1598

Four documentary references

BOUNDARIES

With the following two documented exceptions there is no reason to suggest that the boundary of the parish in 1598 was not very much as it is today.

First, in 1851:

In 1851 Mr. Smythies was active again in defence of his property. On 21 August he obtained the vestry's consent to this resolution: 'The portion of Long Meadow for which Mr. Smythies, as he states, is overcharged to Eardisland, should be given up to Pembridge parish in lieu of a part of Wesley, which was given up to Eardisland in deciding the Boundary line'.

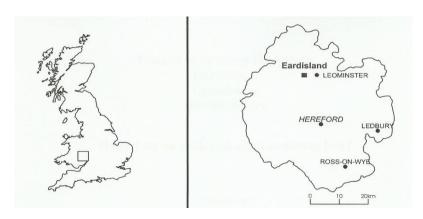
This is from page 168 of Reeves, Norman C *The Leon Valley. Three Herefordshire Villages. Kingsland, Monkland & Eardisland.* Phillimore & Co. Ltd. 1980.

Then, from *Jakeman & Carver Directory*. 1890. Dated: 25th March 1884. An Order under the Divided Parishes Act came into force under which detached parts of Eardisland were amalgamated with Dilwyn and Weobley.

Reeves, on page 134 of *The Leon Valley*......gives more detail:

Some changes in the parish boundaries took place in 1884 when by a Local Government Board Order (No. 15,956) Upper and Lower Barewood were transferred to Dilwyn and a detached part of the parish was added to Weobley. The area of the parish is now 3,633 acres of land and 23 of water.

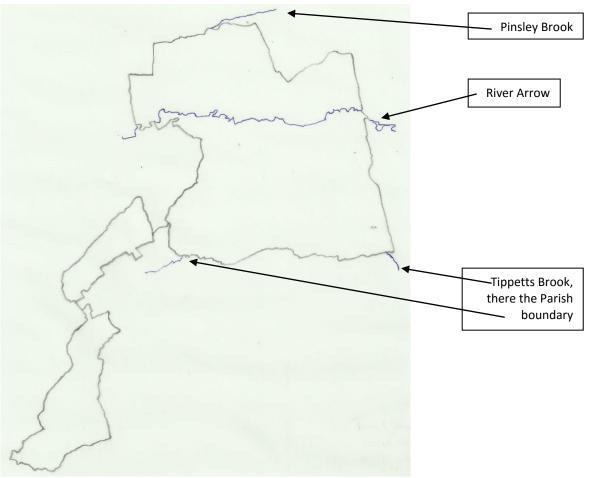
Preceding both of these is the Tithe Map and Apportionment Schedule,1844 and 1842 respectively. This has been used to illustrate, in the third of the following diagrams, the parish boundary as it then was, including the detached parts to the South-West², which is likely to be representative of what by then it had been for several hundred years. The first two diagrams are self-explanatory:



¹ The copy of the Tithe Map held by Herefordshire Record Office is not actually dated [HRO L287]. The Apportionment Schedule, also there, is dated 1842 [HRO HD287]. At HRO is also, on microfilm, a copy of the map held at the Public Record Office/National Archives. That is dated 1844 [HRO IR30/14].

[1]

² My directions are indicative, not accurate.



Eardisland Parish Boundary 1842-1844

But to return to the year 1598.

DOCUMENTARY SOURCES

In this parish in 1598 babies were born and baptised, people were married, and people died and were buried.

Records of these events were, or should have been, written into a "Parish Register". Such Registers had been introduced in 1538 by Thomas Cromwell, chief minister of King Henry VIII. The surviving Register for Eardisland starts from 25th March 1614.³ Whether or not there ever was an earlier volume, which has since gone missing, must remain a matter of conjecture.

