

LYDFORD AND ITS CASTLE.

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By name at least every true-bred Devonian is acquainted with Lydford; and, if in no other way, through the medium of that most popular item of Western proverbial philosophy — *Lydford Law*. The extension of the railway system, too, has opened up the comparatively remote and isolated district of which Lydford is the ancient capital; and thousands are now familiar with the sight of its grim gray keep, which forms such a notable feature in the landscape between Bridestowe and Lydford Junction. Beyond this, however, Lydford is merely a name and a ruin: to which some legends attach; around which a few tattered memories of former greatness cling; but about which hardly anything is really known.

It is strange that history should be thus silent concerning a place which rose into prominence so far back that its origin is shrouded in the mists of antiquity; and that we know it first, not in infancy, but as the rival of Exeter. Though for centuries decaying or decayed, its connection with the Duchy of Cornwall, and with the Devonshire Stannaries, sustained it in a position of nominal importance far beyond its material deserts, and should therefore have led to some extended notice of its fortunes. None such, however, appears to exist. Lydford hardly finds a place in general history; our county annalists deal with it but curtly, exciting a curiosity they are far from satisfying; searches among our records reveal little worth the pains.

Rather then in the hope of stimulating further investigation than with any higher aim I have sought to bring together the general facts, so far as they seem at present ascertainable, of the history of Lydford, one of the most ancient boroughs

in all broad Devon, populous and wealthy long before the Norman Conquest, now the mere shadow of a shade. *Vanitas vanitatum*. There is no town or village in the West that teaches that lesson so forcibly as Lydford. We are even left to guess at the causes of its fall. Here and there a few scattered notices make up the sum total of a history that extends over ten centuries; and we have to supply the missing links as best we may, and piece out these scattered fragments into the semblance of continuity.

There can be no doubt about the antiquity of Lydford; for its history commences with legend, antecedent to tradition. Risdon suggests that "the giant-like Albionists, who at first peopled the island, or at least some of Corinæus's companions, who vanquished these giants, could alone have inhabited such a place, overlooked with Dartmoor hills, unto whose storms without any shelter it is subject,"* And Westcote in his turn, abandoning conjecture, records a story that must have been generally accepted in his day, that Julius Cæsar spent some time at Lydford, on his second visit to Britain.† Julius Cæsar, however, did not visit Devon; and if Lydford had ever been a Roman station we should expect to find some traces of Roman occupation. None such have been recorded, and I believe we may dismiss the Romans from our narrative altogether.

Far more probable is it that in Lydford we have, like Exeter, an ancient British town; but, unlike Exeter, one sadly fallen from its high estate. There is no more evidence of Roman association than of Lydford's being a settlement of the western Anakim, or of their conquerors, the mythical Trojan immigrants. It finds no place in history until Anglo-Saxon times; but then it appears as a settlement of such importance as leads us to infer that even in that distant day it must have had some antiquity to boast. This importance is shown by the fact that it was one of the Anglo-Saxon minting towns, sharing that honour in Devon with Exeter and Totnes. The Lydford mint commenced, so far as we are aware, in the reign of Ethelred the Unready, who succeeded to the throne in 987. Fifteen Lydford pennies of this reign are extant, the moneyers being Ælfstan, Ædred, Bruna, Goda, Godwin and Godric. There is one of Cnut, Saewine moneyer; and one of Harold I., Ælfwine moneyer. According to Ruding the mint continued in operation in the reigns of Edward the Confessor and the second Harold, if "Lv" and "Ly" may be read as Lydford. The contractions used on the other coins

* *Survey*, p. 220.

† *View*, p. 356.

are, Lyda, Lude, Lydan, Lydaf, Lydanf, Lydafor; and we have it once in full, Lydanford.*

It is under the reign of Ethelred that Lydford first appears in the pages of history. The *Saxon Chronicle* records how, in 997, the Danes "coasted back about Penwith-steort [the Land's End] on the south side, and, turning into the mouth of the Tamar, went up till they came to Hlidaforda [or Hlidanforda] burning and slaying everything that they met. Moreover Ordulf's minster at Ætefingstoc [Tavistock] they burned to the ground, and brought to their ships incalculable plunder."

The suggestion appears not ill-founded that it was the reputation of wealth, which Lydford as a mint must have possessed, that led to this great disaster; and perhaps we may infer also, having regard to the natural strength of the site, that it was on this occasion taken by surprise, or that it was ill-defended. Recovery, however, must have been speedy; for less than a century later we find Domesday setting forth its singular importance. We read in the Exchequer volume (the Exeter gives no additional particulars)—

"Rex habet burgus Lideforde. Rex Edwardus tenuit in dominio. Ibi sunt xxviii burgenses intra burgum et xli extra. Inter omnes reddunt regi lx solidos ad pensum et habent ii carruce terre extra burgum. Ibi sunt xl domi vastæ postquam rex venit in Angliam. Quod si expeditio vadet vel per terra aut per mare: tantum servitii reddunt quantum Barnestaple aut Totenais."

