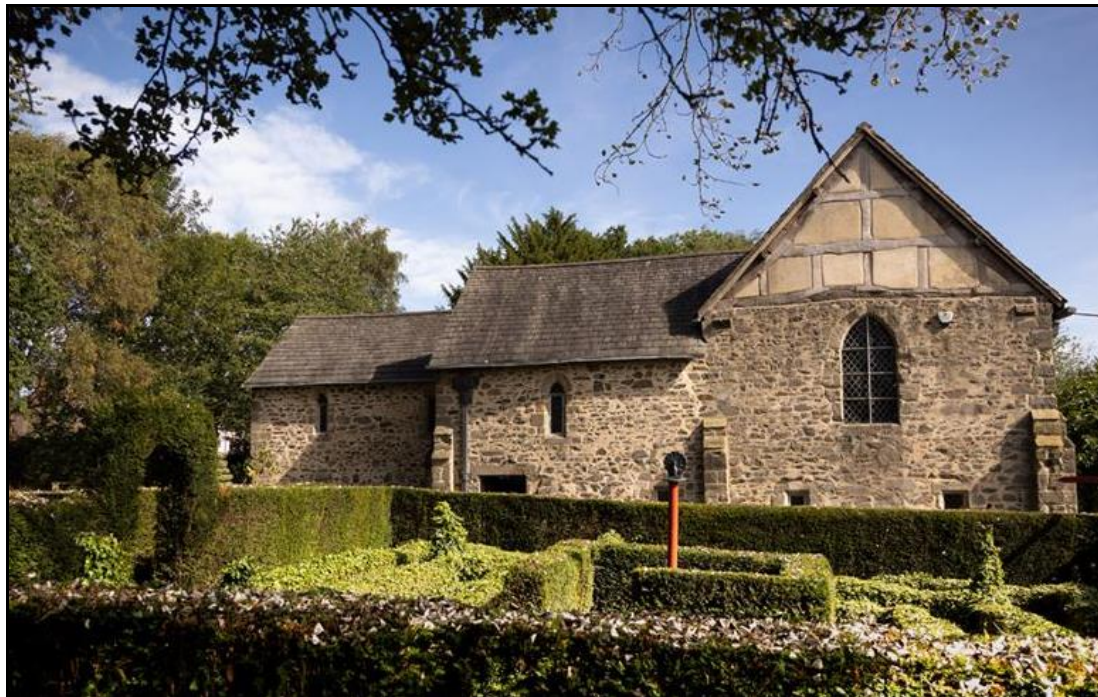


**THE MANOR HOUSE AT DONINGTON LE HEATH -
OWNED FOR OVER 300 YEARS BY THOMAS HARLEY
AND THE THOMAS HARLEY OSGATHORPE CHARITY**



BY SAMUEL T STEWART - OCTOBER 2023

DRAFT - ONGOING PROJECT



Penelope Gresley 1856 drawings of the Manor House.

A further drawing from a different perspective is included later. It is assumed that the brown colourwash on the roofs indicate they were thatched at the time.

This was an engraved lithographic limited production print with original colouring

PREFACE

The main purpose of this publication, is not to repeat, only where necessary for clarity, what has already been written about the ancient history of the village and Manor House, but to provide some previously unrecorded details of the Manor House and the surrounding lands, which was under the ownership of Thomas Harley (b.1614, d. 1670) and the Thomas Harley Osgathorpe Charity for over three hundred years from c.1650 till 1962. This Charity is still in existence today. The charity has been recorded under various names, but for the sake of consistency we will use the title given here.

RECOMMENDED COMPLIMENTARY READING

'Family Connections : Donnington le Heath. by Dr. Vanessa McLoughlin which was included in the 2001 / 2002 'Leicestershire Historian' publications.

'From 'Osgatporp to Osgathorpe' which is included on the author's website samuelstewart.com under Osgathorpe - subsection Miscellaneous

NOTE

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ACKNOWLEDGEMENT

Thanks to the Thomas Harley Charities for providing access to their archives and permitting the use of material from them.

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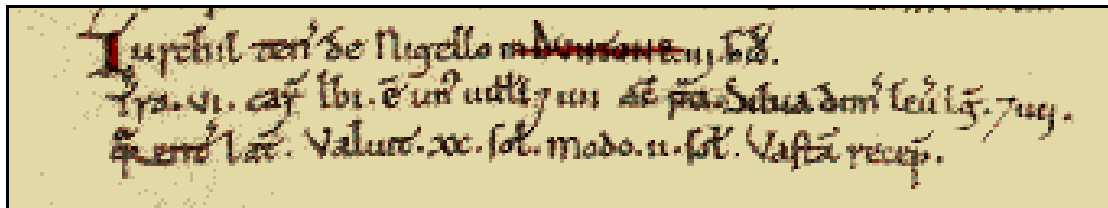
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INTRODUCTION

The ancient village of Donington on the Heath was recorded in the Domesday book of 1086 as Duntone on the Heath.



The following is taken from 'A Topographical History of the County of Leicester' - 1831, by Rev. J. Curtis, who was the headmaster of the free Grammar School, Ashby de la Zouch and the perpetual Curate of Smisby.

...sold it to S. Bracebridge...
Donington-on-the-Heath. Chapelry of Ibstock, contains about 600 acres, and with Hugglescote 683 inhabitants, 127 houses. The soil is light. Osgathorpe Hospital, and Wigston's Hospital, Leicester, are the principal landed proprietors. There are several chalybeate springs here. The Marquis of Hastings is Lord of the manor, and the Earl of Stamford and Warrington has the royalties.
 Donington super Brueram. ...
 At the conquest, Turchil held under Nigel Albini 3 hides, the land was equal to 6 ploughs; there was 1 villan, 4 acres of meadow, and a wood $\frac{1}{2}$ a mile long and 160 perches broad.²² Nigel gave lands here to Bee Abbey, and William de Sees gave 6 virgates to Charley Priory.²³ In 1347 William Herle held lands.²⁴ In 1378 Simon Pakeman and Agnes, his wife, held lands, and in 1391 8 mess. 1 toft and 8 virgates.²⁵ In 1461 Everard Digby held 3 mess. 3 crofts, and $6\frac{1}{2}$ virgates, which were granted in 1462 to Alice Russel, and in 1464 to Peter Curteys. In 1463 William, Viscount Beaumont, Lord Bardolf (attainted) held the manor.²⁶ In 1469 Edward IV. gave the manor to William Hastings, Lord Hastings, and in 1483 he held it and the demesne.²⁷

1 Domesday, Vol. I. 230.	10 Inq. post mort. Vol. III. 166.	19 Inq. post mort. Vol. III. 73.
2 237.	11 174.	20 Vol. IV. 223.
3 Inq. post mort. Vol. I. 37.	12 Calend. Rot. Char. 201.	21 Nichols's Leic. Vol. IV. 592.
4 174.	13 Domesday, Vol. I. 231.	22 Domesday, Vol. I. 236.
5 Ab. Rot. Orig. Vol. I. 123.	14 Inq. post mort. Vol. I. 37.	23 Nichols's Leic. Vol. IV. 756.
6 Inq. ad quod dam. 265.	15 60.	24 Inq. post mort. Vol. II. 135.
7 Inq. post mort. Vol. II. 341.	16 Vol. II. 41.	25 Vol. III. 13, 138.
8 Vol. III. 59.	17 116.	26 Vol. IV. 322.
9 166.	18 309.	27 415.

NOTES

- Nigel d'Aubigny, aka Neel d' Aubigny Albini, or Nigel d'Albini died 1129. He was the younger son of a Norman aristocrat and a supporter of Henry I of England. He was the tenant in chief. The Villan would have been an un free peasant tied to the master but also able to work his own land.
- Osgathorpe Hospital was one of the earlier names given to 'The Thomas Harley Osgathorpe Charity'.
- In 1086, the value of the land to the Lord was 2 shillings and £1 in 1066.
- The Turchil surname is apparently *derived from an Old Norse personal name*, which was in common use throughout England following 1066.
- Note the variance of names Curtis gives to Donington le Heath - In the reference to Donington Super Brueram, brueram is an old word for heath.

John Nichols, the Leicestershire Antiquarian recorded in his History of Leicestershire, the following information :-

In 1630, the freeholders resident in at Donington super Heath were, Thomas Dilke, gent and Thomas Farmer.

In 1673, the fee-farm (rent) was paid by:-

	£.	s.	d.
John Bate	0	4	4
John Barnes	0	18	0
John Holmes	0	14	0
Thomas Varney	0	15	0
Robert Wright	0	12	10

	3	4	2

In 1719, nine freeholders polled from Donington le Heath and 11 in 1775 had 11 freeholders. In 1794 the village contained 20 houses with 99 inhabitants, and there were 4 freeholders and 6 farmers. By the return made to Parliament in 1801, it appeared that Donington and 'Huclescote' contained 57 inhabited houses, in which were 135 males, 115 females, of whom 34 were employed in agriculture, 37 in trade / manufacture etc., and 179 in neither of these classes.

The Earl of Moira is Lord of the Manor ; and the Earl of Stamford possesses the royalty.

The land is good ; and feeds great quantity of sheep. The farmers have also large daires ; which are remarkable for producing cheese. In plentiful years of grass, several of the farmers (Mr John Dean and Mr. Thomas Cheattle) have frequently made 5 cwt. of cheese in a year by each cow.

The springs in and about this place are very numerous, and from their appearance are chalybeate.

