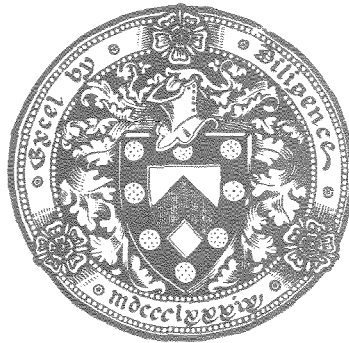


The
Genealogy of
the Family of
De Eskelby or Erelby,
of the North Riding
of the
County of York.



by
Henry Douglas Eshelby,
J. S. A.



1891:
Privately Printed.

Erelby Genealogy.

To
Jveta
Alan
&
Joan

these pages are dedicated
by
their father.



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Preface.

THE first part of these notes was originally contributed to the "Yorkshire Archæological Journal," the pages of which were considered to be scarcely suitable for the publication *in extenso* of the exceedingly interesting but voluminous extracts from the Knaresboro' Manor Court Rolls, which are now printed as an Appendix, together with the full text of the Wills referred to in the body of the paper, and some other cognate information. As far as practicable, the following pages have been confined to the elucidation of the descent of the main line of the family of Exelby prior to the year 1600; I have however a considerable collection bearing on the genealogy of the later branches, of which I hope at some future time to print, at any rate, a portion.

All this information has been slowly accumulated little by little. Some of the notes sent to me from various quarters, although in themselves apparently of no value, led to the discovery of most valuable facts. This of course is to practical genealogists a truism; but it is one which inexperience is apt to overlook.

To all those friends and correspondents who during a long period have so kindly remembered and assisted me, I desire to return my best thanks. I feel sure that I may rely on similar help in the future; and any notes relating to the names dealt with in these pages will be highly valued by me. I have thought it desirable to print a list of all the Wills before the year 1800 which have come to my knowledge.

H. D. E.

BIRKENHEAD,
January, 1891.

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NOTES ON THE GENEALOGY OF THE FAMILY OF DE
ESKELBY, OR EXELBY, OF EXELBY AND DISHFORTH
IN THE COUNTY OF YORK.

By HENRY D. ESHELBY.

WITH the exception of an interesting note by the late Mr. J. R. Walbran in "Memorials of Fountains Abbey" (Surtees Soc., vol. 42), no attempt has hitherto been made to elucidate the genealogy of this family, nor, so far as we know, is its pedigree to be found in print. The family is of considerable antiquity in the county of York, its surname being derived from the village and township now known as Exelby,¹ in the parish of Burneston, Wapentake of Hallikeld, N.R., where the family undoubtedly held lands from the time of its settlement there, about A.D. 1070 until as late as A.D. 1600. Although ranked among the gentry, and summoned by the Heralds in their progresses to enter their pedigree, its members, in common with a very large proportion of their fellows, neglected to do so, and therefore no pedigree of the family is given in any of the Visitations. This is much to be regretted from a genealogical point of view, as it is certain that at those dates the ancient "evidences" remained in the possession of the family; but it will be seen in the following pages that an attempt to trace the main lines of descent has met with fair success; and although the present venture embraces only a small portion of what might be accomplished, it is hoped that these notes may be of interest to genealogists, and form a *nucleus* for future enquiry.

There can be no doubt that the family was of Breton origin, and that its progenitor in England was *Whyomar* or *Guemar*, called in Domesday Book "*homo comitis Alani*," who accompanied his feudal lord Alan, count of Brittany and earl of Richmond, at the time of the Conquest; he was

¹ Æschelebi in Domesday Book = the frequently in that record and long anterior
by of Aschil, a personal name found fre- to it.

one of his chief under lords, and held the honourable position of Dapifer or Seneschal, which office was held by his descendants for several generations.² He shared largely in the distribution of the lands of the conquered, and at the time of Domesday Survey was the holder of the manors of Aske, Leyburn, and Harnby (parish of Spennithorne), in Richmondshire.³ Whitaker, writing of the former, says, "it was indeed one of those gems of which even these mighty lords had not many to bestow." This manor remained in the possession of one branch of Whyomar's descendants, the Askes of Aske, until about the year 1500. He also appears in Domesday Book as holding lands in Cambridgeshire of the Earl.⁴ "As Guihomar, dapifer, he occurs witnessing the charter of Osbern de Arcis to S. Mary's Abbey, at York (Drake's Ebor., 602). Very soon after the date of the [Domesday] survey, he must have obtained a considerable addition to the estates he then held, partly out of the Earl's demesnes; for we find him giving most liberally to S. Mary's Abbey⁵ out of his subsequent acquisitions,

² *Vide* Aske pedigree in Gale's Reg. Hon. de Richmond; Whitaker's Richmondshire; Harrison's Yorkshire, &c.

³ "Yorkshire.—In Aske, to be taxed, 6 carucates, and there may be 4 ploughs. Tor had there one manor; Wihomarc, a vassal of the earl's has now in the demesne there 1 plough and 5 villanes and 3 bordars with 2 ploughs. The whole is 1 mile long and a half broad; in King Edward's time, 20s., the same now. In Leyburne, to be taxed, 7½ carucates, and there may be 5 ploughs. Aschil and Audulf had two manors there; Wihomarc now has them, and they are waste. The whole is 1 mile long and 1 broad; value, in King Edward's time, 20s. In Harnby, to be taxed, 9 carucates, and there may be 6 ploughs. Tor had a manor there, Wihomarc has now in the demesne, 1 plough and 12 villanes, and 8 bordars with 5 ploughs. The whole is 1 mile long and a half broad; value, in King Edward's time, 30s., the same now."

⁴ "Cambridgeshire.—Lands of Earl Alan. In Essellinge, Wihomarc holds of the earl 1½ hide. There is land for 3 ploughs. In demesne, there are 2 ploughs, and 4 villans have 1 plough. There are 8 serfs, and 1 mill. 5s. 4d.; a fishery, 1200 eels; pasture at the money of the vill. It is worth, and was worth, 50s.; in the time of King Edward, 60s. Also,

the man of Eddeva, held this land, and was able to leave it without license. In Forham, Wihomarc holds of the earl 3½ hides. There is land for 4 ploughs. In demesne, 1 hide and 1 plough, and sokemen have 3 ploughs; meadow 1 plough, pasture at the money of the vill. Is worth 4l.; when he received it, 3l.; in the time of King Edward, 70s. This land was held by three sokemen, of whom two, the men of Eddeva, the third, the man of Earl Algar, could go away without their licence. Ineward and aver will be found for the Sheriff. In Carlentine, Wihomarc holds of the earl 1 virgate of land; a certain sokeman held, and found aver. The same Wihomarc holds of the earl 1½ hide. There is land for 3 ploughs. In demesne there are 2, and 3 villans, with 3 bordars, have 1 plough. There are 3 serfs, meadow for 2 oxen, wood for 10 hogs. It is worth, and was worth, 3l. This land child Godwin held under Eddeva, and could not retire from it." (From Domesday Book.)

⁵ This charter (*circa* 1100) is printed in Mon. Ang., vol. iii., pp. 549–600 (ed. 1846), having been copied by Dodsworth from a leaf of the Register of S. Mary's Abbey, which is now preserved in the Bodleian Library (Charters in Bodl. Lib., by Turner and Cox); it is also found transcribed in Dodsworth MSS., vol. vii., page 9. It is witnessed by *Warino filio*

"namely, no less than four carucates each in Edlingthorpe and Myton,⁶ one carucate in Forcet, the church and half a carucate in Thornton,⁷ his tithes in *Wicra*,⁸ and also the chapel of S. Martin at Richmond with a carucate of land there (Old Mon., i. 388). The monks afterwards established a cell or priory in connection with S. Martin's Chapel, apparently in the time and with the concurrence of earl Stephen,⁹ who, with most of his tenants, gave two (some three) garbs out of the tithes of their demesnes. 'Wymer dapifer' added to its endowments garbs from his demesnes of Thornton-on-Yore, Leyburne, Colbourn, Argum, Dalton-on-Tees, Athelow-Cowton, and Ellerton-on-Swale; and, further, all his tithes in Leybourn, the four Cowtons, the two Huttons and Fleetham (Old Mon., i. 401).¹⁰ He left at least two sons, Warner dapifer and Roger of the Pipe Roll, A.D. 1131, who is no doubt the progenitor of the family of de Ask, and the founder of Marrick priory (Cartulary in Coll. Top. et Gen., vol. v.). The pedigree of Ask of Ask, in Gale's Honor of Richmond (p. 231), by Le Neve, Norroy, makes Conan de Ask son of Warner, instead of son of Roger. Earl Conan called him cousin. One Wimer, probably a relative, was dapifer to William de Warrenne."¹¹ These were very substantial gifts, the land alone, exclusive of the grant of tithes, being between 1,100 and 1,400 acres.

Harrison, in his pedigree of Aske (p. 70), says that this Wihomar was lord of Aske and Marrick and Dapifer to Alan II., earl of Richmond, and to Stephen, earl of Richmond, and calls him the son of "Wihomar, lord of Aske,

meo, Landrico de Hornby, Robert capellano, &c.; Pope Eugenius III. in the eighth year of his pontificate, A.D. 1146, confirmed it. (Burton's Mon. Ebor., p. 272). See also Reg. Hon. de Rich., App. 264. These lands, granted by Whyomar, continued in the possession of the Abbey down to the dissolution (M. A., vol. iii., p. 604).

⁶ Called "Scotton" in Mon. Ang. and Dodsworth MSS.; and the confirmation charter in latter says, in addition, "two parts of his demesnes in Mortuna."

⁷ Thornton-upon-Yore, subsequently known as Thornton Steward, or Thornton Dapifer, doubtless from its connection with this family.