I have four documentary references specific to the Eardisland of 1598. The first of these is an Indenture dated:

the fifteenth day of Maye in the

ffortieth Year of *the* reign of our Sovereign Ladie Elizabeth by the grace of God of England Ffrance and Ireland Queene defender of the faith etc. Betweene Roger Vaughan of Kynsley in the Countie of Herefforde esquire now the Lorde of the Manor or Lordshippe of Erslande in the said Countie one thon party and Nicholas Deyos of the paryshe of Ersland aforesaid gentleman on the other party *Witnesseth* that the

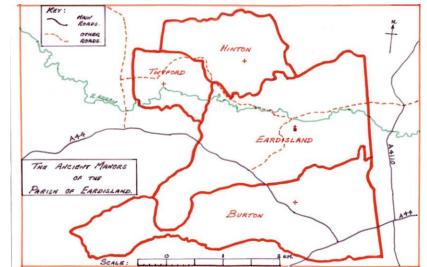
Footnote 4

³ However, there is, loose in the first volume, *Note relating to the Institution of Thomas Lewis 1560, and John Birde 1594 to the Vicarage of Eardisland.* [HRO AJ32/1].

⁴ This transcript is now in Herefordshire Archives, together with a photocopy of it. The document itself remains in private ownership in the village.

This records that the lord of the manor of Eardisland, was Roger Vaughan of Kinnersley, also in Herefordshire, not very far away from Eardisland to the south-west.

Eardisland was one of four manors within the boundary of the parish of the same name, the others being Burton, Hinton, and Twyford.



Drawn by Graham Simpson, based on information supplied by George Alderson.⁵

Surviving Court Rolls evidence that in 1598 Burton, Hinton and Eardisland were still being administered under the traditional manorial system. Twyford Court records are not extant, but Twyford was still being referred to as a manor when it was sold in 1630.⁶

Roger Vaughan had held the lordship of Eardisland since 2nd December 1595⁷ and continued to do so until 12th October 1598 when he sold the manors and lordships of Eardisland and Pembridge to Sir Gellie Meyrick, Kt, steward to the 2nd Earl of Essex, Thomas Crompton and Henry Lyndley. By Power of Attorney they arranged for Walter Wiseman and William Wiggenton gent, to take seisin.

I have no other references to either the Wiseman or Wiggenton families before or since 1598; nor anything from which to assess what effect this second change of lordship in under three years may have had on everyday life in the manor and wider parish.

The other party to the Indenture was Nicholas Deyos of the parish of Eardisland. The Deyos family had been here since, at very least, 1576⁸ when there is mention of:

the now dwelling house of John Deyos called the Nunn House 10

That the family was still at the Nunn House in 1598 is almost certain for in 1637 there is mention of: *John Deyos gent owner of the Nunhouse.* ¹¹ Although not with certainty the John Deyos of 1576, a person of that name was buried here on 8th December 1614. ¹²

⁵ What amount to 'Perambulations' of the boundaries of the manors of Burton, and Hinton, are extant. These are at HAS CF58/3 and O/58/2/xiii respectively. The boundaries of the other two manors have been deduced from them, also constrained by the, preceding, parish boundary.

⁶ HAS P48.

⁷ Longleat Archive NMR 1790.

⁸ 23rd November 19 ELIZABETH. HAS B16/1.

⁹ Does this mean that John Deyos previously lived somewhere else but in 1598 was at the Nunn House? Or does it refer to the fact that Nunn House had, not that many years earlier, been a 'House' of Nuns (a cell of Limebrook Priory, as was indeed the case) and before the Dissolution not anybody's 'dwelling house'?

¹⁰ Modern 'Nun House Farm'.

¹¹HAS SR62.

¹² Eardisland Parish Register. HAS AJ32/1.

However, these dates for the two Johns Deyos leave room for Nicholas Deyos to have been the son of the first mentioned John, father of the second one. The parentage of Nicholas is not proven, but that he was the father of a son, also John, is certain, for near the end of the Indenture is mention of: *maude the new*¹³ wife of the said Nicholas Deyos and to John Deyos their sone There is insufficient detail in the Indenture to establish the ages of, or anything else about Nicholas, Maude and John (the son) in 1598.

said Nicholas Deyos his executors,, & administrators and assignes on half acre of arable lande p'cell of my said manor or lordship,sett, lieinge, and being in a field there called the weastefeilde, between the demaines Land there called the mill Gobbette, and the Millponde, north and south, & stretchinge from the pasture of Richard Price to foreste acre there, easte and weaste sometimes parcell of the coppiehoulde landes of Thomas Houlden deceased, but now the landes of the said Nicholas and in his present possession with my wattermill in the foresaid Erslande, and all rentes, arredges of