There remains an old building of stone, now used as a farm house. It stands in a field ; which field and two others, are called 'The Parks' :the quantity of land between 20 and 30 acres, before it was divided into three fields. The house and the farm belong to the Hospital at Osgathorpe (the Thomas Harley Osgathorpe Trust) ; and the Burgess family have been so long tenants, that nobody knows the house by any other name than that of 'Burgess's Old House'.

Continued over page

This extract from the 1838 tithe map below gives a good indication of the properties and layout of the village at that time. The Manor House and appurtenances are coloured red.



The 'Manor House / Capital Messuage / Farm House at Donington le Heath', its appurtenances, and a considerable amount of land and property in the village and the adjoining areas of Hugglescote and Snibston was purchased or inherited by Thomas Harley prior to his death in 1670. At his death, Thomas Harley also owned Rolleston Manor and all the messuages, closes, lands, tenaments, hereditaments, and premises whatsoever in Rolleston that were mortgaged or assigned to him by William Sharpe. Following his death, and in accordance with instructions left in his will, John Smith, a Yeoman, along with Francis Harley were appointed as principle executors to carry out the instructions in his will, and what later became the 'Thomas Harley Osgathorpe Charity' was born. However, this was not without its problems in the early years.

From Thomas Harley's death in 1670 the 'Thomas Harley Osgathorpe Charity' continued to own and manage through its trustees, the Donington le Heath manor house and c.200 acres of surrounding lands in Donington le Heath, Hugglescote and Snibston.

A detailed account of the Charity is featured later. Several local industrial, educational and social opportunities have arisen over the years through the sale of land by the charity and also permission to mine coal under certain of the lands assisted in the growth of local coal mines, which at the same time contributed to the funds of the charity. For example, in 1838, 4 separate lots of seams of coal under

Snibston, Donington le Heath, and Hugglescote went up for auction at the Royal hotel, Ashby amounting to almost 200 acres. A further 26 acres or so, of lower and main seam coal was sold to 'Ibstock Collieries Ltd' in 1923. See supplementary information on pages 22 to 24.

The charities ownership came to an end in 1962 when the trustees sold the Manor House / Farm to a local farming family, the Elliots who used it for a period as a pig breeding unit, prior to it being sold to Leicestershire County Council in a parlous condition c.1965 who carried out an extensive renovation programme, which resulted in the remarkable museum we can all enjoy today.

PEDIGREE OF THE HARLEY'S OF OSGATHORPE, ODDESTON, AND LOUGHBOROUGH

WEST GOSCOTE.]

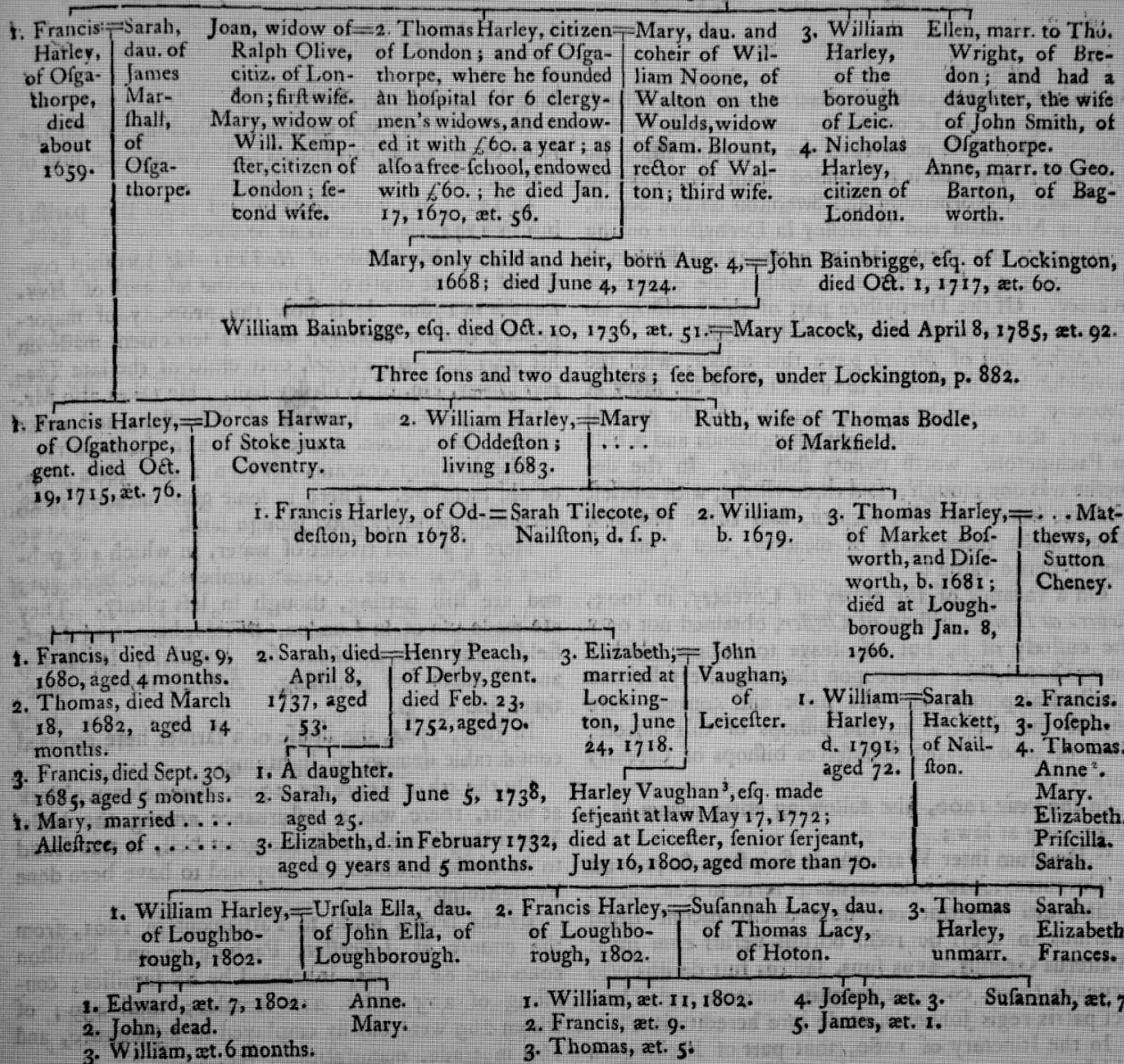
O S G A T H O R P E.

923

Pedigree of HARLEY, of OSGATHORPE¹, ODDESTON, and LOUGHBOROUGH;
continued from the Visitation of 1683.

Arms: Or, a bend cottized, Sable. Crest, a lion's head; Plate CXXIV. fig. A.

Francis Harley, of Osgathorpe, died about 1658. — Ruth Spence.



¹ This account was exhibited by Mr. John Smith, of Osgathorpe; whose wife is daughter of Thomas Wright by Ellen Harley before-mentioned; which John Smith is one of the guardians to Mary, daughter and heir of Thomas Harley above-mentioned.

JOHN SMITH, Aug. 3, 1683.

² Anne, daughter of Thomas Harley of Dife-worth, baptized at Lockington May 30, 1726. Parish Register.

³ Originally clerk to an attorney at Leicester, where he practised a little while; then was called to the bar, practised as a barrister some time; then became a hosier; afterwards resumed the law; was called to the degree of a serjeant in 1772; and lived to be the senior serjeant. He was of strict integrity, had professional knowledge, some learning, and little practice.

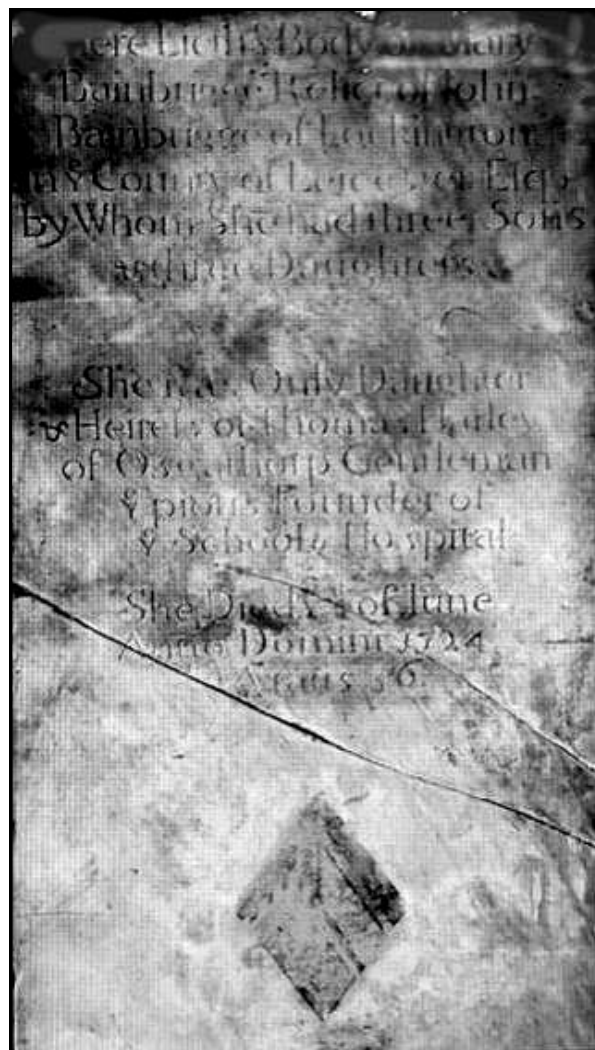
From John Nichol's History of Leicestershire

THOMAS HARLEY, GENT

Thomas Harley was born in 1613. That was the year in which London's Globe Theatre burned to the ground during a performance of Shakespeare's Henry VIII; mathematician John Napier finished twenty-five years of research perfecting Logarithms; Puritan concern was increasing over the growth of 'alehouses' as social centres, with dancing, 'mummers' (an actor in a traditional masked mime or a mummers' play) and sundry celebrations; and people shuddered at the recent revelations about the evil activities of the 'Witches of Pendle' - and at all witchcraft tales.