⁸ There can be no doubt that this is the modern Wykes, or Wicken, in Cambridgeshire. The holdings of Wihomarc

in this shire, at the time of Domesday, have already been shown, he must subsequently have acquired his land in this place. Sometime between 1146 and 1171, Earl Conan granted the whole of his demesne here to Wimar, this Whyomar's grandson (*vide* note 31). All this land was, long after, held of the Honor of Richmond.

⁹ This must have been soon after A.D. 1093. Stephen, third earl, succeeded his brother Alan II. (Niger), second earl of Richmond in 1093, and died in 1137. For these grants, see also Burton's Mon. Ebor., pp. 272, 3, 4.

¹⁰ Mon. Ang., vol. iii., p. 600.

¹¹ This note is from an interesting article on the Domesday Tenants of Yorkshire, by Mr. A. S. Ellis, Yorks. Top. and Arch. Journal, vol. v., p. 328.

one of the great vassals to Edwin, earl of Mercia, in the time of King Edward the Confessor," but he gives no authority for this statement as to his paternity, which appears to be at variance with the probabilities of the case; he also states that he had a brother Conan de Ask, who was archdeacon of Richmond, and witness to the charter of Earl Alan I., *temp.* William Rufus.

As previously mentioned, Whyomar left at least two sons, Roger;¹² and Warner of whom presently.

Roger (de Aske) was lord of Aske and Marrick. In the earliest Pipe Roll (31 Hen. I., 1131)¹³ in which the Sheriff of Yorkshire renders account of the great vassals of Earl Stephen of Brittany, he appears as "Roger, the son of Winomar," paying five marks in silver. He was the founder of Marrick priory, either in the latter end of the reign of King Stephen or beginning of that of Henry II.¹⁴ He built the house on a small farm, belonging to him there, with the consent of Conan, Earl of Richmond, and established his daughter, Isabella, there as the first prioress. He gave to the priory the church of S. Andrew, at Marrick, and one carucate of land there, with the *assart* in the woods lying within certain bounds, &c., the charter being witnessed by Roger, Archbishop of York, Robert Butevilain, John fil. Letoldi,¹⁵ *Garner fil. Guimar*,¹⁶ Roger de Kateric, and others. This charter was afterwards confirmed by *Guanar, Dapifer*¹⁷ to the earl of Richmond, as also by Conan, earl of Richmond, and by kings Henry II. and Edward III.¹⁸ Harrison says that he married "Whitmai, daughter and heir of Roger fil. Dolphin fil. Gospatrick de Dalton, and had issue."

- (a) Conan, fil. Roger de Aske, Lord of Aske and Marrick, a benefactor to Marrick Priory, *temp.* Henry II., married, 1st Sibilla de Aslakby; 2nd,

¹² Gale says, "or Hugo."

¹³ Printed in Y. T. & A. J., vol. iii.

¹⁴ Burton's Mon. Ebor., p. 269.

¹⁵ John Letoldi was a canon of York circa 1160 (Reg. Walter Gray, Sur. Soc., vol. lvi., p. 273); for Bouteveleyn *vide* Banks' Baronies in fee.

¹⁶ Roger's brother.

¹⁷ Harrison's Yorkshire, p. 218.

¹⁸ Mon. Ang., vol. iv., pp. 244-6. It may be mentioned that there was a grant to the abbey of Fors or Jervaux by "Roger de

Gannmar, and Warner his brother," of the whole *vill* of "Engilby," which was confirmed by Alan, Earl of Brittany (Mon. Ang., vol. v., p. 569), and by Earl Conan (son of Alan), as the gift of "*Hugo*, son of Wymar, and Garner, his brother" (*ibid.* 572), while King Henry's confirmation calls it of "Roger, son of Wyemar, and Garner, his brother" (*ibid.* 576). See also Burton's Mon. Ebor., p. 568. The source of this information seems to have been the register of Byland Abbey.

Agnes and died about 5 John ; from him descended the Askes of Aske.

- (b) Roger, fil. Roger de Aske, witness to his brother's charter to Marrick Priory ; died on his pilgrimage to Jerusalem.
- (c) Thomas, fil. Roger de Aske, another witness.
- (d) Bernard, fil. Roger de Aske, also a witness.
- (e) Isabella de Aske, prioress of Marrick, *temp.* Hen. II.

It may be that the above statements respecting Whyomar's family are correct ; but it seems certain that he had another son, Ralph, who has hitherto escaped notice, and who does not appear in any of the pedigrees, for in each of the Pipe Rolls for the 4, 5, and 6 Hen. II. (1157-1160) "Ralph, son of Roger, and Warner, his uncle," are among those who account for their lands in Yorkshire.¹⁹

To return now to Warner (the other son of Wihomar), who was Lord of Leyburne, and Dapifer to Stephen, earl of Richmond,²⁰ he also was a benefactor to Marrick Priory, confirming, as has been seen, the gift of his brother Roger,²¹ and himself giving one mark of silver yearly out of the rent of his mill at Ellerton ;²² he was also a benefactor to S. Peter's at York, his charter being confirmed by Wimar, his son ;²³ this Wimar, or Guimar, who appears to have been the first to style himself de Eskelby,²⁴ had a sister named Adeliz,²⁵ of whom beyond this fact no mention has been found. He confirmed his father's gift to the hospital of S. Leonard's (S. Peter's), York,²⁶ and, with his sons Robert and William, made further

¹⁹ See also Notes and Queries, 7th series, ii. 47.

²⁰ Harrison, p. 70.

²¹ See note 16.

²² Harrison, p. 218.

"*Guarnerio filio Guimarii*" is among the witnesses to charter of Earl Conan (Mon. Ang., vol. iii., p. 550), also to a grant by Hervey fitz Akary, lord of Ravensworth, to the church of St. Andrew, Marrick, *temp.* Hen. ii. Hervey fitz Akary died 28 Hen. ii. (1182) (Harrison, p. 128).

²³ Mon. Ang., vol. iv., p. 246; Harrison, p. 219; and Burton, Mon. Ebor., p. 270.

²⁴ It is not yet clear when the family came into possession of their land at Exelby. In Domesday, Robert (de Musters) held Burnestan, Theakstone, Exelby, Newton (Picot Newton, *alias* Scabbed Newton), Gatenby and Ornesby (?), Kirk-

lington, Thornton (Cowling) and Yarnwick. Two hundred years later, at the time of Kirkby's Inquest, all these lands still remained in the Muster family, *with the exception of Exelb. and Newton*, where five carucates (at least) were held by the Eskelbys, under the Marmions.

²⁵ See note 51.

²⁶ "*Carta Warnerii dapiferi Comitis Richmundie, ego Warnerius dapifer, filius Guimarii*," grants to the hospital of S. Peter of York the ninth garb in "Ellerton; witness, Robert *camerarius*" (Dodsworth MSS., vol. vii., fo 30 b). "*Carta Wimerii, filii Warnerii, de confirmatione doni patris sui. Ego Wimerius, filius Warnerii*" confirms his father Warner's gift to the "hospital of S. Leonard's (S. Peter's), York, viz. a toft, &c., which Bernulf holds as yearly tenant

grants to that foundation,²⁷ which were confirmed by Hugh, son of Gernagan,²⁸ from whose charter we learn that the name of Wimer's wife was Ivetta.²⁹ He also gave to S. Peter's at York one carucate of land; his grant of which was confirmed by King Henry II. in his inspeximus charter.³⁰ Sometime between A.D. 1146 and 1171 Earl Conan granted to him lands in Wike, in Cambridgeshire.³¹

It seems probable that of his two sons, Robert and William, the former was the elder; apparently both died before 1198. The descendants of William will first be traced.

From various sources we learn that William's wife's name was Beatrice;³² he left issue Henry de Eskelby and Bartholomew. Concerning the former, little information can be given; he was living in 1199;³³ his name is found in charters and records of the period, and it is almost certain that he died shortly before 1230;³⁴ but in stating this it must be added that he had a cousin—once removed—of the same name.

Bartholomew de Eskelby, his brother, was a person of some importance, frequently found as a witness to charters, &c., and was apparently closely connected by feudal ties with the Marmions. In 1240 he witnesses an agreement

and the ninth sheaf of all his demesne of Ellerton" (Dodsworth MSS., vol. vii., fo. 30 b). Dodsworth adds a note that, in his opinion, this Wimer, or Warner his father, was the founder of Ellerton Priory, and, as it appears, erroneously connects these two charters with a fine of 5 John (see note 69). See also Burton, Mon. Ebor., p. 263.

²⁷ See note 51.

²⁸ Hugh, son of Gernagan de Tanfield, died in 2 John (1200), leaving Avicia, his daughter and heiress, an infant. In 16 John she married Robert de Marmion, junior.

²⁹ Dods. MSS., vol. 120 b, p. 64b-65. Hugh, son of Gernagat, confirms to the hospital of S. Peter of York, all the lands which Guimarius, his man, and his sons gave to them in Crosseby and Askelby, for the souls of Ivetta, wife of Guimar, &c. Witnesses, Stephen de Bulmer, Arnald de Mildeby.

—*Ibid.* I. Alan, son of Alan de Folifate, with the assent of Ivetta my wife, confirm to the hospital of S. Peter, York, all the lands they have in the territory of Crosseby, and in the territory of Eskelby, and at the bridge of Leaning; viz. one

carucate of land in Crosseby, "*et mansum in Eskelbi*," where the buildings are placed, "*crofto et marisco*," &c., as in the charter of Guimarus above. Witnesses, Radulpho filio Alani de Folifate, Martin de Malaherba, Roger Pictavensi, Richard and Ughtred de Malaherba. See notes 51-2.

³⁰ Dodsworth MSS., vol. vii., fo. 15 b; Mon. Ang., vol. vi., p. 611; also Cartae Antiquae (P.R.O.) DD 22, and Old Mon. Ang., vol. ii., p. 293.

³¹ "*Carta Conani Ducis Britan. and Comitum Richmondiae*." Grants to "Guimarus, son of Guarnerus," all his demesne of Wicres with the appurtes, to hold from the earl and his heirs as one Knight's fee. Dods., vol. vii., fo. 12.

