

PARENTAGE OF MAJOR JOHN FENWICK,  
FOUNDER OF SALEM, NEW JERSEY.

BY EDWIN JAQUETT SELLERS  
OF PHILADELPHIA.

(Continued from Vol. XLIX, pp. 256-260.)

The writer is indebted to Alan Fenwick Radcliffe, Esq., Charterhouse, Godalming, Surrey, England, for reference to the records of which synopses are here given.

Major Fenwick's first wife was Elizabeth, daughter of Sir Walter Covert, of Maidstone, Kent County, and his wife (his second cousin), Anne, daughter of John Covert, of Ewhurst, Sussex County, and his wife Charity, daughter of Sir Martin Bowes, Jr.

For an interesting and ably compiled account of the Covert family, see "The Coverts," by the Rev. Canon J. H. Cooper, Vicar of Cuckfield, in *Sussex, Archaeological Collections*, published by The Sussex Arch. Society, Vol. XLVI, pp. 170-180, Vol. XLVII, pp. 116-147, and Vol. XLVIII, pp. 1-15.

Elizabeth Covert's and her sister Anne Covert's baptisms are quoted from Boxley Registers: "1610, bapt. Elisabeth Walteri Covert. 1613, Anne." (*Sussex Arch. Coll., Coll. XLVIII*, p. 1).

As Edward Fenwick, eldest brother of Major Fenwick, was born 29 Oct., 1606 (Hodgson's *His. of Northumberland*, Pt. II, Vol. II, p. 113), and as Elizabeth Covert was baptized in 1610, possibly Major Fenwick was born about 1608. His baptism has not been obtained.

According to the Covert pedigree by Canon Cooper, Sir Walter Covert and his wife Anne (née Covert) had issue.

- (a) Elizabeth, baptized at Boxley 1610; an executrix of her mother's will. (Married Major John Fenwick.)

- (b) Anne, baptized at Boxley 1613; executrix of her mother.
- (c) Walter, born 1615; died aged 8 years.
- (d) Thomas, born 1618; died Sept. 1643; married Diana, daughter of George, first Lord Goring. She married afterwards George Porter.
- (e) Sir John, born 1620; succeeded to Slaugham 1643; died May 1679; administration in P.C.C., May 1860; married Isabel, daughter of William Leigh, of Longborough, Co. Gloucester, widow of George Warmestry.

Anne Covert, wife of Sir Walter Covert, of Maidstone, Co. Kent, was heiress of her uncle Sir Walter Covert, of Slaugham, Sussex, as shown by Canon Cooper.

#### Synopsis of Dame Anne Coverts' will:

The twentieth day of September, 8 Chas. (1632). I Dame Anne Covert, widow late the wife of Sir Walter Covert Kt. late of Maidstone in the County of Kent. To be buried in or near the sepulchre where my said deceased husband's body was lately layed. Mentions eldest son Thomas Covert, her youngest son John Covert, her cousin Francklyn and his wife her near cousin (not named), her cousin Carkoredg and his wife (not named) her cousin, her father Mr. William Covert lately deceased, her daughters Elizabeth Covert and Anne Covert whom she appoints sole executors; she mentions also her deceased uncle Sir Walter Covert; she bequeaths the wardship of her sons to her kinsmen Sir Francis Barneham, Kt., her uncle Sir Thom. Colepeper, Kt., and her cousin James Francklyn. Signed, Anne Covert. Witnesses, Edw. Duke, Robt. Cooper, Fran. Seyar, Mich. Beaver.

Proved at London 13 November, 1632 by Elizabeth Covert and Anne Covert, daughters and executors of the said deceased. (P.C.C., London, Audley 111.)

John Fenwicke of Grays Inn co. Middlesex gentleman and Elizabeth his wife, executrix and one of the daughters of Dame Anne Covert, deceased, pltf's.

v.

Walter Francklyn and Sir John Henden, defendants.

Bill, dated 10 May 1644, for an accounting and possession of land. It mentions James Frankline of the Middle Temple, London, Esquire, deceased; Parsonage of Eboney in Kent the subject of suit; the said Elizabeth and Anne Covert her sister, since deceased; Walter Frankline, son and heir of said James Frankline; Sir John Henden, Bart., Sir — Henden late one of the Barons of the Exchequer; that the said Lady Anne Covert died leaving the plaintiff and her sister very young, namely of about the age of 14 or 17 years (as Elizabeth was baptized 1610, she was 22 years old in 1632, date of Lady

Covert's will, and her sister Anne, who was baptized 1613, was 19 years old in 1632); that the said James Frankline died about four years ago. ; Walter Frankline was his son and executor; Bentley Lease in Sussex also subject of suit; that the said Walter Frankline refused and refuses to deliver the deeds or deliver possession of Bentley Lease to the plaintiff or her sister, or to the plaintiff now as sole executrix; the bill prays that Sir John Henden shall set forth what estate he has in the parsonage and that he may render an account and satisfaction.