Thomas was born to Francis and Ruth Harley (nee., Spence) of Osgathorpe, Leicestershire, the second child in a family of four boys and two girls. It seems likely that the Harley's were the typical small landowning family that was the backbone of rural life, the local worthies who organised the village community, dispensed poor relief, set a good example, and might aspire to becoming Lord of the Manor one day. Francis, the eldest son who would inherit the majority share of any estate, stayed at home. The others needed to seek their fortunes elsewhere - Thomas went to London, as did youngest son Nicholas, but William only went as far as Leicester. Ellen married Thomas Wright of Breedon at Breedon-On-The-Hill, they had a daughter who married John Smith of Osgathorpe who became an executor in Thomas Harley's will. Anne married George Barton of Bagworth at Bagworth. Camden's Britannia described Thomas simply as: "Thomas Harley, citizen of London". Whether he was in business and if so what type is unknown, but he did marry and survive two wives, Joan Olive and Mary Kempster (married names). Both had been widows of 'citizens of London', married to Ralph Olive and Will Kempster. Widows were subject to being recycled, due to the average low male age at death, and their acquired property often made them a more attractive proposition than a single young woman with a dowry. One can only speculate how much of a London gentleman's wealth came from shrewd marriages. Whatever Thomas Harley's affairs were, they were carried on during a very turbulent and dangerous period in English history - the Civil Wars between Parliamentary and Royalist forces and their ideals - now over simplified to 'Roundheads versus Cavaliers'. He may even have seen King Charles I on trial and later beheaded at Whitehall. Then followed the disturbances of the Commonwealth period, then repression under the Lord Protector, Oliver Cromwell. London was a Parliamentary stronghold and virtually under martial law, of course, and so was Leicester, but Ashby, just five miles from Osgathorpe, was in a pocket that was staunchly Royalist - and paid the price for that. It must have created difficulties in communication and travel, but Thomas Harley undoubtedly kept close ties with his parents, elder brother Francis and family in Osgathorpe. This may be inferred by much of his accrued holdings in land and property being in and around the area Snibston, Hugglescote, Donington le Heath, Walton, Belton, Whitwick, etc. It should also be noted that he also owned Rolleston Manor and all the messuages, closes, lands, tenements, Hereditaments, and premises whatsoever in Rolleston that were mortgaged or assigned to him by William Sharpe. Francis Harley Senior died about 1658, followed by Francis Harley Junior about a year later, leaving widow Sarah and children Francis, William and Ruth. Thomas Harley was now the senior member of the family and approaching fifty years of age. Good reasons, perhaps, that by the early 1660's he was resident in Osgathorpe, possibly at Osgathorpe Hall (Farm). The timing was fortuitous; London became very unhealthy in 1665, and very warm in 1666, due to the great fire. Charles II had also returned to his childhood roots with the restoration of the Monarchy. Thomas Harley married for the third time, to yet another Mary, and yet another widow, of Samuel Blount, Rector of Walton. Mary was the coheir of William Noone of Walton-on-the-Wolds. Perhaps because he had no children of his own, Thomas Harley assigned some of his holdings to a fund in order to eventually found a free school in the village of Osgathorpe for local

children. The intention was ultimately to send Divinity students to Cambridge. Unexpectedly, it was said, early in 1668 that Mary found that she was pregnant, and understandably Thomas wanted to drop the school plans to make provision for his new heir. Mary not only persuaded him to continue with the project, but, as she had been the widow of a Rector, must have been instrumental in adding a home for 'clergymen's widows' to the scheme, greatly increasing the expense. Mary must have counted herself fortunate in her remarriage, most clergymen's widows immediately lost the family home, which went to the new cleric, of course, and could find themselves in dire straits, especially when left with young children. Daughter Mary was born in August 1668 and survived. She proved to be Thomas Harley's only heir as he died in January 1670, at the advanced age of fifty six years. Mary was widowed for a second time, which was not unusual in those days, and with a sixteen month old child that would never know her father, but would live to the same age. Recent work in May 2017 replacing the wooden flooring on the north side of St. Mary's Church, Osgathorpe aisle has revealed the memorial stone to Mary recording her death on 24th June 1724. The stone is in too poor a condition to contemplate removal but its position under the rear most pew is recognised by a brass plaque.



"Here lieth the body of Mary Bainbrige, relict of John Bainbrige, of Lockington, in the county of Leice., esq., by whom she had three daughters . She was the only daughter and heiress of Thomas Harley, of Osgathorpe, gentleman, the pious founder of the school and hospital. She died the 4th June, A.D. 1724 aged 56."

Thomas Harley was buried at St. Mary's and later a plaque incorporating his Arms and a fulsome testament to his life and generosity was erected on the South chancel wall by his trustees. This has now been relocated onto the North wall.

Near to this place lieth the body of THOMAS HARLEY, of Osgathorpe, gentleman, a just, charitable and good man, a loyal subject, and a sound Christian, according to the profession of the Church of England; to the doctrine and discipline whereof he was always religiously conformable. The said Thomas Harley empowered Francis Harley and John Smith, both of Osgathorpe, as trustees to that purpose, to found and erect a free-school and almshouses in Osgathorpe aforesaid, at the charge of the said Thomas Harley. To which foundation the said Thomas Harley gave these endowments following; viz £40. per annum for ever to the free school, and £60. per annum for ever to the said almshouses for the maintenance of six ministers widows therein. He departed this life most piously 17th January, 1670. To the memory of the aforesaid Mr. Thomas Harley, his said trustees erected this monument, that posterity may have the benefit of his good example”.

THE LAND OWNED BY 'THOMAS HARLEY' AND SUBSEQUENTLY THE 'THOMAS HARLEY OSGATHORPE CHARITY' INCLUDING INFORMATION ON THE POTENTIAL OCCUPIERS OF THE MANOR HOUSE

The following table taken from the 1837 Charity Commissioners report provides details of the land owned by the Charity and occupied by tenant farmers at the time, together with the rents paid. This includes the Manor House and the other Messuages and appurtenances thereon. The Manor House was often referred to as a 'Capital Messuage with appurtenances'. The complete report features later. It should be remembered of course that Various 'Acts of Enclosure' changed the face and the life of the countryside by ending inefficient 'strip farming', and enclosing waste, common and forest land. Harley's Charity gained by being awarded several acres, including four acres of Charnwood Forest. The poorest country people lost out the most - deprived of their subsistence, they drifted to the towns. Land values rose rapidly, and land owners got richer. John Nichols tells us that the land of the village was enclosed in Queen Elizabeth's Reign. The Parliamentary enclosure act for the parish of Hugglescote was passed in 1774, and presumably Donington le Heath was included. The area of the enclosure award in 1775 was 538 acres. The number of land owners based on tax returns were - 1778 (47), 1802 (56), 1832 (64)

Situation.	Quantity of the Land.			Tenants.	Rent.		
	A.	R.	P.		£.	s.	d.
Donington	96	3	6	Henry Stone	143	7	8
"	44	2	1	J. Newberry	120	18	4
Hugglescote	32	1	22	"			
Whitwick	23	0	22	"	18	15	4
Snibston	10	2	36	J. D. Roby			
"	18	0	10	W. Wood	21	13	6
Osgathorpe	0	0	33	The Master	6	6	0
Forest land	4	0	0	J. Chester			
There is also belonging to this charity a sum of 2,274l. 1s. 4d. Three per Cent. Consolidated Bank Annuities, standing in the names of four of the trustees, the annual dividends of which are					68	6	0
					379	6	10

The Charity Commissioners Report of 1837 recorded that the Charity owned some 230 acres of land, with a rental income of £280 per annum. Part of the money invested in the upkeep of the land and the properties thereon had come from a windfall - literally, timber felled by a storm in 1805, which was sold for £984, twelve shillings, leaving about £200 worth of timber remaining. It seems that very little was changed in the manor house during the ownership of the charity which meant that many valuable features from the 13th and 17th centuries were preserved.

The author has had numerous old indentures made available to him from 1720 which record the Capital Messuage / Manor House and the lands owned by the charity at the time in Donington le Heath. The following is an example. Unfortunately no maps were available at the time of writing which relate to these actual pieces of land :-

.....Several messuages and hereditaments in Donington-upon-the-Heath (that is to say) a Capital Messuage or Manor House ; the Park Close, containing 10 Acres ; Bassett's Yard Close containing 1 Acre ; Tweene Town's Close containing 8 acres ; a little close containing 2 roods ; another close also called Bassett's Yard Close containing 20 Acres 2 Roods ; Kellum Bridge Close, containing 23 Acres ; Broadgore's Close containing 15 Acres ; The common of pasture in Donington Cow Pasture ; Another messuage and a croft adjoining ; 4 other closes, containing 30 Acres, which upon the inclosure of the common fields of Donington, lay together in one plot, called Brooke Meadow Close ; A common of pasture for six beasts, in the

Cow Pasture and several Gorse Leyes, to the last mentioned messuage belonging, in the Town Pasture..... **Gorse Leyes possibly refers to clearings in the woods.**

The Manor House and lands were rented to local farmers over the years, and both the 1883 and 1930 O/S maps refer to the Manor House and its appurtenances as Manor House Farm. Early indentures provide evidence that John Smith (executor to Thomas Harley's will) and described as a Yeoman, occupied the Manor House pre 1720 and it is thought remained there till his death, the date of which has not been found. There is reason to believe that the Burgess family then rented the Manor House for a significant period. John Nichol's records that in 1811 'the Burgess family had been so long tenants that nobody knows the house by any other name than 'Burgess's Old House'. Nic Hill and Peter Liddle in their 'Donington le Heath Manor House revisited' record that an inventory of goods taken on the death of Robert Burgess in 1729 possibly relate to the Manor House as the description of the rooms related quite well to those alterations created c.1618.