Conan iv., Duke of Brittany and fifth earl of Richmond, died in 1171; his father, Alan III. (Niger), fourth earl, died 1146. See also notes (4 and 69).

³² See note 49.

³³ *Ibid.*

³⁴ A.D. 1230. Note on Assize Rolls Co. York N. i. i. 2, 15 Hec. iii. m. 14. The death of Henry de Eskelby, the plaintiff, stays proceedings between him and Robert Marmion and Avicia his wife, tenants

between Ralph, son of William de Crosseby, and Robert, his brother.³⁵ He confirmed to the Abbey of Fountains, the gifts of his son-in-law, Elias, son of Stephen de Rokesby, and himself gave to the Abbey an oxgang of land in Slenningford.³⁶ He apparently left issue.

(a) William de Eskelby.^{37, 38}

(b) Richard de Eskelby.³⁹

(c) Robert de Eskelby,⁴⁰ who died, apparently without

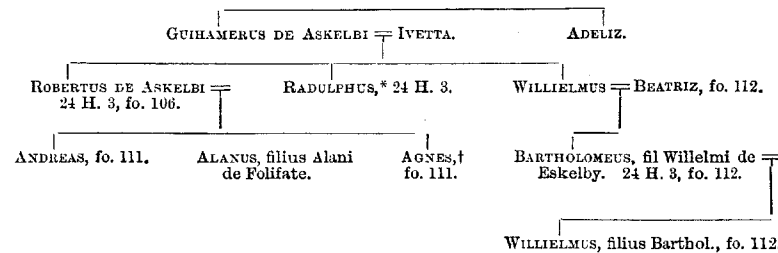
³⁵ A.D. 1240. Agreement between Ralph, son of William de Crosseby, and Robert his brother, of the one part, and Master Hugh, the rector, and the brethren of the hospital of S. Leonard, York, of the other part. Ralph and Robert grant to Master, &c., 2 bovates of land in Eskelby from the feast of S. Lambert, A.D. 1240, until 6 "vesture" are fully taken from them. Witnesses, Bartholomew de Eskelby, Hugh de Balderby, Robert son of Geoffry de Pikhale, Alan son of Henry de Eskelby, John Vavasour de Leeming. From Leiger book of S. Leonard's, fo. iii.; Dodsworth MSS., vol. 120 b, fo. 65 b.

³⁶ Burton, Mon. Ebor., pp. 190-200: he was one of the jury on an inquisition concerning the descent of the manor of West Witton, *temp.* Hen. iii. (Reg. Hon. de Rich., p. 99).

³⁷ Dods., vol. 120 b, fo. 66. Bartholomew, son of William de Eskelby, grants to the hospital of S. Peter, York, and all their commoners of Eskelby and Leeming, common of pasture for all their beasts, not only in his demesnes, but in all places in which he and his heirs have common of pasture. Witnesses, William son of Bartholomew de Eskelby, Ralph de Crosseby, William de Frithby.

—*Ibid.*, 64 b. Bartholomew de Eskelby, witness to confirmation of charter of Radulphus de Crosseby son of William de Tanefeud (? Tanfield), N.D.

—*Ibid.* From the foregoing, Dodsworth appears to have compiled the following pedigree; the numbers, given by him, refer to the folios of the Leiger book of S. Leonard's (S. Peter's), York:



* Dodsworth's authority for this does not appear.

† This may be a mistake for Ivetta.

³⁸ A.D. 1251-2. Assize Rolls Co. York, N. i. i. 6, 36 Hen. iii. m. 2. The assize comes to determine whether Helewysa de Thorp has unjustly disseised the Master of the hospital of S. Leonard, York, of his common of pasture in Thorp, which appertains to his free tenement in Eskelby, and also William de Eskelby similarly. The jury say, she has disseised both. Verdict that they recover seisin. Helewysia amerced. In 1265 William de Eskelby and Margaret his wife gave half a mark to have a writ "*ad terminum*" (or "*ad terminandum*") at the Bench (Common Pleas) and the

Sheriff of York was commanded, &c. (Fine Roll, 49 Hen. iii. m. 1).

³⁹ In 30 Ed. i. (1301) one Richard de Eskelby paid the subsidy at Bowes.

⁴⁰ A.D. 1245-6. Assize Roll Co. York, N. i. i. 5, 30 Hen. iii. m. 25. Avicia Marmion puts in her place William Harold or Robert de Eskelby *versus* Robert de Sancto Paulo, in a plea of land, and also v. Rann(ulphus) son of Robert concerning a plea of land.

A.D. 1276-7. There was evidently another Robert de Eskelby living about this time, for in 5 Edw. i. two justices were appointed to take an assize of novel dis-

issue, before 1286; his widow Agnes married 2ndly John de Helbeck, and with her second husband was living in 1305, when they granted land in Myton to S. Mary's Abbey.⁴⁵

- (d) Beatrice de Eskelby, who married Elias de Rokesby (Roxby-Pickhill), son of Stephen de Rokesby, and Mabilla or Matilda his wife;⁴¹ her husband was living in 1235; but he predeceased her. They appear to have had the following issue:—

William.

Matilda, who married Robert de Roule, who was living in 1295.⁴²

Alice, who married Richard, son of Richard de Thormodby; they had a son also named Richard, who was living in 1295.

John (uncertain).⁴³

Before finally leaving this branch of the family we must consider a number of interesting records in connection with certain transactions in land between the years 1286 and 1295, which bear upon this portion of the pedigree.⁴⁴ The

seisin, which Robert de Eskelby arraigned against Henry, son of Agnes de Eskelby, concerning tenements in Eskelby (Pat. Roll, 5 Edw. i. m. 5 d).

⁴¹ John de Sinithorpe gave [to Fountains Abbey] all the lands in Pickhal at Wrangelands which Helias son of Stephen de Rokesby gave to him, and which Beatrix, his relict, daughter of Bartholomew de Eskelby, confirmed to him and to Tunnoe his wife (Burton, Mon. Ebor., p. 190). Bartholomew de Eskelby confirmed to the Abbey of Fountains one oxgang of land in Rokesby that Helias son of Stephen gave (Mon. Ebor., p. 190, and Dodsworth MSS. ix., fo. 199 b). John de York, a burgess of Ripon, gave a croft near the capital messuage of Rokesby juxta Pikelhall, with half an acre and two selions, upon the way to Kirklington, and one selion upon Peselands. Helias, son of Stephen de Rokesby, gave his capital messuage in Rokesby, with a toft and croft, and confirmed what John de York, a burgess of Ripon, had given. He also gave four oxgangs, with 26 acres and a half of land, in several parcels, with two tofts and one croft, called Sinithorp Croft in Rokesby, and another on the west of the town. He also gave 4 acres of arable land, and 2 acres of meadow, in Northengs here in A.D. 1235, together

with all his land in Wadegate, and upon Stainbrigsic, and Midkekevel, and an annuity of 4s. out of a toft and other lands held here by Adam de Lund (Mon. Ebor., p. 190).

⁴² A family of this name appears shortly after this date to have been involved in some of the troubles of the times, for by Inq. p. m. of Robert de Rowelle, in 1303, it is found that the whole of his lands, &c., are escheated to the lord the king. "*per feloniam Johannis*," son and heir of Robert de Rowelle deceased, which John "*allegatus fuit in pleno comitatu Lincolnii*," 32 Edw. i. (Cal. Gen., p. 696), and in the Testa de Nevill, p. 375, the jury find that the land of William de Roules in Richmondshire was escheated to the king.

⁴³ John, son of Helias de Fikhill, gave 1 acre of land in Rokesby, &c., to Fountains Abbey, and Stephen de Rokesby gave 2 acres of land, &c., in Rokesby, which was confirmed by Mabilla his relict and Helias their son (Mon. Ebor., p. 190).

⁴⁴ A.D. 1286-7. Four justices appointed to take *assize of mort d'ancestor*, which William, son of Elias de Rokesby, Robert de Roule and Matilda his wife, Richard de Thormodby and Alice his wife, arraigned against William Bek and others

documents speak for themselves, and the information to be drawn from them appears to be, that Robert de Eskelby

concerning 6 mess., 1 mill, 1 toft, and 14 bovates of land, &c., at Eskylby and Crosseby (Pat. Roll, 15 Edw. i. m. 8).

— At Tadcaster and at York, morrow of the Epiphany, 15 Ed. i. (1288). The assize comes to determine whether Robert de Eskilby, uncle of William son of Elyas de Rockeby, and of Matilda wife of Robert de Roule, and of Alice wife of Richard de Thormodby, was seised in his demesne as of fee of 6 mess., 1 mill, 1 toft, and 14 bovates of land, &c., in Eskelby and Crosseby the day he died. William ate Beck of Ampleford,* being tenant of 3 mess., the mill, and 8 bovates of land, and Agnes, who was the wife of Robert de Eskelby, the holder of 3 mess., the toft, 1 mill (*sic*), and 6 bovates of land. William ate Bek pleads that Robert did not die seised of the portion he holds, because a long time before his death, Robert enfeoffed him of the same, &c. William, son of Elyas, and the others, object to this, that Robert merely demised to William ate Bek for a term of twenty-four years. The case was deferred until the Quinzaine of St. John Baptist, but no *postea* entered up (Assize Rolls, Divers Counties, N. 2, 6-7, 15-16 Ed. I. m. 9).

— A.D. 1295. Deed of Richard son of Richard de Thormodby. By which he gives to Roger Mynyot and Isolda his wife, and John his son, and the heirs of Roger, the third part of the third part of a messuage in Eskelby, which formerly belonged to Robert de Eskelby, and which the grantor had by right of inheritance, after the decease of Richard son of Richard de Thormodby, his late father, and after the decease of Alice, wife of the said Richard, the grantor's late mother, which said messuage lies next the messuage of Agnes de Eskelby, who had it in dower after the decease of Robert de Eskelby, on the south, and one head ("caput") abuts upon common pasture upon the west, and the other head upon the late Court of Alan de Eskelby on the east. Witnesses, John de Holbekk, Henry son of Agnes de Eskelby, John de la Dale, Robert de Roule, John de Swaynesby, clerk, and

others. Dated at Eskelby, Tuesday next after the feast of St. Botolph (17 June), 1295 (Dodsworth MSS., vol. xci., p. 179 b).