(The proceeding does not contain any answers.)

(Chancery Proceedings, Mitford, 126/87. Public Record office, London.)

Synopsis of Will of Thomas Covert (d) aforesaid. I Thomas Covert, of Slaugham in the County of Sussex, Esquire, 30 July, 1642. To be buried in the newly erected Chapel adjoining the Parish Church of Slaugham. Mentions Diana his wife, Anne and Diana his daughters, mentions possibility of his wife being with child and disposition of his estate according to whether it be a son or daughter; bequeaths to his daughter Anne two silver dishes which the Earl of Holland, her godfather, gave her at christening, and to Diana the other daughter the great silver dish which the Countess Dowager of Devonshire, her godmother, gave her at christening. Mentions also a lease dated 6 March, 18 Chas. I (1642), by him to Sir William Culpeper of Wakehurst in co. of Sussex, Baronet, and William Hippiisley, of London, Esquire, for forty years, in trust for his use, etc.; his wife Diana and Walter Burrell, Esquire, and William Fettiplace, gentleman, his two kinsmen, to be sole Executors and Executrix of his will. Residuary estate to his next heir male. Signed, Thomas Covert. Witnesses, Toby Hippleisley, William Devereux, William Cartwright, Ra: Bird, Robert Lanton, John Freer.

Proved at London 8 Oct., 1650, by the oath of Diana Covert, relict and of the Executors named in the will. Power reserved to Walter Burrell and William Fettiplace the other Executor. (P.C.C., London, 164 Pembroke.)

The foregoing will of Thomas Covert is given because he is referred to on page 160 of Vol. XLIX of the *Pennsylvania Magazine*.

Commission dated 22 May, 1652, from the Keepers of the liberty of England by authority of Parliament directed to Sir Thomas Handley, knt., John Burrell, John Oliver the younger, Richard Kidder, Richard Isted, William Cooper, John Viney, Edward Henshawe & William Bristow, gentlemen. Whereas John Fenwick, Esq., and his wife, plaintiffs, have exhibited their bill of complaint against Sir William Culpeper, Baronet,

William Hipplesey, Peter Courthopp, William Fettiplace, Walter Burrell, John Covert and Walter Francklyn, Esquires, defendants, who have failed to answer the said bill, the said Commissioners are commanded to take the answers of the said defendants to be made to the said bill, the tenor of which is sent them inclosed in these presents, and to send the same answers into the Court of Chancery in eight days after Holy Trinity next.

Bill dated 7 May 1652.

The plaintiffs, John Fenwick of Brockham co. Surrey, Esquire, and Elizabeth his wife, state that Sir Walter Covert late of Slaugham co. Sussex, knt., deceased, was seised to him and his heirs, during the lives of Walter Burrell and Walter Covert of lands in Cuckfield and other places in Sussex, which came to the said Sir Walter by lease or grant from Lord Burgaveny, or some other person, which were called Bentley Lease. After his death the same came to Lady Anne Covert as his *cousin* and heir, that is to say, daughter and heir to John Covert brother and heir to the said Sir Walter.

The said Dame Anne Covert, being so seised, and having issue Thomas Covert, John Covert, the plaintiff Elizabeth and Anne Covert, by her indenture dated on or about 9 September, 1632, granted the premises with all the deeds concerning them to James Francklyn then of Maidstone co. Kent, Esq., since deceased, and his heirs, during the lives of Walter Burrell and Walter Covert, in trust for the benefit of the said Elizabeth and her sister Anne equally, with power of revocation. The said Dame Anne soon after died, having appointed her two daughters executors of her will. The plaintiff Elizabeth obtained administration of her deceased sister's estate. The said James Francklyn took possession of the premises and received profits until his death. He made his eldest son Walter executor of his will, who, after his father's death, took possession and received profits. The said James and Walter Francklyn, or one of them, have made some estate thereof to some person or persons, under color of which the said Thomas Covert, although knowing of the trust, by himself and his agents, namely, Peter Courthorpe, Walter Burrell and William Fettiplace, during his life have received the rents and made some estate thereof to other persons. In July 1642 he (the said Thomas Covert) made his will and died possessed of sufficient estate to have made satisfaction to the plaintiffs. After his death Sir William Culpeper of Wakehurst co. Sussex, Baronet, and William Hipplesey of London, Esquire, pretending to be entrusted by Thomas Covert on behalf of John Covert, his brother and heir male, and for Anne and Diana the daughters and heirs of said Thomas Covert, have received the rents, although they know that Dame Anne Covert conveyed to them in trust for her said daughters.

