

A HISTORY
OF THE
SPURN LIGHTHOUSES

by G. de BOER



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Cover Illustration:

*The present lighthouse and the stump of the 1852 lighthouse with water tank.
(photograph by J. B. Fisher)*

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Introduction—the medieval period:

Reedbarrow's lighthouse of 1427

Strong tidal streams and shifting sand banks have always made navigation difficult by day and dangerous by night for ships, particularly sailing ships, going by, into, or out of, the mouth of the Humber. Spurn Head or Point, the long narrow spit of sand and shingle that stretches about a third of the way across the mouth of the estuary would therefore appear to be an obvious place for a lighthouse. It is also a place which has undergone much change; indeed the present spit appears to be but the most recent of a succession of spits, each of which has been thrown up by the waves, has lasted about 250 years, and has then been destroyed by the same agencies that built them—Fig. 1. A particularly varied and interesting lighthouse history is a consequence of this geographical mutability, for the lighthouses have had to be moved or rebuilt when they have been threatened or destroyed by erosion, or, by contrast, have been made useless or misleading when accretion has altered the shape of Spurn.

A lighthouse at the mouth of the Humber figures early in the records of English lighthouses. Lighthouses were not re-established in Europe after the collapse of the Roman Empire until about 1150, when harbour lights were set up at the entrances to some Italian ports. The first English lighthouse was the benefaction of Walter de Godyton who in 1323 built a chapel at St. Catherine's in the Isle of Wighr and provided an endowment for masses for himself and his family and for a light to warn shipping of the rocky coast. The first Spurn Lighthouse, the next to be recorded, was also a work of charity. The spit on which this lighthouse was built was the immediate predecessor of the present Spurn. It began to grow up after the destruction of its predecessor, Ravenser Odd, about 1360. By 1406, this new spit is called Ravenser Spurne in the *Meaux Chronicle*, is named simply the 'Spone' in a set of sailing directions that may be as early as 1408, and is marked as Spurn-head on Mercator's large map of Britain of 1564.

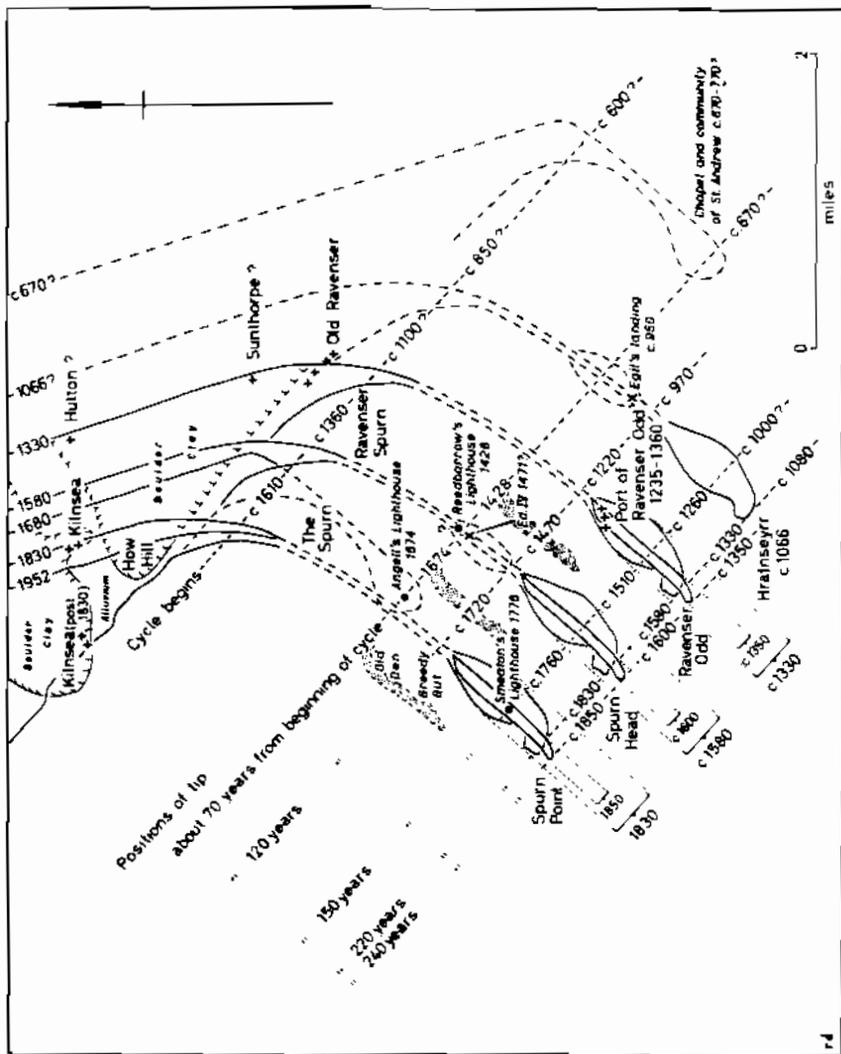
All that we know of this first lighthouse on Spurn is contained in a petition addressed to Parliament in 1427 and in the patent issued by Henry VI in response. The petition is as follows:—

Fig. 1

Geographical changes at Spurn Head from c. 670 A.D.

The figure shows a provisional reconstruction of the succession of spits that appear to have existed at the mouth of the Humber from the first to be recorded to the present time. The diagram is an attempt to show the main events and features recorded at Spurn in their chronological and spatial relationships. The evidence for the first two peninsulas is sparse and this part of the diagram is correspondingly conjectural; the evidence for the next two, viz. Ravenser Odd and Ravenser Spurn, is fairly full; that for the development of the existing peninsula is abundant. Each peninsula as it came into existence attracted a fresh name or names whilst at the same time the older name retained some currency especially in legal contexts, and the opportunities presented by this likely source of confusion were fully exploited in the lighthouse litigation.

[For a fuller discussion see G. de Boer, Spurn Head: its evolution and history, *Transactions of the Institution of British Geographers*, 34, 1964, 71-87, and Spurn Point and its Predecessors, *The Naturalist*, 1963 pp. 113-120.]



'To the wyse Commones of this present Parlement. Besekith your povre bedeman, Richard Reedbarowe, Heremyte of the Chapell of our Lady and Seint Anne atte Ravensersporne. That forasmuche that many divers straites and daungers been in the enrryng into the river of Humbre out of the See, where ofte tymes by mysaventure many divers Vesselx, and Men. Godes and Marchaundises, be lost and perished, as well by Day as be Night, for defaute of a Bekyn, that shuld reche the poeple to hold in the right chanell; so that the seid Richard, havng compassion and pitee of the Cristen poeple that ofte tymes are there perished, and also of the Godes and Marchaundise rhere lost, harh hegunne in weye of charite, in Salvacion of Cristen poeple, Godes and Marchaundises comyng into Humbre, to make a Toure to be uppon day light a redy Bekyn, wheryn shall be light gevyng by nyght, to alle the Vesselx that comyn into the seid Ryver of Humbre; the wich Toure may not be made nor brought to an ende withouten grete cost, help and relevyng of the Shipmen, Mariners and Vesselx comyng rhat weye; and atte the diligent pursuyte of the seid Richard, it was preid hy rre Comones of the Parlement holdon last at Leycestre, ro makyng of rre seid Toure, to have Letres Patentz of our Sovereigne Lord rre Kyng, for to take and resceyve of every Vessell ladon of $\frac{xx}{vi}$ (i.e., 120) tonnetite and over, xiid. and of every Vessell of C tonnetite, viiid. and of every Vessell of lesse tite, iiiid. as ofte tymes as thei comen in, to endure by x yere; wich is yit the disire and fulle wille of all Marchantz, Shipmen, and Maryners longyng to Hull, as by here Letres Parenz thereof made oppunly appiert. That it like to your high and wise discrecions, to prey to oure Sovereigne Lord the Kyng, by assent of his Lordes Spiriruelx and Temperelx in this present Parlement beyng, to graunte by auctorite of the seid Parlement, to the seid Richard, by his Letres Patentz to endure by x yere, to have and to resceyve of every Vessell ladon of $\frac{xx}{vi}$ tonnetite and over, xiid. and of every othir Vessel of C tonnetite, viiid. and of every othir Vessell of lesse tite, iiiid. as ofte tymes as thei come into Humbre, by the handes of John Tutbury, Thomas Marchall, John Firlyng, Robert Holme, and William Robynsson, Marchantz and Maryners of Hull; and that the same Monoie resceyved in fourme aforesaid, be dispended and disposed by the governaunce, disposicion and oversire, of the seid John, Thomas, Robert and William, in and for the makyng and accomplicement of the Toure aforseid, in comfort, relevyng and salvacion of all Marchants, Maryners, Vesselx, Godes and Marchaundises, and of the Kynges Custumes and subsidies of the same Godes and Marchaundises there comyng; and for Seinte Charite.'

Letters patent, virtually a translation into Latin of this perition conferring all that was asked for, were granted on 28 November, 1427.

There are many points of interest in these documents. Although this is the first recorded applicacion ro the Crown for light dues it already foreshadows much of the procedure followed in the seven-teenth century and afterwards when the number of lighthouses on

the English coasts greatly increased. According to Blackstone, the eminent jurist, 'The erection of Beacons, Lighthouses and Sea marks is also a branch of the Royal Prerogative'. The manner in which the royal authority was delegated, as summarised by the Select Committee on Lighthouses in 1834, right at the end of the period in which it was possible for such authority to be given to private individuals, fits these 1427 transactions, the earliest of their kind, very closely. 'The erection of public lighthouses in England has been by Individuals or by the Trinity House, to whom Patents for the purpose had been granted by the Crown, on the presumed general wish of the Trade that the same was necessary and would be useful; and Perissions from Merchants and Shipowners have generally been presented at the same time to the Crown, offering payment of certain Tolls or Dues for the maintenance of such lights, when erected . . . The Attorney General and Solicitor General in 1825 stated in their opinion that such offer to pay and such applications ought always to precede the grant of authority by the Crown.' All these points are exemplified in Reedbarrow's petition and grant. The latter authorized the mayor of Hull to collect the dues from the ships and to hand the money to the five persons named; they were to make annual account for it for the ten years of the grant. It is to be noted that the money was to be faithfully expended on the building and maintenance of the lighthouse: the object was charity, not profit.

The administrators of the lighthouse fund were clearly eminent citizens. The first four had each served at least two terms of office as mayor, and the fifth suggests a possible link between the Hull Trinity House and the welfare of seamen even at this early date. The Guild of the Holy Trinity, founded in 1369, was not at that time exclusively concerned with seamen and their affairs, but in 1457 William Robinson was one of the 24 shipmasters, possibly already members of the Guild, who, by agreeing to pay their lowage and stowage (i.e. the money paid to masters and crews for loading and discharging cargo) to the guild and to build an almshouse for seamen, took the steps which made the guild a nautical association.

Whether Reedbarrow finished his tower or kindled his light is not recorded, nor, if so, how long it lasted. The structure was no doubt a tower of stone or brick with a wood or coal fire on the top in an iron basket, but of its fate we are ignorant; we do not know whether it was abandoned when the patent lapsed or when Reedbarrow died, whether funds ran out in the economic depression suffered by Hull shortly after, whether administration broke down in the disturbances of the Wars of the Roses, or whether the sea swept it away. The contemporary descriptions of Edward IV's landing on Ravenser Spurn in 1471 make no reference to any inhabitant, chapel, or lighthouse, and by implication suggest that the place was by this time an empty strip of beach and sand dune.

The later sixteenth century: a question of title

A description in a survey of 1567 shows that Spurn was in much the same condition a century later:—'Ravensey Spurn is a sandy hill environed and compassed about upon the sea side with the sea and on the other side with the Humber containing six acres whereupon is neither arable land, meadow nor pasture, wood, underwood nor trees neither anything else but only a few small bents and short scrubby thorns of a foot high not worth felling, which Ravensey Spurn is at ordinary spring tides almost overflown [*sic*] and of no value. Also there is another hill nigh adjoyning the Ravensey Spurn called Conny Hill environed with the sea containing four acres whereon is neither arable land nor trees also of no value'.

The circumstances which produced this survey and had important consequences for the later history of the Spurn lighthouses have many of the features of what were later ironically called 'fishing grants'. Grants of land to persons who became known as 'title-hunters' were a regular feature of the reigns of the late Tudor and early Stuart monarchs. Title hunters sought for lands where there was a possibility of a flaw in the existing claimant's title. Their activities were particularly focussed on lands formerly held by religious houses and chantries which, it could be alleged, ought to have fallen to the Crown but instead had been wrongfully appropriated by subjects. A likely case would be reported to the officers of the Crown, an inquiry, often somewhat farcical, would be held, and a return would be made that the land in question belonged to the Crown. The title-hunter would thereupon apply for and be given for a consideration a grant which might be for a term of years or in perpetuity. Armed with such a grant, he could then 'fish' for a bounty by offering the original claimant the choice of buying up his interest in the grant or facing an action for trespass or ejectment. Particularly from the beginning of the reign of Elizabeth I in 1558 the Crown began persistently to claim that all lands which had been subject to the flux and reflux of the sea, together with the foreshore, belonged to it by right of the prerogative or as waste lands of the Kingdom not granted out, and the title hunters extended the scope of their activities accordingly.

In 1567 the Seigniorship of Holderness had only recently passed to Sir John Constable. After being in the hands of the Crown following the execution of the Duke of Buckingham in 1521, it had been granted by Philip and Mary in 1557 to the Earl of Westmorland and by him to Constable about two years later. Even if the foreshores of the manors comprising the Seigniorship had been anciently granted out, they had returned to the Crown on Buckingham's attainder and it was arguable at law whether the grant to the Earl of Westmorland and hence to Constable which included the right of taking wreck of the sea was sufficiently explicit to re-grant the foreshore. Sir John claimed Spurn as part of the commons and wastes of his manor of Killsea, but Christopher Hilliard, who wished to lease the ground, applied to the officers of the Exchequer who issued a commission of inquiry which resulted in the description cited above. It is noteworthy

how it stresses the extent to which the ground was affected by the tides because this is a circumstance which would be favourable to the Crown's case. Hilliard was granted a lease for two shillings a year, but, finding Sir John in possession, brought an action against him in 1568 and was successful in obtaining an injunction. Sir John died in 1578 and was succeeded by his son Sir Henry. The Constable family maintained their refusal to accept the lease and in 1594 Hilliard brought an action for trespass against William Constable, whose entry on to Spurn which was the subject of the action may well have been a demonstration that the family's claim had not been abandoned. In important lawsuits in 1575 and 1601, Sir John and Sir Henry respectively vindicated their rights of taking wreck of the sea from the foreshore of the Seigniory.

By the end of the century the spit had nearly completed its term of 250 years, and was suffering severe erosion; a report of 1602 refers to the 'wasting and great Dekay of Ravinspouerne'. In the reign of James I the Crown very actively endeavoured to gain possession of lands cast up by the sea, and in a number of cases resorted to the expedient of making fishing grants of them. So in August 1609, this now precarious estate was granted by James I, at the humble petition of Baptist Hicks and others, to Robert Angell and John Walker their heirs and assigns for ever for the annual rent of two shillings in part satisfaction for considerable sums of money advanced by the petitioners to the Crown. It appears to be a typical 'fishing grant', and its occasion was possibly the death of Sir Henry Constable in 1608, for whose estate letters of administration were granted in April 1609. The passing of the Seigniory to his heir, also named Henry, would be a suitable opportunity to challenge his title.

The land is defined in the grant in similar words to the 1567 survey, viz. 'all those six acres of land arable with appurtenances called Ravensey Spurne . . . and all those four acres of land with appurtenances near old Ravensey shore and Ravensey Spurne aforesaid called Cunnyhill surrounded on one side by the sea and on the other side by the river of Humber'. The acreage, not very probable for that date, is, even more improbably, the same in 1609, and the sandy hill of no value and specifically not arable of the earlier grant has become arable land in the later grant. Perhaps the Angell family regarded southern Holderness as their own particular title-hunting ground. At any rate Robert Angell, a London grocer, and William Angell, a London fishmonger, acquired other property in Holderness as well, probably in part at least by other 'fishing grants'. Land in Ottringham, formerly belonging to Bridlington Priory, was granted to the two Angells, and Justinian Povey by letters patent of James I in 1611. Robert also bought property in Saltaugh Grange and 'le Trepitt', land on the west bank of the River Hull near the present North Bridge, formerly belonging to the Carthusian house in Hull, was conveyed to William Angell in 1610. There is a memorial in Keyingham Church to Robert's son John Angell, whose death in 1647 was the occasion of lawsuits over the properties in Keyingham, Ottringham, and Saltaugh Grange.

These other connections with Holderness perhaps help to explain why a London grocer should wish to have any interest in Spurn

Head. Nevertheless these grantees of Spurn apparently did not find much opportunity for profit there for less than two years later the grant was sold to William Angell. In 1618 he took the first of the steps by which the Angells made themselves a landed family by buying the rectory and an estate at Crowhurst, Surrey. On his death in 1629 the property and the grant passed to his son John who was chief porter at Windsor Castle and caterer to the first three Stuart kings. There is no record of John Angell either visiting or attempting to make anything of his grant of Spurn, and, as commonly happened with 'fishing grants' in such cases, a fresh grant was made of the same property by Charles I in 1637, to entirely different grantees, Francis Braddock and Christopher Kingscote, despite the fact that the earlier grant to Angell and Walker had been in perpetuity. The new grantees also apparently never visited the ground or took possession. The policy of challenging by such means supposed defects in title was in fact being pursued even more vigorously under Charles I than under his father and during his reign 'fishing grants were made of almost every piece of land whereon the sea had ever flowed'. The following year the Attorney General challenged other rights claimed by the Constables by exhibiting an information in the Court of the Exchequer, and Sir Henry Constable, who had been created first Viscount Dunbar in 1620, was obliged to apply for, and in 1642 was granted, fresh letters patent in order to remedy the alleged defects in his title and confirm his possession. Even so, in 1664, Henry's son John Constable, the second Viscount, found it expedient to have a further grant by letters patent making more explicit reference to his right to take 'wrecks of the sea and river of Humber, and fishes royal in and upon the shores and coasts of the sea, within the flux and reflux of the sea . . . as well near the main sea or near the banks of the river Humber'.

The early seventeenth century – geographical change: the Trinity Houses and sea-marks

These various grants of Spurn entirely ignored the physical realities of the situation. About 1610, though the exact year is not known, the sea broke across the neck of the spit and within a few years the Ravenser Spurn described in such misleading terms in the 1609 grant was gone and a new spit, the beginnings of the spit we know today, had started to grow. The next sea-marks to be recorded at the mouth of the Humber are associated with these events and some account of the details is therefore necessary if the subsequent history of the lighthouses is to be understood. For this, the often quoted statement from the lawyer Callis's lectures on the Statute of Sewers of 1622—' . . . of late years parcel of the Spurnhead in Yorkshire which did not adhere to the continent was torn therefrom by the sea and is now in the nature of an island'—needs to be supplemented. What probably happened was that a breach was formed across the neck of the peninsula and that the severed head became an island which was very soon eroded away by the waves and

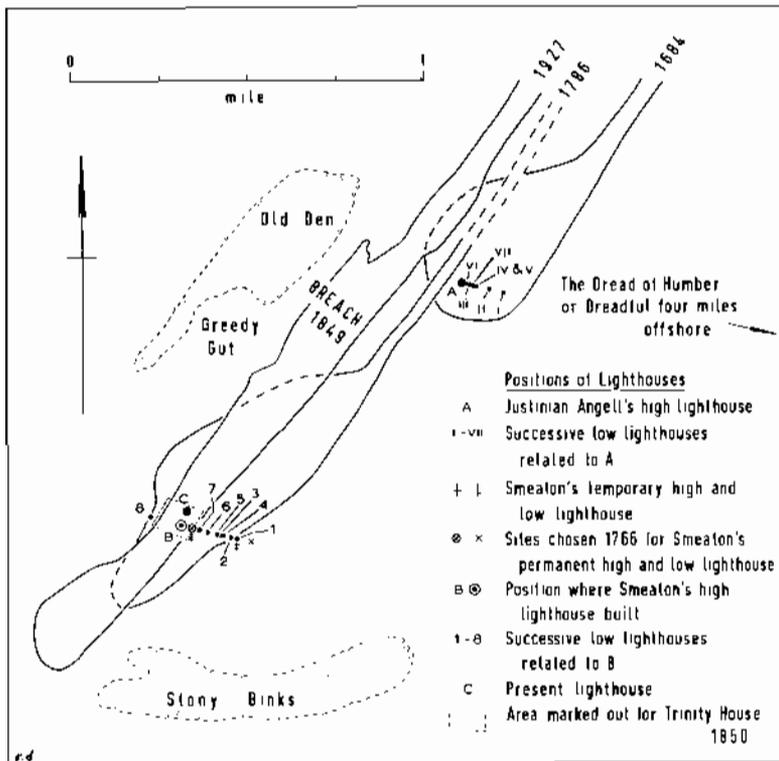


Fig. 2

tides. Part of the material of this island and also the sand and shingle derived from the erosion of the Holderness coast, which is carried from the north by waves along the sea-ward side of the spit, would be swept through the breach by the tide and deposited inside Ravenser Spurn to form a new island on which the wind would heap up sand dunes. The direct though degenerate successor today of this island is the muddy shoal called Old Den, which appears above water at about half-tide. The stump of the old spit would retreat westwards until it was sufficiently sheltered from wave attack to start growing again, eventually passing in front of (i.e. on the south-east side of) and beyond the new island. (Fig. 2).

Witnesses in the lawsuits of 1684 and 1695 (see pp. 32, 36) testified that Ravenser Spurn had been washed into the Humber about 80 years previously and that what remained still lay there. The clearest picture of the new situation is given by the chart and sailing directions in W. J. Blaeu's *Zeespiegel* (Amsterdam, 1623) published in English as *The Sea-Mirror* in 1625. 'For to saile into the Hommes (i.e. Humber) . . . runne about by the north point (i.e. the tip of the new Spurn) . . . being about it, runne to the little Iland which lyeth a little by west that foresaid north point'.

Figure 2

The Spurn lighthouses, showing movement of the peninsula from 1684, and the positions of successive lighthouses, 1674-1895.

	<i>Date of Erection</i>	<i>Date of Destruction</i>	<i>Distance from High Light in ft.</i>
A Justinian Angell's high light	1674	1776	—
i Justinian Angell's low light	1674	1716	630
ii	{ 1715-16 1735	moved 1735 1752	? 405
iii	1752	moved 1753	70
iv	1753	Feb. 1763	165
v	Feb. 1763	Dec. 1763	165 (surrounded by water at HW)
vi	c. May 1764 (wheels added July 1764)	moved July 1765	24
vii	July 1765		150 (114 feet below HWM)
B Smeaton's high lighthouse	1771-1776	taken down 1895	
1 Smeaton's low lighthouse	1771-1776	c. 1778	840
2 Smeaton's temporary high light used as low light	1778	moved back c. 1780	750
3 Ditto	c. 1780	taken down 1816	600
4 Second brick low lighthouse	1816	taken down or washed down 1830	630
5 Wooden tower	1830	moved back 1831	540
6 Ditto	1831	1851	390
7 Temporary light	1851	disused 1852	270
8 Third brick tower (on inner side of Spurn)	1852	lantern removed 1895	474
C Present lighthouse	1893-5		

The outlines representing Spurn are from the following sources:—

1684—Greenville Collins Chart of the Humber.