And further under the head of Exeter—

"Quando expedito ibat per terram aut per mare, serviebat hæc civitas quantum v hidæ terre. Barnestapla vero et Lideford et Totenais serviebat quantum ipsa civitas."

That is to say—

"The King has the borough of Lydford. King Edward held it in demesne. There are twenty-eight burgesses within the borough and forty-one without. Between all they render the King forty shillings by weight and have two carucates of land without the borough. There are forty houses waste since the King came into England. If an expedition goes, either by land or by sea, they render as much service as Barnstaple or Totnes."

And

"When an expedition went by land or by sea this city did service for as much as five hides of land. Barnstaple also and Lidford and Totnes did service for as much as this city."

* See "Silver Regal Money Coined in Devonshire Mints." H. S. Gill, *Devon. Assoc. Trans.*, vol. x. p. 609.

So far as service therefore, and we may fairly presume also in general capability, Lydford, before the Conquest, was considered equal to either of the other boroughs in the county. Between that event and the compilation of Domesday its fortunes had suffered some reverse. While forty-eight houses had been laid waste in Exeter "since the King came into England," Lydford, with its smaller population, had lost forty, against twenty-three only at Barnstaple, while Totnes, the one remaining Devonshire borough of that day, appears to have sustained no loss whatever.

Domesday does not cite the population of Exeter; but as the King had 285 houses there rendering custom, and there were other holders of property in the city, there must have been considerably over 300 households altogether. Of the boroughs, Totnes was the most important, with 95 burgesses within the walls, and 15 without engaged in agriculture, "*terra laborantes*," and returning eight pounds by tale. Next comes Lydford with its 69 burgesses, and its payment of 60 shillings by weight. Lastly, we have Barnstaple, making the same return, but with 49 burgesses only. What is very noticeable here, however, is that nearly two-thirds of the burgesses of Lydford are extra-mural; and this seems to point to the conclusion that even in these early times Lydford must have possessed something of that wide jurisdiction which clung to it in later days, as the head of the Forest of Dartmoor, then as the prison of the Stannaries, and in virtue of which it still claims to be the moorland "church town," though its ecclesiastical rights have been somewhat curtailed. Be this as it may, ere the forty houses were laid waste Lydford must have been the most populous town in Devon, Exeter alone accepted; for there appears very good reason for concluding, from the increased geld of Totnes, that, unlike its companions, it had become more prosperous since "the day that King Edward was alive and dead."

History is silent as to the causes of the devastation of Lydford, but there seems every reason to believe that it was connected in some way with the Conquest, and probably arose from the resistance which the sturdy little burgh offered to the Norman arms. Exeter resisted, but gave way in time, and was spared. William may have deemed it desirable to make an example of Lydford, though more merciful to it than he was afterwards to the northern counties. The Norman Conquest was not completed at Hastings.

There are several entries in the Patent Rolls and other

public records which appear to indicate that Lydford retained some importance as a borough on to the early part of the thirteenth century. The constables of Lydford are mentioned in association with those of Bristol, Sherborne, Corfe, Exeter, Taunton, Bridgwater. The men of Lydford continued to pay the Crown for their liberties like the men of Exeter, as appears by the precepts issued to the sheriffs. It had men of mark too. In 1207 Ric. Fab^o de Lidford had to pay four shillings for himself, "q^u tuor sol p. eode"; and it was in all probability on behalf of his son that in the following year the King, in an order addressed to all the folk of Cornwall and Devon, set forth that John de Lidford, son of Richard de Lidford, held all the properties which pertained to his father—"tenat om̃ia teneñta t vadia sua t res suas"—that he was to be suffered to hold them peaceably and fully, and not to be impleaded unless before the King himself. There seems to have been reason for this latter clause; for in the previous year (1207) we find in a precept directed to the Sheriff of Cornwall, special mention of one "Duddeman de Lansaveton x m. q. abstulit homibz de Lidford libtatem suam contr^a phibicoem nrm;" directions being issued that Dudde- man should give up the ten marks which he had thus unlawfully squeezed out of the men of Lydford. A few years later we find allusion to one Walter de Lidford; and when the first Parliament of Edward I. was summoned Lydford was one of the boroughs called on to send representatives, while about the same time, according to Polwhele, assizes for the county were held there alternately with Exeter. But in those early days the holding of assizes was by no means the settled practice it has become.

It has been suggested that Lydford Castle was erected by Richard, King of the Romans, to whom, in 1238, the manor of Lydford, with Dartmoor Chase, was granted by his brother; nor *prima facie* does this seem unlikely. Richard was active throughout his earldom, working the tin mines, granting charters, and aiding the general development of its resources. He was the very man to have taken such a work in hand. Pre-Norman the castle certainly is not, although it may occupy the site of an older fortification. The building, as we shall see hereafter, is a true keep, wholly differing in character from those shell keeps which, as at Plympton and Totnes, were planted by the Normans upon the mounds of the elder fortresses. Earthen mounds constituted the defence of the Saxon borough. There was no place within their circuit of supreme command, whereon to plant a citadel to dominate

the whole. Many towns trace their origin to the castle round which they grew; here the castle is the child of the town.