Later in the Indenture Vaughan grants license to Deyos to:

executors, administrators, & assignes, that it may & shal be lawfull to & for the said Nicholas his heyres, executors, administrators & assignes and or any of them, the said watter mill with all houses, courses, bankes, weares, poundes, watters, wattercourses utterlie to take downe & destroye, stoppe, and barr uppe, and the said mill or the like mill or mills, with stankes, bankes, wattercourses, weares and poundes, to make errecte, reare, & builde uppe in & uppon any the groundes of the said Nicholas lieinge & being from the upper end of the new weare unto the place in the towne of Ersland presaid (?) where the said mill watter doth meete againe with the reste of the river of Arrow, whyther it be uppon his freelandes or coppiehold landes, or uppon the free or copieholde landes of any the tenantes of the said manor or lordshippe of Ersland

He, Vaughan, also states that he:

executors, administrators & assignes that I the said Roger Vaughan my heyres executors administrators and assignes shall not from henceforth make create or build uppe any mill, weare, or stanke in any parte of the said river of Arrowe within the said manor or lordshippe of Ersland from the upper end of the said new weare, such that the said newe millwatter and backewatter wholy from the upper end of the weare unto the meetinge of them watters in the town of Ersland foresaid with all bankes, stankes, moundes, fyshings, fowlings& all other commodities in them beinge or hereafter shalle, To be & remayne from henceforth wholy unto the said Nicholas Deyos his heyres executors and assignes forever; And I the said Roger Vaughan do further covenant &

There are other matters of detail worthy of comment in the document, which will be dealt with later, but the important points are that it tells us the position of the half acre of land and the other lands and millpond associated with it, and that Deyos already held from Vaughan a watermill.

Deyos is then given license to demolish the existing mill complex and to erect a new one anywhere between any the groundes of the said Nicholas lyieinge and being from the upper

¹³ When she became the new wife of Nicholas Deyos and whether the word *new* means 'recent' or 'second' need not for the purpose of this particular Paper concern us.

end of the new weare unto the place in the towne of Ersland presaid where the said mill watter doth meete againe with the reste of the river of Arrow

Whilst nowadays we refer to the weir across the river south of Folly Farm and the millstream as separate features, it is clear from the wording in the Indenture that when Vaughan mentions *the new weare* he includes both the actual weir across the river, and also the millstream from it to where it still today rejoins the river just east of the bridge near the dovecote in the village.

Both the weir and the millstream¹⁴ can therefore be dated to May 1598 or very shortly before then.

There is no certainty exactly when it was that Deyos demolished the old mill and built its replacement and so only the old one ¹⁵can be included in an illustration of this part of the parish in 1598. Such an illustration can also include *the new weare*, and as discussed above, the present day millstream; also the river Arrow. To such very limited accuracy as is possible, it can further include the *on half acre*, *weastefeilde*, *mill Gobbette* and *the millponde*.

The basic layout of the illustration which follows is based on a tracing of a photograph of the Tithe Map, 1842-1844, re-orientated to show North at the top by means of the line of the north wall of the church. That the church existed in 1598 is not in doubt, but, it not being mentioned in this first document, it will be dealt with in detail in a later part of this Paper. I show it only as a guide to establishing which part of the parish is shown in the illustration.

Also illustrated is the position of Nunhouse, mentioned at the bottom of page 3 of this.

Because the *new weare* was almost certainly the one that still exists, there is no reason to believe that the course of the river in 1598 was markedly different from what is shown on the Tithe map – on which the illustration is based.

Similarly, it is safe to take the course of the millstream from the weir to the river as being predominantly unchanged since 1598.

I have not shown Broom Lane or the ford where it crossed the river in Tithe map times since neither are mentioned in the source document. Roads, bridges and fords will be covered later in the Paper.

The half acre of arable land, *mill Gobbette* and *the millponde* were all in, or closely associated with, *weastefeilde*. But before discussing the position in *weastefeilde* of the half acre, where was *weastefeilde* itself? It is safe to transcribe this spelling as 'westfield', impliedly one of the ancient open-field cultivation areas of early Eardisland. I have written a short Paper about westfield, a copy of which is at Appendix 1 to this Year Paper. In it I discuss and then illustrate where I believe westfield to have been. Based on that I have included westfield in the illustration which follows on page 6.

