

CHAPTER FOUR.

THE EARLES OF DORSETSHIRE.

If we are right in our identification of John Erle, of Ashburton, and our London author is correct in his statements, we shall have plain sailing in giving the genealogy of the Dorsetshire branch. This begins with Walter Erle, of Charborough, and the descent is as follows:

N—FOURTEENTH GENERATION.

CHILDREN OF JOHN ERLE (M 2), OF CULHAMPTON, DEVONSHIRE, d. 1508, son of John Erle (L 2), of Ashburton, d. 1484, and Margaret de Sondes:

N 1) JOHN ERLE, of Culhampton, married Thomasine Beare, of County Somerset.

O—FIFTEENTH GENERATION.

CHILDREN OF JOHN ERLE (N 1), OF CULHAMPTON, AND THOMASINE BEARE:

O 1) WALTER ERLE, of Charborough, County Dorset; d. 1581; married Mary, daughter and co-heir of Richard Wykes, of Binden and Charborough; founder of the Dorsetshire branch.

A quaint bit of old-time history is here transcribed from Pole's "Collections for Devon:" "Bindon, in Axmouth, was sometime the dwelling of Nicholas Bach, and by him sold in Kinge Henry 4 tyme unto Roger Wike; it contynued in the famyly, and the last of them, Richard Wike, left it unto his foure daughters, wief of Antony Giffard, Alis (Alice), wief of Hugh Barry, wief of Mark Hays, and Mary, wief of Walter Erle, which bought Giffard's part, and so the moytye (half) is descended unto Sir Walter Earle, sonne of, and Dorothe, his wief, daughter of William Pole, of Shute, Esq. Theire hath the said Sir Walter Erle his howse, with fayre demesnes thereunto belonging, with the parsonage impropriat."

There is a conflict of authorities just here which we are not able to determine. The bit of history just quoted is supposed to describe the beginning of the Earle family in Dorset, yet Pole says that Bindon,

which came to Walter Erle through his marriage with Mary Wyke, was in Axmouth, and Axmouth in Devon. Another writer says that Binden and Charborough were both in Dorset. The genealogy as given by Hutchins says, that Walter Erle purchased the manor of Axmouth, in Devon, on the suppression of the Abbey of Syon. The present writer's information is defective at this point. The only ground he is sure of is that Charborough, in Dorsetshire, became the home of Walter Erle and his descendants. The family of Walter Erle was as follows:

P—SIXTEENTH GENERATION.

CHILDREN OF WALTER ERLE (O 1), OF CHARBOROUGH, d. 1581, AND MARY, daughter of Richard Wykes, of Bindon and Charborough:

- P 1) THOMAS ERLE, ESQ.
- P 2) HONOR ERLE.
- P 3) BRIDGET ERLE.
- P 4) MARY ERLE.

Walter Erle's son and heir was Thomas Erle, Esq., of Charborough. His family was as follows:

Q—SEVENTEENTH GENERATION.

CHILDREN OF THOMAS ERLE (P 1), OF CHARBOROUGH, d. March 16, 1597; married Dorothy, daughter of William Pole, of Culhampton, Devon:

- Q 1) SIR WALTER ERLE, of Charborough, b. 1586, d. 1665; m. Ann, daughter of Francis Dymock, Kt., of County Warwick.
- Q 2) CHRISTOPHER ERLE, of Sturminster Marshal, Dorset.
- Q 3) JOHN ERLE, died young.
- Q 4) THOMAS ERLE, died young. Buried East Morden Church, 1592.
- Q 5) DOROTHY ERLE.
- Q 6) ELIZABETH ERLE, married Sir Richard Strode, of Newenham, County Devon.

Thomas Erle, Esq. (P 1), was buried in the church of East Morden, which stands at the west end of the parish, and is an ancient but not large building.

MONUMENT TO THOMAS ERLE, ESQ.

Under the east window of the chancel is a monument of free-stone, having under a circular pediment the figure of a man in complete armor, kneeling on one knee, his hands elevated. Behind him are two boys with a girl between them, in the dress of that age. In the centre of the pediment are the arms of Erle, in a bordure engrailed three escallops, impaling a lion rampant between three fleur de lis. Its architecture and sculpture are both of a rude character. The following inscription is at the back:

INSCRIPTION.

Here liethe buryed the boddye of Thomas Earle, the sone of Walter Earle, whoe departed from this lyff the 16 daye of Marche in the yeare of our Lorde God 1597.

His sons wer 4, his daughters 2, of whome John, Thomas and Dorithe are desecid, and remayneth now livynge Waltar, Christopher, and Elizabethe.

REGISTER OF EAST MORDEN CHURCH.

Register begins in 1575.

BAPTISMS.

Thomas, son of Sir Thomas Erle, March 5, 1620.

BURIALS.

Walter Erle, of Charborough, Esq., 1581.

Thomas, son of Thomas Erle, Esq., 1592.

Thomas Erle, of Charborough, Esq., March 22, 1597.

The next name in the history is that of Sir Walter Erle, son and heir of Thomas Erle, Esq., of Charborough, who attained to considerable distinction.