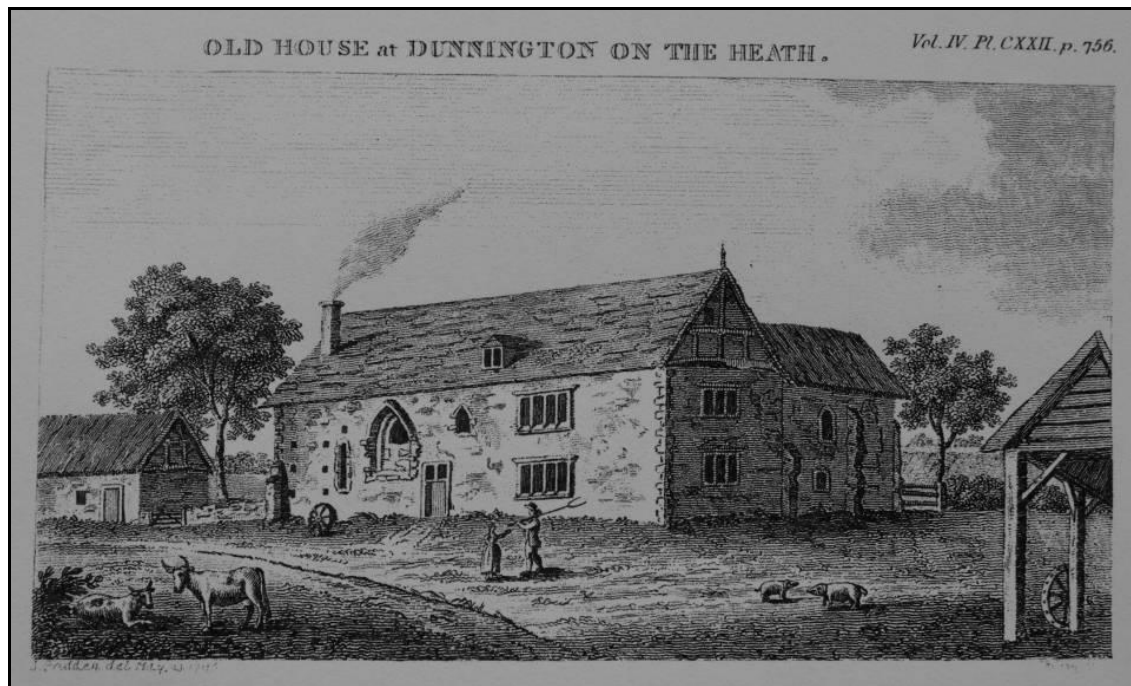
Unfortunately, none of the indentures from 1720 to 1832 to appoint new trustees to the charity give any indication of the tenants / occupiers names of the Manor House at the time. Strangely, each Indenture repeats exactly the same following statement which must have been a legal requirement :-

*.....And all that Capital messuage or Manor House with the Appurtenances situate standing and being in Donington upon the Heath in the said County of Leicester **and formerly in the tenure or occupation of John Smith of Donington Upon the Heath aforesaid Yeoman.....***

Following the Burgess families occupation of the Manor House and farm, the censuses confirm that the Stones family (Henry Stone) took on the tenancy of the house and farm from the Charity, which was described as the 'House near the Ashby to Leicester Turnpike'. The preceding table confirms Henry Stone at the Manor House with 96 acres of land, and J. Newbury with 44 acres Apparently. Thomas Bishop occupied the Manor house briefly at the end of the 19th century , and the Hill family also farmed there in the 20th century. The Griffin family were there around the time of WW.1. apparently.

The Thomas Harley Osgathorpe Charity trustees sold the house to a local family the Elliots in 1962 who used it to breed pigs in. A rather ignominious end to an historic property.

THE MANOR HOUSE



John Pridden's drawing of the Manor House from the south-east, dated 1795

The above engraving is taken from the Leicestershire Antiquarian John Nichol's History of Leicestershire. Note that the title refers to 'Old House at Dunnington on the Heath', presumably a later derivative of the earlier name Duntone on the Heath as recorded in the 1086 Domesday Book. A feature written in the July 1818 issue of 'The Gentleman' by Mr. Urban which included the above engraving also refers to Dunnington on the Heath. **Interestingly, 'Thomas Harley's Osgathorpe Charity' indentures back from 1832 to 1720, all refer to that Capital Message or Manor House with appurtenances situate standing and being in Donington upon the Heath :-**

Mr. URBAN, July 2.
WITH this you will receive a sketch of an old building at Dunnington on the Heath, in the parish of Ibstock, and County of Leicester, (See Plate II.) The building is of stone, and is now used as a farm-house. It stands in a field; which field, with two others, are called "The Parks:" the quantity of land in the three fields, is between 20 and 30 acres. The house and the farm belong to the Hospital at Osgathorpe, in the same county; and the family of Burgess have been so long tenants, that it is generally known by the name of "Burgess's Old House." VISOR LEO.

John Pridden's preceding engraving of the Manor House from Nichols History of Leicestershire can be readily compared with the present day front cover photographs and others included in the publication. It is the earliest known external drawing of the Capital Messuage or Manor House and at this time it was owned by the 'Thomas Harley Osgathorpe Charity', and was thought to be in the tenure / occupation of the Burgess family.

Nichols gives some idea of the size of Donington le Heath in the 18th century. He records nine freeholders in 1719 and eleven in 1775. In 1794 when the above engraving was made, he records that Donington contained 20 houses and had 99 inhabitants. This demonstrates an increase of 88 inhabitants over a period of 19 years reflecting presumably the increase in industrial activity in the area.

Prior to the Burgess family becoming tenants John Smith (yeoman) of Osgathorpe, one of the original executors to Thomas Harley's will (spelt Smyth in his will) is thought to have occupied the Manor House after Thomas Harley purchased it and continued to occupy it till his death.

The Manor House / farm and surrounding lands were rented out to local farmers whilst under the ownership of the Charity, but unfortunately, except for what appeared to be the first occupier or tenant, John Smith, none of the indentures studied from 1683 to 1815 to appoint new trustees to the charity give any indication of the tenants / occupiers at the time. Strangely, each Indenture gives the following statement which must have been a legal requirement :-

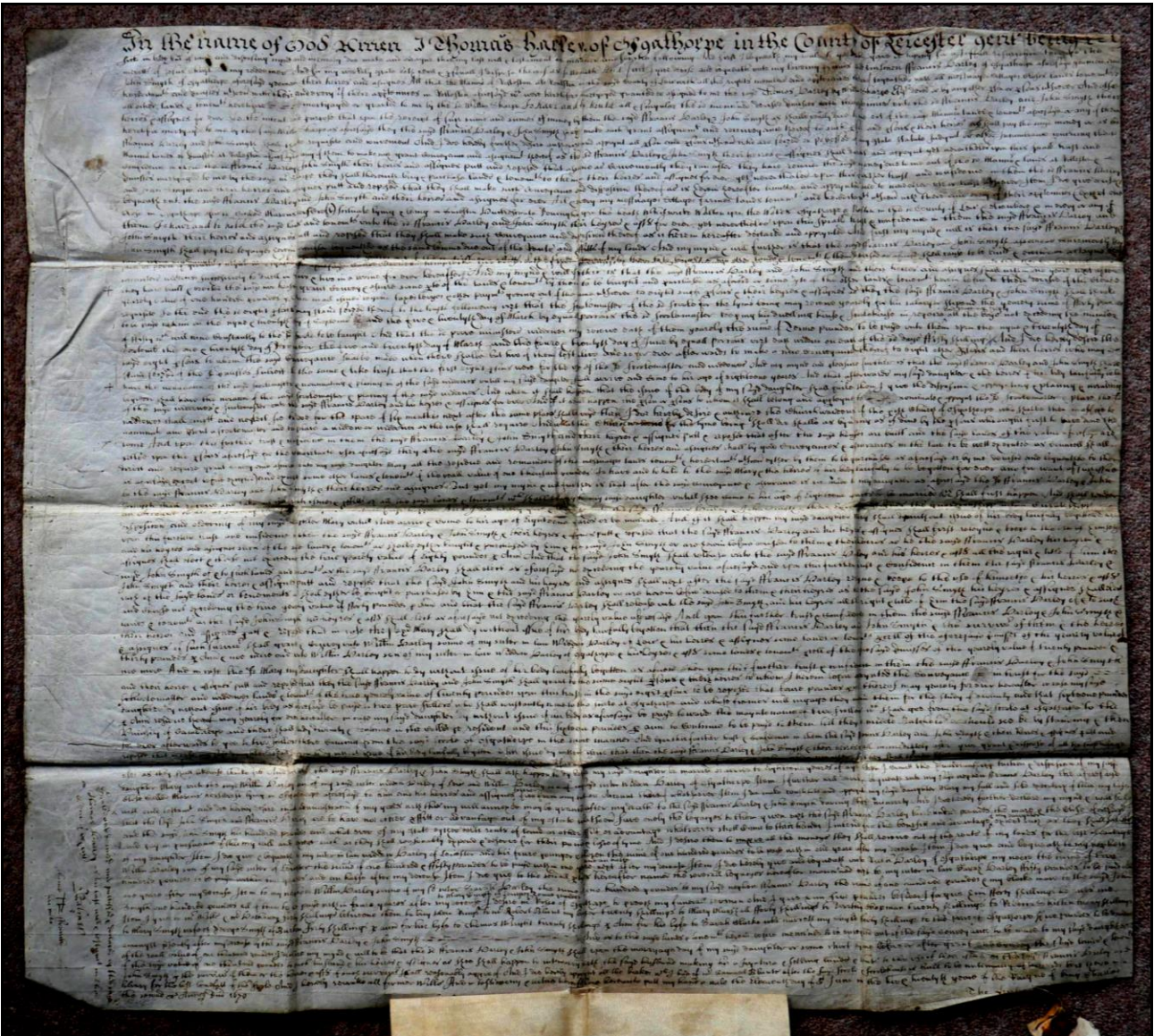
*.....And all that Capital messuage or Manor House with the Appurtenances situate standing and being in Donington upon the Heath in the said County of Leicester **and formerly in the tenure or occupation of John Smith of Donington Upon the Heath aforesaid Yeoman.....***