Tempting, however, as the hypothesis is which would make the King of the Romans founder of Lydford Castle we are forced to a different conclusion by an entry in the Close Rolls dated July 31, 1216, that the King then granted to William Briwere "*castrum de Lidford*" with all its appurtenances, to be held during pleasure. This is the earliest mention of Lydford Castle I can find. It is specified likewise in the grant of the earldom of Cornwall in 1307 to Gaveston—"castrum nostrum & manerium de Lideford cum pertinentis," and associated with "*Totam moram & liberam chaceam de Dertemore cum pertinentis.*"

The connection of the castle with the Stannaries was of some older standing. Edward I. in the 33rd year of his reign (1305) speaks of "*prisona nostra de Lydeford*" as that in which offenders against the laws and customs of the Stannaries were to be incarcerated. The charter which John in 1201 granted to the tanners of Devon and Cornwall gave them the right of imprisonment, but does not specify any particular prison. This, however, cannot be taken as conclusive evidence that the castle, which we know was in being in 1216, was not of earlier date, and indeed the architecture shows that it was in part at least Late Norman. The probability is that it dates from the latter part of the 12th century, forming one of the border fortresses by which the roads skirting Dartmoor were commanded—Plympton, Totnes, Okehampton, being other links of the chain. It remained, however, a royal and not an individual possession.

We have no description of the castle except incidentally in connection with its use as a Stannary prison (of which more hereafter) until five centuries had passed. Browne's satirical sketch, though somewhat familiar, is first in order and cannot be overlooked.

I oft have heard of Lydford law
How in the morn they hang and draw,
And sit in judgment after.
At first I wondered at it much,
But now I find their reason such
That it deserves no laughter.

They have a castle on a hill;
I took it for an old windmill,
The vanes blown off by weather.
Than lie therein one night 'tis guessed
'Twere better to be stoned and pressed,
Or hanged, ere you come hither.

Two men less room within this cave
Than five mice in a lantern have

The keepers they are sly ones :
If any could devise by art,
To get it up into a cart,
'Twere fit to carry lions.

When I beheld it—Lord! thought I
What justice and what clemency
Hath Lydford castle's high wall!
I know none gladly there would stay,
But rather hang out of the way
Than tarry for the trial.

The Prince a hundred pounds hath sent,
To mend the leads and planchings rent
Within this living tomb;
Some forty-five pounds more had paid
The debts of all that shall be laid
There till the day of doom.

One lies there for a seam of malt,
Another for three pecks of salt,
Two sureties for a noble.
If this be true or else false news
You may go ask of Master Crews,
John Vaughan, or John Doble.*

Near to the men that lie in lurch
There is a bridge, there is a church,
Seven ashes and an oak;
Three houses standing and ten down;
They say the parson hath a gown,
But I saw ne'er a cloak:

Whereby you may consider well
That plain simplicity doth dwell
At Lydford without bravery;
For in that town both young and grave,
Do love the naked truth, and have
No cloaks to hide their knavery.

The people all within this clime
Are frozen in the winter time,
Or drowned with snow or rain;
And when the summer is begun,
They lie like silkworms in the sun,
And come to life again.

This town's enclosed with desert moors,
But where no bear nor lion roars,
And nought can live but hogs:
For all o'erturned by Noah's flood,
Of fourscore miles scarce one foot's good,
And hills are wholly bogs.

And near hereto's the Gubbins' cave;
A people that no knowledge have
Of law, of God, or men:
Whom Cæsar never yet subdued;
Who lawless live; of manners rude;
All savage in their den.

* The steward and attorneys of the Court.

By whom, if any pass that way,
 He dares not the least time to stay,
 For presently they howl;
 Upon which signal they do muster
 Their naked forces in a cluster
 Led forth by Roger Rowle.

One told me "In king Cæsar's time
 The town was built of stone and lime"—
 But sure the walls were clay;
 For they are fall'n for aught I see,
 And since the houses were got free
 The town is run away.

Oh Cæsar! if thou there did'st reign,
 While one house stands come there again,
 Come quickly while there is one;
 For if thou stay'st one little fit—
 But five years more—they may commit
 The whole town into prison.

To see it thus much grieved was I;
 The proverb saith "Sorrows be dry,"
 So was I at this matter:
 When by good luck, I know not how,
 There hither came a strange stray cow,
 And we had milk and water.

Sure I believe it then did rain
 A cow or two from Charles his Wain;
 For none alive did see
 Such kind of creature there before;
 Nor shall from hence for evermore,
 Save prisoners, geese, and we.

To nine good stomachs with our whigg,
 At last we got a tithen pig,
 This diet was our bounds;
 And this was just as if 't were known
 A pound of butter had been thrown
 Among a pack of hounds.

One glass of drink I got by chance,
 'Twas claret when it was in France,
 But now from it nought wider;
 I think a man might make as good
 With green erabs boiled with Brazil wood,
 And half a pint of cider.

I kissed the mayor's hand of the town,
 Who though he wears no scarlet gown
 Honours the rose and thistle.
 A piece of coral to the mace
 Which there I saw to serve the place
 Would make a good child's whistle.