R—EIGHTEENTH GENERATION.

CHILDREN OF SIR WALTER ERLE (Q 1), OF CHARBOROUGH, KNT., "Aet. 10, 22 Nov., 1596." Buried at Charborough, Sep. 1, 1665; married Ann, daughter of Francis Dymock, County Warwick, Knight. Ann died Jan. 26, 1653; buried at Axmouth, Devon. There were three children:

R 1) THOMAS ERLE, ESQ., of Charborough, b. 1621, d. 1650.

- R 2) ANNE ERLE, married Norton, of Co. Hants,
Esq.
- R 3) HONOR ERLE, married John Giffard, of Brightly,
Devon.

Of Sir Walter Erle (Q 1), Hume says: "He was one of the first patriots of the English Revolution of 1649."

Dr. Pliny Earle says: "He was one of the five Knights who resisted the encroachments of Charles the First upon the rights of his subjects, a more or less detailed account of which is given by Rushworth, Hume and Hallam, in their histories of England."

"The Commons having failed to pass a bill for subsidies, the King was left without supplies. He demanded a general loan, for the raising of which each person was to be assessed according to his rate in the next previous subsidy; and appointed a commission to have charge of the business. The common people who refused to contribute to the loan were impressed for service in the navy; the gentry were bound in recognizances to appear at the Council table, and were committed to prison. 'Five gentlemen alone,' says Hume, 'had spirit enough to defend the public liberties, and to demand releasement, not as a favor from the court, but as their due by the laws of their country.' One of these, as already intimated, was Sir Walter Erle. They sued out writs of *habeas corpus* from the Court of King's Bench, and, at the michaelmas term of that court, in the third year of the reign of the King, the warden of the Fleet prison, who held them in custody, made return for each one of them, under a common form, of which that of Sir Walter was as follows:

"That Sir Walter Earl, Knight, named in the writ, is detained in the prison of the Fleet, in his custody, by special command of the King, to him signified by warrant of several of the Privy Council, in these words: Whereas Sir Walter Earl, Knight, was heretofore committed to your custody; These are to will and to require you still to detain, letting you know that both his first commitment, and direction for the continuance of him in prison, were and are by his Majesty's special commandment."

Thomas Coventry.

From Whitehall, Nov. 7, 1627."

"The prisoners were remanded to the custody of the Fleet. On

the 29th of January, next following, it was decided by the King's Council to call a Parliament. The Parliament was held in March, 1628, and the prisoners were released.

"It is to the discussion which arose out of the case of these five gentlemen," writes Rushworth (Historical Collections, Vol. I.), "that we owe the continual assertion, by Parliament, of the fundamental immunity of English subjects from arbitrary detention, and its ultimate establishment by the Statute of Charles the Second."

"This statute, 'for the better securing the liberty of the subject,' was passed May 27, 1679, and was called the 'Subjects' Writ of Right.' It was founded on the old common law, and is next in importance to Magna Charta; for, under it, 'No subject of England can be detained in prison, except in cases where the detention is shown to be justified by law.' Not alone every Englishman, but every American as well, who appreciates the value of the safe-guards of his liberty and his rights, is obligated in gratitude to Sir Walter and his four companions for that heroic conduct in defiance of their Sovereign, which was the initiatory act leading to the permanent establishment of the *right* to the Writ of *Habeas Corpus*, and a test of the legality of imprisonment before a court of competent jurisdiction."

We will dismiss this distinguished kinsman with a remark of Burke's, from his *Baronetage and Peerage*: "In the great Civil War, Sir Walter Erle, of Charborough, was a distinguished Parliamentarian."

The Dorsetshire family divides at this point into two parallel streams, the descendants of Sir Walter, and the descendants of his brother Christopher. As the latter soon divides again, giving rise to the Essex branch, it may be better to consider it by itself in another chapter. For the present we follow the line of Sir Walter's descendants.

Sir Walter Erle (Q 1) and his wife, Ann Dymock, had three children whose names are given. Anne (R 2) married a gentleman of Hamshire named Norton, and Honor (R 3) married John Giffard, of Brightly, Devonshire. Nothing further is known about them. The family of the son, Thomas, is now given:

S—NINETEENTH GENERATION.

CHILDREN OF THOMAS ERLE, ESQ., OF CHARBOROUGH
(R 1); Aet. 2 in 1623; died June 1, 1650; married Susanna, 4th daughter of William, Viscount Saye and Sele; had two sons and two daughters:

- S 1) WALTER ERLE, ESQ.
 S 2) GENERAL THOMAS ERLE, of Charborough.
 S 3) A daughter, name not given.
 S 4) A daughter, name not given.

Of the grandson of Sir Walter, Walter Erle, Esq. (S 1), we know but little. He married Ann, daughter of Thomas Trenchard, of Wolverton, Esq.

The second grandson, General Thomas Erle (S 2), reached some eminence in the British military service. Burke, in his Dictionary, speaks of him as "The famous Lieutenant General of the Ordnance, commander of the center of the English army at the battle of Almanza, Spain, grandson and heir of Sir Walter Erle, of Charborough, the Parliamentarian."