1786—Smeaton *Narrative* Plate 20.

1927—Ordnance Survey Six inch map (reproduced from O.S. Six inch map, 1928 edition, with the sanction of H.M. Stationery Office).

The directions go on to make reference to various sea-marks at the mouth of the Humber. 'When that you come within that little lland, then bring the two Beakons (which stand upon that little lland) one in the other, keepe them so standing and saile so on the westwards towards Grimsby, you leave the buye upon the Bull lying then on the larboard side.'

That these sea-marks were placed there by the Hull Trinity House is strongly suggested by many entries in the House's account books. The authority of the Trinity Houses of Hull and London for navigational matters had been confirmed and extended by charters granted by Henry VIII and Elizabeth I. An Act of Parliament of 1566 authorized the Trinity House of London to erect beacons and sea-marks at suitable points on the coast, and a grant in 1594 extended this authority to include the placing of buoys offshore in waterways. The Hull Trinity House was certainly exercising similar powers at this period, for there is recorded under the year 1567 a payment for the setting up of a beacon probably near Paull. A proclamation issued in 1585 by the Lord High Admiral in response to a petition from the House, granting them authority to levy a charge on shipping to maintain buoys and beacons, notes that they

had already placed one buoy in the river and intended to lay two more and set up two beacons. In 1590, the House proposed a lighthouse on Spurn, but nothing came of it. Many payments are recorded in the years 1592 to 1627 for boats and workmen going to Spurn, the Den, and Den-end in order to erect beacons and lay buoys. The frequency with which these visits were made might well be an indication of the geographical changes in progress there at that time.

The renewal of interest in a lighthouse at the mouth of the Humber nearly 200 years after Reedbarrow is probably connected especially with the growth at this time of the coasting trade, particularly in coal between the Tyne and the Thames, and the Trinity House of Newcastle seems always to have been more favourably inclined to the project than the Hull House. At any rate this proposal of 1590 was but the first of a succession of petitions for lighthouses on Spurn which was to persist for several decades before this object was achieved. It was a local reflection of a wider trend, for during the 17th century the number of lighthouses on the English coasts increased from one in 1600 to about 14 by 1700.

The procedure for dealing with lighthouse petitions was in essentials still the same as in Reedbarrow's time. The way was still for the would-be builder, having first obtained supporting statements and certificates from merchants and owners and masters of ships stating the need for lights and their willingness to pay dues, to petition the Crown for authority to erect and maintain the lights and to collect dues from shipping. Such petitions were usually referred to the Privy Council and by them to the Trinity House of London, for examination and report. If successful the petitioner would be given letters patent granting the powers he sought subject to an annual payment to the Crown and agreement with the owner of the land on which the lighthouse was to be built. The grant might be for a limited term or in perpetuity.

Unlike his medieval predecessors, the seventeenth century lighthouse builder was often a speculator, or, to use the expression of the period, a 'projector', hoping for a substantial profit. Lighthouses were costly to build and maintain, expensive to run, and liable to destruction in storms. Returns from dues could not be precisely calculated in advance. Therefore, the argument ran, the devotion to the public good demonstrated by putting money so much at risk in building a lighthouse was suitably rewarded by whatever surplus the dues provided. The Stuarts did not issue grants to build lighthouses merely as a device for giving rewards or bestowing favours; all their grants could be justified on navigational grounds. But where there were rival petitioners eagerly disputing for such rewards there was much intrigue to attract the royal favour and to secure influential support.

The size of the harvest to be reaped from light dues obviously concerned those who would have to pay them, and led to hard bargaining between the promoters and the maritime interests. Both had their supporters in the House of Commons which in any case was concerned in a matter involving a compulsory levy on the subject. By the 17th century, the corporate voice of the mariners was uttered by the Trinity Houses. Before reporting back to the Privy Council,

the London Trinity House usually consulted the sister house or houses most concerned.

The Hull House's proposal for a lighthouse in 1590 was exceptional; generally speaking, and particularly during the first part of the century, the Trinity Houses were opposed to lighthouses. This is perhaps less surprising than might at first appear. Only gradually as the century passed were advantages of lighthouses in averting shipwreck accorded wider if still somewhat qualified recognition. This recognition about the middle of the century was more common amongst the Younger Brethren of these corporations, all active seamen, than amongst the Elder Brethren, most of whom would spend more time ashore, and whose voice, dominant in official Trinity House statements because they constituted the governing body, reflected more the opinions of the previous generation of shipmasters, and might be in strong conflict with the present. The older men's views were presumably due partly to natural conservatism; they had managed without lights. Not without reason they had doubts of the trustworthiness of early lights. To be of any use, a light had to be powerful enough to be seen at a sufficient distance, especially in bad weather. Candle lights were often very weak, coal fires of very variable brilliance depending on the wind and how they were stoked; both required but did not always receive constant attention throughout the night. Obviously the failure of a light relied on by a navigator could be more dangerous than no light at all. The Trinity House of Dover voiced a general opinion in 1634—'we at sea have always inarks more certain and sure than lights—high lands and soundings which we trust more than lights'.

The Dover House's description of lighthouses as 'costly follies' illuminates another element in Trinity House opinions. Membership was confined to shipmasters and in this period masters were usually at least part-owners. They felt therefore at first hand the weight of lighthouse dues. Guild privileges were also involved. One of the most important functions of the Trinity Houses was the examination and licensing of pilots, i.e. navigators. 'The fewer lights, the more skill required in pilotage'—and so skill and local knowledge retained their market value.

The Trinity Houses only gradually therefore came to recognise the benefits of lighthouses; their opposition to the private promoter lasted even longer. Perhaps there was a survival of the economic ethics of the Middle Ages when the guilds were founded, in their strong feeling that lighthouse profits should not line private purses but should support another of their chief functions, the relieving of elderly and distressed seamen and their families. In any case the Trinity House of London interpreted the Act of Elizabeth's reign as giving them the sole right to erect lighthouses. They resented proposals from others whether private individuals or other Trinity Houses. 'Observe the evil,' wrote Samuel Pepys in 1682/3 when he was an active member of the London Trinity House, 'of having lights raised by and for the profit of private men and not for the good of the public or the relief of poor seamen, the widows and orphans from whom the same arises. As also how easy our lights and how high those of private men and by what arts gained'.

.1618-1672:

various proposals for lighthouses at Spurn

The conflicting attitudes and interests involved in lighthouse proposals and the intricate and protracted negotiations needed to resolve them are well exemplified in the case of the Spurn lighthouses. Despite the Hull House's earlier proposal of a lighthouse in 1590, the Trinity Houses of Hull and London uncompromisingly opposed all proposals made during the first half of the seventeenth century. Nor is there any evidence to suggest that at this stage theirs was not the general view. In 1618, Sir William Erskine and Sir John Meldrum, for their 'true, faithful, and acceptable servie' to the king, had been authorized to set up lighthouses near Winterton in Norfolk. Encouraged by this and possibly in association with Meldrum, Peter Frobisher, heir and executor of Sir Martin Frobisher, petitioned in the same year for authority to erect and maintain a lighthouse at 'Ravenspurre or Kelsey' (i.e. Kilnsea) and to collect similar dues to those granted to Erskine and Meldrum. On being consulted by the London House, the Hull Trinity House declared that the erecting of a lighthouse at Ravenspurre was impossible and at Kilnsea very dangerous. The former opinion was probably a just assessment in view of the geographical changes then in progress at Spurn.

Several years elapsed before the next petitions were submitted. They indicate financially pressed courtiers looking for means of making money. Sir James Ouchterlony, who had been a Gentleman of the Privy Chamber to James I and who had, about 1620, bought a share in the captaincy of the fort of Holy Island, apparently became interested in lighthouse projects not long before his death which seems to have happened about 1630. His schemes were revised at intervals for some years after his death by his widow and an associate named Thomas Talbot. In 1634, for example, Lady Ouchterlony renewed the joint petition of her late husband and Talbot, submitted shortly before he died and which had been referred to the Lords of the Admiralty. It was for 'a grant or privilege to erect two lights or flame-houses at the mouth of the Humber and to take maintenance of the same for 30 years of seamen 1d. per ton of passengers 2d. of subjects, of strangers double as much'. The high rate of the dues proposed and indications that Ouchterlony needed them to pay his debts cannot have commended his petition, and no action is recorded. Lady Ouchterlony and Talbot were probably also concerned in the proposal to build a lighthouse on Flamborough Head that the Hull Trinity House was asked to support in January 1637; the House refused because Flamborough Head was 'well known and perspicuous'. The following December, Lady Ouchterlony and Talbot submitted a comprehensive petition embracing all their projects viz. for lighthouses on Flamborough Head and Spurn Head and for Filey Brigg to be made a harbour breakwater. The Hull House reported to London Trinity House in June 1638 their opinion that all the things proposed were 'unusefull and needless' and so the matter lapsed.

Their attitude was still the same after another twenty years when in 1657 Thomas Stratton of Boston petitioned for lights on Spurn Head on behalf of the masters of ships of most of the ports from London to Newcastle. In the Commonwealth period, petitions were submitted to the Lord Protector, who referred them to the Committee for the Admiralty and Navy which replaced the London Trinity House at this time. The Hull House reported back to them 'we are soe far from conceiving it to be a thing either necessary or usefull for navigation that we think it would rather be an inconvenience and mischief'.

This petition is the first in which some indication appears of a demand for lighthouses on Spurn Head from traders and masters, particularly from those engaged in the coasting trade past the mouth of the Humber. By the middle of the century lighthouses had been set up at nine places on the English coast and their advantages were gaining wider recognition. Only the inescapable seriousness of losses by shipwreck at the mouth of the Humber and the reality of the need for lighthouses there could have generated and sustained a pressure to keep the negotiations from coming to a complete standstill on their long, tortuous, and interrupted course. It was this need that prompted the next step. In July, 1660, the ship masters and others trading to Newcastle and northwards petitioned the King 'to recommend to the Trinity Company (of London) the consideration of the allowance thought fit for the preservation through the year of two lights at Spurn Head which they think needful'. It was regular practice to build lighthouses in pairs—a main or high light house with a lower light to act as a leading mark or give a bearing.

A petition actually to build lighthouses at Spurn was submitted the following November in the name of Colonel Philip Frowde and others who asked for leave to procure an Act of Parliament. Frowde, well known as a staunch royalist throughout the Civil War and now secretary to the Duchess of York (the Duke was Lord High Admiral), could obviously rely on strong support both at Court and in Parliament, particularly in the Cavalier Parliament returned in 1661. The petition was referred to the London Trinity House who, without reference to the Hull House, reported that lights upon Spurn Head might be of use to vessels trading to Humber, Lynn, and other ports. Accordingly a Bill was introduced into the House of Lords and had its first reading there on 8 July 1661.

The Hull Trinity House seems only somewhat tardily to have got wind of what was going on. They had written the previous May to the two members of Parliament representing Hull, Colonel Anthony Gylby and Andrew Marvell, asking for their advice and assistance, and Marvell's letters written during the long years of negotiation that followed provide an excellent account of the transactions and of the persons involved. On 13 November Gylby wrote to the House to say he had 'looked through the Bookes in the Lordes and had found a bill read in that House this session'. They replied that they still regarded the lights as altogether useless for half the year and tending only to enrich the undertakers, but if there had to be lighthouses, they, the Trinity House of Hull, ought to have charge of them, for they would run them more cheaply than anyone else could, and any

profits would go to their poor fund. In early February, 1662, Marvell wrote to say that Frowde now intended to try a different approach and sent them a copy of his bill which sought to impose duties of 1d. per ton on British vessels passing Spurn, and 2d. a ton on foreign ships. This apparently induced a change of front at the Hull Trinity House for they replied on the 11th that at this they had 'awakened to a more serious view of the business' and had decided to petition for authority to erect the lighthouses themselves and would ask for dues only half as big as those Frowde wanted. 'But we do not conceive the Spurnhead to be the most convenient place but rather some other place thereabouts'. They favoured a site nearer Kilnsea or Easington. By the end of the month, with Marvell's and Gylby's assistance they had drafted a petition for letters patent.

Whereas Frowde's bill described the chief danger to ships near Spurn Head as 'a sand stretching itself near two miles into the sea', presumably the Stony Binks and neighbouring shoals, according to the Trinity House petition the lights were needed to prevent ships at night-time 'from being drawne within the river of Humber which by the forceable indraught of the tyde therein often happens contrary to their expectations'. They pleaded also their special need for the revenue 'that by the late tempestuous winner and extraordinary accidents there have been cast upon us such a multitude of poore as will in all probability impoverish and exhaust the stock of this house and society'. The draft, followed by supporting certificates from seamen was sent off to Marvell and Gylby who drew up the petition in its final form, submitted it and began to canvass influential support. Marvell advised the strictest secrecy so that they might be able to steal a march on their rivals and outwit the opposition. 'It is a thing of great consequence and many gaping after it . . . there are those in your town, persons of quality who can speak to you as faire as any man and will and yet if any opposition spring it will be from them, as the project had its first rise here by their means'. He also asked for a credit of £100 which 'we must have ready at hand to reward such as will not otherwise befriend your business'.

At first all seemed to be going well and, on the eve of a journey to Holland, 8 May, 1662, Marvell was able to write that 'The business is the better halfe done', nevertheless adding the warning 'but there are strange seasons and junctures at Court in all businesses which must be catched or waired and in this really there hath been more cunning and intricaey used by other pretenders than you can well imagine and I for my part have been put more upon my industry, dexterity and courage herein than I have almost in anything through my whole life'. The warning was justified. Frowde intervened to oppose the petition, claiming he had a prior grant, and the matter was referred to a committee. Frowde tried to arouse the Cavalier prejudices of this body against the Hull House by allegations that some of the brethren of the House had connived at the closing of the gates of Hull in the face of Charles I on 23 April, 1642, at the beginning of the Civil War, and had been standing on the town walls when he was refused admission. The House retorted that, on the contrary, at the very time the governor Hotham was parleying with the king from the walls, they had been entertaining the Duke of

York to dinner, 'upon which such a distaste was taken by Sir John Hotham that he threatened to pistoll some of the brethren' and later expelled some of them from the town. Frowde's 'grand aspersion' failed of its effect. The Committee reported that the King was not bound by any undertaking to either party and could grant as he pleased. The King thereupon issued a warrant for a petition to be drawn up by which the Hull Trinity House was to have the light-houses for 61 years with tolls of $\frac{1}{2}$ d. a ton on British ships, 1d. a ton on foreign. A bill, was accordingly drawn up but was checked by opposition in the Lords.

Even this scant measure of success led to a quarrel between the Hull and London Trinity Houses. The latter were angry because many who had opposed lighthouses at Spurn when Frowde's petition had been referred to them in 1661 now seemed very much in favour; they accused the Hull House of being behind this changed attitude. Furthermore the secretary of the London House claimed that they and they only were authorized by the Act of 1566 to erect lighthouses. The Hull House replied that if that were so, there could be no argument, but that this was not their information. They had had no part in the earlier hearings, and they did not see why the London House need take exception to their present aims, which were the same as their own, namely to obtain additional support for their poor fund. The breach was soon healed. In the meantime, progress had been halted and Marvell summed up the position at this stage in a letter of 9 January, 1663. He had spent almost £80 of their £100, 'however the stopping of (Frowde's Act) so long is worth a great part of the money; and I hope that the vigorous resistance that the designers have hitherto found in their Act and patent will have wholly discouraged them or however tamed them so farre that they may acr henceforward upon intelligence and participation with you'. As Frowde's party was doing nothing, he advised the House on 14 April to wait a suirable opportunity to revive the project 'without jealousy of opposition'. His advice was still the same the following July—'They have but little hearte to stirre in it any more and you will do well also to seem for a while to have forgotten the businesse'. So the matter rested for some years. A letter of Marvell's of 9 December 1665 outlines some proposals of Frowde's for a joint underraking, the House to build the lighthouse at their own expense and to share the profits with him, but they came to nothing. The Dutch wars, plague and fire in London and a financial crisis intervened, and so 'the warres and troubles coming on, the business ceased'.

It was not until 23 February, 1669 that the House sought Marvell's help again. 'We are credibly informed that some are busie about it again . . . their proposition is threepence a tunne, farre above what we offered for'. They were not sure who the promoters of the new scheme were. Marvell still suspected Frowde 'he alone being the Dutchesse of Yorke's secretary and countenanced by His Highness may as he did formerly make your work difficult. There were you know certain others neare you who were willing to tamper in the advantage they presumed from that worke. But I look upon Frowd as the spring of that engine' (27 February, 1669). As he was a 'poor and needy man', Marvell recommended buying him out.

Things moved slowly. The Hull House was still uneasy about the London House's claim to have the sole right to build lighthouses. It was not until 18 September that Marvell wrote to reassure them that this was not so. To the House's fears that others besides Frowde were involved and that they were trying to make use of the Younger Brethren of the House he replied that the obstacle was still the same. 'It is not necessary to make a Cart of the flats and sands that we meet with at Court but in short Col. Frowde batrs us and he is always at the top and he at the botome.' The problem was 'whether it be fit to sit down in this security that we shall always ly in his way as much as he dos in ours or whether rather we shall attempt immediately an Act of Parliament . . . Now indeed the passing of such private bills as lay a common imposition is I confess very hazardous in our house and after the ablest men have employed all their Art and Dexterity in such matters yet chance will govern at the last . . . nevertheless imagining the worke so reasonable necessary and plausible as I do and the proportion you propound so moderate I think you muste step a little further . . . even twelve pence upon each ship would do your business sufficiently . . . preparation will cost you nothing but your pains'. The House replied nearly three weeks later that an Act might be the best way if they could agree terms with Frowde and 'finde upon the sitting of the house some faire gaile of opportunity that would be sure waft us quite over without being beat backe againe'.

These comfortable thoughts were dispelled shortly after when they received a letter from Gylby saying that the King had authorized Sir John Clayton and his partners to put lighthouses at the Farne Islands, Flamborough Head, Spurn Head, Cromer, and Corton. More reassuring news followed by the end of the month. Frowde had successfully applied to the King to have Spurn struck off Clayton's list and on 2 November Marvell wrote 'there is indeed a Patent past for five lights. But the payment is voluntary: nothing is imposed or can be exacted. So that I reckon they have but a coole Patent of it'. So it was to prove. Clayton and his partners put up their lights. That on Flamborough Head was built in 1674 and still stands, a high octagonal tower built of blocks of chalk. The light itself however, probably a coal fire in an iron basker, was never kindled; the voluntary dues yielded an inadequate revenue.

The immediate effect however was to spur the Hull Trinity House on in its attempts to reach agreement with Frowde. Gylby and Marvell especially tried many times to find a settlement at a satisfactory figure, pointing out thar 'the easier the impositions, the easier the Act' (11 November, 1669), but they found it impossible to get Frowde to say what he would regard as a fair return from the dues or to agree an estimate of the gross yield of the dues. Frowde was not entirely a free agent in the business. Lacking capital himself, he was bound by promises to others, and the result was a series of frustrating delays that exasperated Marvell—'As far as I can observe the Gentlemen a little matter makes him much businesse and he seems to me to be one of those who think it the greatest point of wisdome to make the most scruples' (1 February, 1670). By the following June, Marvell was writing that he found it difficult to

know 'how to proceed further with him in a rationally way . . . Truly he seems to me so various and fickle in handling this business all along'. So the matter dragged on to the end of the year with no progress made.

In January 1671 however, the Hull House was abruptly constrained to write again to Gylby and Marvell 'to advise how to act in the business for it is so suddaine and unexpected'. They had been startled by a visit from Charles Whittington, Searcher of the Customs at Hull, who called to show them the grant he had from the King to build lights at Spurn 'for 2d. a tunne upon strangers and a penny upon subjects provided that this house . . . certify the necessity of them or otherwise'. Whittington had some influential support because his father had spent his fortune and risked his life for the King in the Civil War, and his request put the House on the horns of the now familiar dilemma of how to refuse him support without appearing inconsistent when they themselves came to petition for lights. Marvell assured them he would get nowhere; the time was particularly inopportune for such an application, for the House of Commons was at that moment considering the case of Sir Robert Reading who had been granted a patent in 1664 to build six lighthouses in Ireland and had gone beyond its authority in levying dues. In May, realizing that he was not likely to make much progress in Hull, Whittington wrote to Williamson, Arlington's secretary, to try to win his support.

Whittington asserted that he had been put on the business by several members of the Hull Trinity House who shared with the shipowners and masters a growing impatience and sense of frustration, and felt more and more strongly that lights at Spurn were necessary and were less concerned with who built them. 'They all [at Trinity House] desire a lighthouse but would have the building and profit of it themselves which is the reason of their refusing Sir Phil. Frowde . . . if the seamen get it, it would encourage them to defraud the Customs, whilst I who am a Customs Officer I could carry it on with the same force as I have now and £50 cheaper than anyone else'. He offered Williamson £100 a year if he were successful.

Marvell welcomed Whittington's intervention—'Sir Philp Frowde hath sought us and being awakened by Mr. Whittington's stirring about the lighthouse seems to be more concerned than formerly to agree with you . . . But he is still irresolute and never knows perfectly what he would be at . . . I am in the meantime pleased to find him and Mr. Whittington jealous of each other which shall not want fomentation', he wrote on 18 February, 1671. Nevertheless Marvell had to reckon with Whittington's most powerful backer, the Duke of Richmond and Lennox, who had written to the Hull House that he intended to prosecute the business on Whittington's behalf and was 'resolved to endeavour that no private Interest whatsoever shall carry the thing against him'. The Duke told Marvell he had embraced the matter because Whittington's father had been a great sufferer for the King and that Frowde 'was like the dog in the manger: and had no money to go thorow with the business'. Despite the Duke, the King and the Duke of York remained on Frowde's side and Whittington's intervention came to

nothing. In the meantime, because of his lack of capital, Frowde was trying to come to an agreement with Clayton and his partners.

1672–1680: Justinian Angell and his lighthouse

So another year passed without tangible result until the appearance of a newcomer in the field obliged the Hull Trinity House once more to make distress signals to Gylby and Marvell. On 13 April, 1672 'after a long silence and the matter of the lighthouse as it were wholly laide aside a new occasion offering we give you this new trouble to acquaint you that one Mr. Angell of London (whoe is owner of the ground at the Spurnehhead . . .) hath made some progress to obtain the erecting of the lights to himself . . . at so low rate but a farthing a tunne that we thinke few will deny him for indeed none can act lower. And he hath several tymes desired our approbation upon reasonable terms but we haveing hitherto withstood him or at least deferred him until we could consult with you We are credibly informed he intends to apply to and comply with the Trinity House of London and with their and his interest in Court we believe will obtain a patent . . . we shall be quite wiped out and be the management good or bad we can redresse none'.

