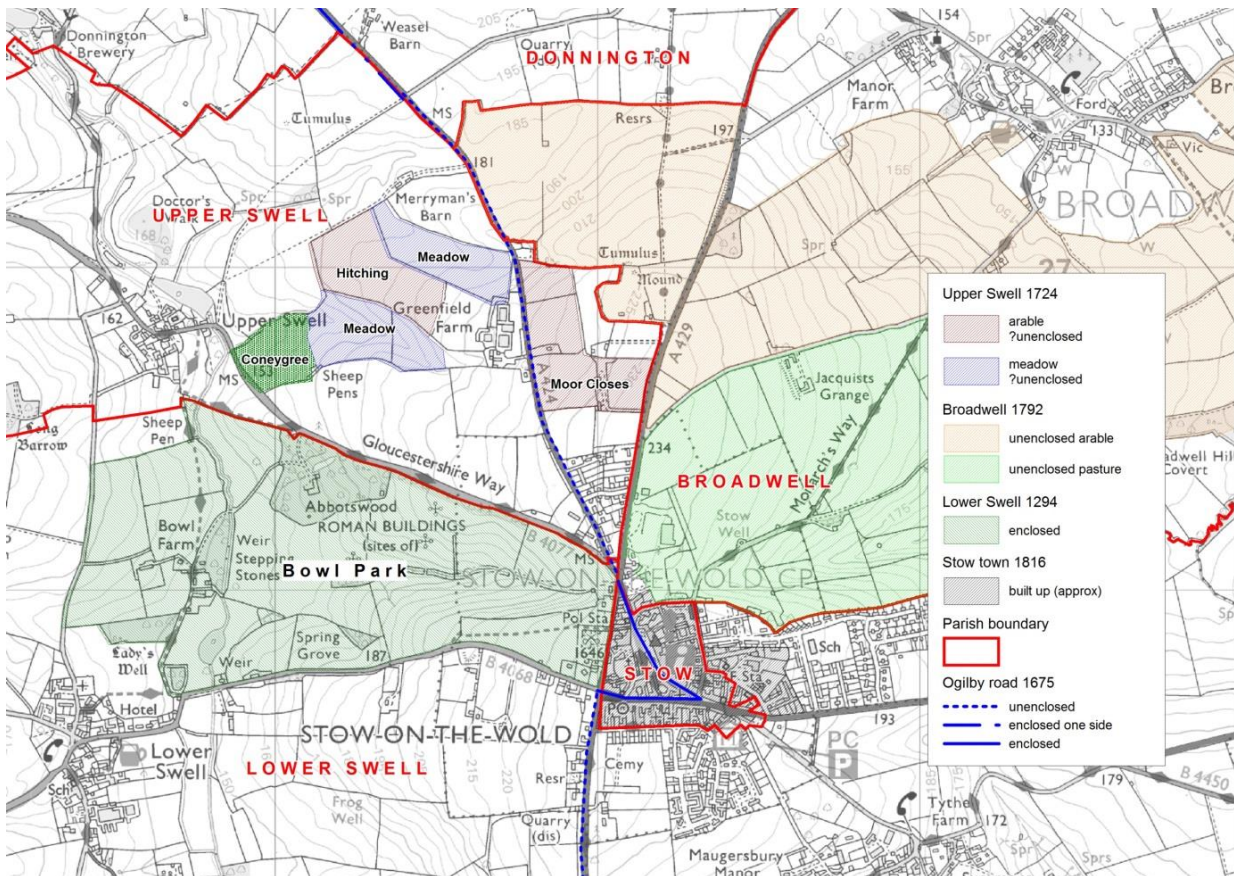


Figure 3: Compilation of historic landscape data against a background map from a modern Ordnance Survey Explorer 1:25,000 scale map. (Basemap Reproduced from Explorer® 1:25 000 scale by permission of Ordnance Survey®. On behalf of The Controller of Her Majesty's Stationery Office. © Crown Copyright 2023. All rights reserved. License number 100039996.)