At six o'clock I came away
 And prayed for those that were to stay
 Within a place so arrant:
 Wild and ope to winds that roar,
 By God's grace I'll come there no more
 Unless by some tin warrant.

Under the Commonwealth, not many years later than Browne's visit, on the 27th of August, 1650, a Survey of Lydford borough was taken by Edward Hore, George Crompton, George Gentleman, Gabriel Taylor, and George Goodman, who reported as follows:—

“Lydford Castle.—The said castle is very much in decay and almost totally ruined. The walls are built of lime and stone, within the compass of which wall their is four little roomes, whereof to are above stairs, the flore of which is all broken, divers of the chieftest beames being fallen to the ground and all the rest is following, only the roof of the said castle (being lately repaired by the Prince [Charles·I.] and covered with lead) is more substantial than the other parts.

“The scite of the said castle with the ditches and courte contain half an acre of land, of which the borough of Lydford holdeth the court at the will of the Lord, for which they pay the yearly rent of twelve pence. The said scite is valued to be worth at an improvement beside the aforesaid rent per ann. 5s. The stones about the castle are not worth the taking down, but there are divers parcels of old timber which we value to be worth *de claro* £6. There is one part of the tower leaded containing 1544 square feet, every foot containeth (by weight) nine pounds, in all thirteen thousand eight hundred and ninety-five pounds, which at a penny halfpenny a pound cometh to eighty-six pounds sixteen shillings and tenpence halfpenny, but consideration being had to the taking it down and the portage, we reprise six pounds sixteen shillings tenpence halfpenny, so then it amounteth to *de claro* £80.”*

The Quit Rents or Rents of Assize are stated to amount to £3 1s. 4d., of which £3 was paid to the Rector in lieu of the tithes of the Forest of Dartmoor; 1s. 6d. was also paid annually by the borough for its Bartholomew fair; and 1s. annually for “ale waits.”

The dismantling of the castle suggested in this Survey was evidently carried out in a very thorough manner, though we are left to infer from the document next in date, that the proceedings were rather of an informal character, at least in part.

March 3rd, 1703–4, S. Travers, Surveyor General, reported to the Council† that the Castle of Lydford, wherein the Stannary prison for Devon had been kept, and within the site whereof the courts were held for the borough of Lydford, had nothing remaining but the bare stone walls without any roof. “The lead and the timber, he believed, had been pillaged by

* There is some error here in the calculation.

+ *Treasury Papers*, lxxxix. article 98.

the poor people of which the neighbouring country, being adjacent to Dartmoor, abounded."

Travers goes on to say that the want of a place to confine prisoners in made the laws [the Stannary laws ?] ineffective, and that he saw no objection to the estimate proposed for the restoration.

Accordingly the castle was restored, and once more applied to its olden use of a prison, and the place in which the courts of the borough and manor of Lydford were held. However another period of neglect and decay must have set in, rendering another reparation necessary, for we learn from Williams's *Picturesque Excursions*, published in 1801, that the castle had then been lately under repair; and it is thus described in the Journals of the Rev. E. A. Bray, written not long subsequently.

"The Castle is a square building, standing on a heap or mound, probably artificial. The entrance is at the north-west. Before it is a spacious area, with a gentle slope, enclosed by two parallel mounds. At the end of this the ground begins to be very precipitous in its descent; which continues with the opposite side almost equally steep, till it joins the river near the bridge. Thus Lydford must have been a place of considerable strength, approachable only towards the north-east. . . . The stairs and floor of the Castle cannot now be trodden without danger, as the greater part of the boards are wanting. The judge's chair, however, remains, and the royal arms over it, in perfect preservation. The infamous Jeffries is reported to have been the last who presided in it. The only thing that seems to have elevated the judge above the rest of the court, is a footboard at the bottom of the chair. There are rails in front about eight feet distant. The counsel table has been removed only within these few years. The ascent to the roof . . . is by steps carried up within the thickness of the wall. To the dungeon, which is about sixteen feet by ten, the descent must have been by a ladder, and probably through a trap door. If this were the case it was completely dark, as there is no window in it, and the room above is lighted only by a single narrow loop-hole."*

It is evident from this that the state of repair spoken of by Williams could not have been very thorough; and that no attempt was made to keep it up we learn from Mrs. Bray, who, writing in 1833, states that the castle was then "so gone to ruin that nothing but the bare walls remains."† And this is its condition at the present moment.

However there is further testimony to the reparation.

* *Borders of the Tamar and Tavy*, 2nd ed., vol. ii. p. 179.

† *Ibid*, vol. ii. p. 179.

Miss Evans* quotes a friend as stating: "About eighty years ago the castle was repaired and put in pretty good order; he well remembers being there fifty years since; the roof was then good and the walls in tolerable repair: he saw what was called the judge's chair; it was in a very large room above stairs, at that time used as a rustic ball-room at every village feast or revel." The Rev. W. Evans, of Park Wood, Tavistock, father of Miss Evans, "remembered seats around for the members of the court, and a railing on three sides of the hall." And Gilpin a century since described the castle as being "rather out of repair than in ruin."