This Mr. Angell was Justinian, fifth son of the John Angell who had inherited James I's 1609 grant of Spurn from his father William. The somewhat numerous references to Justinian Angell in lawsuits brought to recover money from him, his family or associates, suggest a man very conscious of having to make his own way in the world, a bold and confident but not always successful speculator, ever ready to buy a short term advantage even though at heavy cost in the long run. His most successful stroke was to marry Elizabeth Scaldwell, heiress of a Brixton merchant, who, it seems, provided them with a home in Stockwell. In 1667, having failed in his business as a haberdasher, Angell was able to use his expectations on the death of his father-in-law to appease his creditors. Further misfortunes, including adverse judgements in 1670 for £1300 with costs and damages besides, probably reduced him to very straitened circumstances. It seems that it was while he was thus 'in a very mean and poor condition' that he heard of the agitation to build lighthouses on Spurn and 'being sensible of the great advantage that might arise to him by building a lighthouse thereupon' probably at this time bought from his father the grant that none of his family had so far been able to turn to profit.

Just how he came to hear of this opportunity is not completely clear. Angell always stressed that he 'came not unto the lighthouse by his own seeking' but rather that the merchants, owners, and masters of ships engaged in the coasting trade, and the Trinity House of Newcastle had sought out the owner of Spurn as a way of breaking the deadlock between Frowde and the Hull Trinity House. One of Angell's principal associates, Captain Andrew Wardlow, a master mariner of Rotherhithe, claimed the credit for introducing Angell to them, and, like several of Angell's other associates, asserted

later that Angell had no capital, none of the necessary influential contacts, particularly contacts with shipping interests, and no idea of how to set about the project. Nevertheless Angell seems to have seen the scheme as his financial salvation and to have embarked on it with tremendous energy and resolution, determined, despite these reflections on his ability and the dubious nature of the grant of land swept away by the sea half a century earlier, to keep the whole matter as far as possible in his own hands.

A few days later on 18 April, 1672 Marvell replied to the Hull House's letter that Angell was unlikely to get very far unless 'he unite with Sir Philip Frowd . . . And no probability that Sir Philip will close with him upon so moderate an undertaking as you mention. Neverthelesse if as you write Mr. Angell hath desired your approbation upon reasonable terms, truly I think you will do well to hearken to them. For if Mr. Angell can obtain the patent upon a mutuall understanding betwixt you, you shall have so farre prevented the greedy appetites of those who have been so many years gaping after this profit. Bur if his indevors prove ineffectuall you are but as you were . . . Besides that Mr. Angells being owner of the Site of Spurn-head is methinks no improper foundation to go to worke upon'. In answer to a further request of the House he verified Angell's title and reported on 14 May that Angell offered £50 a year to their poor fund if he obtained a patent. Thereupon the House ordered four Elder Brethren to view the proposed site and they reported it was 'the fittingesr plaec' for the lighthouses. A letter from Angell himself to the House followed up these favourable accounts. He assured them he was 'prepared in every particular on my side, only wait your motion' and suggested that they should give Marvell full power to negotiate and conclude for them.

All this put the House in a quandary. They reckoned that Frowde had more influence with the King but that Angell's ownership of Spurn and the modesty of the dues he asked for put him in a strong position, 'But how to reconcile these two to ourselves and to the work seems difficult'. They hoped that Frowde might be persuaded at his own charge to buy out Angell's interest, and then they would help in the building. These anxieties and worries they confided to Marvell who invited Angell to his lodging so that he could put the Trinity House suggestions to him. All Angell's abundant self-confidence characterises the letter which he wrote to the House on 13 June, firmly rejecting these terms—'. . . assure yourselves gentlemen . . . with your assistance and the assistance of the Trinitie House of Deptford Strand and the interest I can make likewise will oversway and our Ballance Sr Philip or any such of his capassitie or pretences and I think in reason you need not now to make any stop or scruple at that but to leave it to me to go forward as I have begun, and I feare no miscarriage by any of those courtiers . . .'. He would not sell his interest on any terms, but if the House would comply with him and persuade the London House to do likewise but without any payment to them he would increase his offer of £50 per annum to £80, and he again urged them to authorize Marvell to act for them. Marvell, when he heard of this, said he would have been unwilling even if the House had wanted him to act

for them in a matter of such importance. Angell's breezy assurances failed to win the confidence of the House. On 18 June they sent Marvell a copy of Angell's letter 'in which we see such new conditions or rather impossibilities propounded that we have just cause at least to suspect him if not to desert him'. They would rather agree with Frowde.

Marvell, in re-opening negotiations with Frowde about the middle of June, 1672 was blunt about the latter's dilatoriness. 'I told him I had been so unhappy in former discourses with him as to meet with such delays uncertaintyes and repugnances that I was tired out of the businesse'. However by 4 July Marvell had secured Frowde's agreement to the conditions proposed by the House ' . . . I refusing to write to you as he desired of those things as having been so long both under your and his consideration and sending onely to delaye if nor misunderstanding, he assented that I should advertise you he is content to proceed upon those three principall grounds which you limited me to. That is to say: first that the imposition shall not exceed a farthing and halfe-penny. Next that one third thereof be to your use and propriety, Lastly that he will beare two thirds of the whole expense you making up the other part . . . we shall he forced to allow some time more than ordinary for Sr Philips usuall deliberation; he being neither too quick nor over certain even in affairs that tend to his own advantage'. This was true enough; the House heard no more until November. Then on the 2nd Marvell wrote 'I do not believe there is any fraud in him though there has been some delay'; on the 14th that Frowde hoped in a few days to sort out his affairs with his associates 'then we shall go on with expedition'; on the 28th 'Sr Philip is I can not say so negligent but so tedious that I think any one almost but myself would be tired out with it. He layes it all upon the difficulty still of getting a meeting with all those persons that he hath been formerly intangled with in Articles about the five lights (i.e. Clayton's). And I have found that Angell hath applied himself to the Crown by Perition'. The King had referred this petition to the London Trinity House who 'returned for answer that they saw no reason for it without new matter produced. So that they (Angell and the rest) returned very ill satisfyd. I have been also to day with Sr Philip who knew not so much and is well nerled and I told him his slownesse was the occasion that these impediments grow daily upon us'.

The following January (1673) the affair was 'in so much rediousnesse and uncerrainty some pleasure to see however that Sr Philip himselfe is thus hampered'. The London Trinity house were shortly to consider the matter again. 'I am told they will again certify against the erecting. And this as things are imbroyled at present seems the most desirable. That so the Court competition being extinguished there might a mutuall understanding be indeavourd betwixt this Trinity House and yours towards the setting up of those Lights to the advantage of both houses'. The war with the Dutch and the arranging of convoys were now more pressing concerns for the Hull House and delay was welcome. The war also provided Frowde with an excuse for his procrastination; he explained he had 'hitherto deferred and doth still defer proceeding in consideration of the war

lest that lighthouse might be a mark for the pirates and privateers of His Majesty's enemies to lye safe at the mouth of the Humber'. Also he had lost his papers in the Great Fire of London.

Angell in the meantime had submitted the 'new matter' demanded by the London House. Their report, dated 15 May, 1673, was still adverse. Spurn lay too far off the main shipping routes for a lighthouse there to be of any benefit to most of those who would have to pay dues. Ships from London, Ipswich or Yarmouth, bound for Newcastle set their course direct from Winterton Ness to Flamborough Head and so were several miles out to sea when they were off Spurn, and those bound for the continent came nowhere near it. Furthermore, the lights were to be on such a low site that ships would have to pass through many dangers before they even came within sight of them.

This report was presented to the King and, as Marvell reported to the Hull House on 24 June, 'the King and the Duke of Yor[ke] have been upon their [i.e. the London Trinity House] report fully satisfyd of [the] inconvenience in that place and in short, that Angells Project . . . is utterly quashed . . . and I believe that after this attempt hath been cold awhile and forgotten you may find out some other place more proper than that of Angells and, upon communication with the Trinity House here, revive the businesse at a more proper season to mutuall advantage'.

He underestimated Angell, whose response was prompt and characteristically bold. Without more ado and relying on the support he had already, he set about building the lighthouses, and further confounded his adversaries by causing or allowing rumours to spread that he had obtained a patent and had bribed the London Trinity House to withdraw their opposition. The Hull House first got to hear of his activities about 6 August and at once wrote to Marvell who replied 'I was as much surpris'd at the news as yourselves . . . One thing I can assure you of that there hath nor been any the least compliance from the Trinity House here with Mr. Angell . . . And those whom I have spoken with since of that Society do believe that whatsoever Mr. Angell saith now is as false as many things he hath formerly and that he hath obtained no Grant at all but only builds at a venture hoping hereinafter to prevaile for a voluntary payment from the Navigators or as rimes may fall to gain the Kings Patent'. Angell had in fact already obtained his voluntary payment for the navigators had offered to pay him a farthing a ton if he would build two lighthouses.

There were other factors as well. Sir John Clayton and his partners were active at this time with their own project of building five other lighthouses along the east coast including one on Flamborough Head, the erection of which was imminent if not actually in hand, and there were two reasons for anticipating them. Clayton had a warrant from the King to build a lighthouse at Spurn as a trustee for Frowde and there was always a risk he might build there while he was busy on Flamborough Head. Further, the Newcastle Trinity House, whilst they had consistently supported the Spurn project, were strongly opposed to Clayton's proposals and wished to use the dues to be paid for the Spurn light as an argument against the

imposition of additional levies for Clayton's lights. In any case direct action probably seemed to Angell the only way of breaking through the deadlock and he was probably so deeply committed financially by this time that withdrawal would have meant ruin.

Angell organized his building operations very systematically. He arranged with a Hull master builder named Catlyn to meet him at King's Lynn 'to view some lighthouses and to take example by them how to build at Spurnehead'. It seems virtually certain that the lands which Angell claimed under the grant had been swept away about 50 years previously; even if they had survived, exact identification would have been impossible. Angell was quite undeterred by however much of all this he was aware of. He went down to Spurn with two associates, Blanchard and Lambert, to reconnoitre a site for the high lighthouse. They first tried the Den, a fair-sized island at that time and not covered by the tide at high water, unlike the muddy shingle bank, Old Den, which it has become at the present day. Spurn was much shorter then because of the 1610-20 breach, and its tip, though growing, reached not quite as far south as the southern end of the Den. The tip of Spurn was sometimes called Gut-end because it helped to form the southern mouth of Greedy Gut, as the channel which separated Spurn and the Den was (and still is) called. The Den proved to be too low and too far inland so Angell, taking Blanchard's and Lambert's advice 'pitched upon Gutend and said by the grace of God here I will build them'.

The site itself was chosen with great care (A, Fig. 2). Angell 'went downe to the Spurne head with Pylotts and set up certain flags for marks'. He went down also by night with a party of seamen. They lit fires in various places and then put out to sea a few miles to judge which was best placed and fixed the site of the lighthouse accordingly. Soon after, men and materials were sent down and building began.

No reliable plan or drawing of his lighthouse is known and the available descriptions do not completely tally. According to Smeaton the main or high lighthouse which was still standing in his day, was a strong octagonal tower of brick about 60 feet high on the top of which the light was exhibited—a coal fire in an iron basket hanging from a wooden lever or 'swape' with which the fire could be raised another 14 feet. If Smeaton's description is accurate, Angell's lighthouse must have been very similar to Clayton's tower which still stands on Flamborough Head except that this is built of chalk. (Plate 1). The heights given by the seamen supporting Angell agree with this description; they testified that the high light was $72\frac{1}{2}$ feet above high water mark and that Angell intended to make it 14 feet higher. However the information that the Hull Trinity House had in September 1673 was that the lighthouse was to be '75 foote in height whereof the first sroy at the bottom is to be an intire pile of brick and the passage into the upper rooms to be by ladder drawne up. It is to be a very square 24 foote at the foundation and so for 12 foote high and the rest proportionable. They give out also there must be a fort for certaine great gunnes to defend itt'. Two rough drawings of square lighthouses form ornamental headings to a printed statement of his case that Angell issued in 1678.

While Angell was thus engaged in building, Nature herself

intervened in the argument in a way that forced the contending parties to declare themselves unambiguously. On 21 February, 1674, the Hull Trinity House reported to the London House 'we have had notice of a new sand as it is now called which is growne neere humber mouth about four miles east and by south from the Spurnhead upon which divers shippes have been endangered and some lost. Whether it be really a new sand or whether it be one of the old overfalls which hath gathered of late we cannot certainly tell, having an intent to view it. But the waters violence and the privateers which daily haunt humber mouth hath hitherto prevented us . . . however we perceive on all hands that the lighthouse now in erecting wilbe a thing of soe little use that it will be rather as it is plaeced a snare to draw shippes upon that sand'. The sand was about two miles long and a half mile in width. The London House proposed to place a buoy on it, but the Hull House pointed out that a buoy would only be a day mark and doubted whether it would stay in position because of the strength of the tides and violence of the sea. They now took a more positive view of lighthouses. 'We plainly understand since this new sand grew up at Humbermouth a lighthouse is generally desired especially by the colliery', they wrote to Marvell on 21 April, '. . . and since the ease is now altered by the new sand soe our opinion may well alter and we now think a light will be very useful but not where Mr. Angell's erecting is begun for that will prove very prejudiciall to shippes as it lies'. The Elder Brethren were not completely of one mind about this; one of them, Richard Lindall, was in London at this time, and Marvell, in replying on the 26th, quoted his opinion, 'Mr. Lindall . . . saith that Angell's light is in a place so right for the avoiding of the new sand that all the men in England could not have set it more directly . . . if it be so this new sand may excuse you from the objection of any inconstancy'. The London House laid a buoy on the new sand, but as expected at Hull, it dragged its moorings in July and the Hull House refixed it with heavier anchor stones.

By this time also, Angell's high lighthouse was nearly complete and on 20 August he wrote to his partner Wardlow who was then at Newcastle to ask the authorities of the Trinity House there 'to chuse three or four of their house that are able pylotts . . . to sound the sand and sett the low light to the high light . . . for I must sett up one—it cannot be ohviated. Sr Jn Claytons partie hath settt up a light on Flamburgh head and if I should have but one and anie shippe should miscarry the Trinity Houses of London and Hull would lay the blame upon myne though theirs might be the occasion of itt there for I would keepe as cleare of them as I can'. Early in September three members of the Newcastle Trinity House came to Spurn and selected a site for the low light 210 yards east and by south of the high light. They rowed out to fix the southern end of the new sand by sounding and then indicated a safe route into the Humber by choosing a site for the low light so that a ship keeping it in line with the high lighthouse would come in well south of the sandbank (i, Fig. 2). The low light seems to have been at first little more than a fireasket or lantern on the end of a pole. A day or two later, the buoy laid by the London House on the new sand disappeared again

and this time, because the weather had been fine, sabotage was suspected 'the better to make way for the erection of the new lights'. The buoy was found about the end of the month off the Norfolk coast.

These arrangements, thus supervised by the Newcastle representatives whose main interest was the safety of coasters plying between the Tyne and the Thames, make clear the nature of their concern in the establishment of lighthouses on Spurn in such a way as to provide a safe route into the Humber. The Humber, so they argued, was so dangerous that no shipmaster would go there in a storm if he could help it. Nevertheless, because it was the only harbour on the east coast not obstructed by a bar, it was the only haven of refuge between Harwich and the Firth of Forth for big ships caught in easterly gales, and if there were lights, they would be able to find a safe anchorage in the Humber even on dark stormy nights.

Having set up his lighthouses, Angell attempted a rapprochement with the Hull House. 'Notwithstanding all the trouble you have inflicted upon me I am still the man I was', he wrote on 17 September, and renewed his offer of £50 a year for their poor fund if they would support him. The House did not answer. They came to a final determination of their attitude on the locating of the lighthouses at a board meeting a month later. Of the ten present only Richard Lindall was in favour of lights on Spurn; he was voted down by the other nine who declared that Angell's lights would only be a 'thwart mark, showing navigators when the new sand was abeam but not on which side it lay or how near it was. They favoured a pair of lights on Dimlington cliffs aligned to lead ships past the mouth of the Humber and clear of the sand. They seemed only concerned about ships passing by the mouth of the Humber; perhaps by approving lights designed to guide ships into the river they might have seemed to own to misgivings about their own particular expertise in piloting ships up and down the river.

Another month passed and Angell tried again. 'I would first know in what I have given cause of disobliging of you wleare was ane servis from me by ane of your hous that lay in my power to seve them or theire friends but I did it but I can say for what ever I did I have been slited both by your sositie and the corporation of Hull but toward all this tho true I forget still and will forgive if you and your sositie will looke forward and be friendlie with me'. Having now formally resolved against Angell's lights, the House made no reply.

The new sand obliged the London Trinity House to reconsider its opinion also. In October, Marvell, now an honorary brother of the London House, had written to Hull ' . . . Our house hath to day entered at last seriously into consideration of Lights about the Mouth of Humber and will so continue untill they come to a perfect Resolution . . . Our House hath also ordered a Letter to be sent down to you to night desiring you to sound once again whether the sand do continue as when the Captains last surveyed it, or it be warped up higher or otherwise then you then left it. This is in order to the retracting or rectifying with more honour the reasons formerly given by your House and Ours against the Lighrs of Humber.

For I perceive that from all parts there is now a concurrence for the necessity of Lights and this new Banke which occasions it will serve for a just pretense to the variance of our judgements'. By the end of January, 1675, the London House had decided against 'the erecting of any light on the Spurne or any place adjacent'. They saw no reason to change their mind about Angell's lights and thought the site favoured by the Hull House too far north to be of any help to ships bound for the Humber. Marvell summed up their view concisely—'Every mans lead is his best light'. The buoy was the best that could be done. In February it had to be taken up for repairs and relaid. By this time the new sand had received a name; Angell and his supporters referred to it as the Dread of Humber (Fig. 2).

Despite these rebuffs, Angell had not lost the initiative. Urged on by his supporters and doubtless not unwilling to begin the collection of the voluntary payments promised, on 5 April he kindled his lights. 'Angell seames to carry it with a high hand setting both our houses very light', the Hull House wrote to the London House, 'We leave it to your discretion how to deale with him'. They dealt with him by obtaining an Order in Council, dated 5 May, that the lights were to be extinguished, and sent a copy of the order to the Hull House. One of the Hull brethren went down to Spurn on the 14 May and served the light keeper with the copy; he at once put out his lights. Angell was not himself at Spurn at the time however and no formal service was made on him, and at his direction the lights were rekindled only five days after they had been extinguished. There was consternation in the Hull House. 'All the proffers unto our poore is thus utterly lost . . . our glory is eclipsed'.

No doubt foreseeing, indeed intending, the confrontation that would follow, Angell and his associates were very busy throughout this episode organizing support for the lighthouses. In this he showed the same adroitness and skillfulness as he had in building the lighthouses. His intelligence system was particularly well devised. Marvell found more than once that the contents of what were supposed to be confidential letters from Hull to him were already known to Angell and his associates. 'It seems therefore that there is some sentinell set upon both you and me', he warned the Mayor of Hull, 'and to know it therefore is a sufficient caution'. The Mayor and Corporation in fact were on Angell's side. Another Hull supporter wrote in May and again in June to Williamson, now the Secretary of State after Arlington's resignation, describing how various ships would have been wrecked at the mouth of the Humber but for the lighthouses. Angell submitted a fresh petition on the 27 May consisting largely of answers point by point to the 1673 report of the London Trinity House, and this was followed up in August by 'The humble remonstrances of us the Masters and Marriners of Kingston-upon-Hull'. All the submissions were referred to the London Trinity House and by them to the Hull House 'there being severall reflectiones and unhandsome expressions towards some members of your house'.

The argument had indeed descended to personalities. The Hull House opposed him, Angell declared, because they were not satisfied with what he had promised to give them. The masters and

mariners agreed that 'the masters of the [Hull] Trinity House . . . might be competent Judges . . . if they themselves adventured to sea. But we affirme that some of them the Greatest Opposers of the Lights have not undertaken any voyage by sea for twenty yeares past'. They wanted lights at Dimlington because they owned land there and hoped for gain.

The Hull House replied in kind. Angell had bought his support with promises and bribes. He had 'very freely treated' the Younger Brethren who had signed his petition. 'The Mayor and Aldermen did not subscribe and certifie that the lights were necessary until he had consented to give them a large revenue out of itt'. Marvell had been sent a forged letter 'telling him that by his opposition he had lost the favour of the whole towne and that people cursed him as they went on the streets for hindring the lights and such like fooleryes'. It turned out that the supposed writer, Christopher Shores a shipmaster, was away at sea at the time. 'Whoever could counterfeite that lerrer and hand, it would nor be difficult for them to get certificares subscribed with names enough though the persons not present'.

On 6 October the London Trinity House made their report to the King. Much of it was probably drafted by Samuel Pepys, then Warden of the London House; he notes in his *Naval Minutes* how active he was at that time in opposing Angell. The report repeated and amplified the arguments of the 1673 report, and denied the usefulness of the lighthouses for avoiding the new sand 'forasmuch as though they might serve for a thwart mark, they will not for a longst mark'. The New Sand or Dreadful was 'neither new nor newly knowne otherwise then by the newnesse of the name thus artificially imposed on itt by Mr. Angell'. In the midst of these negotiations the buoy on the sand drifted out of position again, a fact made use of by Angell's supporters who replied to this report on the 20th.

Two or three days later the whole matter came before the King and Privy Council. It seems that during the hearing it became clear that the petitioners had convinced the King that lighthouses were necessary, and the argument then turned to the question of where they should be. Angell was prepared for this. He had had a map made of Spurn and the coast northwards to Dimlington by the locally well known surveyor, John Osborne, and when 'it was urged to have the lighthouse at Dymlington Beacon . . . the King said they might as well place it in Hyde Park'.¹ So Angell gained his patent. Shortly after, the Hull Trinity House gathered up the buoy and chain from the Dreadful and returned them to the London House.

Angell's patent, dated 25 October, 1675², granted him and his

¹ Banstead Down, which is near Epsom and was a favourite resort of Charles II, in another version of this story.

² Presumably by a clerical error, Angell's patent, according to the copy in the East Riding Record Office, has a heading ascribing it to 'anno Regis Caroli Secundi Vicessimio octavo', i.e. 1676, and this is the date accepted in the Acts of Parliament of 1766 and 1772, by Smeaton and by most historians. That 1675 is the correct year is shown by all the circumstances described above and by the reference in Angell's second patent of 1678 to 'our letters Patent bearing date . . . in the Seven and Twentieth Year of our reign'.

successors in perpetuity compulsory dues of a farthing a ton on all ships passing by, and 'for the better management and collection of the said duties . . . a place in all the Customs Houses in the parts and places where the same is or shall be collected', on condition the lights were properly maintained and an annual rent of £5 paid to the Crown. If at any future time it could be shown that the grant was prejudicial or inconvenient or not of public use or benefit, the patent was to be void.

Soon after his victory, Angell set about improving the low light, which was still a temporary affair, and built what was perhaps a smaller version of his main lighthouse, though the evidence is not clear. A petition of 1677 records that he 'built another house to the high lighthouse, the same being formerly fixed to a pole' and the rather crude drawings referred to earlier which decorate the printed 'Case of Justinian Angell, 1678' show two square brick buildings, one large, one small. A Hull Trinity House certificate of 1681 describes them as 'two large coale lights in great iron cradles'.