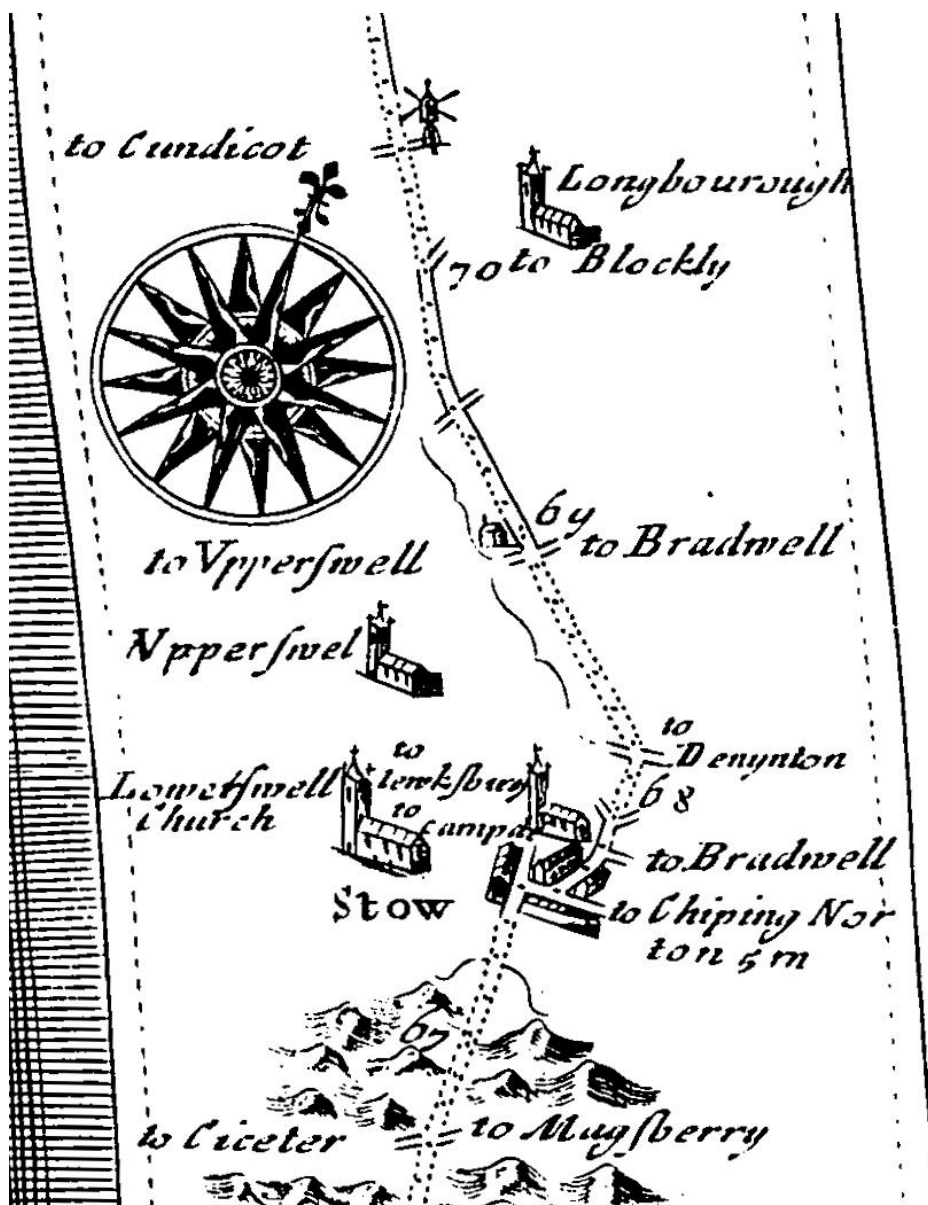


Figure 4: Extract from Ogilby's Britannia. Note the changed styles indicating open, enclosed and partially enclosed roads.



Figure 5: Extract from Taylor's county map of Gloucestershire showing the incorrect alignment of the fosse Way passing through Donnington. The road that runs parallel to this between Donnington and Broadwell is the correct alignment of the Fosse Way but Taylor shows it to come to an abrupt end just north of the villages.

APPENDIX

Gloucestershire Archives

Sources are listed first by those consulted and used in the report and include notes regarding their content. Extracts are given in italics. Bold formatting indicates names or text considered significant. Other sources are included for completeness and because they may prove useful for further study.

UPPER SWELL

P323 SD 1/1

'An Act for inabling Elizabeth Rushout Lady of the Manor of Over Swell in the county of Gloucester to inclose all and every the lands lying within the said parish of Over Swell in pursuance of several Agreements therein mentioned to have been made between the said Elizabeth Rushout and the Rector of the Parish aforesaid and between the said Elizabeth Rushout and the Churchwardens and Parishioners of the said Parish and to establish the said Agreements.'