The cause of the decay of the reedified fabric is very clear. While the Duchy manor and borough courts were held there it was kept up. Sir Thomas Tyrwhitt used his influence with George IV., then Duke of Cornwall, to get the courts removed to the Duchy Hotel at Princetown, the new capital of the Moor, of which he was the founder, and Lydford fell into a deeper decay than ever.

The burgesses of Lydford ceased to elect their mayor, as accustomed from time immemorial, about the middle of the last century. They had many other rights and privileges, some of which survived until comparatively recent date. One of these was the election of the borough coroner, to which the burgesses invariably appointed "the oldest and most grey-headed man in the place."† It seems strange that while Midhurst and Old Sarum and Gatton, mere names of vanished communities, and while such miserable villages as Michell and Bossiney, were able to retain their parliamentary representation, Lydford's should have been extinguished as far back as the reign of Edward III.

This brings us to consider Lydford of the present day.

The castle of Lydford is a square keep standing on an artificial mound of moderate height, immediately on the north of the road which traverses the village, and to the east of Lydford church, the churchyard and the enclosure within which the castle now stands being partially conterminous. The entrance to the castle is in its N.W. front, the four sides facing respectively north-west, south-east, south-west, and north-east. On the north-west is the base court, enclosed by high earthen mounds, which are still fairly intact, and which comprise an oblong area, the north-western rampart terminating on the edge of a little ravine. The entrance to the base court was evidently at the south-western angle. From the north-west wall of the castle to the extreme end of the

* *Home Scenes*, 2nd ed., p. 113.

† *Ibid*, 2nd ed., p. 115.

base court is about 90 paces; so that the court is small, and thus corresponds with the castle itself.

The walls of the castle are for the most part built of small stones, of the kinds common in the neighbourhood, chiefly slate and granite; but the principal dressings are of the free working Hurdwick stone, which was so largely employed in the construction of Tavistock Abbey. The lower stage of the walls is nearly eight feet in thickness, but the upper portions are not so thick, and in part, if not entirely, appear of later date, though there is no difference in the character of the material employed in the older and the later work.

The entrance doorway has a low pointed arch, angular indeed in character, with the Hurdwick dressings, the holes still remaining in the jambs which received the bars where-with the door was secured. The doorway is the only opening on this side in the lower story of the castle; with the exception of a couple of small apertures close to the ground at each angle, the drains of two garderobes. In the upper story there are three square-headed loopholes, and a couple of very small slits which give light and air to the garderobes. Above the central loophole is what appears to have been a small niche with a corbel, yet remaining, the use of which is not very clear, unless it was intended to support some wooden projection. In the south-west face there is only one opening, a wide arched window in the upper story. The wall has been considerably strengthened at its base by masonry being built against it—unless indeed we have here a part of the original foundations exposed, and they were much wider than the wall as carried up to form the superstructure. The south-east front contains four openings, two in each story. One of those in the upper story is the fellow of that already chronicled in the south-west face. The other is a square-headed loop resembling those in the north-west front. The two lower windows are however of a different character, and at once indicate a Norman origin. They are slits, deeply splayed internally, like the square-headed loops, but with bold round-headed external splays, whereas the square slits are flush with the outer face of the wall. On the remaining side—the north-west—there are three openings, two in the lower story and one above. The two lower windows are both loops; but while one is a simple square-headed slit, the other has the round-headed external splaying of the lower windows in the face last described. The upper window is a square-headed opening. The whole of the masonry appears substantial, and all of such old date that it is not easy to trace

the alterations and repairs to which it has undoubtedly been subjected.

Internally the whole fabric is open to the sky. Immediately on the right of the entrance are the stairs formerly leading to the upper story, built in the thickness of the wall. At the head of the stairs, also in the thickness of the wall, and in the angle, is one of the two garderobes, and left of this the opening into what was formerly the great hall. Above the first set of stairs is another and narrower flight, leading to the roof of the castle, which was flat and defended by a parapet, portions of which still remain. The second flight was approached from the hall by a kind of lobby over the main entrance below. This lobby was lit by the middle large loophole of the north-west face, another lighting the stairs.

We come now to the various apartments. The whole internal area is traversed by a partition wall, running directly from the eastern side of the entrance to the main wall opposite, thus dividing the space enclosed into two unequal oblong portions. The smaller of these, as far as the lower story is concerned, is again divided into two nearly equal divisions, by another partition; these internal walls being about four feet thick.

The lower story thus consists of three apartments—one, that into which the doorway of the castle directly opens, much larger than the other two—some thirty-five feet by twenty—and with no other opening for the admission of air and light than the doorway and one loophole opposite. In its western angle there is a small chamber in the thickness of the wall. The two smaller apartments on the ground floor are entered by pointed doorways in the main partition wall. One of these doorways is immediately on the left of the entrance, and opens into a chamber with a pit in the centre, about fifteen feet by ten, and probably once ten or twelve feet deep. This is the dungeon of which history has so much to say. And a noisome hole it must indeed have been, the only access being by a trap-door, and there being no provision for affording light and air save through this approach from the room above, itself lit and ventilated only by a single narrow slit. The other doorway from the principal chamber leads into the second of the smaller ones, about fourteen feet by twelve, and lit by two of the three round-headed windows. No part of the castle has so marked an appearance of antiquity as this; while at the same time a good deal of the plaster of later days remains upon the walls.