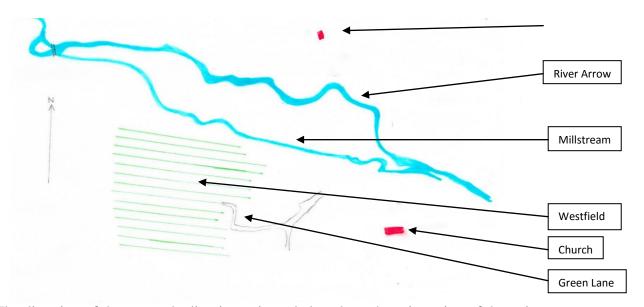
If I am correct about it being the, even then, long-established access to *weastefeilde*, a point included in Appendix 1, then Green Lane did exist in 1598, and is therefore included in the illustration. Whether it was known by that name, or indeed by any name at all, there is no means of knowing.



¹⁴ The creation of the millstream and subsequently a new mill on a different site would have made the *Millponde* redundant.

1

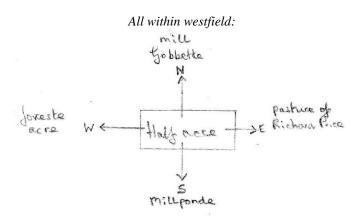
¹⁵ Vaughan refers to *my wattermill* in this document viz. May 1598.



The direction of the green shading is *not* intended to show the orientation of the strip cultivation, which is unknown.

Within westfield the half acre was between the demaines Land there called the mill Gobbette, and the Millponde, north and south, & stretching from the pasture of Richard Price to foreste acre there, easte and weaste sometimes parcell of the coppiehold landes of Thomas Houlden deceased, but now the landes of the said Nicholas and in his present possession with my wattermill in the foresaid Erslande, and al rents...

Shown as a very simplified diagram, this description produces:



foreste acre was already of the said Nicholas; mill Gobbette, and the Millponde were demaines Land ie. specific to the use of the lord of the manor, Vaughan, and for his personal benefit.

said Nicholas also held Vaughan's watermill, but there is no statement as to the position of the watermill.

I have no information about *Thomas Houlden deceased* , others of his family name or lands held by them.

My very sketchy knowledge of other lands held by Nicholas Deyos is of no assistance. However, the stated proximity of Mill Gobbette and the Millponde to the 'half acre', which is stated to have been in westfield, very strongly suggests that the mill was close by.

It has been tempting to position Vaughan's watermill and the other features shown in the diagram on the previous page by means of the Tithe Map. That gives field boundaries and its schedule details the size of the fields: indeed it even shows an area of woodland to the west of where I consider westfield to have been. But to use that source in such a way would be wrong. Even if there were accepted boundaries enclosing areas of cultivated land and woodland in 1598, a suggestion which itself is questionable, it would be arrogant to suggest that these were represented by what the Tithe Map recorded almost 250 years later.

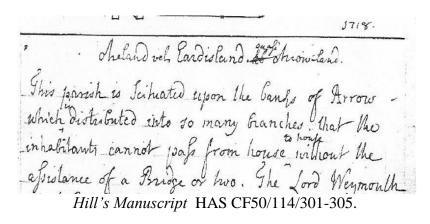
The northern extremity of westfield, if where I have illustrated on page six, followed the contour of the land, north of which it drops quite suddenly to the floodplain of the river Arrow. The watermill, dependant as it was on a ready supply of water via the millpond, would probably have been on the floodplain, but close in to the higher land to the south viz. the position of westfield, whatever its actual extent in 1598.

What then supplied the millpond, and indeed where exactly was it?

With both the half acre and mill Gobbette north of it, the millpond was not close to the river: nor should that possibility even be considered, for to do so would also place the watermill close to the river, thus surely removing the very need for a millpond when a short leat could be used instead.

There is no shortage of evidence that the main stream of the river has meandered over the centuries, in some cases leaving as subsidiary streams its former courses. Such palaeochannels in the area under discussion, indeed only about two or three hundred metres west/upstream of the area illustrated on page six, are discussed by White ¹⁷ at pages 55-57.