*'Whereas there are thirty one yard lands and three quarters by estimation within the **two fields of arable land** and the two meadows called the **Great Meadow** and the **Lessere Meadow** and a parcel of arable land called the **Old Hitching** near adjoining to the said meadows besides the common grounds or commons called the **Sheephill** and the **Cowpasture**, within the said manor of Over Swell'*

'... and no other person except the said Elizabeth Rushout and the said Rector hath any right of common within the said Parish ...' at enclosure the lands belonging to the Rector and that assigned for upkeep of the church '... shall be absolutely vested in the said Elizabeth Rushout ... for the only use and benefit of the said Elizabeth Rushout...'

Rector has four yardlands, plus common rights and tithes, plus *'a lime kiln erected on a small parcel of the said four yard lands'*, great and small tithes plus common rights on the remaining 27 and three quarter yardlands.

3½ acres managed by churchwardens for repairs of the church, the rest belongs wholly to Elizabeth Rushout. So it is a single estate. Rector gets £80 a year in exchange for tithes, lands and common rights, plus half an acre added to the orchard by the rectory making six acres in all to the plot. Churchwardens get annual payment of 20 shillings in exchange for the 3½ acres.

D674b/P66

The parish of Upper Swell the property of C. Pole Esquire' Plan of whole parish, c1840

Whole parish showing buildings in block plan, woodland, field names.

Surveyor: William Mitchell, Cutsdean.

Ink and watercolour on paper.

GDR/V5/296T

Glebe Terriers and Inventories

Upper Swell glebe terriers, 1584-1828

(1) 1584, (2) 1618, (3) 1683 Charity none, (4) 1704, (5) 1807, (6) 1828

D76/12

Deeds. 1658-1699 2 messuages and 4 yard lands in the Manor of Upper Swell, 1658-1698/9, 1658-1699 4 documents

D6755/1/1/21

Antiquarian collections deposited by Bristol and Gloucestershire Archaeological Society including transcripts of deeds relating to lands in Slaughter, Swell and Thornbury, (16th-18th cents)

Upper Swell parish records, 1543-2021

Registers 1543-2021; churchwardens' accounts 1814-1964; vestry and PCC minutes 1850-1963; inclosure 1724;...

D1388/SL/5/13

particulars of sale (Second Edition) of Freehold & Manorial Estate situated Nr Stow-on-t-Wold & Bourton-o-t-Water. Consists of Upper Swell Estate ... o be sold on August 3, 1868
Plan of Estate included

D2068

Lower Swell and Upper Swell: map, c.1960

Ordnance Survey map of Lower and Upper Swell, with field-names added

LOWER SWELL

Q/RI/140

1792

Award only

Area inclosed: 1629 acres. 'Open Fields, Downs, Commons and Commonable Lands in the Manor and parish of Lower Swell', including allotment of old inclosures subject to payment of tithes.

Commissioners: Robert Weston of Ayhno, Northants; John Chamberlin of Cropredy, Oxon; Richard davis of Brookend, Chastleton, Oxon.

Surveyors: William Collisson of Brackley, Northants; Edward webb of Stow, Glos.

Surveyor of roads: John Hippiisley, clerk.

Award: 1790 (copy, original filed and enrolled 1792). Cites Act of 29 Geo.III; gives names of open-fields furlongs and of old inclosures; abuttals; allotment in lieu of tithes and annual money payments in lieu of tithes payable by owners without sufficient open-field land or common rights for allotments in lieu (schedule at end). Schedule of expenses of inclosures, with proportions paid by allottees.