The immediate effect however was to increase Angell's already heavy outlay. It had cost him, he claimed, £1,600 to build the lights, and the strenuous and protracted opposition and legal costs had swollen this to more than £3,000. Running costs were high also. Coal specially picked for quality and therefore expensive was brought by sea from Newcastle and Sunderland, landed on the beach, and then carried by oxen over sand and shingle so rough they were sometimes lamed. There had to be an overseer, two light keepers and additional help in winter. To finance all this, Angell was obliged to borrow from his partners at ruinously high rates of interest, so that he had almost 'undone himself'.

The low rate of dues payable to Angell had been some consolation to the Hull House. They were the more disturbed therefore when rumours reached them in April 1677 that Angell was applying for higher dues. After some months of uneasiness they appealed to Marvell in February of the following year. 'I have spoken with Mr. Angel who denyes he is about any such thing' he replied, 'but that is false . . . there hath such a Patent layd several moneths [with the Lord Chancellour]'. It had been submitted 27 October, 1677, and according to Angell, by his associates rather than by himself, because of the high cost of the lighthouse and the small return. Angell also alleged that one of the Hull Trinity House had offered to support his petition if Angell would promise to give the House something. This was a damaging statement and Marvell warned the House 'he is a dangerous kind of Man and cares not whom he bespatters'. Although the House protested that 'Angell when he got hands of divers younger brethren . . . did seriously protest nay layd a curse upon himself he would never endeavour to augment it at all', Marvell could offer little reassurance, and because of his membership of the London House, little assistance. Nor had the divided counsels of Elder and Younger Brethren in the Hull House improved the situation. 'For in generall His Majesty having declared . . . his satisfaction of the usefulness of those lights and given some interteinment moreover to Angels Allegations I much doubt whether our House wille appeare so vigorous as they have

done formerly', he wrote on 28 March 1678; 'Beside Angel hath so soiled you by representing some very late Treating of some of your members for a part of this Imposition to your Houses use, that it will be difficult to wash off those suggestions and for you to appeare against it . . . Unlesse your yonger Brothers subscribed blindfold or Angel having got their names writ above them what he pleased they did I assure certify to increase the Imposition'. The best they could do was to show how much of the £3,000 the lighthouses had cost consisted of 'extravagant and corrupt Pensions' promised by Angell to win support. As in 1675, Angell contrived to be informed of all his opponents did. 'It is fit to let you know', Marvell reported to the Hull House, 'that by some hand or other Mr. Angell gets a very punctual intelligence of all that passes at Hull about his businesse which we say not expecting that among so many persons there should be any great secret nor that this needs to be one. Onely we wonder to perceive that he can as early as ourselves descend into particularities'.

At the hearing on 8 May, the opposition was confined almost entirely to the Hull Trinity House and Hull Corporation. Even the London Trinity House were prepared to agree another half farthing a ton on British vessels, and a penny a ton on foreigners. Angell represented that besides his capital outlay the lights had cost £905 to maintain up to Christmas 1677 and dues had brought in £945, a net revenue of only £43 for nearly three years. His arguments prevailed, and his second patent authorizing him to receive an extra farthing a ton from subjects of the Crown and a penny a ton from foreigners was sealed on 14 June.

The feelings of the Hull House were considerably soothed a few days later when Angell offered them (and the Newcastle House) an annuity of £40. Mindful of an earlier warning of Marvell's that 'he is a very unsafe man to deale with, nothing but shift and trick' the House exploited every legal safeguard to make the payment an inescapable obligation. The transaction was completed by 12 July. This consummation effectively healed the breach. Expressions of mutual regard and friendship were exchanged and the House readily obliged two months later when Angell asked for a loan of £100. The London House had neither annuity nor gratification; it called the annuities bribes.

His request for a loan and some difficulty he had in providing security indicated however other clouds gathering round Angell's head. As well as financial problems there was the question of the validity of his title and the identification of the ground to which it referred. The Constable family of Holderness had never accepted the 1609 grant, and their claim to Spurn as part of the commons or waste of their manor of Kilnsea was renewed by Robert Constable who had succeeded as third Viscount Dunbar in 1666 while still a minor. This was a situation which Angell had anticipated and prepared for, both before and during the building of the lighthouses, with characteristic wiliness. It was open for him to try for a satisfactory agreement with Lord Dunbar or to make his claim to the site of the lighthouses as convincing as possible; he made ready either way. The 1609 grant was of six acres of land called Ravensay Spurn

and four acres nearby called Coney Hill and Angell did his best to make Spurn appear to correspond to this description. When Osborne had made his map for Angell to produce before the Privy Council, he had found the area of Spurn to be 35 acres, but Fugill, a Hull bookbinder to whom Angell had promised £20 a year to act as his agent, told him to set down on the map as six acres 'because they could but claim six acres and they knew not where it was'. He had refused. Also, according to Osborne, 'about two yeares after the lighthouse was sett up . . . Fugill brought to the place some living Rabbits upon sight where of [Osborne] asked Fugill what might be done with those rabbits. He answered and said they would plant a warren their (sic) upon which [Osborne] asked if it should be called Fugills Warren and [he] answered nay it should be called Cunneyhill'.

Angell however made several attempts to come to an agreement. While the lighthouses were being built Lord Dunbar had warned him that he was building on Constable land and Angell had offered to pay whatever satisfaction was required. Lord Dunbar would have nothing to do with such an arrangement and ordered him to stop building, but Angell carried on. After the lighthouses were finished, Angell again tried several times to persuade him to come to terms. Lord Dunbar still refused and began proceedings against Angell and had a declaration of ejection served on him.

The lot of the seventeenth century lighthouse builder was a hard one. The long strain of conducting the several complicated and overlapping negotiations, the financial and legal risks and anxieties, and the many long journeys to the north and back were probably by now telling on Angell's health. He returned to Stockwell from one such journey too ill to discuss affairs, and a day or two later, on 3 October, 1680, aged 47, he died, leaving no provision from his own estate for his widow, Elizabeth, and his young son John. They were not destitute however. Elizabeth's father had prudently left his estate to his grandchildren; by giving his daughter only a life interest he had to some extent secured it from Justinian's speculations.

In December of the same year, Sir John Clayton petitioned to be allowed to surrender his patent, his lighthouses having cost him £3,000 and brought him but £60.

1680-1750: Andrew Wardlow and John Angell I

Justinian's financial condition at the time of his death was not very much better than Clayton's. There were many debts for which the lighthouses and revenues were security and at some stage he had sold a quarter share in them to his associate Blanchard. It was immediately necessary to ensure that the lights were kept 'continually burning in the night season'; otherwise the patent would lapse and the revenues be lost. About a month after Angell's death, therefore, his widow, Elizabeth, who had advanced some of her own capital and was entitled to a third part of the revenues, Andrew Wardlow, his chief associate and principal creditor, and Blanchard signed articles of agreement to last ten years whereby Wardlow was to act

as manager of the lights, general receiver of the revenues, and distributor of the profits.

Allies often quarrel when the war is over. The coalition which had been united by the effort to obtain the patent now began to fall apart as the members competed for shares in the profits. Perhaps to recoup himself for some of Angell's unacknowledged borrowings and sharp dealings with him, perhaps as part of a plan 'to compass the whole concern of the lights', and certainly to strengthen his own position, Wardlow started to buy out Angell's creditors at advantageous terms. In particular, in 1684 he bought from Blanchard who was in financial difficulties and often in prison, the quarter share that Blanchard had bought from Angell.

As general manager of the lights, Wardlow had other threats to face. In 1681 there was a petition to the Crown that the new sand having become less dangerous, the dues should be reduced; in the same year Sir Edward Villiers, patentee of the Tynemouth lighthouse which he had rebuilt in 1665 and with dues of only 12d. a ship, petitioned that a farthing of the dues paid by English vessels passing Spurn should be paid instead to him for his own lighthouse. Both the Hull and Newcastle Trinity Houses strongly supported Wardlow's and Blanchard's counter-petitions; Angell's £40 annuities had been a wise investment. Villiers made a number of applications until in 1684, the London Trinity House proposed to relieve him of his burden by taking over both his and the Spurn lights. Nothing came of it. Indeed to begin with, Wardlow's management of the lights was satisfactory. Samuel Pepys, after a visit to the Hull House in 1682 during which he was made an Honorary Brother, wrote 'I observed that the light upon the Sporn burnt well and the charge of it seems not to be much regretted by those at Hull, however indirectly it was obtained'. In 1684, at the request of the Hull House, who had helped him to oppose successfully the various proposals of Villiers, the London House and others concerning the light, Wardlow set up a day mark at Spurn 'being a Beacon with a barrel on top'. This suggests that the low light was only a swape or lever; whereas a tower would have been a satisfactory day mark, a swape or lever, probably lowered during the daytime would not. If there was a building it must have been very low, probably no more than a platform. It appears to be the day mark rather than the low light that is marked on Greenville Collins' chart of 1684. A rough map of about 1695 (East Riding County Record Office DDCC/139/66) shows the position of the beacon close to the low light.

A more serious threat was the renewal by Robert Constable in September 1683 of his assertion of ownership of the ground. He leased the lighthouses to a tenant of his own, William Fribus, and brought an action of ejection in his name against Wardlow in the Court of Common Pleas. At the trial of the case on 5 November, 1684, a decision for Lord Dunbar seemed likely until Wardlow's counsel took up the technical point that Angell had died in possession of the lighthouses which thereupon passed to his son and heir John. The right to recover land by an action of ejection lasted only so long as the right of entry remained and this was lost if the person alleged to be wrongfully seised died, because the heir thus became

seised by lawful inheritance and not by any wrongful act or usurpation of his own. This did not hold if an actual entry had been made into the disputed property by the plaintiff before the death of the owner whose title was challenged. Evidence was therefore given on Lord Dunbar's behalf that he had had a declaration of ejectment delivered to Justinian Angell before his death. The upshot was an inconclusive verdict that if the delivery of this declaration amounted in law to an entry and assertion of ownership then the jury found for Lord Dunbar, but if not then the verdict went to Wardlow. In this equivocal situation, Wardlow (probably wisely) accepted legal advice to agree with his adversary quickly. Very shortly after the trial he came to terms with Lord Dunbar. The agreement was that Wardlow should recognise Lord Dunbar as his landlord and take a lease of the lighthouses for 99 years at a rent of £150 a year. The lease was dated 14 December, 1685, and was drawn up in the name of Wardlow's son who was also called Andrew. To make all valid in law, representatives of both parties visited the lighthouses on 22 February, 1686. Lord Dunbar's representatives made a formal entry and possession was surrendered to them. The lighthouse keeper, Peter Walls, who had had charge of the lights since 1682, was re-appointed keeper under Lord Dunbar.

By these transactions therefore both parties had gained. Lord Dunbar's title was acknowledged, and Wardlow, who had fought the action as sole defendant without any reference to the Angells, if he had failed to establish his own proprietorship, had at least a secure position as lessee, considerably strengthened by his purchase of Angell's debts. In this position of strength, he entered into fresh articles of agreement with Elizabeth Angell on 18 February, 1688 whereby the nomination of officers to manage the lights should rest with him entirely and the net profits should be divided in the proportion of one-third to her and two-thirds to himself.

This settlement did not last long. Wardlow's other business activities ran into such difficulties that by about 1690 his payments of rent to Lord Dunbar, of annuities and interest on loans to the Trinity Houses of Hull and Newcastle, and of the share of the profits due to Elizabeth Angell were all falling into arrears. About Christmas 1690 also, the ten years of Wardlow's term as manager and general receiver under the first set of articles of agreement expired and John Angell, Justinian's son and heir and now recently come of age, assumed responsibility for the lighthouses forthwith. He and his mother were thoroughly dissatisfied with Wardlow's stewardship, in particular with their share of the profits and with Wardlow's acknowledgement of Lord Dunbar's title. In 1691 they filed a Bill of Complaint in Chancery citing both Wardlow and Dunbar. They alleged that Wardlow had forbidden the collectors of the lighthouse dues to pay them their proper share and had used the revenues instead to buy out Justinian's creditors, that he had submitted quite unnecessarily to the 1684 verdict; the whole action indeed had been a fraudulent collusion between him and Lord Dunbar. Asked to produce accounts of his receivership, he had threatened to destroy all the records; Lord Dunbar would then get a fresh patent.

Wardlow answered these charges the following year. He, not Justinian Angell, who had proved a perfidious partner, was entitled to the credit for building the lighthouses and for obtaining the patents. His own creditors held all the lighthouse papers as securities so that he could not have burnt them even if he had wished to. Rather pathetically he added that he was 'about 60 years old and much afflicted with the stone and very infirm, melancholy, and much troubled in mind and indisposed'.

His fall from prosperity had a very important consequence. Early in the decline of his fortunes in 1686 he had had to mortgage to John Perry the quarter share in the lights that he had taken over from Blanchard. By March 1691, through Wardlow's failure to meet his obligations, Perry became absolute owner. John Angell would not countenance Perry's claim, asserting that Wardlow in using lighthouse revenues to buy Blanchard's share had been acting as a trustee; he had had no power to alienate permanently any part of the lighthouses. Perry therefore filed a Bill of Complaint in December 1691 demanding that Wardlow, Elizabeth and John Angell, Lord Dunbar, and the collectors should all give account of their actions. There was no immediate result and on 11 January, 1693, Perry sold his quarter share to Edward Thompson of York and appointed a lawyer, John Plaxton, who had acted for Wardlow in 1684, his trustee to recover the portion of the revenues that he should have been paid while he had held the quarter share.

Lord Dunbar, who like Wardlow had answered in 1692 the Angells' Bill of Complaint of 1691, denying fraud and collusion and alleging trespass by Justinian Angell, started a counter-action by filing a Bill on his own behalf which Angell and his mother answered on 1 March, 1693. Thompson and Plaxton now made common cause with Dunbar and embarked on a comprehensive scheme to settle with the Angells finally. They offered Wardlow and his wife £150 a year if he would part with the remaining three-quarters of the lighthouses provided that they could get a fresh patent from the King. Wardlow agreed and a petition was submitted, together with a supporting certificate testifying to the value of the lights obtained in February from the Hull Trinity House, who were not parties to the scheme. They also took steps at the same time to get direct control of the lighthouses. Lord Dunbar's representatives, Thompson and Plaxton visited the light-keeper, Peter Walls, at the lighthouse in February and informed him that all parties were agreed that possession was to be delivered to Lord Dunbar. They promised him £5 a year extra salary if he would acknowledge this, and he was induced to sign a sworn statement that he had kept the lighthouse for Lord Dunbar since 22 February, 1686 and would continue to do so. Hearing of this, Angell himself came to the lighthouse very soon after and persuaded Walls back to his former allegiance. Alternative reasons are given for this change of heart. Walls averred that Lord Dunbar's representatives had told him falsehoods so that he, regarding them as persons of repute, had been made the victim of a confidence trick. The other side declared that 'Peter Walls . . . for a Bryde (sic) and promise of a larger Sallery unjustly and traitorously unknowne to the Lord Dunbar . . . delivered possession

thereof . . . to Mr. Angell', and resorted to stronger measures. A justice of the peace, a relation of Thompson's, provided them with a warrant and on 25 May they set out with a strong party of servants for the lighthouse. Robert Jackson, an under-keeper, was in charge. 'Having advice of a great number of armed men . . . coming that way [he] lockt himselfe in the . . . [light]house and undersert the door thereof with a Boats Anchor and secured the door thereof as well as he could and then went to the top of the [light]house' whence he witnessed what followed. Thompson, and Lord Dunbar's representatives and servants, who were armed with 'Iron Gavelocks, Crowes, Axes, Swords and pistols . . . digged up the Walls and foundation of the entry of the [light]house before they could make the door yield and broke the doors and [left them] about the said house in pieces'. Jackson was taken prisoner to York Castle and the lighthouse was left in possession of William Fribus and others as tenants of Dunbar and Thompson.

They had overreached themselves. Their petition for a fresh patent was referred to the Lords of the Admiralty who, having heard both sides, rejected it, and the Court of King's Bench ordered that the lighthouses should be restored to Angell.

The contest was continued just as hotly in the courts with the Angells still heavily engaged on three fronts, against Dunbar's claim to ownership, against Perry's and Thompson's claims to the quarter share, and against Justinian's creditors. The lighthouses having been restored to them, Angell and his mother attempted to re-assert their complete and undivided ownership by submitting later in 1693 an amended Bill renewing their complaints against Wardlow, Dunbar, Perry, Plaxton, and Thompson. The Bill, further amended to cite Wardlow's widow, was submitted again on 31 May, 1695. Wardlow had died that year in an almshouse.

So far the lighthouses had not proved a fortunate speculation for any of those most closely concerned. Fugill was dead and his son in debt and often in prison, Wardlow and Blanchard were both ruined and dead, and Justinian Angell had been almost bankrupt at his untimely death. He had perhaps miscalculated the potency and scope of the curse he had laid upon himself not to increase the dues.

Nor had John Angell a much easier passage. He had been made an honorary brother of the Hull Trinity House on 8 May, 1693, the corporation by this gesture indicating perhaps their gratification that by recovering the lighthouses for himself he had preserved the annuity for them. They were less pleased when because of the strenuous litigation of this and the following years he fell into arrears, so much so that one of their wardens sought him out at his house at Srockwell on 31 October, 1696. 'I discoursed Rughly and told him you did desire no more paper but money from him' he reported back to Hull, ' . . . Nowe gentlemen there is a black cloud hangs over him for Mr. Thompson will come in for one fourth part of the lighthouse the next Terme'. Perry had indeed established through Plaxton his right for payment for the two years that he had held the quarter share; Thompson vindicated his right to it thereafter in mid-1697. Angell managed to pay off his arrears to the Hull House completely by 1700.

John Angell's father's creditors also pressed him hard as his answers of 1709 to a Bill of Complaint filed against him in 1704 by a merchant, Thomas Ashby, who had lent money to Justinian in 1666, clearly show. Angell stated that the gross revenue of the lighthouses from 1690 to 1704 amounted to £13,153: coals, maintenance, and keepers' salaries amounted to £1,818, cost of collection of the dues to £1,152, taxation to £745, and the annual rent of £10 to the Crown to £140. Of the remainder of £9,298, one quarter was due to Thompson, one third to his mother, leaving him with but £3,875 out of which to meet his father's creditors' demands of at least £4,248 and a further £1,120 accumulated annuities due to the Trinity Houses of Hull and Newcastle. 'As for my father, he dyed very much in debt on account of the lights, which debts are not yet cleared off nor do I know when they will be', he wrote to the Hull House in August, 1713, to excuse a fresh accumulation of arrears since 1700.

The Constable claim to ownership was pursued somewhat less vigorously. Lord Dunbar, it was said, 'was a man of gaiety and did not much like the trouble, and the times were not favourable to Roman Catholics'. He had resumed his counter-action against Angell in 1693, but it was not until October 1695 that witnesses had been examined and their depositions taken down. The Constables' case was that the 1609 grant was invalid because the land was not the Crow's to grant; even if valid, it applied not to the site of the lighthouses but to Ravensey Spurn, the position of which, the Constables argued, was where the Den lay now, but it had been swept away by the sea many years previously. Furthermore, Wardlow, when he acknowledged Lord Dunbar's title and took the lease, had been acting for Angell. But Lord Dunbar was 'afterwards very much afflicted with the gout and other infirmities for several years and could not be active therein'. There was an attempt about 1704-6 to revive the case but it came to nothing. Lord Dunbar died in 1714 and was succeeded by his brother William, fourth Viscount Dunbar, who had been closely associated with his brother in the lighthouse affair. He had long consultations with his lawyers and with the Attorney General as to the best means of recovering the lighthouses. The case was complicated and most ways of proceeding were beset with intricate technicalities, in which a slip might be fatal. This complexity was further aggravated by the confusion of place names resulting from the geographical changes of the beginning of the century. Particular topographical features had more than one name, and a particular name was applied to more than one feature. Such ambiguities were only too likely to lead to prolonged and inconclusive litigation, particularly if counsel on either side decided to throw dust in the eyes of the court to avoid an adverse decision. Eventually a Bill in Chancery, which presents a somewhat muddled and incorrect account of what had happened, was filed in late 1717 or early 1718 but Lord Dunbar 'falling afterwards into a bad state of health and not caring to be troubled with business and the Defendants to that Bill taking advantage thereof to protract the suit as much as possible it did so happen that no further proceedings were had therein during the lifetime of William, Viscount Dunbar'.

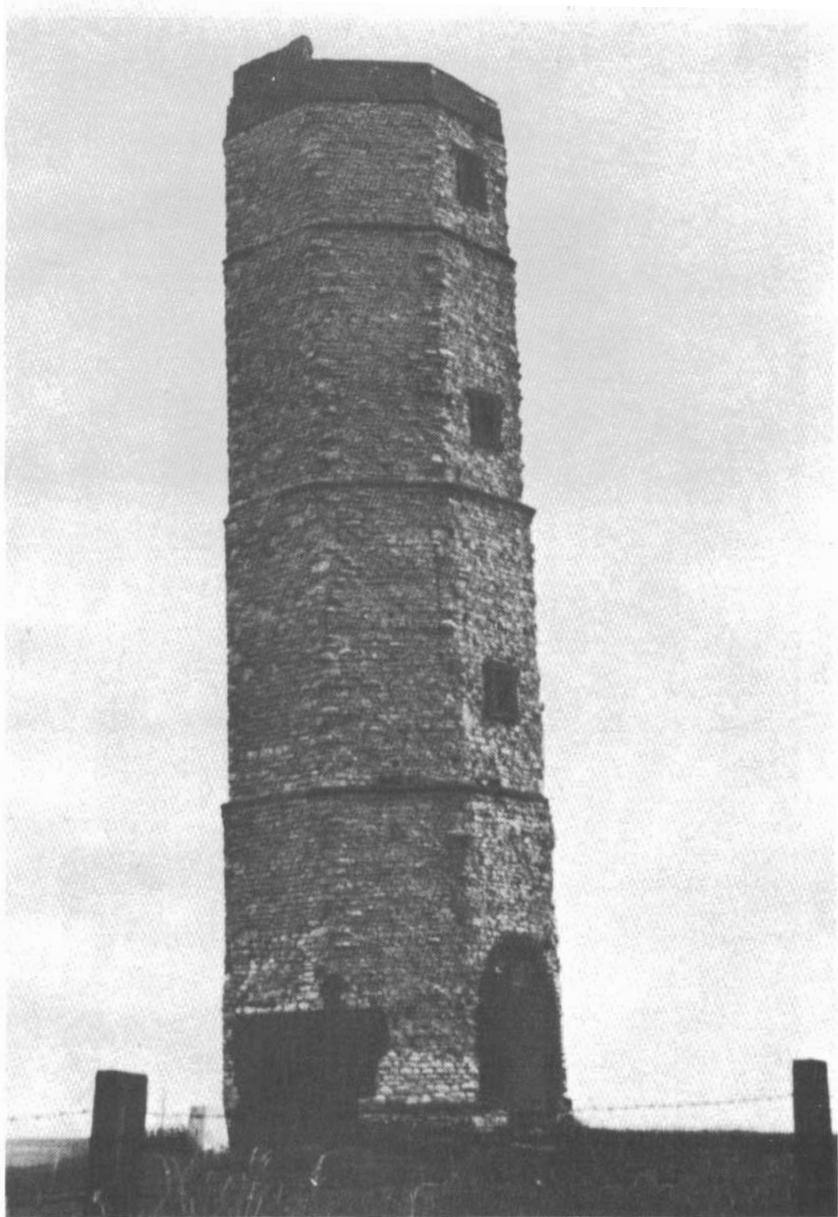


Plate 1

Sir John Clayton's Flamborough lighthouse, built c. 1674.