The upper story contained but two apartments—the chief

hall filling up the whole of the space over the larger room below, and lit by the wide arched windows on the north-east and north-west, which are evidently of much later date than the loopholes, and probably originated in one of the numerous repairs and alterations which the castle underwent. The remainder of this floor was occupied by one apartment, entered from the hall by a doorway in the partition wall, of a similar character to those below. This room is lit by three windows, one in each of its three external sides, and in the eastern angle has a garderobe, in the thickness of the wall, precisely similar in character to that at the head of the lower stairs. There was only one fireplace in the castle, and the remains of that are to be seen on the level of the hall, in the partition wall, which carries the flue.

The enclosure of the castle is of very modern date. Five and twenty years ago the site was open—common land—and complaint was made that the children who played about the ruins were undermining the walls, and that accidents would probably result. The Duchy authorities hereon enquired the cost of putting the castle once more in repair, with the view of holding the manor courts alternately there and at Prince Town; but finding the outlay required too heavy contented themselves with ordering its enclosure. This was done by Mr. Higgins, who since then has continued the custodian. The walls of the building are still in such an excellent state of preservation, notwithstanding its many vicissitudes, and the removal of large quantities of stone within living memory for building purposes, that it is likely to stand for centuries yet, and that its restoration would be no very difficult work.

One of the most singular points connected with Lydford is the fact that no one seems to have formed any clear idea as to the site and character of the ancient borough. There are traditions of walls of "stone and lime." Risdon says that in his day the inhabitants used to aver "that Lydford came little short of some cities; for they can show you where the gates stood, and also the foundation of the walls that encircled it, compacted of moorstone and lime, which they lighted on as they digged their fields."* Moreover there is the name of Southgate still extant, and applied to a few houses approached by a narrow lane on the south of the village. All these points have been the subject of comment, but no one appears to have observed the existence of remains of earthworks on the north of the main road, and some distance to the east of the castle. Here, however, is the key to the whole problem.

* *Survey*, p. 220.

Lydford stands on a tongue of land; bounded and defended towards the south by the deep and, in ancient days, impassible gorge of the Lyd; and on the north by the ravine of a tributary of the Lyd, which falls into that river a little below the celebrated bridge, and which in its course divides the parishes of Lydford and Bridestowe. Both to the northward and southward therefore, and on the angle to the west, the natural strength of the position in days of primitive warfare was very great; and all that was needed was to guard the approach from the higher ground to the east. This was done by the construction of a line of earthworks from one valley or ravine to the other. The line of defence is still marked, not merely by the earthworks noted, but by a lane which runs in their rear, and which extends from the northern valley directly to Southgate. This is called by Miss Evans Southgate Street, and she mentions on the authority of "the clergyman" that it could be traced on through a field to a fording place on the Lyd, while "the site of the other entrances, by the East Gate and South Gate (?) could also be pointed out." *

I do not however believe that Lydford was ever a walled town in the strict sense of the word, and in *South-gate* we may have simply the original use of the word as a *way*, and not the later as a *portal*. The remains of walls of which Risdon speaks were in all probability traces of old buildings. The style of defence adopted shows that in Lydford we have a British hill fort, subsequently occupied by the Saxons as a burgh, wherein the Normans reared a castle—of no great magnitude, but of considerable strength, taking full advantage of the capabilities of the site. At the eastern end of the town, without the walls, is a small elevation known as "Gallows Hill," where executions are traditionally reputed to have taken place. Probably this was so; for the site is precisely that which would have been chosen for the purpose.

"Lydford Law" has been heard of, far beyond the confines of Devon, by many who have never visited the ancient Forest capital. There is a local tradition, based on the fitness of the proverb to match the doings of Judge Jeffries during his infamous Bloody Assize, that "Lydford Law" originated from his cruel practices, and that his ghost in the shape of a black pig is nightly doomed to haunt the scene of his brutality. But the Bloody Assize stopped short of Lydford, and the saying is far older than the days of Monmouth. Its incorporation in Browne's famous poem, shows its common currency in his

* *Home Scenes*, 2nd ed., p. 112.

day, and he wrote his rhymes by way of reminiscence of a visit paid to Lydford to see a friend—Lieut.-Colonel Hals, who was imprisoned there as a Parliamentarian by Sir Richard Grenville, general for Charles I. in the West, one in whom Jeffries would have hailed a kindred spirit.* Hence some have held that it was from him the saying arose. But in such a case Browne would certainly not write—

“I oft have heard of Lydford Law.”

And indeed we have definite evidence of its currency over two centuries earlier. In a contemporary poem on the deposition of Richard II. which Mr. T. Wright assigns, from internal evidence, to September, 1399,† we have this passage—

“Now be the law of Lydford
in londe ne in water
thilke lewde ladde,” &c.