"Almanza was a small town of New Castle, Spain, and only famous in history for the battle fought there in 1707. The combined Spanish and French forces were victorious over the English and Portuguese allies, on account of the Portuguese horse deserting the English at the beginning of the action, forcing the latter to bear the whole brunt of the attack, which they could not do, and were consequently defeated."

The family of General Thomas is as follows:

T—TWENTIETH GENERATION.

CHILDREN OF GENERAL THOMAS ERLE (S 2), OF CHARBOROUGH; died 1720; married Elizabeth, 2nd daughter of William Wyndham, of Orchard Wyndham, County Somerset, Bart; one daughter, only child and heiress.

- T 1) FRANCES ERLE.

U—TWENTY-FIRST GENERATION.

FAMILY OF FRANCES ERLE (T 1), sole child and heiress of General Thomas Erle (S 2); died at Maddington, 1728; buried at Charborough; married Sir Edward Ernly, of Maddington, Co. Wilts, Bart. One daughter and only child:

- U 1) FRANCES ELIZABETH, married Henry Drax, Esq.

V—TWENTY-SECOND GENERATION.

FAMILY OF FRANCES ELIZABETH ERNLY (U 1), daughter and heir of Sir Edward Ernly. (The genealogy states that U 1 and her mother, T 1, died in 1728). Married Henry Drax, of Ellerton

Abbey, York, Esq., (d. 1755); there were nine children, as follows:

- V 1) THOMAS ERLE DRAX, ESQ., born 1729; died 1790, aged 67; married Mary, daughter of Lord St. John, of Bletsoe. Mary died March 17, 1785.
- V 2) EDWARD DRAX, ESQ., of Milcombe Regis.
- V 3) FRANCES ELIZABETH, married (1st) Augustus, Earl of Berkeley; m. (2nd) Robert, Viscount Clare. She died June 29, 1792.
- V 4) MARY, married John Durbin, Esq., of Bristol.
- V 5) HARRIOT, married Sir William Hanhan, of Dean's Court, 4th Bart. She died April 2, 1786.
- V 6) SUSANNAH, married (1st) William Crocroft, Esq. M. (2nd) in 1777, John Touchet, Earl of Castlehaven, Ireland, Baron Audley of England. Died July 31, 1789.
- V 7) FRANCES, died 1751.
- V 8) Infant daughter.
- V 9) Infant daughter.

W—TWENTY-THIRD GENERATION.

FAMILY OF EDWARD DRAX (V 2), ESQ., OF MILCOMBE REGIS; married, April 16, 1762, Mary, daughter of Awrsham Churchill, of Henbury, Esq. Died at Knowle, Dec. 3, 1820, aged 77. (The last date probably refers to Mary):

- W 1) SARAH FRANCES, only daughter and heiress.

X—TWENTY-FOURTH GENERATION.

FAMILY OF SARAH FRANCES DRAX (W 1), great-great-granddaughter of General Thomas Erle (S 2); died June 15, 1822; married, March 11, 1788, Richard Grosvenor, Esq., M. P. for West Looe and Chester; assumed the name of Erle Drax. (d. Feb. 8, 1819). Three children:

- X 1) JANE FRANCES ERLE DRAX, born Dec. 25, 1788.
- X 2) LOUISA ERLE DRAX, died young.
- X 3) RICHARD EDWARD ERLE DRAX, born March, 1797; died unmarried, August 18, 1828.

Y—TWENTY-FIFTH GENERATION.

FAMILY OF JANE FRANCES ERLE DRAX (X 1), born Dec. 25, 1788; died December 29, 1853; buried at Charborough; married

May 1, 1827, John Samuel Wanley Sawbridge. (Assumed the name of Erle-Drax; born October 6, 1800); issue, two daughters:

Y 1) MARIA CAROLINE ERLE DRAX.

Y 2) SARAH FRANCES ELIZABETH ERLE DRAX.

Z—TWENTY-SIXTH GENERATION.

FAMILY OF SARAH FRANCES ELIZABETH ERLE DRAX (Y 2); married, Sept. 14, 1853, Col. Francis Augustus Plunkett Burton, of the Coldstream Guards (d. 1867). Issue, a daughter:

Z 1) A daughter, name not given.

We thus find the line of Sir Walter Erle (Q 1) through his grandson, General Thomas Erle (S 2), terminating in a female representative, and the name lost except as it was assumed in the form of Erle-Drax. Whether there are any living descendants of Sir Walter, bearing the family name, we do not know, although it is possible, as there was another grandson of Sir Walter, Walter Erle, Esq. (S 1), who may have left descendants.

It is interesting to find on the Clergy List for 1912, Kelly's Directories, London, the names of a father and two sons, who are direct descendants of Walter Erle (O 1), of Charborough, d. 1581, the founder of the Dorsetshire family. They are, Rev. Walter Earle, made priest in 1866, Redgate House, Reigate, Surrey; Rev. Ernest Henry Earle, priest in 1903, Belton Grange, Rugby; Rev. Granville Earle, deacon in 1911. Whether these are descended through Sir Walter or his brother, Christopher, we can not say.