— A.D. 1295. Deed of the above person, quit claiming to the same parties, all his right and claim in the third part of one messuage in Eskelby, lying next the messuage of John de Holbeke, which Agnes, wife of the said John, lately held in dower after the death of Robert de Eskelby, her late husband, and one head abuts upon common pasture on the west, and the other head upon the Court lately Alan de Eskelby's upon the east. Witnesses, John de Helbek, Henry son of Agnes de Eskelby, John de la Dale, Robert de Roule, John de Swaynesby, clerk, and others. Dated at Eskelby on the same day as the preceding deed (Dodsworth MSS., vol. xci., p. 180).

— *s. d.* Deed of William, son of Elias de Rokesby-Pickhill and de Eskelby, by which he quitclaims to Lord Roger Mynyot, &c. (as above), all his right to the manor of Eskelby, which formerly belonged to Robert de Eskelby, his uncle, with all the demesnes, which he has in Newton-juxta-Lemyng (not dated and no witnesses set out) (Dodsworth MSS., vol. xci., fo. 181).

— *s. d.* Deed of the same person, granting to the same parties that annual rent of 100s. for the manor of Eskelby, which he holds by a certain cirograph between them the parties, for which grant he receives a certain sum of money (no date or witnesses given) (Dodsworth MSS., vol. xci., fo. 181 b).

— A.D. 1295. Deed of Wymerus, son of Simon de Well, "*manens in Crakhall*," by which he quitclaims to Lord Roger Mynyot and the others (as in previous deeds) all his right to any part of the capital messuage formerly of Robert de Eskelby, his uncle, in the vill of Eskelby, for which quitclaim he receives a certain sum of money. Dated at Eskelby in the vigil of St. Peter in Cathedra, A.D. 1295. Witnesses, William de Gatenby, Henry son of Agnes de Eskelby, Robert de Roule, John del Dale, Geoffrey de Eskelby, John de Thekston, clerk, and others (Dodsworth MSS., vol. xci., fo. 180 b).

— *s. d.* Deed of Basilia, formerly wife of Robert, son of Roger de Melmorby, by which, in her pure widowhood, she grants to Roger Mynyot and the

* William Attebec de Ampleford was one of the jurors for the Wapentake of Ridale at Kirkby's Inquest in 1286 (Surtees Soc., vol. xlix., p. 111)

died without issue before 15 Edw. I. (1286), holding land in Eskelby and Crosseby; that his widow, Agnes, probably about 1295 married 2ndly John de Helbeck,⁴⁵ when her dower reverted to her late husband's nephews and nieces, of whom William, son of Elias de Rokesby, Wimer, son of Simon de Well,⁴⁶ and Richard de Thormodby (great nephew), about the same date, alienated some portion of their inheritance to Lord Roger Mynyot.

others (as in the previous deeds) one bovate of land lying in the fields and territory of Eskelby, for 10 marks, "which said bovate, &c., Wimerus, my brother, son of Simon de Well, gave to me and my heirs" (not dated and the witnesses not given) (Dodsworth MSS., vol. xci., fol. 181 b).

This seems to be the proper place to refer to a charter belonging to S. Mary's Abbey, York, copied by Dodsworth, vol. vii., p. 30, by which Richard de Stockeld, and Beatrice his wife, grant [to the Abbey] the whole of the capital messuage in Eskelby, with the whole of the demesne, &c., and the service of John de Helbeck and Agnes his wife, to hold as Alan de Eskelby ever held them. The charter is witnessed by Robert Swyngethwaite, bailiff of Richmond, Nicholas de Mydelton, William de Gaytenby, Henry son of Agnes, John Thexton, William Maulouel, Stephen de Dalling, &c.

⁴⁵ A.D. 1286. In 1286 John de Helbeck held half a carucate of land at Bolton (Kirkby's Inq., p. 174), and Thomas de Hallebek 1 carucate at North Otterington (*ibid.* p. 101), and 13 bovates in

West Harlsey, of which Robert de Foxton held of him 7 (*ibid.* p. 102), and 3 carucates in Brettanby (*ibid.* p. 179) John de Hellebek and Agnes his wife were living in May 1305, when, by inquisition taken at York on the Saturday next after the Feast of S. John *ante portam Latinam*, it is found by the jury that it is not to the prejudice of the king, &c., for John de Helbeck and Agnes his wife, to give to the abbot and convent of S. Mary at York, 5 tofts and 4 bovates of land, &c., in Myton, because they hold them immediately of the abbot, &c. (Chancery Inq. p. m. 33 Edw. i. no. 243, Cal. Gen. p. 701). In the same year, 1305, one John de Hellebeck was surety ("*manucaptor*") for Hugo de Lowther, Knight of the Shire returned for Westmoreland, 33 Edw. i. (Parl. Writs, p. 154, no. 41).

In connection with the preceding deeds the following extract from a subsidy roll of 30 Edw. i. (1301-2), showing those who paid the subsidy in Eskelby has much interest:—

Exchequer Lay Subsidies, Yorkshire N. R. 211-2, 30 Edw. i.
(m. I. d. (*Eskelby*)):

	s.	d.
<i>de domino Rogero Myniot</i>	xjs. vii.	(11 7)
<i>de Johanne de Helbeck</i>	xs. i.	(10 1)
<i>de Johanne de la Dale</i>	iiis. ix.	(3 9)
<i>de Johanne filio Beatrie</i>	x.	(10)
<i>de Wilhelmo Carpentario</i>	xiii.	(1 2)
<i>de Elye de Gaytanby</i>	xv. quad.	(1 3½)
<i>de Ricardo filio Mathci</i>	xv.	(1 3)
<i>de Galfrido de Gaytanby</i>	xviii.	(1 5)
<i>de Henrico filio Agnetes</i>	iiis. ix. ob.	(3 9½)
<i>Summa xxxvs. jd. ob. quad.</i>	35	1¾

⁴⁶ In 1322, Robert de Well de Cou' Elbor., was one of the sureties for the good behaviour of John, son of Gregory de Thornton, on his discharge from imprisonment as an adherent of the Earl of Lancaster, and for payment of fines imposed on him (Parl. Writs, 16 Edw. ii.);

the father of this John was a person of considerable importance in the county of York: Knight of the Shire in 1313 and 1322, Lord of Thoruton in Lonsdale, and a Commissioner of Array for Eweross Wapentake in 1318 (Parl. Writs; see also Surtees Soc., vol. xlix., p. 362)

We now revert to Robert de Eskelby, the son of Wimar; he had issue: I. Stephen, who appears as a witness to a grant of land;⁴⁷ he died without leaving issue. II. a daughter, Ivetta, and *possibly* a son Andrew,⁴⁸ and a daughter Agnes. Ivetta, however, was eventually her father's heiress. She was party to a fine at York in 1199, between herself and (her cousin) Henry, son of William, and Beatrice his mother, &c., concerning four carucates of land in Eskelby.⁴⁹ She married Alan de Folifate, son of Alan de Folifate,⁵⁰ who, after his marriage, was, at any rate, sometimes known as Alan de Eskelby. With the consent of his wife, he confirmed to S. Peter's at York the land at Crosseby, Exelby, and Leeming, granted by her grandfather Wimar.⁵¹ She, in her widowhood, confirmed a grant made to the same foundation by her late husband.⁵² On the 18th Nov., 1251,

⁴⁷ I. William de Malopallude, canon of the church of S. Peter, gave to Robert Clerke, my kinsman, 2 bovates of land in Burneston. Witness, Hugh, son of Gernagan, and others; and Robert Clerke of Burneston gives to Richard, son of Arthur de Leeming, in marriage with Edusa his daughter, the said 2 bovates. Witnesses: Thomas, then chaplain of Burneston, Steven de Eskelby, Henry de Eskelby, Ralph de Crosseby, Warin de Leeming, &c. Harl. MSS., 793; "Extracts from Chartulary of S. Mary's Abbey;" Dods. MSS. Vol. clvi; and see also note 48.

⁴⁸ Dods., vol. 120^b, fo. 65^b. *Andreas, filius Roberti de Eskelbi*, gives to the hospital of S. Peter, York, that bovate of land in Eskelby, which Robert Clerk of Burneston held, &c. Witness, Hugh de Magneby, Bartholomew de Eskelby (see also note 47).

⁴⁹ Fine levied at York, Tuesday after Feast of S. Valentine, 10 Ric. I. (16 Feb. 1199). Between Ivetta daughter of Robert, plaintiff, and Henry, son of William and Beatrice his mother, and Serlo de Elingthorpe and Matilda his wife and William Binet and Ibria his wife, tenants [deforcians], concerning 4 carucates of land, in Eskelby, &c. A recognition summoned between them by *writ of mort d'ancestor*. Ivetta, for herself and her heir, quitclaims to the said tenants and to their heirs, all her right to the said 4 carucates of land, &c.; the tenants give to Ivetta, for the quitclaim, &c., three and a half silver marks (Feet of Fines, Divers Coun-

ties, Ric. I. no. 65).

⁵⁰ The Folifates were an old Yorkshire family of Norman extraction; the name of Alan was a favourite with them, as also with the Exelbys, for many generations. They were ancestors of the Rawdons, earls of Moira: for notes on the family see Notes and Queries, 7th series, i. 44 and 115, &c.