Such palaeochannels may not always represent earlier courses of the mainstream of the river. One documentary source in particular evidences a spread of watercourses reaching the village itself:



That being the case in 1718, there can be no doubting the equivalent in 1598.

Interpretation of the Indenture has noted that mill Gobbette and the millpond were demaines land, and yet were in westfield. It is odd that land held for the specific benefit of the lord of the manor were in the openfield cultivation area farmed by his copyholders and/or tenants. Is this a reflection of the earlier structure having, for whatever reason, decayed to the extent that only the fieldname 'westfield' remained, all else having long since fractured into different types of land tenure?

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¹⁶ A short walk from the centre of the village along the public footpath enables this to to seen.

¹⁷ WHITE, Paul *The Arrow Valley, Herefordshire: Archaeology, Lanscape Change and Conservation* Published by Herefordshire Archaeology, Herefordshire Council, 2003. ISBN 0 9546998 0 7.

All this means that at this stage my attempt to accurately portray this part of the parish in May 1598 from the detail in the Indenture breaks down. It would be foolish to attempt to accurately position Vaughan's watermill and the lands associated with it. There are simply too many uncertainties.

However, it must be pointed out that Vaughan's watermill of 1598 was not on the same site as what later became known as Upper Mill¹⁸, situated between the still surviving dovecote¹⁹ and present day Arrow Lawn, not far to the west of the present bridge over the river in the village.

A later Indenture, dated Ist May 1704²⁰, which deals with the same half acre of land, starts with six clauses reciting transactions concerning the half acre, beginning with mention of an Indenture of 15th May 1598, the one which is the subject of this first part of this Year Paper. The fourth and fifth clauses are relevant:

appeareth And Whereas the said Richard Deyos hath since the making of the said first Indenture of lease caused one other mill to be erected and built and also other buildings to be erected on part of the said lands in the first receipted Indenture of lease granted And Whereas the said Richard Deyos by his Indenture of Lease bearing date the one and twentieth day of January in the ninth year of the reign of our late Sovereign Lord William the Third for the securing the sum of Fifty Pounds and the Interest thereof to James Price of the City of Hereford mercer did grant demise sett and to farm sett unto the said James Price his Executors Administrators and assignees (with and amongst other lands) the said half acre of land and Water Mills in and by the said Roger Vaughan as aforesaid and also the other Mill and buildings thereon erected

These clauses²¹ state clearly that since 1598 Richard Deyos had erected a new mill complex and that he had sub-let²² the half acre of land and watermills to James Price of Hereford together with the other Mill and buildings thereon erected.

I suggest that this last mentioned other Mill and buildings was what later became known as Upper Mill²³. The other, earlier, mill complex would therefore have had to have been upstream, west of it, there being no space for it to have been to the east, downstream of it, before other buildings²⁴ were encountered.

And so, whilst I am unable to accurately position it, I have included Vaughans wattermill with the other features shown in the diagram on page 6, in the illustration on the following page. This is intended to show everything that has been discussed so far which can with any degree of certainty be said to have existed here in 1598. It is again stressed that exact positions are not shown, only the closest approximations to where I consider these features may have been.

¹⁹ This did not exist in 1598.

¹⁸ Present day Old Mill House.

²⁰ In transcript in Herefordshire Records Office together with a photocopy of it. Thedocument itself is still in private ownership in the village.

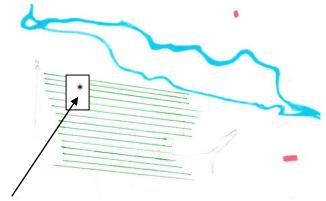
21 The regnal date detailed in the second one works out as 21st January 1698.

²² Later in the Indenture it becomes clear that this was the first part of what constituted a mortgage

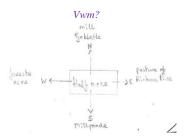
²³ Represented by present day Old Mill House.

²⁴ For example Court House Farm . Part at least of the present dwelling was without doubt there in 1598. See RCHM 1934.