Evidently treating “Lydford Law” as an unpleasant and well-known business, but giving no definition. The saying then must have been commonly current at least 500 years back.

Jeffries and Grenville, and similar sources abandoned, it has been the alternative custom to trace the proverb to the doings of the Stannary Courts. From the time that the Devonshire Tinnners’ Parliament was founded, as distinct from that of Cornwall, in the reign of Edward I., down to the last century, Lydford Castle—as already noted—was the prison wherein offenders against the Stannary laws were incarcerated. The tinnners frequently carried things with a very high hand, as we shall hereafter see.

The idea that the practice of the Stannaries gave Lydford its ill repute is of respectable antiquity. There was published in 1684 a book entitled *English Worthies in Church and State*, mainly an abridgement of Fuller, and there we read as one of the Devonshire proverbs:

“First hang and draw, then hear the cause by Lidford Law. There was a Court of Stanneries formerly kept at Lydford which I believe to be traduced by the Proverb.”

It may not be easy to traduce one of the old-fashioned Stannary Courts; but I think that in this case the Stannators may have injustice done them if we assume too hastily that “Lydford Law” recalls their hasty procedure. Before Lydford

* Mr. A. H. A. Hamilton in his *Quarter Sessions*, p. 151, cites a worse case: “Walter Yolland, a faithful soldier of the Commonwealth, was starved to death in the prison at Lydford by the inhumane dealing of the enemy.”

† *Political Poems from Edward III. to Henry VIII.*, Collected by T. Wright, F.S.A., vol. i. p. 399.

Castle was the Stannary prison Lydford was the head of the ancient Royal Forest of Dartmoor. There the Forest Courts were held, and there the Forest Laws, which the old chroniclers with one voice describe as intolerable in their severity, were carried out. How grievously the burden was felt in Devon we know from the fact that the men of Devonshire paid King John five thousand marks as a fine, on condition that the whole of the county should be disforested, the ancient demesnes of Dartmoor and Exmoor excepted.* Over Dartmoor therefore the Royal rights remained intact; for Dartmoor the Forest Laws continued to be administered at Lydford courts; upon Lydford the whole evil repute of their oppressive action must have centred. It was because Dartmoor remained a Royal possession in fact though not in name, after the creation of the Duchy of Cornwall, and because the mines thereon originally formed a part of the regalia of the Crown, that Lydford was subsequently associated with the Stannary Courts. Is it not probable that Lydford Law first became a terror to our forefathers so far back as the days of the Anglo-Norman kings, in connection with the forestal rights which they enforced so pitilessly, and that the action of the Tinnerns' Parliament did no more than keep alive the evil reputation thus gained.† Cornwall had its Stannary Courts and its Stannary prison, nor were the Cornish Stannators one whit more particular than their Devonshire brethren; but we never hear of *Lostwithiel Law*. And even Lydford, as a Stannary prison, once had the mildest of reputations; for in the reign of Edward III. complaint was made by the House of Commons that tinnerns confined there for debt were so well

* *Vide Close Rolls.*

† I am since indebted to Mr. Fabyan Amery for a reference which helps to support this view. Mr. Amery says, "In an article on 'Law of the Forest,' by Charles Sumner Maine (Macmillan, May, 1878), we find, '... The Chief Warden of the Forest seems to have been an executive rather than a judicial officer. Lord Coke states that where a forest is appendant to a castle, as in the case of Windsor, the Constable of the castle is by forest law the Chief Warden of the Forest.' ... Speaking of the Courts the writer says, 'The Court of Swainmote was held three times a year, and all the officers of the forest were bound to attend. The Verderers were the judges, and the freeholders of the forest the jury. This court had jurisdiction over the conduct of the forest officers. The highest court was the Court of Justice Seat, held once in three years by one of the Lords Chief Justices of Forests, and adjudicated on the presentments from the Swainmote Court, which had no power to punish; and it was not until a Court of Justice Seat was held, that a penalty could be imposed for an offence committed perhaps three years before.' It seems therefore possible that the Chief Warden, as the executive officer, might inflict summary punishment on an offender, and the case still be enquired into by Swainmote Court, and adjudicated on within three years by the Court of Justice Seat. Hence the saying of 'Lydford Law.'"

entertained that they never troubled themselves to pay their creditors.*

Those who hold that the action of the Stannators in their courts gave Lydford its evil repute, commonly specify as the typical instance the imprisonment in the castle, in the early part of the sixteenth century, of Richard Strode. All our county historians refer to this, but none at any length; nor do any of our county historians seem to have taken the trouble to inquire into the facts. They simply more or less quote and follow one another. As the only detailed episode in the chronicles of Lydford it is worth a closer investigation.