⁵¹ Notes from Dodsworth MSS., vol. 120^b, folio 64^b, 65^b, 66:—

Notes from the Leiger Book of S. Leonard's of York, 1st and 2nd vol. folio 106-112. Crosseby and Askelby *vulgo* Eskelby. I. Guimarus de Askelby and my heirs grant to God and the poor of S. Peter of York, 1 carucate of land in Crosseby, and except that 1 carucate in Eskelby where the "*mansum*" of the brothers of the hospital of S. Leonard is "*cum campis et marisco*," &c., and six acres, which Robert my son gave "*in communi pasture ejusdem ville*," and besides this, in the town of Askelby, 6 tofts and 2 acres, which William my son gave to the bridge of Leeming, 18 acres and 1½ acres of the gift of my sister Adeliz. This gift I have made for their souls, and that we may be partakers of all ye good, &c., said in that holy house, day and night. Witnesses, John, Abbot of Jervaulx; Hugh de Geroldthorp; Gilbert his son; Marmaduke Malaherba, Alexo [Alano?] de Askelbi. See also note 29.

⁵² *Ibid.* I. Ivetta, widow, daughter of Robert de Eskelby, for the health of my

a fine was levied at York, between Alan de Eskelby and Bartholomew de Eskelby,⁵³ concerning land at Eskelby; the exact effect of which is not clear. Bartholomew quitclaimed to Alan land, &c., in Eskelby, excepting a messuage which William his (Bartholomew's) son and heir held there. Alan at the same time granted to William the same messuage, and a piece of land in the same place. Bartholomew also granted to William the homage of various tenants of lands in Newton and Eskelby.⁵⁴ The fines, recorded as paid in the same year, were doubtless in connection with these transactions.⁵⁵ A few years later, viz., in 1259-60, this

soul, &c., give and confirm to the hospital of S. Peter, York, those four acres of land in the field of Eskelby, which Alan de Folifate, my late husband, gave to them. Witness, Thomas de Langwath. *See* also note 29.

⁵³ *Vide* pedigree: Bartholomew was Alan de Eskelby's wife's cousin.

A.D. 1251. Final concord in the King's Court, at York, in the octave of S. Martin, 36 Hen. iii. (18 Nov. 1251) between Alan de Eskelby, demandant, and Bartholomew de Eskelby, tenant [deforciant], of one messuage, 30 acres of land and 3 acres of meadow &c., in Eskelby, which Bartholomew acknowledged to be the right of Alan except a certain messuage which William son and heir of Bartholomew, held in the same place, and quitclaimed them to Alan &c., for ever, and for this, Alan, at the request of Bartholomew, granted to William the said messuage, and also a piece of land. (opposite the messuage of Alan towards the south), and Bartholomew gave to William the homage &c., of Picot de Lascelles and his heirs, for two carucates of land, &c., in Newton, and one carucate in Eskelby, which Picot formerly held of Bartholomew, and the homage, &c., of Picot de Newton, Agnes daughter of Alan, Robert Scarlet and Isabel his wife, Walter Hiphup and Maydusa his wife, and Robert son of Bartholomew, &c., for all the lands, &c., which they formerly held of Bartholomew in Eskelby; to hold to William and his heirs, together with the messuage and lands of the said Alan and his heirs, doing therefor the foreign service appertaining to the tenements, &c. Alan granted besides to Bartholomew, one messuage in Eskelby, viz., that which was formerly the capital messuage of Alan to

hold without doing service therefor, for the whole life of Bartholomew with reversion to Alan and his heirs. Witnesses: [The said] Picot de Lascelles, Picot de Newton, Agnes, Robert Scarlet, Isabel, Walter, Maydusa, and Robert son of Bartholomew, who in the same court did homage to William (Feet of Fines. Yorks. Mich. 36 Hen. iii. no. 149).

⁵⁴ There is another instance in which the names of Alan de Eskelby, and William son of Bartholomew de Eskelby, are found in the same document. They appear as witnesses to the charter of Thomas son of Philip de Burgh, by which he confirms to the hospital of S. Leonard, land in Hunton and Erethorne, the gift of Helias son of Thomas de Hacford, and land in the same place, the gift of Thomas son of Alyne; the witnesses being Sir Robert de Lascelles, William de Holteby, knight; Alan de Eskelby; William son of Bartholomew de Eskelby; Peter de Rande; Robert de Hacford; Ralph de Pickhill; Alexander de Hauxwell, Thomas de Slodhowe; Geoffrey de How; and Ralph son of Warin, clerk. (Dodsworth MSS., vol. 7, p. 144b). Thomas de Hacford and Thomas de Burgh, together, held the manor of Hacford and Appleton; (Nom. Vill. p. 337) the date of this charter is probably about 1290. In 33 Edw. I. (1304), this Thomas, son of Philip de Burgo, obtained a charter of free warren in Hacford and Walton (*Cal. Rot. Chart.* 137). The office of Seneschal of Richmond was held for some time by these de Burghs.

⁵⁵ A.D. 1251-2. Assize Rolls, co. York, N. i. i. 7. Amerciements and Fines in co. York, 36 Hen. iii. m. 14d. Wapentake of Hallikeld.

— From Richard son of Bartholomew

William, son of Bartholomew, appealed to the assize with success, against a powerful combination of persons who had attempted to dispossess him of his right of pasturage on this land.⁵⁶

Alan (de Folifate) and Ivetta de Eskelby had a son, Henry, who was known by his mother's surname, and who left issue Alan.

From the preceding evidences, the successive steps in the lineage of the family could have been traced with reasonable certainty; but we have now to notice a number of records arising out of an apparently long protracted dispute between the de Eskelbys and the de Newtons. These records, collected from various sources, when brought together, form a very interesting series, and one of them establishes no less than five generations of the pedigree. It appears probable that the two families were connected, possibly they were branches of one common stock. The first record of the feud is found in 52 Hen. III. (1267-8), when Picot de Newton alleges that Alan de Eskelby disseised him of 10 acres of turbary in Eskelby. At that time, perhaps it need scarcely be said, this was a very valuable right, the turf being almost exclusively used as fuel, and consequently the source of constant disputes and litigation. The case was tried at York early in the year 1268, and the decision could not have been satisfactory to either party.⁵⁷ At the same assize,

de Eskelby for his fine for himself and Bartholomew de Eskelby, for trespass, half a mark, by the pledge of William de Eskelby.

— *Ibid.* m 20d. Fine from William de Askelby, for the same, (for "license of concord"), half a mark, by the pledge of Alan de Askelby.

— *Ibid.* m 19. Fine from Alan de Eskelby, for his fine for the same, (for "license of concord"), 20s. by the pledge of Bartholomew de Eskelby.

— *Ibid.* m 23. Fine from Agnes who was the wife of Robert de Askeby, because she does not prosecute, half a mark.

— *Ibid.* m 23. Fine from Alan, son of Henry de Askelby, for false claim, half a mark.

⁵⁶ A.D. 1259-60. Assize Rolls, co. York. N. i. i. 7 B. 44 Hen. iii. m 1. The assize comes to determine whether John

de Aske, Gilbert de Rougemund, Stephen Maulouel, Ralph Dalling, Robert Maulouel, Adam Arundel, Roger Neucomen, Adam Totty, Walter Hog, Robert Wayman, John Ling, Robert, son of Roger, John Prest, William Grauger, William Colman, Hugh Bulur, William, son of Hawe, and Luke Punder, have unjustly disseised William, son of Bartholomew de Eskelby, of his free tenement in Crosseby, viz., half a rood of land, &c., also, if John de Aske (and most of the others named above) have unjustly disseised him of his common of pasture in Gaytanby, which appertains to his free tenements in Eskelby and Crosseby, viz., the right of pasture in 60 acres of moor. The premises having been put in view, the jury say, that William shall recover his seisin, and John and all the others are amerced.

⁵⁷ Assize Roll. King's Bench (Crown

another case, really between the same parties, was heard, doubtless arising out of the same dispute, and the litigants were sent to arrange their differences in the Court of the Marmions, their feudal lords.⁵⁸ Two years elapse; Picot has been gathered to his fathers, and the Assize is again at York (55 Hen. III., 1270-1), and Alan de Eskelby arraigns Picot's son, Thomas, together with his protector and probable relative, Sir Roger de Lascelles, and many others, to answer a charge of having unjustly disseised him of land at Newton. He is successful,⁵⁹ but Thomas is defiant, so that on the 30th Jan., 1274 (2 Edw. I.), Alan de Eskelby obtains a writ against him, and two justices are appointed to take the *assize of novel disseisin* between them.⁶⁰ Alan had, however, to wait four years for a hearing, for it was not until the Easter Term of 6 Edw. I. (1278) that the case came before the King's Bench. In his plea, which is of the greatest genealogical interest, Alan sets out the

Side) 52 Hen. III. Hilary 1267-8, York, N. 1. 2. 1. r. 33d. The assize comes to recognize, if Alan de Eskelby unjustly disseised Picot de Newton of his freehold in Eskelby. Picot complains, that Alan disseised him of 10 acres of turbary. Alan comes and denies this, and says that Picot gave him half a carucate of land, &c., in Eskelby, by his charter of feoffment. &c., and that the turbary is of the appurtenances of the same. Picot admits that he granted the land, but says the turbary is not of the appurtenances, nor did he put Alan in seisin, but that he himself held the same, before and after the charter, until Alan disseised him. The jury say, that Picot gave Alan half a carucate of land, &c., in Eskelby, and put him in seisin, but that the turbary is not of the appurtenances thereof, nor has Alan ever taken anything in the turbary, nor has he ejected Picot, &c., therefore Alan is *sine die*, and Picot amerced for false claim. Alan also, because he said the turbary was his, and it is not so found.

⁵⁸ 1267-8. Assize Roll. King's Bench (Crown Side) 52 Hen. III. Hilary. York, N. 1. 2. 1. ro. 29. Picot de Newton amerced for many defaults: summoned to answer Richard de Thynne and Agnes his wife, of the plea that he warrant to them, 2 bovates of land, &c., in Eskelby, which they hold of him, and whereof

they have a charter of Thurstan de Newton, his father: they complain, that, whereas Alan de Eskelby impleads them in the Court of Avicia Marmion of Taneton, by writ of the King, concerning the said land, Picot unjustly refuses to warrant them the land: Picot comes and acknowledges that he ought to warrant them, and he is told to go to the Court and do so. The steward of Avicia is told to go also, to show justice between the parties.