Accepting that westfield may have extended further west and north than I illustrated on page 6, this version shows a slightly larger westfield. All other features are as before:



*This area represents the position of what is included in the diagram on page 6, which, repeated in miniature with *Vwm* [Vaughan's *my wattermill*] added, shows:



It must again be stressed that there are several unknowns to which I have had to assign probabilities to enable the features in the diagram to be positioned anywhere at all.

Other matters of detail:

The lease was for the term of one thousand years for which the sum of fifty pounds was to be paid. An annual rent of sixpence was also to be payable. ²⁵ The length of the lease and purely nominal annual rent makes the arrangement the equivalent of a modern sale of the freehold. The relevant parts of the text are:

the paryshe of Ersland aforesaid gentleman on the other party *Witnesseth* that the aforesaid Roger Vaughan for and in consideration of the sum of ffiftie pounds of good and lawfull money of Englande to me the saide Roger well and trulie paide by the saide Nicholas Deyos before then sealinge and delivry of thies presentes whereof and of and later

heirs, executors, and administrators, for ever *Doe* demise, grante, lett and to fearme lett and by thies presentes have demissed granted, setten, and to fearme letten, unto the said Nicholas Deyos his executors,, & administrators and assignes on half acre of arable lande p'cell of my said manor or lordship, sett, lieinge, and being in a field there called the weastefeilde, between the demaines Land there called the mill Gobbette. and

and later

or p'cell thereof belonginge or in any wise appertaininge, from the day of the date of thies presente unto the full end and tearme of one Thousande yeares from thence ensueing fullie to be accomplished and and ended; without any lawfull lett,, contradiction, deniall, or gainsayinge of me the same Roger Vaughan, my heyres, and then

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²⁵ The equivalent of £5032 and £2-52p respectively in 2005.[National Archives website].

soever; To the saide Nicholas Deyos his executors, administrators, and assignes for and duringe and unto the full; perfecte & clire ende, determination and expiration of the said tearme aforesaid, fully clerely and quietely to be compleated and ended **Yealdinge & payenge** threepence yearely duringe the said tearme at the feaste of St. Michael the archangell (onlie) sixpence stearlinge unto the saide Roger Vaughan his

An apparently clear title having thus been granted to Deyos, Vaughan makes the customary declaration that, in modern terminology, he is the beneficial owner of everything referred to in the Indenture:

However, he then continues by detailing an encumbrance to the otherwise clear title he has granted to Deyos:

Having his wife and son as, effectively, 'sitting tenants' can not be expected to have caused Deyos any concern, but that part of the arrangement was not to start until after a preceding lease had expired. That preceding lease was from Gardner to Palfrey and was itself charged with an ongoing financial incumbrance, an annual payment to the Crown, Queen Elizabeth I herself:

Roger Vaughan

15 May 1598

There being no detail as to the total amount of the background debt to the Crown, from which the number of years for which the Forty Shillings per annum would have to be paid

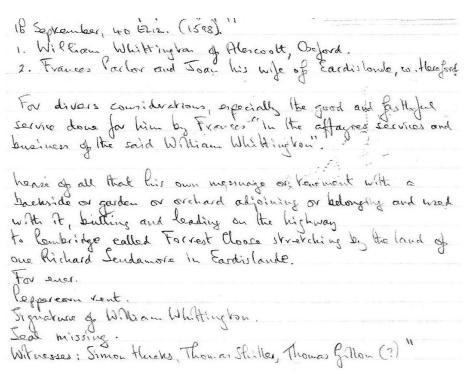
could be deduced, unless Deyos did know and it is simply not stated, then he was entering into an open-ended committment. How this forty shillings per annum would look when set against the expected annual income of even the then mill, regardless of his future plans, I am not able to suggest.

The full circumstances of the origin of this charge against the manor of Eardisland, and so in part against the mill mentioned in the Indenture, originate several years earlier.

This Paper has the objective of describing the Parish of Eardisland in 1598 and I will not therefore include what I know of these earlier circumstances here. The still existence of the financial charge in 1598 is all that is needed.