The case of Richard Strode is duly set forth, from that gentleman's own point of view, in an Act of Parliament passed concerning him and the Stannary Court judgments against him, in the 8th of Henry VIII. Richard Strode, of Newnham, was member of Parliament for Plympton, and also a tinner, which brought him in that capacity fully within the Stannary jurisdiction. As a member of Parliament he, so the preamble of the Act affirms, put forth certain bills in Parliament against certain tanners for the reformation of the damaging, hurting, and destroying divers ports and creeks, and for other purposes. Thereupon John Furse, under-steward of the Stannaries, before whom the Courts were held in the four Stannaries of Ashburton, Chagford, Plympton, and Tavistock, at each of the Courts then holden, on the plea that Strode "would have avoided and utterly destroyed all the liberties, franchises, and privileges concerning the steimerie," had him convicted and fined £40, Strode having no intimation of the proceedings against him, nor opportunity to defend himself, "contrary to all laws, right reason, and good conscience."

Now by the laws of the Stannaries part of the fines levied went to the over-lord; in this case, as there was no Duke of Cornwall, the King; and the next step taken was the procuring by one John Agwilliam from the King of a bill for twenty pounds, out of the fine of £160 so decreed. Thus armed, John Agwilliam and others caused Strode, to be taken and imprisoned "in a dungeon and a deep pit under the ground" in the Castle of Lydford, and there he remained for three weeks and more, until delivered by writ of privilege out of the Exchequer, as being one of the collectors of the Quindecim. The prison is tersely and graphically described "as one of the most hainous, contagious, and detestable places within the realm; so that by reason of the same im-

* 2 Parl. Rolls, 344.

imprisonment he was put in great peril and jeopardy of his life." Nor was this all. Agwilliam "entreated and constantly desired one Philip Furse, then being keeper of the said prison, strictly to keep the said Richard Strode in prison, and to put irons upon him to his more greater pain and jeopardy, and to give him bread and water only," so as to make him pay the £20. For this service Furse was *promised* four marks; but Strode, "for to be eased of his irons and painful imprisonment aforesaid, for the safeguard of his life," was wise enough not only to promise the like amount, but to "give the said keeper in hand thirteen shillings and four pence."

The Warden of the Stannaries at this time was Sir Henry Marnie, Knight, and his deputy one Thomas Dennis. When Strode was released the latter—so says the Act—took a bond of him "to defend and save harmless the said Thomas Dennis," that he had been a true prisoner while he was in Lydford Castle, and that he would do nothing whereby he might in law be deemed out of prison. This bond, as being given under compulsion, Strode regarded of no effect. Parliament, by the Act in which these matters are recorded, annulled his sentence; then proceeding to lay down the principle which thus associates Lydford with one of the chief safeguards of Parliamentary freedom, by declaring that all proceedings against members of Parliament "for any bill, speaking, reasoning, or declaring of any matters" in Parliament should be void and of none effect. In a very real sense, therefore, Lydford is the actuating cause of the chief declaration of Parliamentary free speech.

It will be noted that, however badly Strode was served, he was by no means "hung first and tried after." He was incarcerated by process of law. And there seems to be much doubt whether in his Parliamentary action he had not been influenced by personal motives. I do not find that any legislative steps were taken to restrain the tanners from washing down the refuse from the stream works into the rivers, to the detriment of the creeks and harbours along the coast, which is set forth as the sum and substance of Strode's offence, until 1535, nineteen years after this episode. Had such been the main point in controversy, it is difficult to understand why Parliament should have allowed the Stannary authorities to continue without reform in this particular. Clearly the Legislature was more concerned with the question of privilege than with that of procedure.

Moreover, annexed to the Act there is a schedule setting

forth an act of the Stannary Parliament at Crockern Tor, passed on the 14th of September, 2nd Henry VIII., asserting the ancient chartered rights of the Devon tinnners to dig for tin in any place in the county where tin might be found, and also to take such water as they might want for the works, without being let or troubled of any; and declaring that "if any person or persons, let, trouble, or vex any man to dig tin, or to carry water for the same, contrary to our old custom and usage, and if it be found by the verdict of 12 men at the law day, he that so letteth, vexeth, or troubleth any such person or persons shall fall in the penalty of forty pounds."

Now it was under this act of the Stannary Parliament that Strode was proceeded against, and we learn also that the special charge against him was that of letting, vexing, and troubling William Read, the younger, and Elis Elford, tinnners and others, "for digging of tin on the several soil of the said Richard, and other persons." It is very questionable, therefore, how far Strode is to be regarded as the martyr for the public good, into which he has been converted.

One of the most amusing references to Lydford that I have found is contained in a volume published in 1768, and entitled "*Rural Elegance*." Therein it is said of the waterfall:

"This wonderful fall of water fills the air all around at the bottom with such an atmosphere of aqueous particles, that a person finds himself in a mist, as it were, in his approach; and the air is put into such violent agitations that you can scarcely bear to come, or stand near the place. It is reported, that travellers, who have seen this cataract, have allowed it to equal at least, if not exceed any one they ever met with abroad; and therefore, it is much to be wondered at that so very great a curiosity, and subject of natural history, should have been passed over in silence, in every edition of Cambden, and even in *Magna Britannia* itself."

Surely this is not the least wonderful fact (?) of Lydford's wonderful history.