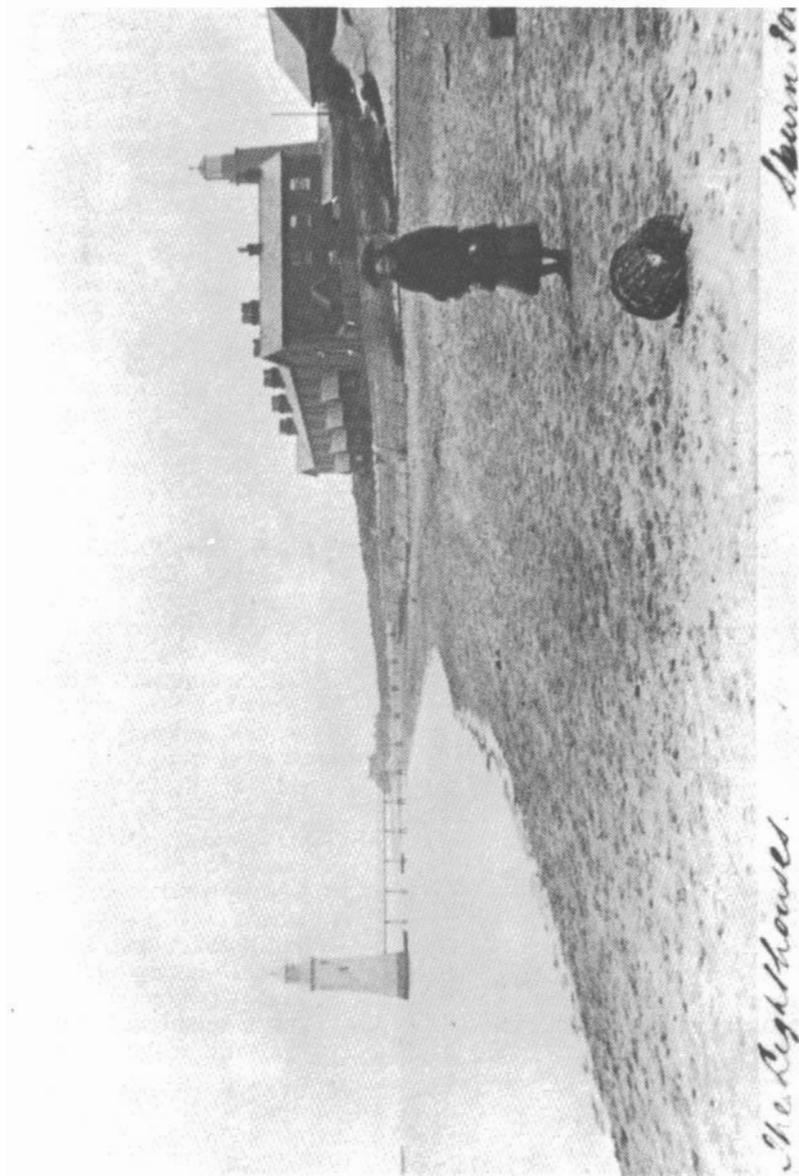


Plate 2

Smeaton's high lighthouse, as modified for oil burner, and the 1852 low lighthouse c. 1890.

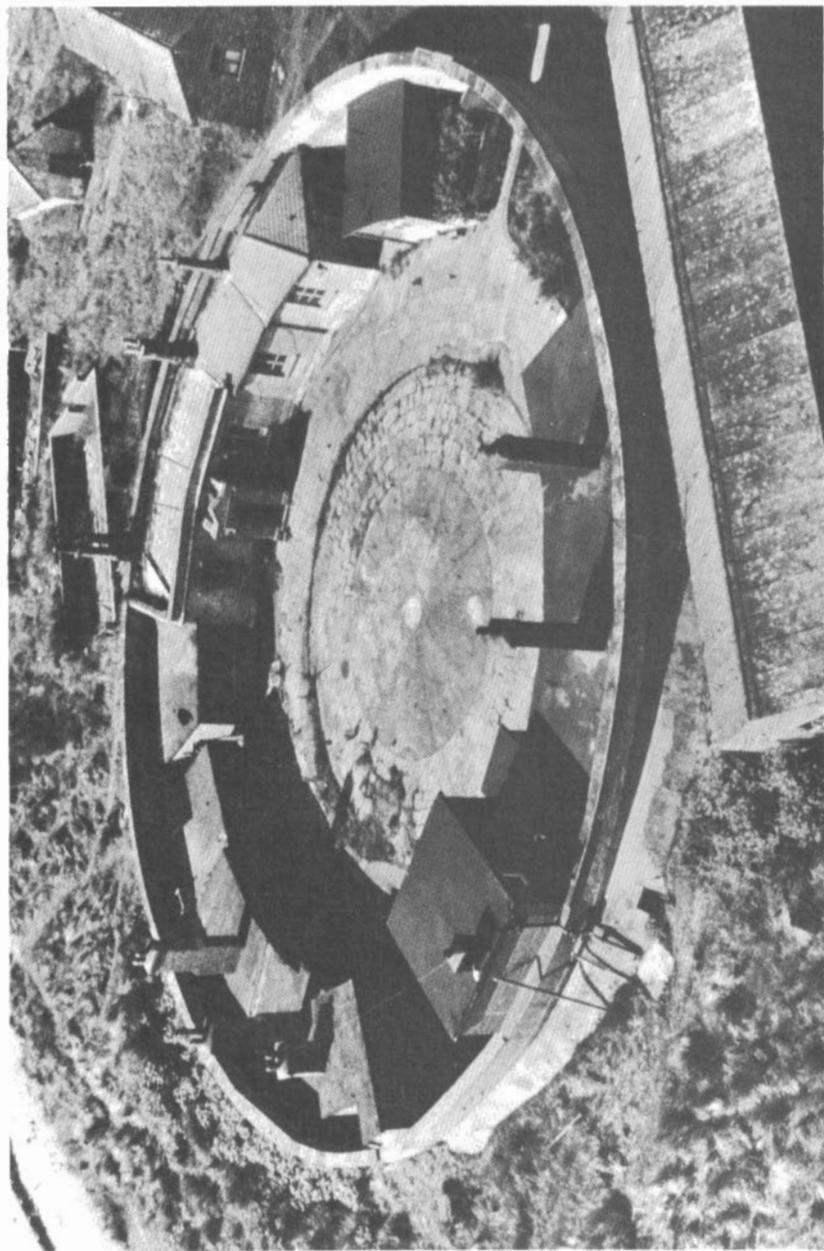


Plate 3

The circular compound with the lightkeepers' houses surrounding the site of Smeaton's high lighthouse, 1968.



[Photo J. B. Fisher]

Plate 4

The present Spurn lighthouse and the stump of the 1852 lighthouse with water tank.

He died later in 1718 and John Angell retained possession unchallenged by Lord Dunbar's successor.

While these legal battles were being fought out in the courts, at Spurn itself the natural evolution of the peninsula as a physical feature, bringing some changes to the lighthouses but portending greater, steadily proceeded and was diversified by one or two incidents of a different character. As early as 1693, Peter Walls had testified that 'the utmost poynt . . . has gained ground warped up from the sea and has gathered from the sea upon that poynt within the last ten or twelve years considerately'. A rough map of about 1695 shows the lighthouses and beacon already some distance short of the extreme tip.

The storm that swept away Winstanley in his Eddystone lighthouse on the night of 26 November, 1703, also shook the Spurn lighthouse. The keeper 'verily believed his tower would have been blown down and the tempest made the fire in it burn so vehemently that it melted down the iron bars on which it was laid like lead: so that they were forced when the fire was by this means almost extinguished to put in new bars and kindle the fire afresh'.

In June, 1713, a new sand bank appeared off the mouth of the Humber; the Hull Trinity House sent three Elder Brethren to examine it and reported the matter to Angell. He put an advertisement in the *Gazette*. Shortly after a ship was wrecked on the new sand. 'I do not find that it was in any manner occasioned by any fault or defect in keeping of the lights', Angell wrote to the House on October 5, 'However for publique good I would willingly prevent any such loss for the future if I could understand means to do it . . . and desire the favour of your advice and assistance'. The House recommended 'that a beacon be erected below the High Light for a day mark' and added 'we are willing to give our pains and trouble but at your charges'. Nothing was done and several ships were lost in the ensuing winter. The House repeatedly pressed Angell to have the beacon set up, and by October 1714 were threatening to lay an official complaint before the King and Council. Still nothing happened, and during 1715 the annuity fell into arrears again.

At the end of the year, on 7 December, the House wrote to Angell again 'to acquaint you that the sea hath taken away the Lower Light upon the Spurn'. The retreat westwards of the sea coast of Spurn was to have important consequences for the lighthouse from this time onwards. On this occasion the House helped him to set up a new low light. Whatever the character of the original low light set up by Justinian Angell, it is clear that this low light and its successors were swape or lever lights (ii, Fig. 2). He continued in arrears however and, reminded that he owed them £60, he wrote to them in October 1717 'I shall not be ungrateful or uncivill . . . for the assistance you gave me in replacing the Low Light'. The following October there were complaints of 'negleet, carelessness, and bad keeping of the lights' and Angell dismissed the lightkeeper, William Cock, who had succeeded Peter Walls, mainly for using the lighthouse for smuggling. He was reinstated about four years later and retained the post until his death in 1736. His place was taken by Patrick Newmarch.

Angell's continued arrears with the annuity strained and finally lost him the goodwill of the Trinity House. 'I think there hath not been any reason for such threatening and reflecting expressions to have been used as have been used', he complained on 9 March, 1729, 'for the Fraternitie to refuse to give advice about the low light when it was in danger lately of being washed down for it was not I believe for nothing that my father gave the Annuity to them but that they should be helpful and assisting upon all occasions'. Finally the House obtained a decree against him in the Court of Chancery in 1731; the amount due was about £250. By 1735 the low light had been moved to a safer site further inland and about 135 yards from the high light (ii, Fig. 2).

Little further worthy of record appears to have happened during John Angell's lifetime. The Spurn continued to grow longer. By 1742 the Dreadful was appearing on charts as the Old Dreadful implying that its terrors had diminished. By the time of John Angell's death in 1750, however, geographical change at Spurn had advanced sufficiently to confront his son, also named John, with a new situation in the second half of the century and to revive many issues at this time apparently settled.

1750-1784: John Angell II: the new proprietor

This second John Angell was fifty years old when he succeeded his father. He was living at the time at Binfield, Berkshire, on one of the several estates which the Angell family had by this time acquired. An incident here led to a traumatic experience which precipitated or strengthened a habit of neurotic behaviour that eventually made him a byword for eccentricity. A dog belonging to him was stolen. When he accused a boy of the theft, the lad made a saucy answer, so Angell struck him. A few weeks later the boy died of a fever and Angell was charged with murder. At his trial at Reading Assizes, the jury found him guilty, but the judge, satisfied that the boy had died from natural causes, asked them to reconsider their verdict. This verdict and the suspense he had to endure while the jury deliberated again was seen to cause Angell extreme distress and agitation. Finally he was acquitted.

After his release he left Berkshire, thereafter visiting and referring to that county as little as possible. Henceforward he lived mainly at Stockwell, an unhappy recluse avoiding his neighbours and keeping the world at a distance. He could not bear to open or handle letters that arrived for him. His wife, or, after her death, a servant, had to spread them on the floor of his study so that by going down on to his hands and knees he could read them without taking hold of them. He spent much of his self-imposed solitude in feeding his combativeness, self-conceit, and taste for litigation by reading works on religious controversy and law. However, when he was involved in legal proceedings, his solicitor was not allowed to meet him face to face in his study but had to stand outside and received his instructions round the edge of the door from the client he was not permitted to

see. Though rich, Angell was apt to be parsimonious in trifles; he lived 'in a very sordid manner' and had several times to be threatened with proceedings before he would pay his tradesmen's bills.

His dealings with the Hull Trinity House began cordially enough, for when they informed him on 25 January, 1752, that the low light had been washed down and so much ground carried away that it was doubtful whether it could be set up again in the same place, Angell promptly advertised the loss and gave orders for the low light to be reinstated. (iii, Fig. 2).

What caused him more disquiet was the renewal at this time of the Constable claim to Spurn. The case against Angell's father which William, Lord Dunbar, who died in 1718, had failed to bring to a conclusion had not been pursued during the lifetime of his successor Cuthbert Constable. Cuthbert Constable was himself involved from 1724 onwards in a dispute with the Crown over the ownership of Cherry Cob Sands, a stretch of the Humber foreshore about two miles below Paull, where much accretion was taking place at this time, and which was claimed by him as part of the seigniorship of Holderness and of his manor of Little Humber. Cuthbert Constable died in 1747. His son and successor William Constable was a vigorous man, thoroughly representative of the improving land-owners of his period, who concerned himself closely with everything to do with his estates. The agricultural practices of his day, the introduction of new breeds of livestock and new strains of plants all interested him keenly. He was responsible for a considerable re-modelling of Burton Constable house and engaged 'Capability' Brown to design extensions and to landscape the grounds. He took up with the Crown the dispute unresolved at his father's death over Cherry Cob Sand, where continued accretion presented an increasingly attractive opportunity for reclamation.

He also apparently decided to re-open what must have seemed to him an analogous dispute over an accretion to the foreshore of his seigniorship, namely the question of the ownership of Spurn. The exact circumstances which prompted him in this are not clear but it may well have been that he became aware of the opinion then beginning to form that to make navigation at the mouth of the Humber safe, more was needed than the restoration of the low light at Spurn to its former position, in fact that the increasing length of Spurn would eventually necessitate the removal of the lights to the new extremity of the spit. To have allowed the removal of the lights to take place without an assertion of his family's claim might well have meant that the title would have gone finally to the Angells by default. He probably deemed it prudent therefore to remind the new holder of the Angell estates soon after he inherited in 1750 that the lighthouse question was by no means closed. The Constable claim was comprehensive; it embraced the whole of Spurn, the site of the lighthouses, and the lighthouses themselves and it appears that Constable instructed his lawyer to write to Angell accordingly. Angell's reply, written in his own hand, is entirely characteristic.

'The Spurne from Kelsey Ldship Belongs to Me and Did To my Family by A Grant from the Crown Long before That Ld. Dunbar was Born that was so shamefully Non-suited Before.

This Right I will Maintain so long as I am worth a shilling
Because I find it publicly Confirmed by Enrollment and Because
of a Firm and Indisputable Proscription after a Non-suit.

I Cannot be persuaded but [that] Mr. Constable himself is a man
of more Honour than to be Catching after another Man's settl'd and
Confirmed Property On such Improbable And Unlikely Grounds!
To be sure if He knows anything of it he must be impos'd upon in it.

However I am resolv'd To Defend myself from all Claims or
Pretenees There as far as fifty thous: pounds will Go so far I can
Modestly say I can spare towards it And have enough Afterwards
therefore will never Submit To so Weak a Pretence!

J. ANGELL

I will take what Rabbits
I please on the Spurne'

This letter is undated but was probably written in 1751 or at the
beginning of 1752 to judge from what appear to be echoes of it in
the letters he was writing to the Hull Trinity House at this time.

The Constable claim seems to have made Angell very reluctant
to entertain the idea of any considerable change in the position of
the lights. Though he must have felt keen enough in his ownership
of the lighthouses which by this time had been in his family for
nearly eighty years, even John Angell, despite his contemptuous
dismissal of Constable's assertions, may have suspected that his title
to the rest of Spurn was more open to question. Little more was
heard from the Constable side for the present; letters dated 1754
and 1757 show that a search was going on, not very successfully, at
Burton Constable for papers which might support their claim.

(ii) Increasing dissatisfaction with the lighthouses 1752-1763

In the meantime, the low light had been set up again, but only
70 feet from the high light (iii, Fig. 2), too near to be of much use to
ships which were warned to rely on the high light only. The
precariousness of the situation and the extent of the geographical
changes taking place at this time are made clear by a survey made by
the Hull Trinity House on 2 April, 1752. This showed that ordinary
spring tides surrounded the base of the low light and that the
highest spring tides almost reached the high light; indeed the ground
where the lights stood had been reduced to a very narrow neck only
about 100 yards across from sea to Humber. More significant, a large
tract of sand about a mile long and more than half a mile in breadth
had grown up at the southern end of Spurn.

Criticism of his new low light displeased Angell who reacted with
a testy letter to the Hull House on 17 April,—the beginning of
a less amicable relationship.

'I am sorry if the Low Light is not as it should be. But I do not
hear the least complaint from any other place and I am surprised
that the Trinity House at Hull should be the first to find fault. The
Lights to be sure are supported chiefly by the Newcastle trade and
some other Northern ports from whence I have not had the least

complaint and I should think the Trinity House at Hull would consider the Lights could never be calculated chiefly or only for the security of the small craft that run up and down the Humber which pay so little towards maintaining it . . . ?

A temporary accretion at Spurn, for which Angell claimed the credit, made it possible in the early part of 1753 for the low light to be moved farther out to a distance of 55 yards from the high light and this appears to have been regarded as reasonably satisfactory and for a while to have silenced complaint (iv. Fig. 2).

It was three years later, in February 1756 that the more fundamental dissatisfaction with the lights, that they were now too far from the point to help ships seeking shelter in the mouth of the Humber, became fully explicit in petitions sent by the masters and owners of Whitby and Scarborough to Hull Trinity House and forwarded by them to Angell. Although the guiding of ships into the Humber was one of the main reasons why the Newcastle Trinity House had supported Justinian Angell and had chosen the site of the low light in relation to the high lighthouse, the petition won scant sympathy from his grandson when he replied on 15 March:

'I am sorry the Gentlemen of that Trin: House [i.e. Hull] should give the least attention to a Project that can Tend only to the prejudice and disturbance of the lights, especially from Scarborough and Whitby! two Places as little considerable as almost any on the Coast . . . However The Removal of the Lights is Impracticable! I'm assured the lights cannot be removed For that they are a freehold estate Independent of any Body and were there before was an Authority to enforce Payment of Duty?'

Scarborough and Whitby renewed their petitions to the Hull Trinity House the following May; again the House sent them on to Angell together with the news that there had been 'just now a very large Collyer ship lost upon the very Point of the Spurn and all broke up to pieces in a very few hours and most of the People Drowned—we are apt to believe this loss will occasion the petitioner's application to Parliament'. The petitions merely gave Angell an opportunity in his reply on 13 July to allow himself an absurd sneer at Whitby and Scarborough, and, by indulging a taste for scientific speculation to reveal his own misconceptions. ' . . . as Both these Towns are in Yorkshire and as I suppose Not a great way from a Certain Gentleman's Estate, It is not perhaps far out of the way To imagine those kind of people may be under some particular influence!

. . . However Tho' the Removal appears utterly Impracticable something as much to the purpose might with the approbation of the house be done. The Whole stress I think of the Whitby complaint is layd only on the lights being too far from the entrance into Humber. That is the Lights are not so readily or well seen at the Distance they now stand as if they were nearer. Now let any Mathematician or Astronomer say how much an appearance of a body of Fire or Light of a given diameter will lessen in such a distance. How many metres so ever it lessens By enlarging the Grates proportionately I imagine the Light will appear the same in this respect as if they were where they are desired that is they will be

as plainly and clearly seen . . . I will with the approbation of the House enlarge the Grates to what size they like and make any other alterations that are feasible . . . '.

The complaints about the lighthouses and the demands for their removal provoked Angell into discharging some of his vexation on Newmarch, the lightkeeper. On 20 June he sent him a long tirade by letter enjoining the strictest attention to his duties and the most stringent economy in the use of coal and other supplies, and demanding his signature to a bond with penalty clause. For his part Newmarch was constantly complaining of being short of coal and stores, of not being refunded for necessary purchases, and of arrears of salary due to him. This less than cordial relationship was to become a factor of some importance in the following years. Thoroughly disaffected from his employer's cause and in defiance of his orders, he kept the Hull Trinity House promptly informed of all deficiencies and mishaps at the lighthouses.

This became very evident the following winter. Through most of January, 1757, there was insufficient coal for the lights so that sometimes the low light was out, sometimes both lights, and on occasion for several nights consecutively, and several ships went aground in consequence. All this Newmarch reported to the Hull Trinity House, who supplied him with coal and duly sent complaints on to Angell and to the London House together with new petitions from the masters of ships sailing to Hull asking for the removal of the lights which were now so near each other and so far from the point as to have become 'in a manner useless'. The Hull House threatened Angell on 22 January that unless he agreed to a removal by return of post, they would apply to the King in Council to compel him to move them. Angell took the threat seriously enough to reply on the 26th, but not to agree: 'I am sorry Newmarch gives Occasion by a Wilful neglect of the lights for a revival of the Discontent about their situation . . . Newmarch is a stubborn Untractable Man! And I have reason to think did contrive this neglect on purpose'. His exchanges with the Hull House now took on a more bitter hostility; though conceding that there had been some negligence at the lights he accused them to the London House of magnifying the incidents for their own ends and of accepting an offer of £100 per annum from the Constable side if they could procure a removal of the lights, accusations which the House indignantly denied. They responded by considering ways of getting the lighthouses out of his hands and in May, with the concurrence of the London and Newcastle Trinity Houses, obtained counsel's opinion about how to have his patents vacated. Having been advised that after due notice to Angell, a petition to the King in Council would be the first step followed by an Act of Parliament to authorize the erection of new lighthouses, the House made several attempts between June 1757 and January 1758 to serve notice personally on Angell at his house in Srockwell. Angell as often refused to appear in person so that formal service of written notice at his house was all that could be done. Further legal advice in February, 1759, to the effect that it was doubtful if the House could justifiably use its charitable funds to defray the costs of petitioning considerably damped their ardour.

Beyond notice of a proposal by the northern trade to refuse payment of light dues served on his wife at the end of August, in the absence from home of Angell himself, nothing more happened for three and a half years until another accident to the low light brought the dispute to life again.

On 14 February, 1763, Newmarch reported that 'on Saturday night last the low light wash'd down wholly all together and can no more ever be set upon that place'; this event set off a fresh wave of agitation. Angell's reaction to the news was a tirade of the usual kind on the 23rd which demonstrated how far he was from having any understanding of the navigational issues. 'I saw plainly when I was there the low light was to be flung down again . . . There was no Endeavour to keep up a Light only a slight childish piece of Timbering to make expence. Instead of a Weight of Stone put in as I ordered there was only a piece of slight planking I could have kicked down with my foot.