For another copy, see: Digital copy of award available (2007)

'...One public Carriage Road in its present course called the Foss Turnpike Road extending from the town of Stow in a southward direction to the North End of a certain lane called the Foss Lane... One other public carriage road in its present course called the Gloucester

Turnpike road extending from the said town of Stow in a westward direction to the village of Lower Swell ... Bounded on the north from the said town of Stow [to Lower Swell] by ancient inclosures and the fourth allotment to John Atkyns ... And on the south side between [Stow and Lower Swell .. various allotments]

[road to Upper Swell] bounded on the east by several old inclosures and the churchyard... and the fourth allotment to John Atkyns, several other also inclosures called the Bowl Farm, fifth allotment to John Atkyns and exchange taken... Also on the west several old inclosures, allotment to Mary Hickes, stone quarries and seventh allotment to John Atkyns the same being part of the road from Lower Swell to Upper Swell

[road leading southwestward to Lower Slaughter] bounded on the northwest by allotments... and on the southeast by allotments... [road leading south from LS village]... [road] from Swell Wold to Stow on the Wold ... public carriage and drift road leading from the said parish of Upper Swell at a cross opposite a certain gate called Upper Condicote gate in a southeastern direction to a certain other gate in the said parish of Lower Slaughter called Hell Fire Gate bounded on the northeast by [various allotments] on southwest by [various allotments] and one other Carriage and drift road extending westward from the village of Lower Swell Old inclosures called Swell Wold

Exchanges made in land adjacent to Upper Swell boundary north of Bowl Farm, ancient, but they may be exchanging old inclosures – not clear. Footpath through these plots (extant) leading to 'a stile in the fence dividing the ... allotment from the parish of Upper Swell'

Robert Atkyns fourth allotment – '16a 3r 4p on Rye Piece and Pulse Piece. A foot road passes through and over. Bounded on part of the west by road leading from Lower Swell to Upper Swell. On the north and part of the east by old enclosures called Bowl Farm. On the other part of the east and part of the south by the Gloucester Turnpike road and other old enclosure.'

fifth allotment: 'situate on Keppis Piece containing 8 acres, 3 roods and 7 perches ... exclusive of foot road directed to pass through and over the same Bounded on the north by the allotment next described. on the east and south by old inclosures belonging to John Atkyns called the Bowl farm and on the west by the road leading from Lower swell to Upper Swell'

sixth allotment/exchange: 'Also on Keppis Piece containing 2 acres, 3 roods and 27 perches, exclusive of foot road etc bounded on the north and part of the east by the parish of Upper Swell, on the remaining part of the east by old enclosures belonging to John Atkyns called Bowl Farm on the south by fifth allotment, and on the west by the road leading from Lower Swell to Upper Swell'

D1388/SL/3/104

1840

Sale particulars for freehold estate, Lower Swell, Gloucestershire; "Bowl Farm", farmhouse, 2 barns, stabling, cow-sheds, 7 cottages, bakehouse, 300 ac; cottage, 33 ac; stabling, coach house, sheds, 58 ac; woods 51 ac; 4 cottages, 3 ac; "Golden Ball" public house, stable, cart shed, workshops, 12 ac; "Wold Farm", farmhouse, 4 barns, stabling, farm buildings, 3 cottages & gardens, 626ac, 1844.

Sold pursuant to decree in Chancery relating to Atkyns vs Bankes; tithe-free; map; tenants named, [MS calculations; see D1388/SL/3/120; Verey & Brooks, Buildings of England: Gloucestershire, 1, 1999, p465]

Includes map

D610/T14

1628

Include: deed of partition of messuage and three yardlands (Hanckes/Hodges), 1603; deed of partition of personal estate (listed) of Richard Hodges, Lower Swell, yeo., 1608/9; copy deed, Lower Swell manor, capital messuage called Bould, Swell Park alias Abbots Wood, sheephouse of Gannowe, water mill called Bould mill, lands and tithes 1628...and various others 1586-1684
13 documents

D2525/T192

1669

... settlement after marriage of Sir Robert Atkyns and Louise Cartaret of London, 1669; manor of Lower Swell and a capital messuage, Swell Park with tithes, Bould Mill, lands Stow on the Wold,...
5 bundles

D2212/1

1669

Settlement after marriage of Sir Robt. Atkyns of Sapperton, solicitor general to the queen and Dame Mary, his wife; refers to manor of Lower Swell, capital mansion house called the Bould, Swell Park, water mill called Bould Mill, land (2 1/2a.), tithes and fishing rights, 1669.
1 document

D444/T70

?1669-1765

Lower Swell, and various others non-Lower Swell: Messuage, capital of Swell Manor, and Farm of the Bould; Park cd. Swell Park, als. the Abbots Wood; water mill cd. Bould Mill; copy marriage settlement of Sir Robt. Atkyns the son, to Lovis, dau. of Sir George Carteret;
8 documents