PENELOPE'S GRESLEY'S DRAWINGS OF THE MANOR HOUSE IN 1856

The roofs coloured brown presumably indicate they were thatched.
It is thought that Henry Stone and his family lived there at that time.



AN OVERVIEW OF THE OSGATHORPE THOMAS HARLEY CHARITY



Sealed and delivered and published & declared by the said
Thomas Harley as his last will & testament in the
presence of us
3 Witnesses
Thomas H. Harley
his mark.

A probate copy of the will of Thomas Harley (note that Thomas Harley surprisingly had to make his mark TF). He describes himself as 'Gent' in the heading of the will

Thomas Harley's will appointed Francis Harley, his nephew (aged thirty), and John Smith (spelt Smyth in the will), nephew-in-law, as principal executors to carry out his instructions. To them, and their heirs, was conveyed most of his properties upon trust. He directed them to use the rents and profits to build two houses of three bays each, one for a school room and schoolmaster's house, the other as a dwelling for six poor minister's widows. These to be constructed on the strip of land opposite St. Mary's church with the curious name of 'Brewetts Hempleck'. Upon completion, eight persons would manage the investments to create an annual income of £100 - £40 for the Schoolmaster's salary and £10 per widow. Francis Harley and John Smith would nominate schoolmasters and widows until Mary Harley reached the age of eighteen, when she and her legal heirs would assume that responsibility. If she died, or her legally born heirs died, the function would pass to Francis Harley and his heirs. The Churchwardens would intervene if the responsible person lapsed in duty. For the £40 salary the schoolmaster was required to teach basic education, reading, writing, and arithmetic, to a maximum of fifty pupils, also the classics and mathematics if required and keep the school room and house in good repair. Thirteen years later, in 1683, an 'Indenture of Lease and Release' was made between Francis Harley and John Smith and six other persons. It stated that they had, in pursuance of the Will, built the six bays of buildings, plus outbuildings, on 'Brewett's Hempleck', made as a school room and schoolmaster's house and the other for six poor minister's widows. It went onto detail the transfer of holdings to the trustees, with a long list of the properties, many named, such as: 'Tweene Town's Close', or 'Hornebuckles Orlesbreach' and 'Donington Cow Pasture'. The list ended with a small piece called 'North Orchard', purchased to enlarge the rear of the schoolmaster's house.

THE START

This 'Indenture' document states categorically that the buildings existed and were finished in October 1683. They may have been functioning earlier, of course, but this appears to be the earliest provable date at which the Harley Charity proper commenced operations. Did it really take thirteen years to raise the cost of construction and get the annual income to £100? There was a sequel: in that same year, inspired perhaps by seeing the buildings finally finished, the Will of the Reverend John Allsopp bequeathed £160 to the Harley Charity to house one widow. It took sixteen years, and a law suit, to finally build a cottage "on the hospital grounds."

THE WIDOWS

The Charity ran into 'widow' problems right from the start, due to the living arrangements being devised by a man. A report by the Charity Commissioners, quoting old documents, spelled it out: "The building used as the Almshouses consists of three distinct tenements containing three rooms, one on the ground floor, and another above, with an attic. It was originally intended, as directed by the Founder, that each tenement should be inhabited by two women, living together, and occupying the same apartments; but in consequence of the disagreements that took place under this arrangement, it was found necessary to allot to each woman a separate room." Given Thomas Harley's extensive experience with widows he should have known better! The report continued: "There is a small garden attached to each room in consequence, however, of the limited accommodation in the Hospital, the Charity is not much sought after, and the Trustees have frequently had considerable difficulty in filling up vacancies." That was to be the story for the entire life of the almshouses, compounded by the small annuity offered, and finally led to the building being physically divided into just two dwellings. Allsopp's Gift cottage suffered the same problems, often being uninhabited for long periods. This cottage was built to

the east of the original almshouses and can be seen on the 1885 issued 6 inch O/S map

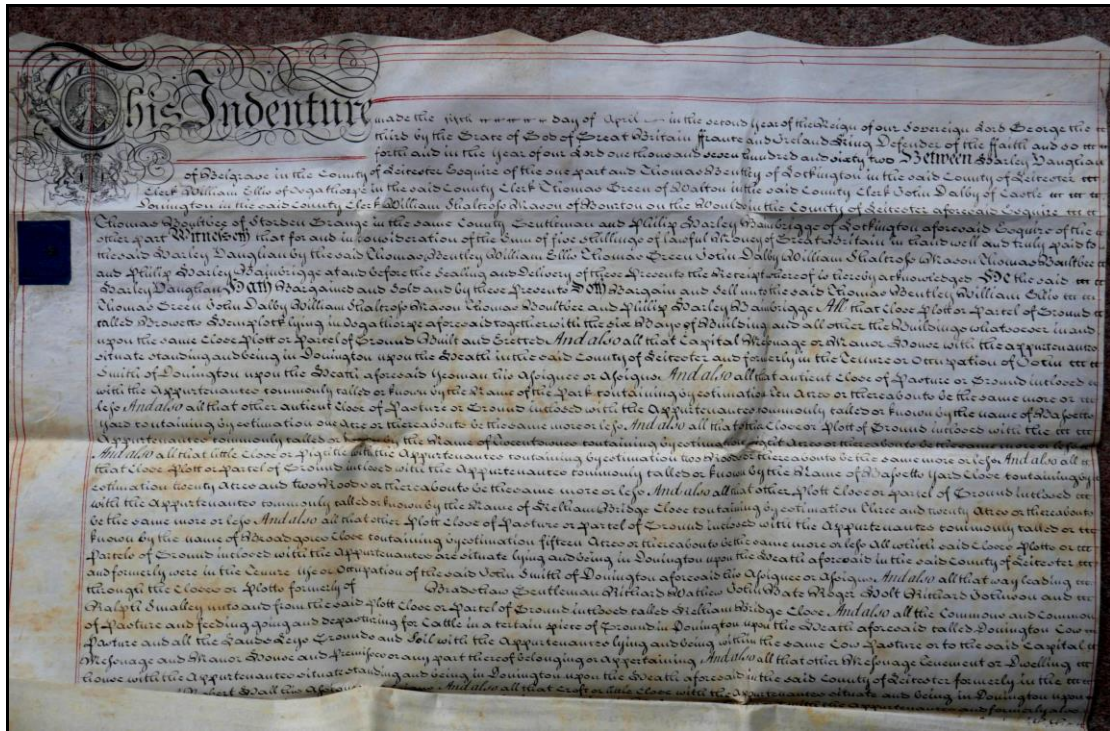


The above section from Emmanuel Bowen's county map of 1756, showing at "Osgathorp" in the top LH corner a Hospital for 6 clergy men's Widows.

THE CHANGES

The Will had not stipulated the usage of surplus monies above the specified income of £100 per annum. Seventy years after commencement one person was very unhappy with what was happening and took action. The Master of the Rolls, in a suit brought against Philip Harley Bainbrigg and Harley Vaughan by John Huskisson in the Chancery, decreed that new trustees would be appointed by the court; he also proposed a scheme for the future application of surplus income. An Order of July 1761 decreed that all profits, after building repairs, etc., should be divided into eight equal parts - one part to each widow, and the remaining two parts to the schoolmaster. Accordingly, 'Indentures of Lease and Release' documents transferred all the Charity properties to eight new trustees in April 1762.