Order a large strong pile . . . to be drove from 10 to 15 foot deep . . . then a Sweap put on. . . . When it can be got to, then keep a Light, when it can't it must go without—the water can remaine up but a few hours only and may as well fall out in the day as the night or in a light night. However when the sea is so High there is little occasion for a low light for the sands I suppose have water enough upon 'em to carry a ship safe so one light will do to show a ship where the Spurn is' (v, Fig. 2).

Once more the three Trinity Houses, urged on by appeals from several ports, agreed to act together in whatever was necessary, and once more Angell, confident that there was no law to compel him to move the lights, contemptuously dismissed their approaches. No progress was made during the summer, but in November, Angell withdrew a little from the cavalier attitude that he had adopted about the low light the previous February to one hardly more practical. He ordered that when there were spring tides in the night, the low light was to be moved up the shore as necessary and 'so our agen as soon as the water sinks . . . in short . . .' he continued, 'there can be no difficulty in keeping a constant low light up. . . . Besides take notice I will have nothing flung down the outside but let down the way the coals come up then carried to make a Causey to the Low Light. Ashes with sand mixt with Stone trod in by constant going woud before now have made a solid Path no Tyde would have washed or Wind blown away'.

This low light had a very brief existence. On 4 December, 1763, Newmarch wrote to the Hull Trinity House 'on the 3rd of this instant about five in the morning the low light at the Spurn was washed down and the sea hath taken all the ground away within 24 feet of the foundation of the [High Light] House . . . If there can be no other methods taken the high light must go out also for I will not stay there in the Hazard of my Life and to be starv'd while alive which I can see no other for. I want now above £80 of him'.

(iii) *The campaign for new lighthouses and for an Act of Parliament*

This second washing down of the low light within a year brought matters to a head and all parties concerned reacted vigorously; some also saw the event as an opportunity to secure for themselves more particular advantages. The three Trinity Houses applied themselves to obtaining the removal of the lights with renewed energy and once more there were consultations between them. The Hull House sent a selection of the papers in the case to Sir George Savile, the very active Member of Parliament for Yorkshire and an Honorary Brother of the House since 1760, and asked for his advice and assistance; they also asked the shipowners and masters of Whitby, Scarborough, and Bridlington to write to him to press for the removal of the lights. Two Elder Brethren of the House, William Huntington and William Hammond, who were in London, were asked to act as the House's representatives in consultations with Savile and the London Trinity House. Like Marvell's correspondence of a century earlier, their letters, particularly Hammond's, give a vivid picture of the long struggle.

The Trinity Houses were still faced with the same difficulties of procedure that had checked their earlier attempts. Savile pointed out that the voiding clauses in Angell's letters patent only covered the circumstances when the grants themselves, not the lighthouses, became detrimental to the public interest. He advised a petition to Parliament for leave to bring in a Bill, together with a memorial to the King in Council. Other legal opinions questioned the necessity of going through Parliament at all. Clearly two steps were involved, first the voiding of Angell's patent, second an application for a new patent. This second step however required that the petitioners should agree on who should be the new patentee; there were several possibilities. A new patent imposing dues would inevitably involve Parliament, and the dispute over the ownership of Spurn was a further complication.

The London Trinity House, jealous of the powers they claimed under the Act of Elizabeth I to erect sea-marks where they thought fit, and never reconciled to the private ownership of lights, saw an opportunity to demonstrate the former by erecting new lighthouses without reference to the landowner, and of striking a blow at the latter by applying themselves for a new grant jointly with the Hull House.

Perhaps mindful of their predecessors' experiences in Justinian Angell's time, the Elder Brethren of the Hull House moved very cautiously in the matter. They busied themselves with organising petitions, collecting certificates, advising neighbouring ports to establish funds to meet legal expenses, and in having surveys made of Spurn that demonstrated the urgency of the case. Thus in February 1764, it was reported to the Wardens that the point extended 1 mile 2 chains southwest of the old lighthouse, that ordinary spring tides flowed right up to the foot of the house which was in a most ruinous condition, and that the low light lay half buried in the sand, the ground on which it stood having been entirely washed away.

Aware of the London House's susceptibilities with regard to its own pre-eminence and its jealousy of the independence of its sister corporations, the Hull representatives in London observed great circumspection. There seems to have been a coolness at this time between the London and Newcastle Houses to the extent that the London House wished to exclude the northern corporation as much as possible from its counsels. The Hull representatives realized that the London House might only tell them as much as suited them and made due provision—"I beg'd the favour of his [the secretary of the London Trinity House] company to spend the evening with me at the Bull." Hammond wrote to Hull on 21 February, 1764, 'I am in hopes by the assistance of a bottle of wine and a fowl I may be able to draw a few hints that may be of use to us: you see I am obliged to make use of a little chicanery to come at papers and intelligence proper for our purpose'.

The Hull House viewed with some scepticism the powers claimed by the London House. They were above all anxious not to be compromised by appearing in any way to be seeking financial advantage for themselves. They instructed their London representatives 'not so much as to mention sharing any advantage betwixt the two Houses' (14 March) and refused to sign a memorial drawn up and sent to them by William Constable.

The precariousness of the lighthouses had not escaped Constable's notice and he saw very clearly the advantages to himself to be gained from the situation. He might at the least establish his title to Spurn and possibly become the patentee of the new lighthouses. 'The income arising from those lighthouses will be a pretty addition to my fortune' he wrote in the draft of a letter to a friend. His lawyers had been considering ways and means and some discussion had been reported to the Hull House at least as early as October, 1763; the drafting of petitions was already in hand when the washing down of the low light the following December seemed to offer a most favourable opportunity.

'As the lower light is blown down' a lawyer wrote to Constable's steward on 7 December, 'I think if you were to propose to the Trinity House at Hull for their approbation of Mr. Constable's erecting one forthwith, and he erecting one accordingly: it might be of great service towards Mr. Constable's accomplishing his scheme . . . The use that might be made thereof upon the present occasion might certainly be very considerable provided that the Trinity House at Hull wo'd join heartily in Mr. Constable's Favor'.

Savile writing to Constable on 10 December, advised him to be careful; it would be unwise for him to appear as the instigator of any proposals.

'Be a Man's intencion never so disintersted the World is generally too fond of seeking out some selfish Motive if the case will by any means afford such a suspicion . . . an application from some of the Trinity Houses (or all of them) supported as it would be by the joint Petitions or evidence of the whole trade would be the most forcible method and at the same time serve for a proper introduction of your offer which could then I think come with great propriety in point of time . . . and naturally follow the publick Application, for you in

particular would then seem called upon to offer the Remedy which your particular situation puts into your hands . . . ?

Constable's hopes of joint action with the House were soon dashed. His lawyer wrote on 8 March, 1764 'That the members of the Trinity House at Hull never intended you any real service has not been a matter of any Doubt with me. And now I am con[vinced] of what I only before suspected that they are endeavouring to link themselves with the Deptford [i.e. London] house in order to [become] joint proprietors of the Spurn Lights and to exclude both you and Angell'.

This latter charge was quite unjust. It was because of Angell's earlier allegations that the House could not afford to seem to be acting jointly with Constable in the least degree.

Throughout, Angell assumed a posture of unyielding obstinacy and baffling contrariness, refusing to admit the significance of the natural changes at Spurn. A few days after the low light washed down, on 14 December, 1763, he directed the collector of dues at Hull to inform the principal merchants and owners that he had given orders for a low light to be set up at the edge of high water mark and 'besides have already appointed a frame already fixt on the firm Ground where it has never yet been pretended the highest Tide ever comes, so without manifest Treachery there can never now be a low light wanting one hour . . .

. . . If the Gentlemen of the Trinity House of Hull desire larger fires and will contribute reasonably towards the expence, let them send a Grate down of what bigness they like'.

The justification of the lights in their present position that he sent to the London House in January, 1764, involved such a departure from any semblance of rationality that it seems likely the London House ceased to take him seriously from this time onwards. He argued that in any case a new light could not be set up within half a mile of the point, and ships going aground usually managed to get off again safely 'and this particular is a reason for the lights standing where they do where vessels may come safely in hy the help of them and get off again with no great trouble'. He was acute enough to realize the strength of his position and thereby to be encouraged to fight all the way. Scornfully rejecting a more conciliatory offer from the Hull House to help him if after all he would himself apply for powers to move the lighthouses, he wrote on February 6, in a letter to the London House, 'the worst that can befall me at last is to be forced to remove the lights whether I will or no and then to go to Law about the Ground and if I should not succeed to apply for a statute. At last I can but come to this'. This statement was prophetic for this is more or less what eventually happened, fourteen years later, after two Acts of Parliament and much hard fought litigation.

In the meantime, however, a low light was necessary if the letter of his grants was to be observed. On 25 February he ordered the under-lightkeeper 'to get a low light instantly set up somewhere or other. Let the Ground be ever so much washed away if the House stands and can be come at there must be some ground about it if it was but a few yards at High Water . . . Therefore get a carpenter

from Kelsey to come immediately . . . and with stuff already there to make a slight Low Light on a light Frame so as two then may on occasion Draw or lift it so let it be set on the Brink of High Water and as the sea sinks let it be moved constantly lower.

Do but steadily and faithfully in this and see what a friend I will be when I come'.

A light of some sort was got up by May. A month or two later Angell himself spent about two hours at Spurn and as a result of this visit ordered wheels to be added to the low light to enable the keepers more easily to trundle the contraption up and down the beach with the tide (vi, Fig. 2). Angell travelled *incognito* to avoid recognition and 'to avoid going into Kingston upon Hull remained obscurely in the fields and skulked about until the passage boat was ready'. Then he crossed to Lincolnshire on the common horse ferry boat.

On 10 August, he communicated to the London House his reflections on his visit, and these can only have confirmed them in their opinion that Angell was quite incapable of forming any rational assessment of the situation. 'Having been at Spurn . . . I find the lights as useful as ever they were . . . Upon a most strict and impartial enquiry what reason is given for the present complaint I can find nothing pretended but that the seamen mistaking and supposing themselves to stand nearer the point are apt to run aground. This being all that is or can be said my answer is that it is something strange this was never thought of till now and more that people that are so Ignorant as not to be acquainted with the situation of a Light in so hazardous a place should undertake coasting sailing'.

He acknowledged the difficulty of maintaining a low light far enough away from the high light, and then continued:

'Notwithstanding what I have here wrote I had before on my return from the Spurn come to a resolution to new place the Lights and to build a new House and such a House that will be for use and Service as well a Building as shall not be outdone by any on the coast'.

This letter was enclosed with a covering letter signed by Simon Worth, the first appearance of one who had a considerable part in later events.

Ever since the destruction of the low light in December, 1763, the London House had been considering possible ways of acting, whether to apply for a new patent jointly with the Hull House, or with the Hull and Newcastle Houses combined, or by themselves, with an arrangement to pay the Hull House £100 or £150 a year for looking after the lights. Letters sent by them to Angell were unacknowledged, a deputation sent by the London House to him was not received and an invitation to appear at a meeting of their board not accepted. In March a committee was formed consisting of Sir George Savile and representatives of the London and Hull Houses. Throughout Sir George Savile proved a staunch friend of the Hull House; Hammond presents an engaging picture of him as he found him on a visit to his house in April. Sir George was 'trying mathematical experiments with his Boats in a trough of water in his dining room'. The legal opinions obtained by the committee were

not very encouraging and sometimes contradictory; the main point of agreement was that because of the unsatisfactoriness of the lights, payment of the dues should be stopped. Otherwise little was achieved. Encouraged by the Hull House, ships trading from Hull, Newcastle, Whitby, Scarborough, Stockton and various other places refused to pay light dues after 29 September. This in due course produced an explosion of anger from Angell but no real satisfaction for the Trinity Houses. The letter he wrote on 16 December to a Hull surveyor, Charles Tate, showed that the non-payment of dues had merely provided him with an excuse to put off the building of a new lighthouse:

'The Trinity House of that Place has behav'd so ungratefully To my Grandfather! who was their Benefactor! So unhandsomely to me! and lately Unfairly! In contriving the Refusal of Payment to the Lights that I am obliged to suspend my intentions of Building a New Light House: so there is no need at Present to treat further about Materials or Workmanship'.

Thus yet another year had almost passed with nothing accomplished and the Hull House, fearful of how many more winters might come and go before the lights were moved to the point, wrote to the London House on 3 December to urge them

'to put some method immediately into execution to compel the Patentee to remove the Lights or dissolve his Patent—our house apprehend this desirable affair cannot be brought about by any other means than by application (by a memorial) to the King in Council'. The London House, probably realizing by this time that this was the only practicable way forward, adopted the suggestion and requested the Hull House to send them a draft memorial. This was sent off from Hull on 9 January, 1765; it recited (with some inaccuracies) the history of the lighthouses and summed up their shortcomings:

'The ground . . . to the eastwards of the High Lighthouse to about three or four yards is washed away and quite gone so that the low light (when there is one which is very seldom) is only fixed upon a small wooden machine removable by two men at about 8 yards from the High Lighthouse . . . The High Lighthouse is in no small danger of being washed down . . . and the lights are so very near one another and the High Lighthouse so very far from Spurn Point . . . that . . . they tend only to the misguiding of ships'.

The London House asked for changes in the preamble to the memorial. In order to emphasize their position as the body responsible to the Crown for advising on lighthouse matters, they wished the document to be in their name alone. This caused the Hull House some dismay for they, in similar fashion, wished to have their independence of the London House indicated in it. Harmony was achieved by means of an agreement that, Angell's patent having been made void, London should apply in their own name for a new patent, which should have clauses securing to Hull the responsibility for superintending the lights, and a stipend. After sending Angell yet again final notice of their intentions (to which, as usual, he did not reply) the London House submitted the memorial in February, together with many supporting affidavits testifying to wrecks and

loss of life and cargoes. Among them was one by Patrick Newnarch, the lightkeeper, that in the 28 years he had been at Spurn, the low light had been washed down 15 times and taken down twice, 40 ships had gone aground, most having become total losses, and he had buried or known buried at least 50 corpses.

The petition was referred to the Attorney General and Solicitor General together with the cross petitions sent in by Angell and Constable each on his own behalf. About the same time, Angell made afresh his offer to the London House to build a new lighthouse 'which would be an ornament to the coast' provided he were given extra dues. The London House did not regard this and similar offers which were repeated several times as worthy of serious consideration. The complicated character of the matter and the lack of any precedent made the law officers proceed cautiously, and very little was accomplished when the petitioners were heard by counsel on 8 April. Moreover it was only at this late stage through what was strictly a breach of propriety on the part of an official dealing with the case that the Attorney General got to know that there was a quarter-share of the lighthouses not owned by Angell. Edward Thompson, who it will be remembered, had established his right to this quarter in 1697 after a bitter struggle with Angell's father, had, like him, died in 1750; on his death a life interest in the quarter-share had passed to his nephew, Leonard Thompson of Sheriff Hutton. The Angells had indulged their resentment of this alienation by acting as far as possible as if they were sole proprietors, and had excluded the Thompsons from any part in the management of the lights.

At length the Attorney General and Solicitor General reported that there were sufficient grounds to warrant proceedings to revoke the patents but, as the lights were a valuable inheritance and had long been in the possession of Angell and his family, and as Thompson had appeared before them to express himself anxious to co-operate in every way, they advised that further steps to vacate the patent should be deferred until the patentees had been approached once more. Despite the consoling reflection of William Hammond, that 'Angell's behaviour, giving him a little time, will soon make up the deficiencies of the report', the result disappointed the Hull House who, on 19 June, declared themselves 'under a dreadful Apprehension that those fatal lights must remain in the same situation the ensuing winter'.

So it turned out; Thompson responded to the new approach by certifying formally on 2 July his readiness to contribute his due proportion of the expenses of taking down and rebuilding the lights, Angell by declaring a few days later that it was 'a pity that the immediate descendant of so great a Benefactor should be persecuted in so unprecedented a way' and that he found 'very few people at all solicitous about the removal or cared anything further than two good constant lights should be kept upon it'.

It was clear that, with such a reply from Angell, the London House would renew their application for the revocation of the patent and that Angell would need a good answer if he were to defend successfully. His agent Worth set about the task of making out a case for him with zest, and displayed a resourcefulness in manufacturing

evidence worthy of his predecessor Fugill who had acted for Angell's grandfather. His activities enabled Angell to write to the London House on 8 August that he had heard from Spurn 'that the low light was thrust up close to the House for no Reason but to give occasion for people to swear the lights were useless though there is and has been all along full Room for a sufficient opening . . . This being remedied the Lights are now in as good a condition and of as much service to navigation as ever they were'. Worth had indeed set up yet another low light (vii, Fig. 2) and had got Newmarch to sign a written abjuration of his affidavit of the previous February and to say that the Trinity House of Hull had for several years persuaded him to neglect the lights 'that they might become useless and of bad character'. Newmarch, Worth asserted, 'declares that the Oath was forced upon him and has with Tears in his eyes beg'd of me to permit of his Recantation'.

These manoeuvres caused the Trinity Houses no great concern: 'We shall set this Worthless Gentleman in his true light this week', Hammond wrote to Hull in early September. A survey of Spurn taken at the time showed that the new low light was indeed about 50 yards from the high light instead of the 8 or 15 yards previously, but at high water of an ordinary spring tide it was 38 yards from the shore in water about five feet deep for most of the way, and so could not be attended to for three or four hours each tide.

'But one thing is Needfull' Hammond wrote to Hull on 5 September about Newmarch's recantation, ' . . . and that will if properly managed defeat that Rascall Worth and his master's cause, and prove such base proceedings as will destroy all they can advance, and this is a description from Newmarch [of how he was brought] to sign that paper writing . . . [Worth] certainly is the most Impudent Quibbling Raseall that ever was . . . I have no better opinion of Patrick than his master bnt when you have such chaps to do with you must guard against them . . . I dare say Patriek was in liquor and has been promised to be restored or has not known what he signed of Worth's drawing up.' A few days later Newmarch recanted his recantation; he had not had his spectacles with him and so he had not been able to read the paper, he explained, and Worth had told him it was only to say the low light had the same bearing as before.

It was necessary for some show of ownership of Spurn to be made on Angell's behalf. Angell had in the past occasionally ordered the lightkeeper to turn away animals that the villagers of Kilnsea had brought to graze on Spurn as part of their common pasture, but had never offered to indemnify the keeper against the consequences of obedience and he had prudently refrained from turning the animals off. Worth now made up for these deficiencies in acts of ownership on Angell's part by writing on 22 October an abusive letter to Constable's bailiff, Robert Vaughan:

'I have repeated accounts of your invading Mr. Angell's property at the Spurne. I told you when I was last in your neighbourhood that no Person whatever had any right there but himself, that whatever is done without his permission is Contrary to Law and will be notic'd in a particular manner, and that very soon too; It is remarkable that in every place there is a person whose capacity is

superficial and his Morrals calculated for everything that tends to faction and which Character I think you Endeavour to Imitate. Now what strikes me most is that Mr. Constable (who from every account I have of him is a Gentleman and Man of Sencs) should Employ people to personate him whose Understanding is so very Despicable as those I have seen pretend to conduct his most Weighty affairs-- I hercby forbid not only you but every Body presuming to take any kind of thing from the Spurne which is his property as much as his coat as will to your surprise appear very soon'.

It was desirable also that the extent of the changes required at Spurn should be minimised as much as possible. On 22 November, Worth invited Thomas Parkins, master of a sloop, to go out to sea off Spurn in the sloop belonging to another seaman, Robert Davies. Just before they set off, Worth asked Parkins to fix a pole with a flag into the ground on the spot where he thought the lights ought to be. Parkins planted his flag not quite a quarter of a mile from the point. He then put out to sea in the sloop 'along with a person who was called Caprain and had on his hat a cockade who said he was sent by the King to give directions for fixing the lights . . . and while they were plying out to sea with the sloop Mr. Worth who stai'd on shore order'd the keeper of the Spurn lights to remove the pole with the flag on it about a quarter of a mile further from the Spurn than where he had first fixt it. On Saturday 23 November [Parkins] at the request of Mr. Worth made affidavit that where he had first fixt the Pole was a proper place for erecting the new light. As [he could not] read or write . . . he desired the Masrer in Chancery to read it over to him but the Captain would not allow him to read it and said he had read it before'.

Davis, the master of the sloop concerned, also testified that 'one that went by the name of Captain wanred [him] to swear an affidavit on the reading of which [he] observed that only part . . . was read over to him and that the person going by the name of the Captain read the same and several times stopt and seemed to skip over some parts on which [he] refus'd signing the same as being no Scholar and not being satisfied therewith'.

The same day Worth sent for Charles Tate, the surveyor whom Angell had consulted earlier about building a new lighthouse. They met in a public house in Hull, and Worth ordered Tate to draw a plan of Spurn based on Mitchell's map of the Humber, and to mark Kilnsea Church on his plan three quarters of a mile farther north and the lighthouse a quarter of a mile farther south than they really were, and to sign the result as a true and accurate plan. Tate refused. A little later, an attempt by Worth in a Billingsgate tavern to get affidavits in favour of the existing lights from the masters of colliers lying in the Thames almost provoked a riot, and he and his solicitor were nearly mobbed.

Meanwhile, the London Trinity House had submitted in October its second petition for the revocation of the patents. It was again referred to the Attorney General and Solicitor General. This time things went more hopefully. Charles Yorke, whom the Trinity Houses had consulted earlier as a leading authority, was now Attorney General, and he dealt very fiercely with Angell's represent-

atives. None of Worth's contrived evidence was admitted. Angell was the despair of his lawyers, none of whose proposals he would listen to. One of them, Hammond records, whispered in a moment of candour to a Trinity House lawyer 'that it was a Bad affair He perceived, Had a good mind to give it up but, says he, you have I find had pretty pickings therefore I think I may as well have a little among you and make a defence.' Angell had, as Hammond put it 'two pleasing qualifications for the lawyer, Obstinacy and Money'.

Finally, in December, Yorke dictated the headings for an agreement to counsel of both sides. They were still designed to avoid the revocation of the patents and consequent loss of the inheritance. Angell was, within a few days, to submit for the approval of the London House full proposals for building new lighthouses, specifying time and place, giving estimates of the expense, and at the same time to provide a sufficient deposit or security. The lighthouses were to be subject to inspection and the ownership of the site was to be left to be determined after they had been built. Angell's lawyers acknowledged that if he disdained this opportunity, he deserved no further consideration. Nevertheless the day appointed came and passed without response. Throughout the whole negotiation he had stayed shut up in his house and would never meet any representative of the Trinity Houses. 'What therefore will be done with this obstinate man I cannot say,' Hammond reported to Hull, 'His council, solicitor, nay, even Worth's captain give him up and say he deserves no favour [nor] are they Inclined to Do any more except in a case of lunacy'.