⁵⁹ A.D. 1270-1. Assize Roll, York, N. 1. 2. 2, 55 Hen. III. m 11d. The Assize comes to determine whether Roger de Lascelles, knight, Thomas son of Pigot de Newton, Thomas de Kirkeby, Michael le Keu, Roger le Provost of Scurneton, Robert son of Elias, Richard Durndal, William Harald, of Newton, William Cosmire, Thomas Walbert, of Scurneton, and William, son of Elias de Scurneton, have unjustly disseised Alan de Eskelby, of his free tenement in Newton, near Gatenby, namely one rood and a half of meadow, &c. The jury say, that Pigot de Newton enfeoffed Alan of the property, and find a verdict accordingly, but because Thomas de Kirby was not among those who disseised he is quit, and Alan amerced for false claim against him.

⁶⁰ Cal. of Pat. Rolls, 2 Edw. i. m 9 (20) D. K. Rep. 43, p. 502.

descent of the land from his ancestor, Wymer, who held it in demesne in the time of Henry II., to Robert, his son and heir, from him to Stephen, his son and heir, who, dying without issue, was succeeded by Ivetta, his sister and heir; from Ivetta to her son Henry, and from Henry to himself (Alan), as son and heir. Thomas joined issue, and a jury was ordered for Michaelmas Term, 1278.⁶¹

We find no further record of the case.⁶² It is clear, however, that Alan successfully asserted his title to the land, for, in 1286, when John de Kirkby made his celebrated survey in Richmondshire, Alan and Robert de Eskelby are mentioned as holding 5 carucates of land in Eskelby, Leeming, and Newton, of the Marmion fee, with Thomas de Newton as their under tenant.⁶³

Among the charters of S. Mary's Abbey, York, there is (or was) one by Alan, son of Henry de Eskelby, con-

⁶¹ De Ranco Roll. Easter 6 Edw. i. m. 54d. A.D. 1278. Yorkshire. Alan de Eskelby demands against Thomas, son of Pycot de Newton, 10 bovates and 1½ acres of land, &c., in Eskelby and Newton, near Gatenby; and against Alice, who was wife of Pycot, 1 acre of land, &c. He says, that one Wymer, his ancestor, was seised in his demesne as of fee, in the time of Henry the King, great grandfather of the King that now is; and from Wymer, it descended to Robert, as son and heir, and from Robert to Stephen, as son and heir, and from Stephen without heir of himself, to Ivetta, as sister and heir, and from Ivetta to Henry, as son and heir, and from Henry to this Alan, who now demands as son and heir. Thomas and Alice appear. Thomas defends his right, and the seisin of Wymer, ancestor of Alan, and the whole. A day is given to them in one month from the day of S. Michael, and then come four knights; and Alice says that she cannot answer the writ, because she does not hold the tenement, nor did she on the day of the writ, viz., 30 Jan. (2 Edw. i.) Jury ordered for Mich. 1278.

⁶² A.D. 1279-80. In the following year, Thomas de Newton had a dispute with the Master of S. Leonard's (York), and the Assize comes to determine whether William de Schipton, Thomas Bercarius, *frater* William de Eskelby, and Geoffrey Jolle, have unjustly dis-

seised Thomas de Newton of his common of pasture in Eskelby and Crosseby, appertaining to his free tenement in Crosseby, viz., common of turf in 80 acres of marsh. William de Eskelby appears, and says, that the master of S. Leonard's, of York, holds the soil, in which Thomas claims common of turf. Judgment. William is *sine die*, and Thomas amerced for false claim. (Assize Rolls, N. 1. 9. 2-3 Edw. i. m. 5d.)

Frater William de Eskelby witnesses a grant by Hugh, Master of S. Leonard's, to the Abbot of S. Mary's (Mon. Ang. v. 3, p. 557) see note 35.

⁶³ A.D. 1286. *Eskelby et Lemynge. Sunt in eisdem villis xviii car. terre, que faciunt feodum unius militis: de quibus Magistro Sancti Leonardi tenet j car. in elemosinam sed non dicitur de quo; et Thomas de Newton tenet quingue car. terre de Alano et Roberto de Eskelby; et iidem Alanus et Robertus de Aricia Marmyn, et eadem Aricia de Comite Richmondie et idem Comes de rego. Et redd. per ann. ad finem wapentagii dimarc: et non fit mentio in inquisitione predicta de quo, vel de quibus residue xii car. tenentur, vel per quod servitium.* (Kirkby's Inq.: Surtees Soc., vol. xlix. p. 181.) The carucate referred to is the one given by Wymer (see note 51). Alan and Robert de Eskelby appear together as witnesses to the foundation charter of a chantry, in the chapel of

firming a grant by Henry de Foxton,⁶⁴ son of Hugh de Crosseby, to S. Peter's at York.⁶⁵ From a very early date the family had intimate relations with Ripon and the Abbey of Fountains, and some of their various grants to the latter have been noticed above. There is preserved among the Ripon charters a grant by Nicholas de Byham to Alan de Eskelby and his heirs, of the whole of his land, houses, &c., in Ripon, lying between the lands of William *campanarii* and Simon Hereman, as held by Osbert (the father of Nicholas), paying to the chapter of Ripon rent at Easter and Michaelmas.⁶⁶

Parva Langton, by Avicia Marmion (Dodsworth MSS. vol. 129, folio 116b.)

The exact place of this Robert in the pedigree has not been fixed. He was certainly a near relation of Alan, most probably his son, or younger brother; it seems clear that he was not the Robert, son of Bartholomew (*vide* pedigree.) Here it may be mentioned that one Robert de Eskelby was among the witnesses to a charter of Gilbert de Richmund granting to his son and heir Ralph and "Lecia" his wife, daughter of Richard de Wausand, (Waxand) the whole of his land, in "Holm juxta Pickhill," which was also witnessed by Robert de Stutevill, Gilbert de Berneval, Thomas de Lascelles, Ranulf de Middleton, knights; Geoffrey de Pickhill, John his brother, Geoffrey de Howe, Henry de Thornton, Baldwin de Skipton and Robert de Skipton, (Dodsworth, MSS. vol. 7, folio 5.)

Alan and Robert de Eskelby also appear together as witnesses to a grant by Galfrid, son of Robert de Howe to the hospital of S. Leonard, York, of his capital messuage in the manor of Howe upon Swale, *circa*, A.D. 1271 (Dodsworth, v. 120b. 66).

In 1276-7. Two justices were appointed to take an *assize* of *novel disseisin* which Alan de Eskelby and Sarra his wife arraigned against Roald son of Roald de Burton and others concerning tenements in "Stodehagrin" and Burton (Pat. Roll. 5 Edw. i. m. 5d.)

Roald de Burton, or de Richmond, was Constable of Richmond (Gale's Reg. Hon. Rich. p. 229) and the place referred to is doubtless Burton Constable in Hang West Wapentake where this Roald held and in 1286. His son Thomas de Richmond held it until 10 Edw. ii. 316).

— 1276-7. The same justices were appointed to take an *assize* of *novel*

disseisin, which Robert de Eskelby arraigned against Henry, son of Agnes de Eskelby, concerning tenements in Eskeiby, Pat. Roll. 5 Edw. i. m. 5d. (see note 40).

⁶⁴ In 1286. Robert de Foxton held 6 bovates of land of Thomas de Helbeck in West Harlsey (Kirkby's Inq. p. 102).

⁶⁵ This charter is not dated. It is witnessed by Bartholomew de Eskelby, Robert de Arundel, Picot de . . . , John de Faurival (Fauvell), Hugh de Balderby, Robert de Pikehill, John Vavasour, Eudo de Newton, William de Frithby, &c., (Dodsworth MSS. vol. 7, folio 27b). The original charter bore the seal of the grantor, but Dodsworth does not give it and it is uncertain whether he copied from the original document or from the Abbey chartulary. If the seal could be discovered, it would be of great interest to compare it with the arms borne by the family at a later period.

Hugh, son of Wigan de Balderby, and Agnes his wife, who lived A.D. 1250, sold to the monks of Fountains. 2 oxgangs of land, &c., in Newton juxta Leeming with the homage of John de Ainderby, which Alan, son of Henry de Eskelby confirmed (Burton Mon. Ebor. p. 189).

⁶⁶ The grant is witnessed by *domino* Alan de Aldefield, *domino* Patrick de Westwyk, *domino* Philip Cheverel, then bailiff of Ripon, William de Thornton John de York. Robert *dispensatore*, William Adrich, Roger Hollyng, Simon Hereman, William *campanario*, John. his son &c. (Surtees Soc., Ripon charters, vol. 2). Two hundred years later, on the 8th May, 1467, Richard Exelby, of Knaresborough, made customary acknowledgment of his holding of the Chapter lands and tenements in Overskelgate, Ripon. (Surtees Soc., vol. 64, p. 245.)

As to the date of this grant, it can only be said that it must have been made before 1277, as in that year the *inquisition post mortem* of Alan de Aldefield, the principal witness, was taken (*Cal. Gen.*, p. 263).