Continued over page



The above is a digitized copy of an Indenture made on the 6th April 1762 which gives the names of the new trustees appointed by the instruction of 'The Master of the Rolls' for the 'Osgathorpe Thomas Harley Charity'. A further Indenture dated the 14th April 1762 confirmed the trustees names which are as follows :-

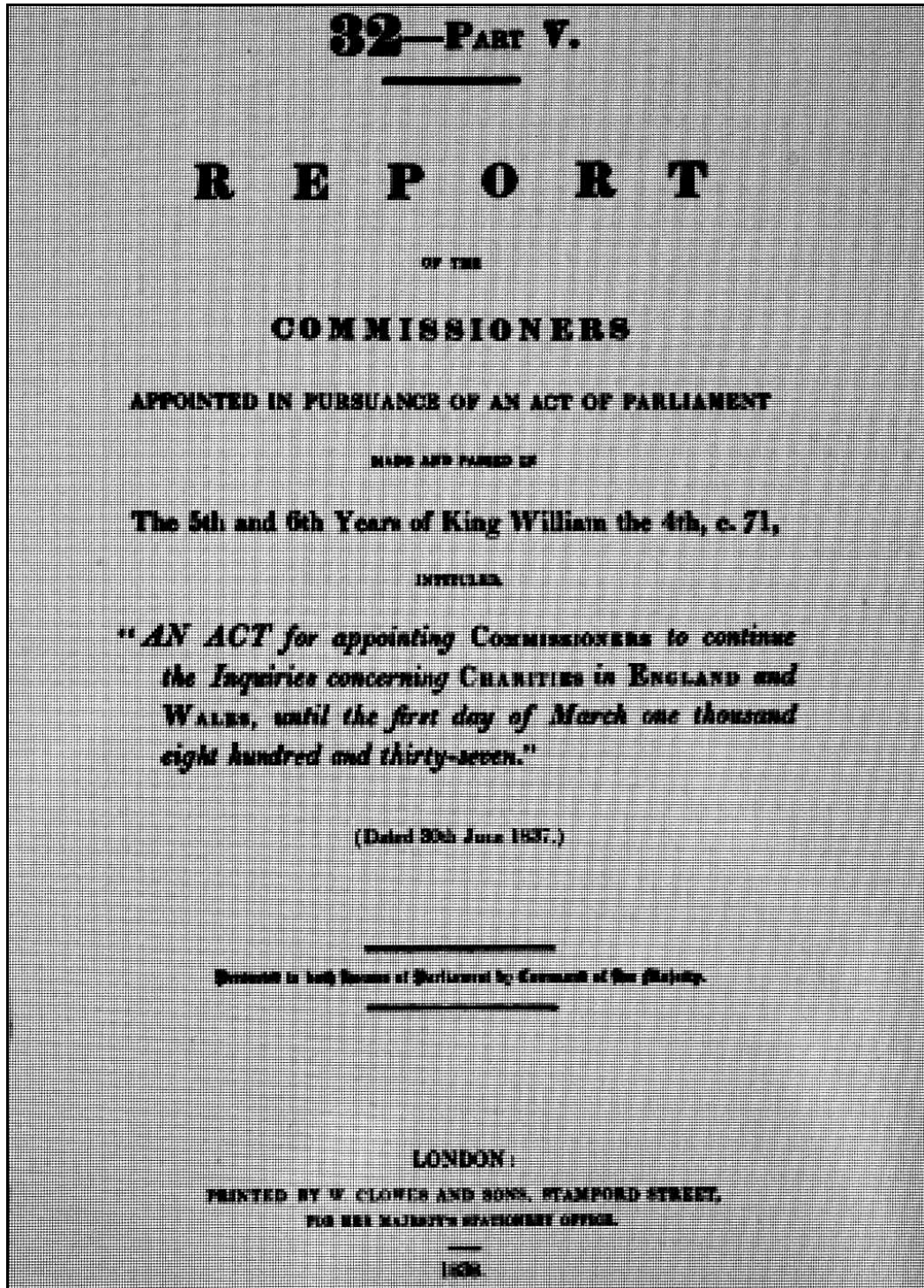
Thomas Bentley of Lockington, Clerk ; William Ellis of Osgathorpe, Clerk ; Thomas Green of Walton, Clerk ; John Dalby of Castle Donnington, Clerk ; William mason of Burton on the Wolds, Esquire ; Thomas Boulbree of Stordon Grange ; Philip Harley Bainbridge of Lockington ; Harley Vaughan of Belgrave, Leicester. These were approved by the master of the Court of Chancery

The true descent of the Charity's officers from either Mary or Francis intended by Thomas Harley was broken by the dismissal of his grandson, Philip Harley Bainbridge, and his nephew's grandson, Harley Vaughan.

The Charity Commissioners Report of 1837 recorded that the Charity owned some 230 acres of land, rented at £280 per annum. Part of the money invested in the upkeep of the properties had come from a windfall - literally, timber felled by a storm in 1805 was sold for £984, twelve shillings. About £200 worth of timber remained.

A REPORT BY THE CHARITY COMMISSIONERS - 1837

The author has taken the view that as the 1837 Charity Commissioners report on the Osgathorpe Thomas Harley Charity (sometimes referred to as the Hospital charity) provides a DETAILED record of the history of events relating to both Thomas Harley and the forming of the charity, then there would be little point in repeating this.



Thomas Harley, by Will, dated the 11th day of June 1670, after directing that Francis Harley and John Smith should lay out a certain sum of money then invested on mortgage security, when the same should be received, on the purchase of lands and tenements, to be conveyed as thereafter appointed, devised to the said Francis Harley and John Smith, their heirs and assigns, all his messuages, lands, and hereditaments (except one close in Osgathorpe, called Mason's Horse Croft) in Snibston, Hucklescoat, Donington-upon-the-Heath, Whitwick, Walton-upon-the-Wolds, Osgathorpe, and Belton, in the county of Leicester, and elsewhere, upon trust, to make such conveyance thereof as was thereafter appointed; and he directed his said trustees, out of the rents and profits of the said premises, to cause to be built on a piece of ground in Osgathorpe, called Brewett's Hempleck, two houses, each of them to consist of three bays of buildings, one for a school-house, and house for a schoolmaster to dwell in, and the other for six poor ministers' widows to dwell in, two and two in a room; and within one year after they had built the said two houses, to convey some part of the lands and tenements by them to be bought as aforesaid, or some part of the other lands and tenements thereinbefore to them devised, of the clear yearly value of 100*l.*, to such eight persons, and their heirs and assigns, as they should think fit, upon trust that the schoolmaster might receive yearly the sum of 40*l.* on the 29th September and the 25th of March, by equal portions, he keeping his dwelling-house and school-house in repair, and teaching freely all the boys, not exceeding the number of 50, which should come constantly to the said school to be taught; and that the poor ministers' widows might receive each of them, yearly, the sum of 10*l.*, upon the 29th of September, the 21st of December, the 25th of March, and the 24th of June, by equal portions; and the testator desired that when there should be but two of the said eight persons left alive, such two, and the two surviving trustees, for ever afterwards, should make a conveyance of the premises to eight persons, and their heirs, upon the trusts aforesaid; and he declared that the said Francis Harley and John Smith should have the nomination of the schoolmaster and widows, until his daughter Mary should arrive at her age of 18 years, and that afterwards his daughter, and the heirs of her body lawfully begotten, should have such nomination; and in case the issue of the body of his said daughter should fail, he gave such nomination unto the said Francis Harley, and his heirs; and he further declared, that if the person to whom it should belong should omit to nominate the schoolmaster, and place the widows for the space of six months after the same places should be void, the churchwardens of Osgathorpe should nominate a schoolmaster, and place a widow or widows, as the case should require; and he directed that the said Francis Harley and John Smith, and their heirs, should convey all the residue of the lands and hereditaments which they were so directed to purchase, or which were devised to them as aforesaid, except certain lands and tenements of the value of 1,000*l.*, to his said daughter, and the heirs of her body lawfully begotten; but in case she should die without issue of her body lawfully begotten, the testator directed that the said Francis Harley and John Smith should grant to the same eight persons as aforesaid, and their heirs, lands and tenements of the yearly value of 20*l.*, upon trust that 4*l.*, part thereof, might yearly be paid to two poor scholars who should constantly come to the school at Osgathorpe, and whose friends would engage they intend them for the study of divinity; and that the residue thereof might yearly be paid towards the maintenance of two scholars, who should go from the said school at Osgathorpe to the University of Cambridge, and there should study divinity, and continue in the college resident, such sums to be paid to them till they should be middle bachelors, or should so be by standing.

By indentures of lease and release, bearing date respectively the 14th and 15th days of October 1683, and made between the said Francis Harley and John Smith, of the one part, and six other persons, of the other part, after reciting that the said Francis Harley and John Smith, since the death of the said Thomas Harley, had, in pursuance of his Will, built six bays of buildings, with some necessary outhouses thereto belonging, on the Brewett's Hempleck, and had made part thereof for a school-house, and a house for a schoolmaster, and the other for six poor ministers' widows,—it is witnessed, that the said Francis Harley and John Smith, in further pursuance of the directions of the said testator, did convey, to the use of themselves and the six other persons, parties thereto of the second part, and their heirs, upon the trusts declared by the testator for the support of the said school and hospital so directed by him to be established, the aforesaid parcel of ground called Brewett's Hempleck, with the said six bays of buildings, and several messuages and hereditaments in Donington-upon-the-Heath, (that is to say) a capital messuage; the Park Close, containing 10 acres; Bassett's Yard Close, containing one acre; Tweene Town's Close, containing eight acres; a little close, containing two roods; another close also called Bassett's Yard Close, containing 20A. 2R.; Kellum Bridge Close, containing 23 acres; Broadgore's Close, containing 15 acres; the common of pasture in Donington Cow Pasture; another messuage, and a croft adjoining; four other closes, containing 30 acres, which, upon the inclosure of the open fields of Donington, lay together in one plot, called Brooke Meadow Close; a common of pasture for six beasts in the Cow Pasture, and several Gorseley leyes, to the last-mentioned mes-

3 F 2

IT SHOULD BE NOTED THAT THE 'DONINGTON LE HEATH MANOR HOUSE IS REFERRED TO HERE AS A CAPITAL MESSUAGE

of
it.
suage belonging, in the Town Pasture; also a messuage and two closes in Hucklescote (that is to say), the Breach Close, containing 13 acres; and the Flats Close, containing seven acres; also three closes in Whitwick, known by the names of Hornebuckles Orlesbreach, *alias* Hornebuckles Breach Closes, containing 14 acres; also the parcels of land in the fields of Hucklescote, called the Bull Pieces, Bull Walks, or Bull Lands; and two beasts' pastures to be taken in the usual times in the year in the Cow Pasture in Hucklescote; also several closes of lands in Snibston (that is to say), Edward Biddles Berry Hill Close, *alias* Neather Berry Hill Close, containing 22 acres; the Meadow Close, containing one acre; the Bishop's Highway Close, containing nine acres; and a piece of ground called North Orchard, in Osgathorpe, bought by the said Francis Harley and John Smith, and laid to the said Hempleck for the enlarging of homestead to the said school and school-house belonging.