The plaintiffs show that James and Walter Francklyn, Thomas Covert, George Porter and Diana his wife, Peter Courthorpe, Walter Burrell, William Fettiplace, William Culpeper, William Hipplesey, John Covert and Diana Covert have received the rents and concealed the deeds concerning the premises and have defaced the metes and bounds so that they cannot distinguish their land from lands of Thomas Covert. Although often asked in a friendly manner, they have refused to give up possession of the premises.

The plaintiffs pray for the help of the Court.

The joint and several answers of Peter Courthorpe, Esq., Walter Burrell, Esq., and William Fettiplace, gentleman, three of the defendants.

They believe that Sir Walter Covert was seised of land in Cuckfield as stated. They have never seen the said lease, except William Fettiplace, 4 or 5 years ago saw a box in which he believes it was, which was in the custody of a widow, whose name he does not remember, in Holborn, where the residue of the writings concerning the estate of Sir Walter Covert then were by the direction of Diana Porter wife of George Porter. None of these defendants have known of the lands called Bentley Lease. The said Sir Walter Covert being so seised of the said lands, about the 23rd of July, 1631, demised to Sir Thomas Pelham, Baronet, and to these defendants, all his manors and lands in Sussex, Surrey and Kent or elsewhere, except the Rectory of Ebony in Kent, for 21 years after the death of Sir Walter Covert at a yearly rent of a penny, if demanded, in trust for Dame Jane Covert his wife, with remainder as he might by will appoint.

About the 26th of July, 1631, the said Sir Walter Covert conveyed all his manors and lands in Slaugham, Twineham, Ashington, Washington, Thakeham, Worminghurst, Horsham, Shipley, Sullington, Hitchingfield, Ifield, Crawley, Cuckfield, Balcombe, Worth, Bolney, Russington, Woodmancoate, Hurst, Beeding, Warneham, Aldrington, Portslade, Hove, Rusfer, and Wivelsfield in Sussex to the use of the said Sir Walter and the heirs male of his body, and for want of such issue to the use of his cousin Thomas Covert, eldest son of Dame Anne Covert, and the heirs male of his body, with divers remainders, which deed depts. believe to be in the box at Holborn.

In January, 1632, Sir Walter Covert died without issue and left Dame Anne Covert his *cousin* and heir, she being daughter and heir to his deceased brother John Covert.

Defendants do not know that the lands called Bentley came to Dame Anne as his *cousin* and heir. After Sir Walter's death the said Sir Thomas Pelham waived his estate in the premises, whereupon these defendants entered into all the said lands, including Bentley, according to said trust, and took the profits until Thomas Covert attained the age of 21 which happened in

August 1639, when they accounted to him and by deed passed all their estate in the premises to him.

Answer of Walter Francklyn, Esq.

He says he knows nothing of the Bentley Lease. His father James Franklyn who died about eleven years since was a Counsellor at Law and held divers deeds. Defendant, as his father's executor, kept them till inquired for. About eight years since, the plff. John Fenwick spoke to him about some writing he believed in his custody, made for the benefit of his wife Elizabeth. Defendant found an indenture dated 19 Sept., 1632, made by Dame Anne Covert to James Francklyn thereby expressing that she had granted and confirmed to him lands in parish of Cuckfield co. Sussex, of which the said Sir Walter Covert was seised to him and his heirs during the lives of Walter Burrell and Walter Covert, in trust for the said Elizabeth and Anne her sister. He gave this deed to Mr. Beaver of the Middle Temple, an attorney at law, to deliver to John Fenwick, which he did, bringing back a receipt signed by the latter.

Defendant has never had a farthing benefit from the said lands nor does he know these lands. He has never accepted the said trust nor does he believe his father accepted it. Neither he nor his father, to his knowledge, ever made any estate of the said lands to any person.

(Chancery Proceedings. Bridges, 480/63. Public Record Office, London.)

Although the record of the foregoing proceeding does not show the disposition of the suit, yet the pleadings are of genealogical value as showing Major John Fenwick's marriage with Elizabeth Covert and distinguishing her father Sir Walter Covert, of Maidstone, Kent, from Sir Walter Covert, of Slaughtam, Sussex, uncle of Dame Anne Covert, wife of Sir Walter Covert of Maidstone aforesaid. It also confirms the relationship of the Coverts referred to by Col. R. G. Johnson on page 160 of Vol. XLIX of the *Pennsylvania Magazine*.

The purpose of this and the two preceding articles concerning Major John Fenwick has not been intended as an account of his life. The writer desired merely to present the evidence establishing Major Fenwick's parentage and the names of his two wives and identification of the families from whom they descended.