In 1338 William Eskelby is named in a list of knights and squires of the North Riding, from whom twenty men-at-arms were ordered to be selected for service against the Scots (*Rotuli Scotie*, 12 Edw. III., p. 528*b*), and in 1359 another Alan de Eskelby was one of the chief men of his county, being appointed a Commissioner of Array for the muster of the men of Hallikeld Wapentake, by letters patent, tested at Westminster, 14 Nov. in that year (*Rymer's Fœdera*, viii., p. 455); but further notice of them must be reserved, and this portion of these notes may conclude appropriately, with the mention of Alan, the son of Henry, for it appears almost certain that it was in his time (*circa* 1300) that the family became possessed of, and removed to their estate at Dishforth, 10 miles south of Exelby, which they held for some 300 years, and where many generations of them ran their earthly race. Doubtless, from its closer proximity to the city of Ripon, it proved a more attractive, convenient, and, in those troublous times, safer place of residence than the old home;⁶⁷ it will, however, be shown that the Exelbys did not relinquish their holding in, at least, some portion of their ancestral acres.⁶⁸

⁶⁷ In 1318, the Scots, under Robert Bruce, overran all this district, and so ravaged it, that the collection of the subsidy was stayed, in consideration of the losses sustained by the inhabitants.

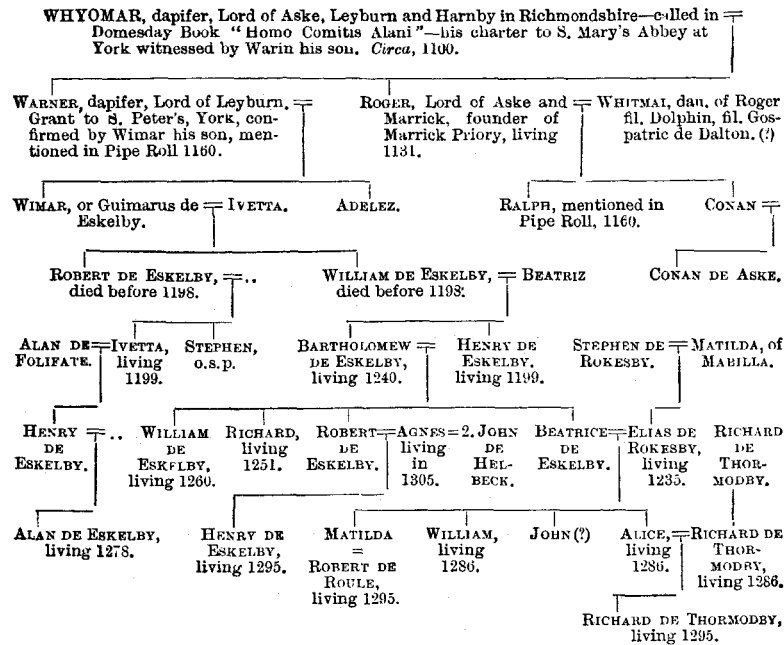
⁶⁸ The family is found settled at Dishforth (1305) at which time, William de Eschelby, (probably son of Alan) held also 7 acres of the Abbot of Fountains, in the adjacent manor of Norton-le clay, (*Reg. Rent. Fountains, Sur. Soc.*, vol. 42, p. 358). The connection of the Exelbys with the latter place was a long one; the name appears in the second entry of the parish register (Cundall) at its commencement in A.D. 1582 and continues until 1752 when it became extinct in that parish.

There is in the Dodsworth MSS. a somewhat perplexing note. That learned antiquary in vol. 41, folio 61 and vol. 7, folio 30*b* records a fine "levied 5 John" (1203) between Helewisia, who was the "wife of Wimerus son of Warnerus pltf., and Hugh de Malbisse, deft., of her

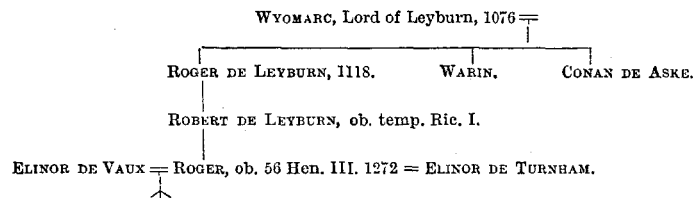
"dower in Wandesleia and Ellerton, in Co. York and Wykes and Forham in Co. Cam-bridge. Hugh grants to her the third part of all the said Wiemar's lands in Wykes and Forham and Ellerton and the third part of a capital messuage in Wandeslei"; and, identifying this Warner with Warner dapifer (see note 26) the son of Whyomar; adds this pedigree—

GUMORJUS =
 WARNERIUS dapifer =
 WIMERUS = HELEWISIA, rel[ic]t[a] 5 John.

There is apparently something wrong in this, for although there seems to be little doubt (see these notes 4-8 and 31) that this Wimer and Helewisia were in some way connected with the Dapifer's family; yet from A.D. 1086, when Whyomar could not have been a very young man, to the date of the fine in 1203, is too long a period for only three generations. We gather from the following that shortly after the latter date Helewisia married again. "Cambridgeshire and Yorkshire.



The following is part of a pedigree from the Watson MS.:



"The Sheriffs are ordered to cause Hugh, son of William, and Helewisia his wife, to have seisin of their land in Wika and Forham in Cambridgeshire and of their land in Ellerton and Ulvesho and Wandesele in Yorkshire, of which they were disseised because Hugh married Helewisia without the King's licence, it being said that the land was of the fee of the

King, but inquiry being afterwards made by the King's order, it was signified by the Sheriff that it was not so. And Hugh made surety of 10 marks, for his seisin, to the King by William de Huntingfelde. Witness. Simon de Pateshulle, at Cranburne, 8 July, before the Lord Bishop of Winchester," &c. (Fine Roll, 15 John, part 1, m 10).

There is a pedigree of the Askes in Randle Holme's MS. (Harl. 2118); he finds wives for all of them. "Wyhomar "a brittaine married Arrabilla *fil.* Jo. Nevile of Hornbury "and Howton Knt., his son and heir Conan Ask married "Arma da. of Sr. Jo. Rismond Lord of Kerby Fleetham, his "son Conan Ask married Winfriede da. of Sir Jo. Conyers "of Storckburne"!

We have traced the descent of the family to Alan and Robert de Eskelby who were living in 1286, at which date their estate at Eskelby was sub-infeued to the Newtons, and we have set out the deeds by which some of its members in 1295 alienated, at least for a time, a portion of the property, which we find in 1301 was held chiefly by *dominus* Roger Myniot, John de Helbek⁶⁹ and Henry, son of Agnes.⁷⁰

The period of gifts and confirmations of land to the religious houses, so valuable in elucidating early descents, is past, and we have now to rely upon other classes of records, which fortunately do not fail us.

At the end of the 13th century, Alan de Eskelby was the head of the family and that he was non-resident at Eskelby appears to be clear; probably he was engaged in the incessant warfare of the period and also held property elsewhere. His son and heir was William, who is the first Eskelby whose name is found associated with the Dishforth estate, in connection with which we henceforth trace the line. Of him we find the following mention.

William de Eskelby.

1305. Resident in the Manor of Dishforth, and, as William de Eschelby holds seven acres of land

⁶⁹ *Vide* note 45 for John de Helbeck's connection with the property in 1295. In 1316, he granted to John de Cauncefield and Isabella his wife, land in Eskelby Kellok (*sic*) and Crosseby Co. York (Harleian Charters 51 p. 53) which a fine, passed in the same year, specifies as being in settlement on John de Cauncefield and Isabella and their heirs (York fines 9 Ed. ii.). This Helbeck appears to have been one of the Westmoreland

family of Helbeck for whose subsequent connection with this property see N. & Q. 7th S. vi. No. 146, and observe that another John de Cauncefield was in 1392 made a defendant in a suit brought by Richard de Eskelby *v.* Alexander Neville and others, *vide* note 89.

⁷⁰ He was no doubt identical with Henry son of Agnes and Robert de Eskelby, *vide* pedigree and note 44.

- at Norton-le-Clay, of the Abbot of Fountains at a yearly rent of 3s. 6d.⁷¹
1321. Defendant in a suit brought by John de Thornton and Alexander de Eggeburgh clerics (and feoffees, on behalf of S. Leonard's of York, of John de Helbeck) concerning property in Eskelby.⁷²
1326. Witness to a grant, by John de Marmion (20 Edw. II.) to the Rectors of Wath and Tanfield.⁷³
1327. The largest contributor to the subsidy at Dishforth (I. Ed. III.),⁷⁴ and in the same year, as William de Eskelby, of Dishforth, a defendant in a suit by the Abbot of S. Leonard's.⁷⁵
1332. Again pays the subsidy at Dishforth.⁷⁶
1336. Holds at Dishforth of the Abbot of Fountains, 2 tofts and 3 oxgangs of land at a rent of 6s. and also 5½ acres there.⁷⁷
1338. Named in a list of Knights and Squires of the North Riding, for service against the Scots.⁷⁸

⁷¹ Mem. Fountains Abbey (Surtees Soc. v. 42, p. 358). It should also be noted that one John de Eskelby paid 2s. to the subsidy in 1305, under the Liberty of S. Leonard of York, apparently for land at Eskelby (Lay subsidies 211-6 m 23). Attention may here be directed to one of the Ribston deeds, printed in Y. A. & T. Journal vol. ix. p. 83, in which (*inter alia*) John de Magna Cattal grants certain land at "*Fulsyk sicut jacet . . . inter pratum Willelmi de esselby ex una parte et terram Thomæ de . . . by ex altera*". The date of this deed is *circa* 1320-30.

⁷² Pat. Roll. 15 Edw. ii part. 1 m 13d and m. 18, and Dodsworth MSS. vol. 120b 66b.

⁷³ Harl. MSS. 793, p. 77b. and Dods. MSS. 129, p. 111.

⁷⁴ Exch. Lay subsidies York, N. R. 211-6. In note 45 the names of those who paid at Eskelby, the 15th levied 30 Edw. i. (1301) are given. It is interesting to compare them with the contributors there of the 20th levied only 27 years later (1 Edw. iii.) and to observe the complete change in their names:—

ESKELBY;—

de Anketino Salvayn 4s. 3d.
de Petro Snugthwaite..... 4s. 6d.

de Roberto Eure 5s. 0d.
de Ranulpho fil Radulphi... 6s. 6d.
de Johanne de Scurcton... 2s. 0d.
de Roberto preposito 12d.
de Willielmo Broune 12d.