The second of the four documentary references specific to the Eardisland of 1598 is a:

Grant (Lease in perpetuity, peppercorn rent)²⁶



The Whittington family were considerable holders of a considerable amount of land in the parish, but were not lords of the manor. It will be remembered from the previous document that on 15th May 1598 Roger Vaughan of Kinnersley held the manorial rights of Eardisland. Other documents to be discussed later in this Paper will make it clear that that was still the case on 16th September 1598, the date of this current document.

This lease includes the earliest reference I have to the Parlor family in this parish. Does that, and the nature of the consideration quoted for the transaction, allow a suggestion that Frances Parlor may perhaps have come here from Oxfordshire as a servant of William Whittington? If that was indeed the case, he certainly settled here; for whilst I have not attempted to compile a pedigree of the Parlor family, I have eight references to it stretching from this document to 1712, when the family is cited in a transaction concerning copyhold land within the manor of Eardisland.

²⁶ Being the catalogue detail at Herefordshire Archives reference A38/1.

Can the exact location of the *messuage or tenement* which was leased to Parlor be identified from the positional information in the document?

the highway to Pembridge [from Eardisland] presents no problems. It is very likely to be the route taken by the present road, perhaps without minor straightenings and/or widenings which may well have taken place following the passing in 1756 of an Act of Parliament. This contained specific permissions for:

Repairing and Widening the Roads leading from the Town of Kington, in the County of Hereford,.....to Eardisland.....in the said County of Hereford²⁷

Alterations at Legion Cross, to provide the present layout, came later, at some date after the Tithe map, 1842-1844.

The description identifies a specific part of the parish, but one which encompassed quite a long road frontage until the parish boundary (Eardisland/Pembridge) is reached, and associated to the north and west of that, a considerable area of land. Not enough information to place Parlor's messuage and tenement with any accuracy.

The same property is mentioned in a Feoffment in 1641:

Decayed messuage or tenement or toft with backside, garden or orchard called Forest Close formerly in occupation of Frauncis Parlor, decd., and now in occupation of Phillipp Froysell, in Eardisland. ²⁸

No additional information as to its position. I have no further references to it.

The third of the four documentary references specific to the Eardisland of 1598 is dated 10 October:

"Herafordshive
Mixed Estakes
10 October 1598
Assignement of leasehold. Manors of Rombings and Earlisland.
Mogar Vaughon of Kinnestay to Francis Mayrick and Edward Weaves, of the Jease he holds from the Crown.
Seal.
NAR 1793 eate 4."

This is from a schedule of Eardisland references in the Archive at Longleat, Wiltshire. I have not accessed the actual document. Whilst it may reveal much useful detail about the manor of Eardisland, the circumstances recorded are clear from this catalogue detail. Vaughan held the manor by lease from the Crown, and that lease he assigned to Francis Meyrick and Edward Weaver.

Dated two days later, and from the same source, is the fourth of the four documentary references specific to the Eardisland of 1598:

12 October 1598
lead of sale. Manors and lordships of Earthsland and Rembridge.
Rogar Vanghan of Kinnersley to Six Gellie Magrick, Kot. (skaward to
the 2nd Earl of Essay), Thomas Crompton and Henry hyndley. Attached is
a power of attorney from the renders to Walker Wiseman and William
Wiggenton, gent, to take serin."

²⁷ HAS D74/6.

²⁸ Catalogue detail at HAS D4/23.

The relationship, if any, of Francis Meyrick in the 10^{th} October reference, to Sir Gellie Meyrick in the reference of 12^{th} October, is not established. Edward Weaver in the 10^{th} October reference may perhaps be the same person who is mentioned in 1605 as being "of London"²⁹. It appears likely that neither of them were of local origin; this being the only aspect of their mention that is at all relevant to the Eardisland of 1598.

The same may well be true of Walter Wiseman and William Wiggenton, neither of whose family names appear at any other date in the records I have seen.

And so, from 12th October 1598, Robert Devereux, 2nd Earl of Essex³⁰, was lord of the

manor of Eardisland.

²⁹ Longleat Schedule, page 8.

³⁰ Whilst his activities in the affairs of the nation are well known ("a favourite of Elizabeth I"], it may be less well known that he did have an early Herefordshire connection. He was born at Netherwood, near Stoke Lacy, between Hereford and Bromyard. [Encyclopedia Britannica via www.Wikipedia].