D1700/E14

1683-1706

Leases: by Robert Atkyns of lands in Lower Swell (endorsed "the Park"),
3 documents

P322/MI/1

1778 – possibly used by P&G

Rentals and tenancy agreements of Atkyns family estates in Lower Swell, 1778

Include survey and maps of Swell Wold

18 documents

P322/MI/2

Survey of property etc, and of land tax, with observations on possibility of inclosure, 1787

1 document

D334/T44

1686

Lower Swell: land, 1686 [presumably deed]

1 document

GDR/V5/295T

Glebe Terriers and Inventories

BROADWELL**D610/P1**

Draft enclosure map. c.1792

PC/1812

draft enclosure map redrawn by Geoff Gwatkin

Q/R1/30

enclosure award and map 1795

Q/5/9/1/30

1649 enclosure award/agreement

D612/12

1649 copy of Broadwell Inclosure Agreement

D1798/1

1760-1873 Lands in Broadwell and Stow on the Wold Vavasour Trust Estate 'Includes extract of Broadwell Inclosure Award
Original bundle'

D385

1603-1793 Deeds of Broadwell, 1603-1793, and Stow-on-the-Wold, 1766-1794; testamentary papers 1738-1825; extract from Broadwell inclosure award, 1793; legal papers 1819-1835

STOW-ON THE-WOLD**D6755/1/4/7**

1614 rental of manor of Stow, part missing

D6577/2

1738 Stow on the Wold lease for possession of messuage and land

D1700/M6

17th century survey of manors of Mangersbury and Stow

D621/M18

1611-1672 Rental of Maugersbury and Stow-on-the-Wold, 1611-72, Barony of Churchdown, 1637-72, with various accounts (for sheep etc), terriers and memoranda, and a few loose papers. (Owner: Jn. Chamberlayne), 1611-1672

D610/E16

Miscellaneous: particular of manors of Haugersbury [?Maugersbury] and Stow, n.d. (c.1640); agreement for purchase of house of widow Juster in Stow, 1751; valuation of Hodges estate in Stow, 1761; note of deeds and leases, Stow (1589-1719), 1766; extract from Haugersbury award re Stow back road, 1767; notice to quit a house, 1771, c.1640-1771

GDR/V5/290T

Stow and Maugersbury glebe terriers 1684-1900

DONNINGTON

Q/RI/55

Enclosure award 1765 – no map

National Archives

Various other documents including medieval and Tudor court rolls. Wills of 17 and 18 centuries. Also various pleadings re manor and lands in Upper Swell in 16-18 century.

C 11/62/39

Short title: Rushout v Rushout.

Document type: bill only.

Plaintiffs: Elizabeth Rushout spinster of St Clement Dane, Middlesex (sister, heir and administratrix of Sir James Rushout bart deceased of Northwick, Worcestershire and only daughter and heir of Sir James Rushout bart deceased of Northwick and grand daughter and heir of Sir James Rushout bart deceased).

Defendants: Sir John Rushout, Sir Rushout Cullen and Thomas Vernon.

Date of bill (or first document): 1725.

SFP

C 11/296/27

Short title: Rushout v Rushout.

Document type: Two bills and eight answers.

Plaintiffs: Elizabeth Rushout an infant (only sister and heir of Sir James Rushout bart deceased, and only surviving daughter and heir of Sir James Rushout bart deceased, and grand daughter and heir of Sir James Rushout bart deceased) all of Northwick, Worcestershire (by Sir John Walter bart of Sarsden, Oxfordshire her next friend).

Defendants: Sir Rushout Cullen, Sir John Rushout, Thomas Vernon, Samuel Pitt, Edmund Pitt, Samuel Sandys, Sir George Thorold bart and Dame Elizabeth Thorold his wife, Thomas Williams, Joseph Lordiner and Anna Freeman.