The affair was in something of an impasse notwithstanding: as Angell had not accepted his proposals for an agreement, the Attorney General intended to recommend revocation of the patents 'but what will be done after rather puzzles to prevent Long Litigation and injure the Public by delay' Hammond wrote on 20 December. There was no way in any court of law of compelling Angell to contribute his proper share of the cost of moving the lights; Thompson's life interest in a quarter of the estate was an insufficient basis either for this or for his raising the necessary funds on his own account. To revoke the patent would injure Thompson and Angell's heirs, none of whom was to blame, and would be a course of action repugnant to an age ever mindful of the rights of private property. 'One of the plans now forward', Hammond continued, 'is for Thompson . . . to petition for a short Act of Parliament'. This proved to be the way. Thompson accepted the suggestion and a petition in his name for leave to introduce a Bill was submitted to the Commons on 14 February, 1766, and was referred to a committee of which Sir George Savile was chairman. After hearing witnesses, the committee reported favourably on 18 March, leave to bring in the Bill was granted and Savile was ordered to prepare it.

The Bill was to incorporate Yorke's proposal that the lighthouses should be built without waiting for the ownership of the site to be decided, a question within the province of the courts rather than of Parliament; it had therefore to provide for an appropriate recompense to whoever should establish his title. In practice this had to be agreed with Constable, the only other contender apart from Angell,

before the Bill could go through. Constable could have had no longer at this stage any hopes of a patent for himself; this arrangement must have killed any remaining hopes that the Bill would help to establish his title or provide any lavish bounty. 'I spoke to Sir George Savile yesterday', his attorney had written on 22 February, 'and desired he would give his opinion of what Mr. Constable might reasonably expect, which he declined to do and told me with a deal of good humour that he was a Trinity House man and their Business was to get Lighthouses built and we might go to Law about the Land for ever after if we would'. After hard bargaining, agreement was reached on 28 April that the ground rent should be £100 a year. This was less than Constable had at first hoped for, and, at that, was for a title that Angell would, it was clear, contest to the uttermost. The figure was included in the Bill, which then passed quickly through the remaining stages and received the Royal Assent on 14 May.

(iv) The Act of 1766, the new lighthouses, and the Act of 1772

The Act, entitled 'An Act for raking down and removing certain Lighthouses now standing near the Spurn-Point at the Mouth of the Humber, and for erecting other fit and convenient lighthouse instead thereof' (6 George III c. 31), had as its other main provisions that Thompson was empowered after June 1 to set up temporary lights, to take down the old lighthouses and build new ones 'with suitable offices and conveniences' under the direction of the London Trinity House; he was authorized to raise money for this purpose on the security of the whole of the lighthouse revenues and not merely on his own share. The London Trinity House was authorized to assume his powers if he should not be able to carry out the work within two years of the approval by the Trinity House of the plans and estimates. In this case, the lighthouse revenues were to be vested in the Trinity House from the time when the lighthouses were complete until all was paid for. Both Trinity Houses were given rights of visitation and inspection and the Hull House was to be responsible for seeing that they were properly lighted and maintained. In order not to discourage Angell from hasty litigation, it was also enacted that the plaintiff in any action brought over anything done in pursuance of the Act, if he lost or discontinued the suit, should pay the defendant treble costs.

'The Trinity House of Deptford Strond are not altogether satisfied with the little authority we have accomplished', Hammond wrote to Hull, 'for those who strike at universal monarchy are always desirous of defeating other potentates but however we managed them pretty well, much otherways than they proposed or expected.' Any slight coolness on this account soon disappeared, and the London House began work almost at once. A committee sailed in the House's yacht to Hull and there, on 22 June, they picked up Smeaton, the

engineer, whose masterpiece, the Eddystone lighthouse, completed in 1759, made him the natural choice for designer. They went on with him to Spurn where the Hull House had had a wooden shed put up for their use. At Spurn they fixed the sites of the temporary lights and the new lighthouses as near to the tip of Spurn as seemed safe (⊗, ×, Fig. 2). They were about 1840 yards south-west of Justinian Angell's tower. The Committee considered that, as Spurn Point was growing rapidly, there was no danger of this ground being washed away. By the end of July, Smeaton's designs for the temporary lights had been approved and passed on to Thompson. They were to be swape lights, fire baskets set at the end of long poles mounted as levers so that they could be lowered when the fires needed attention and then raised to a vertical position. The high light was to be shown by these means at 60 feet above the ground, the low light at 35 feet. They were to be 250 yards apart and 23 yards nearer the point than the sites chosen for the lighthouses (⊕, ‡, Fig. 2).

Angell was not a man to admit defeat however even in the face of an Act of Parliament and set himself to oppose by every possible means. Newmarch had been replaced at the old lighthouse by a man named Milner; he was given instructions by Angell on 5 July that 'no person be let come unless by force and if by force ask by what authority. Take the names of such people as shall touch anything or offer to pull anything down and should people be got to be so bold as to offerr to pull down any part of the House, stay in, bye and dress victuals therein, don't go out without being forced out. Don't let any sort of Hovel or House be ser up but pur it down nor Hole dig'd hut fil it up again. I will stand by everyrthing I order to the last penny I have'. The temporary lighthouses and a small dwelling house for the keepers were brought into use, even so, in September, and gave navigators complete satisfaction. Worth, also back at Spurn in September, was less pleased. 'Mr. Worrh is here, gives himself Airs as usual', Hull reported to London, 'finds grear fault with building a house and making a way from the high light to the low light—says nothing shall be allowed bur what is in the Act of Parliament'.

By February, 1767, Smeaton's designs and estimates for the permanent lighthouses had also been approved. The houses were to be brick towers 90 feet and 50 feet high respectively, and 300 yards from each other; they were to exhibit coal fires from completely enclosed lanterns, and round the foot of each tower there was to be a circular compound or courtyard. Smeaton reckoned that the costs would be £3,066. These plans and estimates were also passed to Thompson so that he could raise a loan and look for a contractor.

He soon ran into trouble for Angell and Worth made difficulties at every turn. In July, Worth brought a gang of about a dozen unruly labourers to Spurn, kept them well supplied with liquor, and set them to dig a pit, ostensibly for the foundation of a lighthouse. In August, the keeper of the temporary lights, Robert Fosser, was accidentally drowned, and the Hull House, exercising their powers under the Act, appointed his brother John, who was underkeeper, to fill his place for the rime being. In the summer of 1766, Burrows, a Customs official at Hull who had acted as collector of the light dues

for Angell, had been removed from office for various malpractices; his successor, named Corthine, now refused, presumably on Angell's instructions, to advance the new keeper any money for coals or other necessaries. Although there was not the least complain that he did not look after the lights properly, Foster was objectionable to Angell as a Trinity House appointment and was subjected to further harassment. Corthine sent him notice of dismissal and Worth several times tried to eject him. Angell struck at the Hull House by not paying the annuity, and, undeterred by treble costs, at Thompson by filing a Bill in Chancery against him. This caused further delay until the case had been decided in Thompson's favour. Then, after a long search, Thompson found only one contractor who would keep within the limits of Smeaton's estimates and no one who would lend him money that might have to be recovered later from Angell; nobody cared to risk becoming involved in litigation with him. 'What can I do?' Thompson wrote to Hull on 28 October, 1768, 'No one will advance me a shilling upon mortgage'.

By January, 1769, the Hull House had become restive. The temporary lights had served well enough as a stopgap, but they were not high enough and had to be lowered too frequently for refuelling to be satisfactory for a long period. No progress was made that year, and it was not until March, 1770, that the London House decided to assume Thompson's powers themselves, as provided in the Act. Disconcerted to find the Act did not enable them to take over the tolls also, they nevertheless determined to go on, using their own financial resources. William Taylor of York, the contractor Thompson had already found, was confirmed in this position in April, and operations were restarted.

Taylor spent the rest of that year and the early part of the next in collecting materials, and he had not begun any actual building when Smeaton, who was now surveyor of works to the London Trinity House, paid a second visit to Spurn in June, 1771. Smeaton found that the sea side of Spurn had been so much eroded since his last visit that the site of the low lighthouse, which before was 116 yards inland, now lay on high water mark. The site was moved 80 yards back, and Taylor began putting in the foundations. On Smeaton's direction they were made as strong as possible with four concentric rings of piles driven to the greatest possible depth, about 9 feet. Piling was completed on 23 July, and brick-laying begun, but the brickwork had barely reached ground level when Worth and his gang of ruffians brought operations to a standstill by attacking the workmen, scattering their materials, threatening them with prosecution for trespass and by digging a pit where the high lighthouse was to be. Taylor had leased for his own use a house that Constable had originally built on Spurn for shipwrecked seamen; this they began to pull down, so forcing Taylor out, and Worth threatened him that he 'had not long to live on Spurn'.

It was an impossible, indeed a menacing situation. Constable considered sending a stronger force to drive them away, but fearing a serious riot, refrained. If some other method were not attempted, Hammond told the London House in December, the buildings would not be finished these seven years; the Hull House wrote to the

same effect on the 31st: 'From this behaviour of Mr. Angell's and likewise his very late order to remove the lightkeeper and to appoint one of his hireling Rioters nothing is to be expected but every disagreeable disturbance . . . The collection continuing in the old channel is the means of occasional supplies for bad purposes'. This was the root of the matter. The London House found it intolerable that by Worth's activities, financed out of lighthouse revenues, they should be made to carry for an indefinitely long time into the future financial burdens that were already uncomfortably heavy, and continued to grow heavier. Their only course was to apply to Parliament for additional powers.

They submitted their petition for leave to introduce a Bill on 26 February, 1772. Angell managed to induce the Lord Advocate of Scotland, to whom he was related, to intervene on his behalf. This official gave Hammond some anxiety—'with his great art and Caledonian eloquence—No matter for the rights and wrongs of the business, like a true lawyer he goes on'. He won indeed a further chance for Angell, for it was agreed that if Angell or any one in his name would deposit £6,000 with the London Trinity House, the Bill would be dropped. 'This plan was not agreeable to Mr. Huntington and myself' Hammond explained to Hull, 'yet such is the agreeable sound of money to some people that there was no resisting the charm.' Angell, as usual, made no response however, and the Bill had its first reading in the Commons on 29 March. The strenuous opposition that had been expected did not materialize in either Lords or Commons; 'The Lord Advocate . . . we believe . . . is now better acquainted with Angelique behaviour of his relation'. The measure—'An Act to amend and explain an Act . . . intituled An Act for taking down etc' (12 George III c. 29)—received the Royal Assent on 21 May.

This second Act strengthened the powers under which London and Hull exercised supervision, but its most important provision vested the lighthouse revenues in the London House from 24 June until the new lights were completed and all costs, charges, and expenses (now defined in broader terms) had been paid. Only then were the lighthouses and the revenues to go back to Angell and Thompson.

The Act was effectual, and building which had been held up for twelve months began again. The foundations of the high lighthouse were laid on a site that was moved 60 yards nearer the Humber to make up for the changed position of the low light; this made the opening between the two lighthouses 280 yards (B and 1, Fig. 2). Work still went on very slowly however, and sharp complaints were sent repeatedly to the contractor. There were several reasons. He and the lightkeeper, Foster, were on bad terms, there was constant bickering, and Foster spread disaffection among the builders. On one occasion, Taylor had thrashed Foster after he had thrown a grate-ful of burning coals over a lad employed by Taylor. Both Taylor and Foster had licences to sell liquor, and, as Hull pointed out to London, 'two of a trade seldom agree'. Taylor was often short of money and had great difficulty in finding and keeping workmen. 'I believe that after they have once got drunk at the lightkeeper's,

they seldom go to work any more', Smeaton reported on 15 October, 1774, 'and the general bad name that the Spurn Point has got in the country, on account of the exposure and Inclemency of the weather seems to have frightened all good regular hands from going there and which character the general want of credit of the undertaker has in no way conduced to remove'. Smeaton offered to forego his salary of £100 per annum after the date on which the lighthouses should have been ready. Foster, whose keeping of the lights had become very unsatisfactory, was dismissed a month later.

The longer Smeaton's acquaintance with Spurn, the more fully he became aware of the extent of erosion there. By 1774, high water mark had advanced to within 40 yards of the low lighthouse, and in January, 1776, a great storm washed down half of the compound wall round it, undermined the tower itself, and took entirely away all that was left of Justinian Angell's lighthouse. It was clear to Smeaton that it would be extravagantly costly to attempt to strengthen the lighthouse enough to withstand the waves for any length of time. He recommended that it should be patched up with a protective pitching of chalk from Hessele, and that the swape in service as the temporary high light should be used as low light after the low lighthouse had been washed away. Work continued steadily, and on 5 September, 1776, 'the fires were kindled with Stone Coal', Smeaton recorded, 'which exhibited an amazing light to the entire satisfaction of all beholders'. The lighthouses having thus been brought into use, the swape that had been serving as the temporary high light was set up in line between the two, 250 yards from the high light and 30 yards from the low lighthouse it was to replace when it was washed away.

Both towers were of similar pattern, the low lighthouse being a smaller version of the high (B and 1, Fig. 3). The grates were the chief point of interest in the design, for they were the first scientifically designed coal lights ever to be brought into use. The towers, not directly exposed to the waves, were relatively straightforward brick structures compared with the Eddystone lighthouse with its intricately interlocked masonry. The grates however were of elaborate design, with a system of air inlets all round the base of the lantern which could be opened and closed according to the direction of the wind to give the best draught for the fire; a copper chimney in the centre of the roof took the smoke away. Whereas the old lights had been naked fires, which, as Smeaton pointed out, 'being unprotected from the wind burnt with a very different and unequal lustre', the new lights were intended to give out a steady, intense white light. As the grates were only four inches deep, and 15 inches across skilful and almost constant attention must have been necessary to accomplish this. Smeaton suggested that the best kind of coal to use would be 'a species of the Lancashire Kennel, called [in West Yorkshire] Stone Coal or Cracklers'.

The last winter of building was a severe one. Taylor wrote to the Hull House on 23 February, 1777: 'really we have had at this place a miserable Winter with Tempestuous gales of wind which caused high seas and the surges to strike very heavy upon our Works; and these gales often blew from a destructive quarter. In fine, every gale

of wind with a high sea dispersed part of the cliff stone that encircled the outer wall. At such times I set people to work in collecting and gathering up the stones in order to be conveyed to the Wall and replaced immediately against the next tide. This being done often and as alternately as the preceding Tide had washed the stones away . . . Every stroke the sea made against the wall made the lighthouse shake in a very agitated manner . . . It seemed to alarm the people who tended the fires—I hope we have got a tolerable bulwark with such materials as we have to make use off and I also hope sufficient to resist the surges of the sea for this winter except a gale of wind from the north east with a full tide flank our coast and take away the ground upon which we stand, then we must certainly fall without more art or expense to prevent it'. When Smeaton came again on 17 April, he was able to certify that everything contracted for was complete, and that the repaired wall of the low light compound was like to last. Within a year or two, though the exact date is not known, the lighthouse was swept away. Storms again breached the compound wall, then undermined the tower 'insomuch that an Heifer might have been drove under it, among the piles: but after remaining some time in that condition, in one single rough tide it came down all at once.'

Smeaton paid his last visit to Spurn on 5 October, 1786. The site of Justinian Angell's lighthouse, of which there was not the least vestige to be seen, was by this time 50 yards below high water mark. Neither was there any trace of his own low lighthouse, and the swape had been used in its stead for some time. It had been moved back however from the position where it had been placed in 1776 and was now 80 yards from the site of the destroyed low lighthouse and only 200 yards from the high lighthouse (2—3, Figs. 2 and 3). All was not loss, however, 'I had the great satisfaction to find at Hull that the Spurn lights were in such credit among the seamen that they were by rhen esteemed (on account of their clear brilliant light) to be the best lights in Europe', Smeaton wrote, 'It is said that vessels going round the Point in a dark night have the shades of their mast and ropes cast upon their decks.'

(v) Constable v. Angell: the final phase

It seems that by the latter part of 1777, all charges for the lighthouse had been paid, costs recovered, and that the lighthouses had been vested again in Angell and Thompson. Parliament had made it possible for the lights to be built, but only a court of law could settle the issue of title to the site. Constable had renewed his attempts from the passing of the first Act, but, mindful of the awkward technicalities of common law actions about property, he tried to make out his title by other means and in other courts. He brought actions for taking sand and shingle and for trespass against Worth and his associates; these cases dragged on from 1767 to 1773 but they could not be brought to a worthwhile conclusion because Angell would not

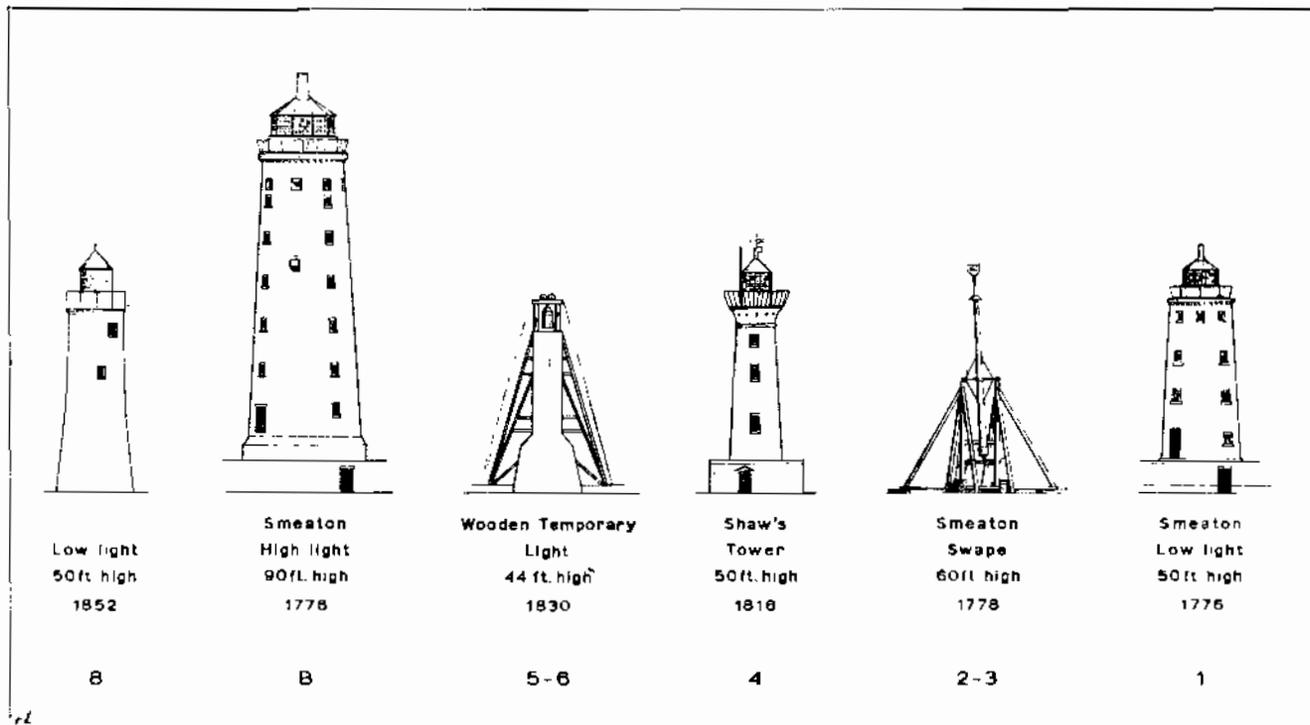


Fig. 3

Drawings based on contemporary illustrations of Smeaton's high lighthouse and the low lighthouses successively erected to accompany it. (The letter and numbers are the same as in Fig. 2).

acknowledge that Worth and the others had acted on his instructions, and thus become himself a party to the suit. In 1768 Constable filed a Bill in Chancery against Corthine, the collector, who had not paid him the ground rent. The action was tried in July of that year, but Constable failed to make out his case. In 1772, after the passing of the second Act, he filed another Bill, this against Angell and later amended to include Corthine, Thompson, and London Trinity House. All the defendants except Angell professed themselves ready to pay as the court should direct.

Constable's lawyers prepared an elaborate case that was legally convincing, even if their version of earlier events, taken mainly from Lord Dunbar's Bill of 1717-8, and of the physical history of Spurn was somewhat confused. They conceded that the title of the site of Justinian Angell's lighthouse had gone from Constable by default after the failure of the Dunbars to bring their cases to a hearing and after the Angells had enjoyed undisturbed possession for many years. That ground, however, had been washed away completely. The fact that the ground in the 1609 grant was described as arable hardly supported a claim to the sand dunes of Spurn, and the Ravensey Spurn and Coney Hill of this grant they identified as Old Den and Greedy Gut. The new lighthouses therefore, they argued, were built on an accretion to Constable's manor of Kilnsea. Witnesses' depositions supporting this were taken on 16 September, 1766, and the case came before the Lord Chancellor in the Court of Chancery on 6 May, 1777. Angell produced neither witnesses nor evidence, and the Lord Chancellor, so Constable's lawyers wrote to his steward, 'allowed that you made out an exceedingly strong case and was for some time strongly inclined to make a complete decree but he afterwards thought that according to the Strict rules and Practice of the case he could not properly do it on a legal question as there was no evidence of a trial between the Parties or any of their ancestors to find the right and therefore ordered the . . . issue to be tried at the next Assizes'. In the end therefore, the case had to come to a court of common law, but the Lord Chancellor had the issue framed so as to avoid many of the procedural traps by turning the case into an action over money rather than land. Constable and Angell were declared by a legal fiction to have met at Beverley and each to have promised to pay the other £5 or £10 if he were the owner of the ground. Constable then sued Angell for not paying. Angell, no doubt foreseeing the outcome, succeeded in having the trial deferred twice but at last the case was heard by peremptory writ at York on 6 August, 1778, and the long-contested question of the title was finally decided in Constable's favour. The case came back to the Chancery Court on 6 February, 1779, for the ultimate stage, the settlement of the contingent issues.

John Angell died, childless, in 1784, aged 84, and left a will, drawn up by himself in 1774 and in every way characteristic, that was productive of much more litigation, some of which concerned the lighthouse. Indeed Angell wished to pursue the lighthouse disputes beyond the grave. 'My will and order is that the pretended perpetuity and demand of fourscore pound annually [i.e. the annuities to the Trinity Houses of Hull and Newcastle] and afterwards £100 for ever

conditionally out of the estate of the lighthouse] . . . be never complied but that an earnest endeavour be never desisted from by my successors to cancel and extinguish them and for this use I will and appoint that £100 be appropriated and taken . . . in each season.' After particularizing minutely in his will elaborate arrangements for his funeral, he bequeathed a considerable sum for the founding and endowing of a college for decayed gentlemen; this was later set aside as infringing the Statute of Mortmain. What made his will a byword among lawyers was that, apart from a few small legacies to servants and charities, the bulk of his very considerable fortune was left 'to the male heirs (if any such there be) of William Angell, the first purchaser of Crowhurst, and father of my great grandfather John Angell'. There was no such heir, and the estate passed to Benedict John Angell Brown (who thereupon took the name Angell) a descendant of a female second cousin. Rival claimants, however, brought nearly a score of lawsuits in attempts to win the inheritance for themselves.