By a decree of the Master of the Rolls, made the 14th day of February 1760, in a suit which had been instituted by the Attorney-General, at the relation of John Huskisson, against Philip Harley Bainbridge and Harley Vaughan, for the purpose of having new trustees of this charity appointed under the direction of the Court, and for a scheme for the applications of the future rents and profits of the estates, over and above 100*l.* a-year,—it was decreed, that the premises conveyed to the trustees by the indenture of release of the 15th day of October 1683, being then of the clear yearly value of 100*l.*, did belong to the charity, and that any increase in the value thereof ought to accrue for the benefit of the said charity, and it was referred to one of the Masters of the Court to approve of eight new trustees. In pursuance of this order, eight new trustees were appointed, to whom the charity estates were accordingly conveyed by indentures of lease and release of the 5th and 6th days of April 1762; and by a further order, made in the said cause the 10th day of July 1761, it was decreed, that the future increase in the rents and profits of the said charity estates, after deducting the repairs to be made to the widows' houses, should be divided into eight equal parts, and that two of such eight parts should be paid to the schoolmaster of the school, and the remaining six-eighths to the six widows respectively.

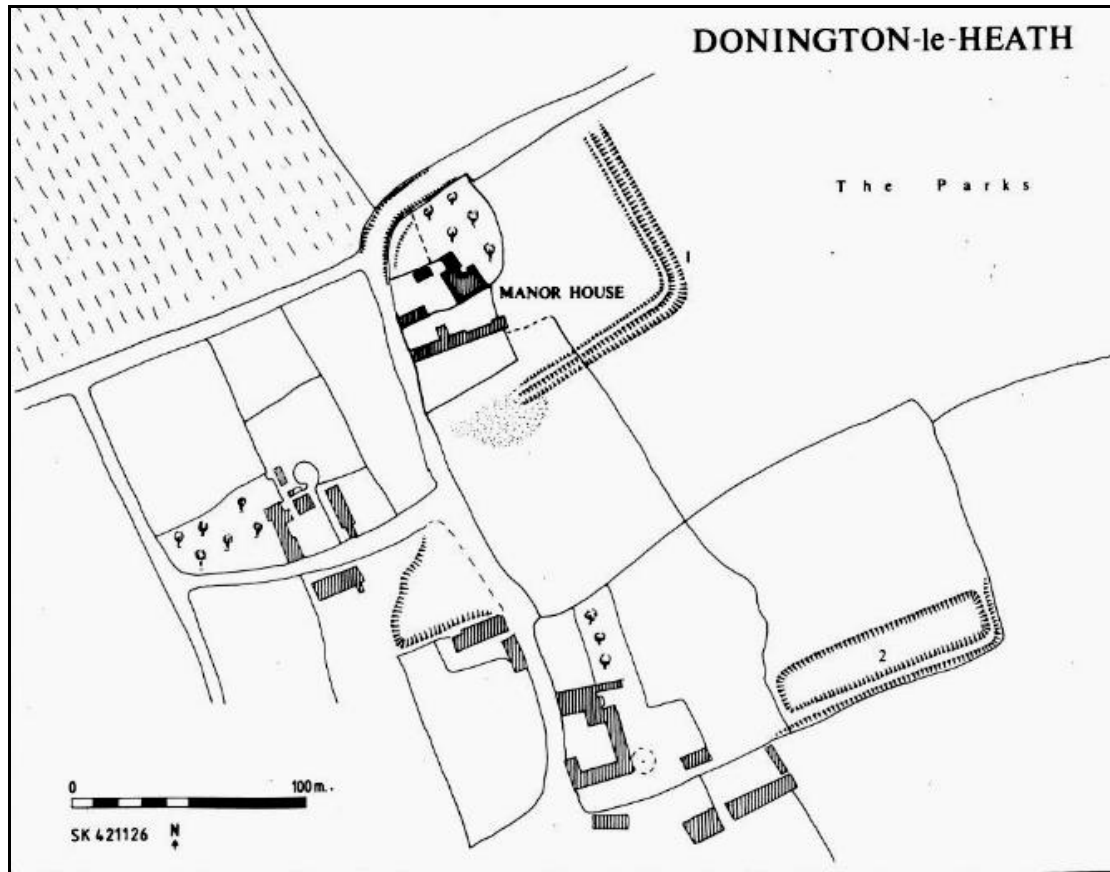
The testator's daughter Mary having died, leaving issue, the devise for the support of two scholars in divinity, and for two exhibitions to Cambridge, did not take effect.

By the award of the Commissioners, appointed under an Act of Parliament for inclosing the liberties of Hugglescote and Donington, a piece of land, containing 1A. 2R. 17P., part of the waste called Donington Green, was allotted to the trustees of this charity; and another piece of land, containing four acres, was allotted to them on the inclosure of Charnwood Forest.

SUPPLEMENTARY INFORMATION, PHOTOGRAPHS & MAPS

The following is taken from Leicestershire Museum's, Art Galleries and Record Services :-

ARCHAEOLOGICAL REPORT No. 9
THE MEDIAEVAL EARTHWORKS OF NORTH WEST LEICESTERSHIRE
A SURVEY
by
ROBERT F. HARTLEY



The Manor house formerly had a bank and a ditch on the south and east sides (1). This has been described elsewhere as possibly being a moat but the topography makes that seem unlikely. There is a drained 'fishpond' (2) a little distance away to the south which is approximately 100 metres long and 30 metres wide and bounded on the south side by a ditch and remnants of a hedgerow. On the north side are remnants of a hedgerow. Similarly to the larger fish pond associated with Coleorton Hall, this would have been of medieval origin. The fish pond at Coleorton as well as providing fish for the hall also provided ice for the ice house which was constructed there, but the author is not aware of an ice house being built here. It is thought that maybe water was diverted into and out of the pond via a leet dug from the River Sence.

**SALE OF COAL UNDER LANDS IN DONINGTON ON THE
HEATH, HUGGLESCOTE AND SNIBSTON IN 1838 -
LOTS 1 TO 4**

IN CHANCERY.

ATTORNEY GENERAL
AND
BAINBRIGGE, }

*Particulars and Conditions of Sale of COAL
MINERALS in the County of Leicester.*

To be Sold by Auction

IN

L O T S,

AT THE

ROYAL HOTEL,

IN

ASHBY DE LA ZOUCH,

IN THE SAID COUNTY OF LEICESTER,

On TUESDAY, the 28th AUGUST, 1838,

AT FOUR O'CLOCK IN THE AFTERNOON OF THE
SAME DAY.

HALL AND SONS,

For DALBY & TOWLE,

CASTLE DONINGTON,

LEICESTERSHIRE.

IN CHANCERY.

BETWEEN

The ATTORNEY GENERAL at the relation }
of JOHN HUSKISSON, Informant - } Plaintiff;

AND

PHILLIPP HARLEY BAINBRIGGE and }
HARLEY VAUGHAN - - - } Defendants.

And in the matter of the Act of 52nd of George the IIIrd, Chapter 101, entitled "An Act to provide a summary remedy in cases of abuses of Trusts created for Charitable purposes."

PARTICULARS & CONDITIONS OF SALE.

Of upwards of 224 statute acres of valuable Coal, situate in the several Lordships of Snibson, Donington on the Heath, Hugglescote and Whitwick, all in the County of Leicester, and in the midst of mining operations in that district, which will be Sold pursuant to an Order of the High Court of Chancery.

Before WILLIAM WINGFIELD, Esq.

One of the Masters of the said Court,

at the Royal Hotel in Ashby de la Zouch, in the County of Leicester, on Tuesday the 28th day of August 1838, at 4 o'Clock in the Afternoon in 5 Lots.

Printed Particulars, with a Plan of the Property, may be had (gratis) at the said Master's Chambers, Southampton Buildings, London, and at the respective offices of Messrs. Twigg & Woodhouse, Civil Engineers, of Ashby de la Zouch, and Quarndon, near Derby; of Messrs. Hall & Sons, New Boswell Court, Lincoln's Inn, Solicitors; and of Messrs. Dalby & Towle, Solicitors, Castle Donington, Leicestershire; and at the Place of Sale.

LOT 1.

In Snibson and Donington on the Heath.

105 acres 3 roods 3 poles, or thereabouts (statute acres) of Coal, under numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 13, 14, 15, 16 and 17, on the plan of the property hereto annexed.

LOT 2.

In Snibson Donington, on the Heath and Hugglescote.

54 acres 3 roods 27 poles, or thereabouts (statute acres) of Coal, under numbers 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28, on the plan of the property hereto annexed.

LOT 3.

In Donington on the Heath.

15 acres 2 roods 6 poles, or thereabouts (statute acres) of Coal, under numbers 10, 11 and 12, on the plan of the property hereto annexed.

LOT 4.