Date of bill (or first document): 1714

The naming of a party does not imply that he or she will appear in all the documents in this cause (after the bill)

IR 18/2894

Tithe file for Upper Swell (parish), Gloucestershire.
Tithes extinguished by enclosure Act

C211/1/A27

Robert Atkins esq of Lower Swell Gloucestershire: commission and inquisition of lunacy, into his state of mind and his property

SC 12/40/30

1605/6 Stow manor fragment of rental

House of Lords

HL/PO/JO/10/4/15

Main Papers (Parchment Main Papers)

3 Feb 1726 - Rushout v Rushout. Answer of Elizabeth Rushout, 17 February.

3 Feb 1726 - Rushout v Rushout. Answer of Thomas Vernon, 17 February.

3 Feb 1726 - Rushout v Rushout. Answer of Sir Rushout Cullen, 24 February.

3 Feb 1726 - Rushout v Rushout. Answer of Anna Freeman, 24 February.

HL/PO/JO/10/6/349

Main Papers

Feb 3 - Rushout v Rushout. a. Petition and Appeal of Sir John Rushout. (In Large Parchments).

b. Answer of Elizabeth Rushout, 17 February. (In Parchment Main Papers). c. Answer of Thomas Vernon, 17 February. (In Parchment Main Papers). d. Answer of Sir Rushout Cullen, 24 February. (In Parchment Main Papers). e. Answer of Anna Freeman, 24 February. (In Parchment Main Papers).

Appears to be same as above

HL/PO/JO/10/6/343

Main Papers

Jan 25 - Act to enable Elizabeth Rushout to enclose certain lands, with amendments. Annexed: a. Petition of Elizabeth Rushout and others, 19 January. b. Amendments. Jan 25 - Petition of George McClaire, for permission to appeal in forma pauperis

Lords Journals

Mrs Rushout's Bill. 2 Feb 1725:

The Lord Delawarr reported from the Lords Committees to whom the Bill, intituled, "An Act for enabling Elizabeth Rushout, Lady of the Manor of Overswell, in the County of Gloucester, to

enclose all and every the Lands lying within the said Manor or Parish of Overswell, in Pursuance of several Agreements therein mentioned to have been made between the said Elizabeth Rushout and the Rector of the Parish aforesaid, and between the said Elizabeth and the Churchwarden and Parishioners of the said Parish, and to establish the said Agreements," was committed: That they had gone through the Bill, and made some Amendments thereunto."

3 feb 1726

Sir John Rushout versus Elizabeth Rushout & al.

Upon reading the Petition and Appeal of Sir John Rushout Baronet; complaining of a Decree of the Court of Chancery, made the Twenty-fourth Day of April, in the Second Year of His Majesty's Reign, in certain Causes, wherein Elizabeth Rushout, by her next Friend, was Plaintiff, and the Petitioner, and Sir Rushout Cullen Baronet, Thomas Vernon Esquire, Anne Freeman Widow and Administratrix of Richard Freeman Esquire, deceased, Sir George Thorold Baronet and the Lady Elizabeth his Wife, Samuel Pitt Esquire, Thomas Williams, and Anne Lardner the Widow and Executrix of Joseph Lardner, were Defendants; and wherein the Petitioner was Plaintiff, and the said Elizabeth Rushout, Sir George Thorold and his Wife, Samuel Pitt, Sir Rushout Cullen, Thomas Vernon, Anne Freeman, Thomas Williams, and Anne Lardner, were Defendants; and praying, "That the several Parties may put in their Answer to this Appeal; and that such Order may be made, for the Petitioner's Relief, as shall be just:"

It is Ordered, That the said several Parties may have a Copy of the said Appeal; and do put in their Answer or respective Answers thereunto, in Writing, on or before Thursday the Seventeenth Day of this Instant February.

19 Jan 1725, Mrs. Rushout & al. Leave for a Bill.

Upon reading the Petition of Elizabeth Rushout, only Daughter and Heir of Sir James Rushout Baronet, deceased, Thomas Dibble Rector of the Parish Church of Over Swell in the County of Gloucester Clerk, and Stephan Mathews Churchwarden of the said Parish; praying Leave to bring in a Bill, to enable the Petitioner Elizabeth Rushout, Lady of the Manor of Over Swell, to enclose all and every the Lands lying within the said Manor or Parish of Over Swell, in Pursuance of several Agreements in the said Petition mentioned; and to establish the said Agreements:

24 Martii 1725:

Bill passed

18. An Act for enabling Elizabeth Rushout, Lady of the Manor of Over Swell, in the County of Gloucester, to enclose all and every the Lands lying within the said Manor or Parish of Over Swell, in Pursuance of several Agreements therein mentioned to have been made between the said Elizabeth Rushout and the Rector of the Parish aforesaid; and between the said Elizabeth and the Churchwarden and Parishioners of the said Parish; and to establish the said Agreements.")