1784-1841: Benedict John Angell Angell

The new lighthouses, supervised by the Trinity Houses under the powers given them in the Acts served their purpose very well for a number of years, and it was not until 1808 that there was criticism again, particularly of the low light. In strong winds the swape had to be lowered for five minutes out of every 15 for the fire to be trimmed. Since the destruction of Smeaton's low lighthouse, there had been so much accretion that the swape was 110 yards from high water mark, and there appeared to be no danger that a tower showing a fixed light, which would be a vast improvement, would be washed down almost as soon as built, like Smeaton's. Perhaps Smeaton's grate was receiving neither the attention nor the special coal it required, at any rate both coal lights were compared unfavourably with the Argand oil lamps and parabolic reflectors that had come into use in a number of other lighthouses. The London House agreed that the coal lights were defective, but did not agree that it was safe to build a new tower. They recommended Argand apparatus for the high light, and an oil lamp in a lantern to be shown from a swape for the low light.

Nothing appears to have been done, however, and then, in 1815, it was found that the woodwork of the swape had decayed so much that it would have to be replaced. The demand for a tower instead of a swape was renewed, and the new proprietors acceded to it with a rapidity that must have astonished those who remembered John Angell. A survey was taken on 4 May, 1816, as a result of which it was decided that the line on which the existing lights stood was still the best for bringing ships safely past the shoals, but, because of accretion, the new lights could be placed 15 yards seawards of the swape, thus increasing the opening between the lights. Work was begun in July, and the 50-foot tower and its Argand lamp and

reflectors came into use the 25 November following; it appears to have been 10 yards not 15 as first proposed, in front of the swape, making it 210 yards from the high light and 70 yards back from the site of Smeaton's low lighthouse (4, Figs. 2 and 3). It appeared bright from some directions but very feeble from others. Where it appeared bright, it outshone the high light and indicated the need for improvements there. The faults of the low light were remedied by the fitting of four extra reflectors in July, 1817. The Hull Trinity House, after inspecting the new arrangements, told the proprietors that they 'highly approved of the new lighthouse and its appendages which have been executed in a masterly manner.' The high lighthouse, however, which they visited on the same occasion, they found 'in a very dirty and dilapidated state, and being lighted with coal is subject to so much smoke, the keeper reports that in the night he cannot see the windows to clean them by which the light is obscured and complaint occasioned'. The proprietors asked the Hull House in April 1818 to advise on the fitting of oil lamps to the high lighthouse; the system of 24 Argand lamps with reflectors installed as a result was first lit on 22 July, 1819. The new arrangements, which came into full use on 12 October, included an extra navigational aid—a red light visible to ships when they were between south east by east and south south east a half east of the lighthouse, a sector from which it was dangerous to approach the mouth of the Humber directly.

A few years later, one of the lawsuits spawned by John Angell's will brought an ironical reminder of the 1778 award to Constable. About 1824, a new claimant, William Angell, began a series of actions against Benedict John Angell Angell for possession of the estates including the lighthouses. Benedict's lawyers thereupon wrote to Constable's to ask them to provide a copy of the decree and the strongest possible evidence of Constable's ownership. It was now to their advantage to have this established beyond question because William Angell was proceeding by a writ of right and such a writ could only be brought for property of which the other party claimed freehold possession.

The accretion and apparent stability which had encouraged the building of the new low lighthouse did not last long and the sea resumed its advance. In November, 1829, a storm undermined the tower with unexpected suddenness and only the hasty shovelling of sand and shingle underneath saved it from falling. It was clear by the following January that the building would have to be abandoned and a temporary light was brought into use on the 16th. The July after, foundations were laid 30 yards back from the site of the tower for a more substantial low light; this was a wooden tower 44 feet high carrying a somewhat smaller lantern. It only lasted nine months in this position; in May, 1831 it was withdrawn 50 yards nearer to the high light (5—6, Figs. 2 and 3). The brick tower collapsed or was taken down very soon after it became disused. A relie, an inscribed block of marble, originally placed over the entrance, was found in a stone shed on Spurn in 1892. A restoration of the inscription, a rubbing of which is preserved in the Hull Trinity House, reads as follows:

THIS LIGHT[HOUSE]
 [WAS ERE]CTED AT THE SOLE [EXPENSE OF]
 BENEDICT JOHN ANGELL [ANGELL]
 AND GEORGE LOWTHER THOMPSON ESQRS
 PROPRIETORS OF THE SPURN [LIGHTS]
 THE FIRST STONE WAS LAID JULY 27TH;
 THE BUILDING WAS COMPLETED AND
 THE LIGHT EXHIBITED 25TH NOVEMBER, 1816.
 JOHN SHAW, F.S.A. ARCHITECT
 JOHN EARLE BUILDER

This proved to be the last lighthouse built on Spurn for the Angell family, for the spirit of reform abroad in the nineteenth century soon recognized in the existing system of lighthouse management a subject requiring attention. The growth of trade and shipping in the late eighteenth and early nineteenth centuries had had the result that the lighthouse dues, which, at the time when they were granted, had been intended to yield a reasonable return to the owners, began to bring in disproportionately large profits; this was more and more resented by shipowners and merchants. Increased national output, accompanied by falling prices, and the loss by Britain of the monopoly of the carrying trade after Waterloo, had generated widespread dissatisfaction with economic conditions, and the Committees of the Lords and Commons which reported in 1820-22 on 'the means of extending and securing the foreign trade of the country' drew attention to the fact that light dues were 'now greatly beyond the ostensible purpose for which they were granted' and recommended that private rights in lighthouses should be brought to an end. These opinions were repeated by the Select Committee on Manufactures, Commerce, and Shipping in 1833. A Select Committee appointed specifically to consider the state and management of lighthouses reported in 1834 that 'it may perhaps be considered as a matter of reproach to this great country that for ages past as well as at the present time a considerable portion of the establishments of lighthouses have been made the means of heavily taxing the Trade of this country for the benefit of a few individuals'. The net return from the Spurn lighthouses to the owners for 1832 which came to £8,958 was cited as an example. The Committee recommended a uniform system of management supervised by the Government, and dues sufficient, but no more, to maintain the lights. The first part of this was achieved by the Act of 1836 (6 and 7 William IV, cap 79), which vested English lighthouses in the Trinity House of London. By this Act authority was given to the Trinity House to buy from their owners the lighthouses still in private hands. The Act also repealed the provisions of the Act of 1766 which gave the Hull House powers of visiting the lighthouses and the responsibility of seeing they were properly lighted. Eventually, in July, 1840, the Treasury approved the terms for the purchase of the Spurn lights which had been agreed, after negotiation, between the Trinity House and the

proprietors; the latter were to be paid 23½ years purchase of the net profit of the lights for 1839, which came to £13,172. The actual sum, £309,531, and its division between the proprietors were ratified in the Sheriff's Court at York on 20 March, 1841. Thus the London Trinity House, as a general lighthouse authority, became possessed of and responsible for the Spurn lighthouses, and so remains at the present day. Later modifications of the methods of administration and charging dues belong rather to a general account of lighthouses than to a history of the Spurn lighthouses.

1841–1895: London Trinity House and the last years of Smeaton's lighthouse

The subsequent history of the lighthouses, perhaps a justification of the Act, is much less complicated, is mainly concerned with technical advances, and can be told more briefly. The great storm of 28 December, 1849 that tore a wide breach across the neck of Spurn also seriously damaged the low light which was on what was by then an artificial island at high tide, defended by a rampart. The storm took all the rampart away, and attacked the foundations so that the light was in a dangerous condition. Further damage was done during gales in March, 1851, and it was finally swept away the December after; the lighting equipment however which was of a relatively new design for that time and had only been in use from 20 January, 1848, was apparently salvaged. Concentric rings of refracting prisms replaced the reflectors, with a single lamp at the centre of the system, more powerful because it had a number of concentric circular wicks instead of the several Argand lamps, each with a single circular wick, which had been in use before. A temporary light was put up, but of necessity the opening of only about 90 yards between it and the high light, the wall surrounding which now lay only a little way behind the edge of the sand dunes, was barely sufficient (7, Fig. 2). An expedient which John Angell had briefly considered in 1764—a back opening—was therefore adopted. A new tower supporting a light 50 feet above high spring tide level was built on the beach on the Humber side of the peninsula, 158 yards from the high light and on the same line as all the earlier low lights (8, Fig. 2); a bridge from the shore made it accessible at all states of the tide (Plate 2). The lights transferred from the old low light were first shown from the new tower on 24 June, 1852. A larger version of the same apparatus was installed in the high lighthouse and came into use on 29 November, 1858.

The severe erosion taking place at Spurn about this time seems to have led to the perpetuation of a curious confusion about the site of the lighthouses. The general wasting of Spurn was causing much concern then because it was feared this would greatly reduce the value of the mouth of the Humber as a harbour of refuge in bad weather. Boats regularly came to Spurn to be loaded with sand and shingle, and it was believed, probably correctly, that this aggravated the erosion. The Admiralty, then the Government department

responsible, prohibited this practice in March 1849, and had also begun negotiations with the Constables in 1848, with the intention of acquiring Spurn so that supervision could be exercised more effectively and public money expended on it with greater propriety. The negotiations, which came to nothing although a Bill was promoted by the Admiralty in 1854 for this purpose, seem to have made the London Trinity House feel the necessity of having the site of the lighthouses clearly delimited. The Acts of 1766 and 1772 which awarded the owner of Spurn a ground rent of £100 per annum for the site of the lighthouses did not specify any particular tract or area of ground; indeed they could hardly do so, because the owners of the lighthouses were empowered to take down, remove, and rebuild the lighthouses elsewhere on Spurn as the interests of navigation should require. Nevertheless, the Trinity House wrote to Constable's steward on 12 August, 1850, asking him to stake out the boundaries of the land which 'formed part of the purchase by the Trinity House of the lighthouses, tolls, and duties, in 1840'. Six acres of ground were accordingly staked out, forming a parallelogram of ground extending right across Spurn from high water mark to high water mark, the high lighthouse about at the centre and the corners marked by boundary posts (Fig. 2). There is no mention of any acreage in the Acts; the only reason for delimiting six acres appears to have been a confused connection of the site of the lighthouses with the six acres of Ravensey Spurn described in the somewhat dubious grants of 1567 and 1609, and on which Justinian Angell claimed (unconvincingly) to have built his lighthouses, and all, in any case, long since swept away.

Further erosion was checked by the construction of groynes extending seawards from the corner boundary posts in 1853, and a revetment along the edge of the dunes in front of the lighthouse. The whole of Spurn was strengthened by the groynes put up by the Board of Trade in the 1860's.

Many additional aids to navigation were put in and near to the mouth of the Humber during the nineteenth century, including buoys, lightships and light floats. Additional lighthouses were also built. In 1806 the Trinity House had built the Flamborough lighthouse, some distance eastwards of Clayton's abortive tower of 1674. The multiplication of lights of various kinds made necessary a means of distinguishing them from one another, and early in 1883 the Spurn high light was made an occulting light; instead of the fixed light, there now was an interval of three seconds darkness in every half-minute.

In 1884 there were complaints that there was a dangerous gap between the Spurn and Flamborough lights from which neither was clearly visible; it extended from near Withernsea to Tunstall. Ships approaching the land and looking out for either Spurn or Flamborough light and seeing neither sometimes ran ashore on this stretch of coast before they realized they were so close in. A petition was sent to the London Trinity House in 1885, and demands for a further light were renewed in 1888 after six or seven ships had been driven ashore near Withernsea in a single gale. As a result, Withernsea lighthouse was built and brought into use in 1893.

1895 to the present day: the existing lighthouse

The year before this it had become apparent that rebuilding was necessary at Spurn. A committee of the London Trinity House inspecting Smeaton's lighthouse in 1892 discovered cracks in the tower. Further examination revealed that the whole structure was settling, probably because the wooden piles of the foundation had decayed. Work on a new lighthouse was put in hand without delay. Smeaton's light had been built as near the extremity of the spit as possible; accretion since then had extended the point half a mile beyond its former position. Nevertheless, the site chosen for the new lighthouse was 68 yards further up the spit away from the point. The reason was that it was considered to be the best site available within the six acres staked out in 1850 (C, Fig. 2). Thus, in this very indirect way, the consequences of the grant of six acres to Angell in 1609 are still apparent on Spurn.

The new lighthouse was designed by the engineer to the Trinity House, Thomas Matthews. For a foundation, 21 hollow concrete cylinders, each 7 feet in diameter and 22 feet long, were sunk vertically in an area about 40 feet across, and filled with concrete. More concrete was poured between the cylinders and over the top so as to make the whole a solid mass resting on the compacted shingle of the spit underneath. Upon this the lighthouse was built, about 120 feet high, of blue Staffordshire bricks. A revetment of stone pitching encased in a timber framework was set up at the foot of the dunes in front of the lighthouse to protect it from erosion by the sea.

Instead of the occulting light shown from Smeaton's tower the new lantern at Spurn, oil-lit as before, but now 120 feet above high water, much more powerful and visible for 17 miles, was made to show a flash of light once every 20 seconds. Three subsidiary lights were incorporated in the same tower—a fixed white light shown from a height of 60 feet above high water directed towards the Chequer Shoal, a fixed red light shown from the same height, directed towards Haile Sand Buoy and which thus covered a sector touching the southern edge of that covered by the white light, both having a range of 13 miles, and a fixed white light shown from a height of 45 feet with a range of 12 miles and directed up the Humber (Fig. 4).

Smeaton's tower, which had been shored up with timber whilst the new tower was under construction, was then taken down; the circular compound and the lightkeepers' dwellings, curved cottages built against the perimeter wall, still remain though they are no longer in use (Plate 3). The new arrangements made a separate tower for the low light unnecessary. The lantern was therefore removed, and the tower was used for some time to store explosives, then as a water tower; it no longer serves this purpose and probably will soon be demolished (Plate 4).

Of recent years there have been some modifications of the lighting system installed in 1895. The first of these was made during the last war, when lighthouses were generally extinguished except in special circumstances. In 1941, in order to make the light easily available

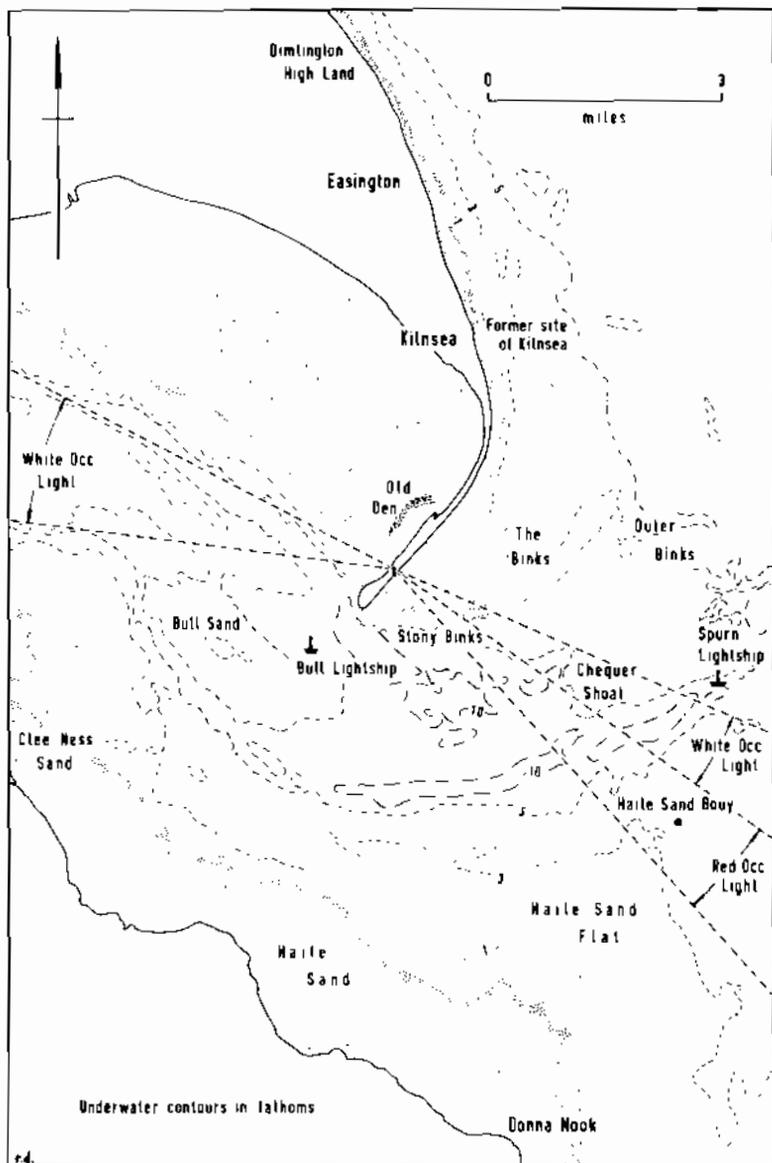


Fig. 4

Chart of the mouth of the Humber showing channels and shoals, and the sectors from which Spurn lights are visible. (Based on the Admiralty chart of the entrance to the River Humber with the permission of the Controller of H.M. Stationery Office and of the Hydrographer of the Navy).

on request when allied shipping and convoys were expected in the area, the illuminant at the Spurn lighthouse was changed from oil to electricity. The electricity was generated by a diesel driven plant installed on the Point by the War Department to supply the buildings used by the garrison.

Electricity continued in use until 1957 when a number of further modifications brought the lighthouse into the state in which it is at present. In that year electricity was replaced as a source of light by incandescent gas mantles burning acetylene, which is stored in the lighthouse in high pressure cylinders or bottles. To avoid confusion with the fixed white lights exhibited by ships at anchor, the lower lights were made occulting lights, i.e. lights intermittently visible, but unlike the main flashing light, visible for periods equal to or longer than the intervals of darkness (Fig. 4). The main light now flashes once every 15 seconds instead of every 20 as formerly. In consequence of these changes, the lighthouse is now automatic. The pressure of the stored gas rotates the lantern and works the occulting mechanism. Thus the presence of keepers (one at least always on duty in the lighthouse) who lived in the cottages in the compound where Smeaton's light formerly stood is now no longer necessary.

SOURCES

This account is based mainly on documents, almost entirely MS, very few of which have been published, supplemented by information derived from published material of various kinds. Confusions abound and all statements have needed to be checked against each other and related to the context.

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Material of this kind exists in considerable quantity. In the Spurn Lights File (4 vols.) of the Hull Trinity House is a very full collection of letters, petitions, surveys, reports, and affidavits from the early-seventeenth to the mid-nineteenth centuries; the Vote Books, Order Books, and Account Books provide additional material. The letter books of the Newcastle upon Tyne Trinity House contain some correspondence with members of the Angell family. There are some letters, rough drafts, and reports of the London Trinity House of the time of Pepys relating to Justinian Angell's and Villiers' petitions in the Rawlinson MSS in the Bodleian Library, Oxford (Rawlinson A 178, f 128b; 182, ff 5, 6, 26, 35-62, 72, 76-101, 123, 142, 151, 193-260; 190, f 91). Among the papers of the Constable family in the East Riding Record Office, Beverley, are many dealing with the long contested issue of the sites of the lighthouses—in particular DDCC/22/3; 89/1-152; 134/52; 139/23, 43, 45, 66, 68, 70; 145/4. They include letters, petitions, depositions, briefs for counsel, and copies of the grant of 1609, the Letters Patent of 1675 and 1678, and the Acts of 1766 and 1772. Additional material on this topic is to be found in the Documents relating to the Seigniorship of Holderness transcribed by R. Stuart Moore, in the Library of the University of Hull. The Public Record Office, London, has several Bills in Chancery and defendants' answers from the lawsuits between John Angell and his fathers' creditors.

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Journals of House of Lords, 31, 1766, pp. 387-397
 33, 1772, pp. 375, 380, 385, 388, 421.
- (viii) *Abolition of private ownership of lighthouses*
Third Report of the Committee on Foreign Trade (1822).
Report of the Select Committee on Lighthouses (1834).
Report of the Select Committee on Lighthouses (1845).
Report of the Commissioners on Lights, Buoys, and Beacons (1861) Vol. II.
- (ix) *The present Lighthouse*
The Times, 13 September, 1895.
Eastern Morning News 7 November, 1888.
 12 September, 1895.
 21 November, 1903.

MAPS AND CHARTS

The fullest collection of charts of the mouth of the Humber showing changes at Spurn and in the positions of the lighthouses is that of the Humber Conservancy Board. There are some maps among the Constable papers in the East Riding Record Office. Smeaton's plan (*Narrative* Plate 20) gives a very clear picture of the variations of Spurn and changes of lighthouse sites 1766-1786. The successive editions of the Admiralty charts of the mouth of the Humber, and the surveyors' fair drawings in the Admiralty Hydrographic Department on which the published charts are based show some of the changes especially from about 1830 onwards.

PICTURES

No trustworthy pictorial representation of any lighthouse earlier than Smeaton's is known. The drawings on charts such as Greenville Collins (1684), Scott (1734), Woodhouse (1742) are very small and unreliable, and the crude woodcuts heading the printed 'Case of Justinian Angell, 8th May, 1678', merely ornamental. There are pictures of all the lighthouses from Smeaton's onwards, however, some being book illustrations, but the most notable are the work of the Hull school of marine painters. The best examples are the following (the titles and numbers are from J. B. Fay, *Catalogue of the Maritime Museum, Kingston upon Hull* (1956).

Smeaton's two Towers 1776-c. 1778

'Sailing ships, pilot cutter and fishing smacks' (Hull Marit. Mus. 521).

Smeaton's high lighthouse and swape c. 1778-1816.

Smeaton's *Narrative*, Plate 23.

R. Willoughby, 1814,—'Armed sailing ships and pilot cutter, with Spurn lights in background (Hull Marit. Mus. 528).

'The Fox, of Hull, sailing vessels and Spurn lights' (Hull Marit. Mus. 534).

Smeaton's high lighthouse with second tower 1816-1830

J. Ward (1749-1849) 'The wreck of the *Thomas*, 1821' (Ferens Art Gallery, Hull). This picture, which shows the troop transport *Thomas* wrecked on the Stony Binks, is the earliest known painting by Ward and the only one of his that shows this low lighthouse. Hull Maritime Museum, 520, is an inferior copy.

'The Spurn Lighthouses' (Steel engraving by J. Rodgers after drawing by H. Gastineau, 1829—Plate facing p. 303, Allen's *Yorkshire*, Vol. 4). This view is laterally reversed i.e. is a mirror image of its subject. The land that appears in the picture apparently to the north of Spurn where in fact no land can be seen is really the Lincolnshire coast; the ships are approaching what is really the mouth of the Humber.

Smeaton's high lighthouse with the wooden low lighthouse 1830-1851.

These are the lighthouses that are shown in all Ward's pictures in which Spurn appears, apart from the single exception noted

above. A good example is 'Shipping near Spurn Head' in the Ferens Art Gallery, Hull. There is a woodcut of these lighthouses in Poulson's *Holderness* (1840-1) Vol. II p. 526.

Smeaton's high lighthouse with the third tower 1851-1895.

No paintings or illustrations from books are known of the lights in this condition. The Admiralty Chart of the mouth of the Humber by Caprain Calver 1851-2, published 1857, has outline drawings of these two lights. Photographs are rare also. However, a photograph presumably taken in 1895 and showing three lighthouses on Spurn, viz. Smeaton's high lighthouse, the 1851 low lighthouse and the existing lighthouse, is reproduced in *The Naturalist* for 1915, p. 182.

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