In Hugglescote.

24 acres 2 roods 22 poles, or thereabouts (statute acres) of Coal, under numbers 29, 30, 31, 32 and 33, on the plan of the property hereto annexed.

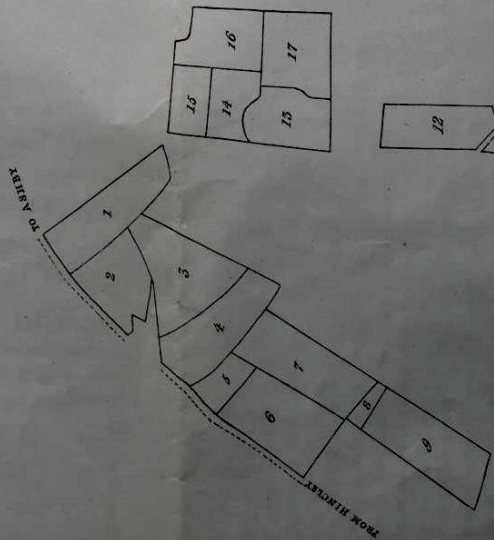
LOT 5.

In Whitwick.

23 acres 0 roods 22 poles, or thereabouts (statute acres) of Coal, under numbers 34, 35 and 36, on the plan of the property hereto annexed.

PLAN
of the PROPERTY referred to
in the annexed Particulars.

SNIBSON LIBERTY



IBSTOCK LIBERTY

NORTHWARD

TURNPIKE ROAD FROM ASHBY

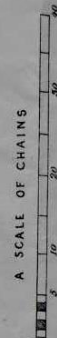
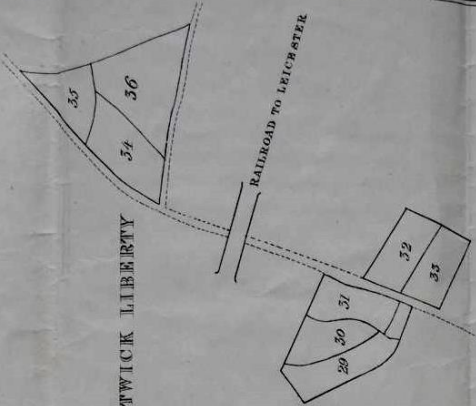


DONINGTON LIBERTY

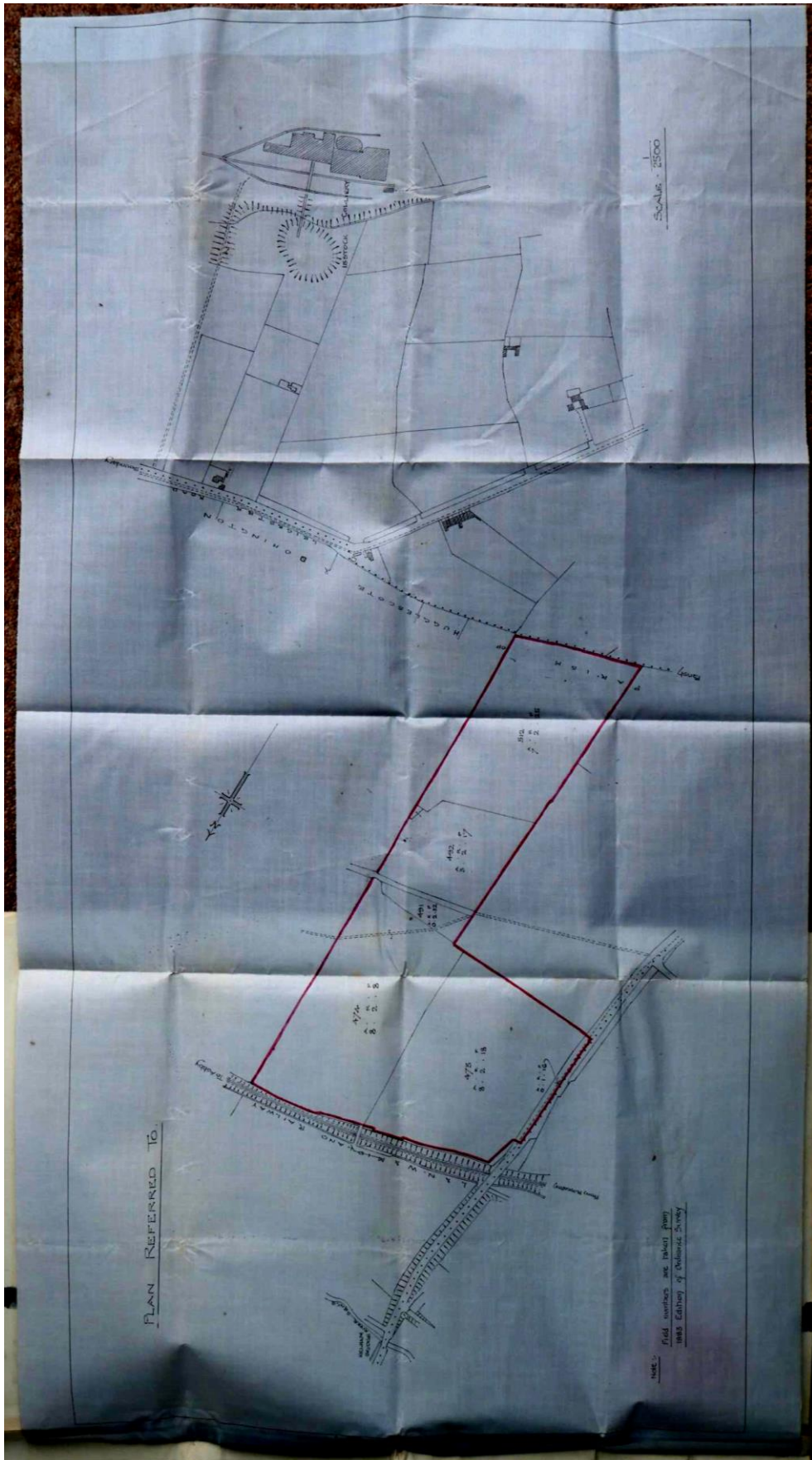


HUGGLESCOTE LIBERTY

WHITWICK LIBERTY



A further 26 acres or so, of lower and main seam coal was sold by the trustees to 'Ibstock Collieries Ltd' in 1923.



PHOTOGRAPHS

(All photographs shown are when the Manor House was owned by the 'Thomas Harley Osgathorpe Charity')



Photograph thought to have been taken in the 1950's or early 1960's during the ownership of the 'Thomas Harley Osgathorpe Charity'

The following photograph show the Victorian brick gable ends which replaced the half timbered versions shown in John Pridden's engraving on page 11. This work would have been funded by the 'Osgathorpe Thomas Harley Charity'.



Thought to have been taken in the 1950's



c. 1965 after being sold to Leicestershire County Council



c.1965.



The Griffin Family and Friends c.1912

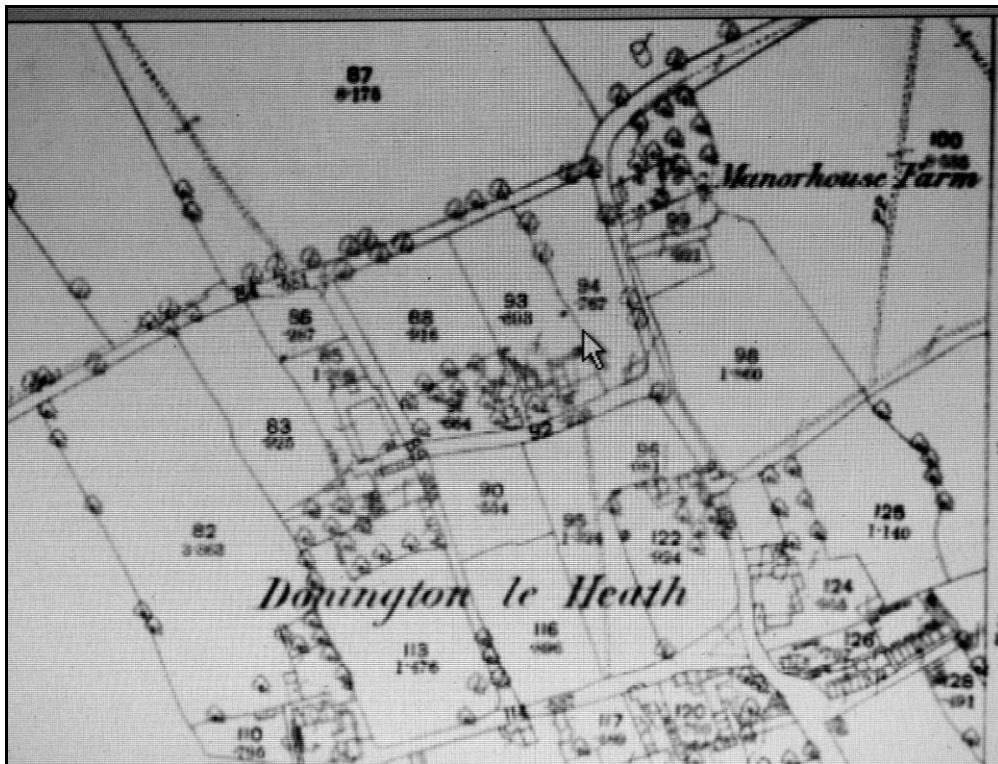


c.1960

MAPS



From 1903 issued 6 inch O/S map
Manor House shown top centre as Manor House Farm



From 1883 issued 25 inch O/S map
Manor House shown top right as Manor house Farm