We cannot here give the names of all who paid at Dishforth, but it may be noted that in 1301 Robert Bouet paid 13s. 5½d. John de Dysceford, 7s. 1½d., and that they with 30 others contributed a total of £5 3s. 2½d. while in 1327 from William de Eskelby who paid 4s. and eleven others who paid sums varying from 6d. to 18d. the amount collected was only 15s. 2d. These records, saved through six centuries from the fate which has befallen many others deemed more valuable, to some may appear mere prosaic records of the tax gatherer, but they bear testimony to the damage caused by the Scottish raids, and are in many other ways of the greatest interest.

⁷⁵ De Banco Roll. i. Edw. iii. No. 2 Easter, m. 20d. and *ibid.* No. 4 Mich. m. 113d.

⁷⁶ Tenth and Fifteenth granted to the King 6 Edw. iii. "Disceford—de Willielmo de Eskilby vi. s." (L. S. N. R. 211-7a).

⁷⁷ Mem. Fountains Sur. Soc. v. 42, p. 358.

⁷⁸ Rotuli Scotiæ 12 Ed. iii. p. 528b.

1340. A freeholder at Dishforth holding a messuage and 3 oxgangs there rendering yearly 3s.⁷⁹
1348. One of the jurors on inquisitions held in connection with the collection of the subsidy, 22 Edw. III.⁸⁰

He married Mary sister to Robert, parson of Ripley, and with her acquired property in Ripon⁸¹ and appears to have died between 1348 and 1358; his son and heir being

Alan de Eskelby.

1358. Appears in the place of William in a list of the tenants of the Abbot's Manor at Dishforth, and in a rental of the same year, his tenure is stated to be $5\frac{1}{2}$ acres of land at 2s. and 3 oxgangs or 50 acres at 6s.⁸²
1359. Appointed a Commissioner of Array for the Wapentake of Hallikeld, together with Geoffrey Pygot and Roger de Eston.⁸³
1361. Returns similar to those of the year 1358, were made respecting the lands held by him in several rentals of Fountains Abbey.⁸⁴ The identity of the holdings of William in 1336 with those of Alan in 1358 and 1361, establishes the continuity of the lineage, even if other proof were not forthcoming.
1365. With Elizabeth, his wife, acquires land at Dishforth from Richard de Burgh.⁸⁵
1368. One of the jurors on an important inquisition taken at Richmond.⁸⁶

⁷⁹ Sur. Soc. v. 42, p. 358.

⁸⁰ Inq. Wap. of Hang taken at Bedale before Collectors of Aid granted for making the King's eldest son a knight (14 July, 1348) and again Inq. Wap. of Hallikeld (31 Aug. 1348) by the oath of, among others, William de Eskelby (L. S. N. R. 211-23).

⁸¹ *Vide* note 89.

⁸² Sur. Soc. v. 42, p. 358.

⁸³ Rymer's *Fœdera* viii. p. 455. Letters patent tested at Westminster, 14 Nov. 1359.

⁸⁴ Sur. Soc. v. 42, p. 358.

⁸⁵ Final concord at Westminster (12 May, 1365) between Richard de Burgh *capellanus* plaintiff and Alan de Eskelby, of Dishforth, and Elizabeth, his wife, deforciant of 2 mess. 44 acres of land, 15

acres of meadow, &c., in Dishforth, which Richard acknowledges to be the right of Alan, as those which Alan and Elizabeth, &c., have of the gift of Richard, to hold to Alan and Elizabeth, &c., and they have granted to Richard 5 marks yearly at Pentecost, and after his decease they shall be quit of the payment for ever. (Feet of Fines Ebor. 38-45, Edw. iii. No. 19).

⁸⁶ Inq. at Richmond, 42 Edw. iii. (1368) before William de Nessfield seneschal of Richmond. Among the jurors Geoffrey Pygot, Alan de Eskelby, &c., who find that the Abbot of S. Albans held the manor of Norton-juxta-Burgh-brigge [Norton-le-Clay] beyond memory (Chron. Mon. S. Albani, vol. 3, p. 98).

His son and heir was :

Richard de Eskelby or **Exclby** whom we find living at the end of the 14th century. As Richard de Eskelby, of Dishforth, he was one of the defendants in a plea of novel disseisin brought by the Abbot of Fountains in 1377,⁸⁷ and in 1405 was a juror on an inquisition taken at "Swaynly."⁸⁸

The facts above recorded might have been relied upon, in the absence of other proofs, as showing with reasonable certainty the line of descent, but fortunately a remarkable piece of corroborative evidence can be adduced. Just as the valuable *de Banco* Rolls helped to establish the pedigree during the 13th century, so in the 14th, equally important assistance is derived from the same source of information, for in a suit by this Richard in 1410, against John Rede, in connection with property in Ripon, derived by him from his grandmother, he sets out his descent as the son of Alan, son of William, son of Alan.⁸⁹ He left at least two sons, William and Marmaduke.

⁸⁷ Assize Rolls, York. N. 1, 30, 14B. 51 Edw. iii.

⁸⁸ No doubt Swanley, a manor adjoining Fountains Abbey. At this period its manor house was a place of importance—the inquisition referred to was taken 13 Oct., 7 Hen. iv. (1405) after the death of Sir John Fitz Randolph who had been "out" in Archbishop Scrope's rebellion in May of that year. (Chan: inq. a. q. d., 7 Hen. iv. No. 15).

⁸⁹ Yorkshire. Richard Exclby by Richard Bukland, his attorney demands against John Rede, 3 messuages, &c., in Ripon, which Robert, late parson of the church of Ryppeley, gave to William, son of Alan de Eskelby, in frank marriage with Mary, sister of the said Robert, and which after the death of William and Mary and Alan, their son and heir, ought to descend by the form of the gift, &c., to the aforesaid Richard, son and heir of the said Alan, son of William. And Richard says that the said Robert gave the property to the said William, by which gift William and Mary were seised thereof in demesne, &c., in the time of King Edward [iii.]. And from William and Mary it descended to Alan as son and heir, and from Alan to Richard, who now demands, &c. And John comes in person and defends, &c. And vouches to warranty Thomas Chapman, &c. And Richard Exclby says that John Rede at such vouching, &c., ought not to be admitted because Thomas nor any of his

ancestors ever had any interest in the property up to the date of the writ, viz., 15 Feb. 10 Hen. iv. and prays enquiry. John Rede likewise, and appoints John Bekwyth, his attorney. And the Sheriff is commanded, &c., (de Banco roll. Trin. Term, 14 Hen. iv. m. 80).

Our thanks are due to Mr. J. Greensstreet for directing attention to this valuable piece of evidence. Not its least interesting feature is its embodiment of the change in the orthography of the name from de Eskelby to Exclby; and here attention may be called to the remarkable distinctness with which this change synchronizes with the opening of the 15th century.

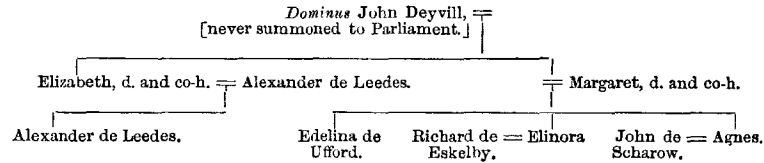
It seems probable that this Richard is identical with the individual of the name who appears in the pedigree of the baronial family of Deyvill or D'Eivell given by Dodsworth, of which the following is a portion; if they were different persons it will be seen that they were at least contemporaries.

Dodsworth does not give either dates or authorities for the above, but we can throw some additional light on his notes, for in 16 Ric. ii. (1392) there is record of a suit by Richard de Eskelby and Alianora, his wife, and John de Sharowe *versus* Alexander Neville *chevalier* and Margaret, his wife, Robert de Leedes, John de Caunsefield and John Bullen, *capellanus*, when the plaintiffs appoint as their attorney Thomas Eridsall (Attorney Roll. 10 Ebor. Mich. 16, No. 60, of Ric. ii.) In the

William Exelby was in 1445 a monk of Byland Abbey, and was living in 1472.⁹⁰ The relationship in which the brothers William and Marmaduke stood to Elizabeth Exelby, of Sessay, has not been discovered, but it was undoubtedly a close one. Her will made in 1445, is the earliest testamentary record, so far found, of any member of the family. It was proved at York, 8 Jan. 1449, by William the monk, and the rank of the witnesses, all bearers of well known names, points to the testatrix being of superior social position.⁹¹

Marmaduke Exelby's name appears frequently on the Knaresborough Manor Court Rolls from 1429 to 1448, he held lands both at Knaresborough and in its immediate vicinity, and was one of the free tenants, but his name is not found on the Rolls in connection with the property subsequently to the year 1448, although he did not die until 1472. In 1452, Sir George Darrel of Sessay, fined for release of suit in respect of these lands.⁹² In 1459-60,

Dodsworth MSS. vol. 3, fo. 27^b and 28 :



succeeding term the defendants appoint as their attorney Roger Well or John Killinghall (Hil. 16 Ric. ii. atty. roll. 6). The plea roll containing particulars of the suit has not been discovered.

⁹⁰ *Vide* will of Marmaduke Exelby.

⁹¹ [Translation, original in Latin.] To all, &c., Elizabeth Exilby, of Sessay, greeting, &c. Know ye, &c.—To William Exilby, monk, of Byland, John Kepyk, of Sessay, and John Marton, of Sessay, all my goods and chattels, moveable and immoveable, as well live as dead, whatsoever and wheresoever, to dispose of the same. In witness whereof I have set my seal. Witnesses, William Evers [Eure], Edmund Hastings, knights, Thomas Gower, Lawrence Eaxby, William Barry, esquires, and others. Given the 8 April, 23 Hen. vi. (1445), proved at York 8 Jany., 1449, administration being granted to William Exelby, monk, of Byland.

William Eure and Edmund Hastings were together the knights of the shire for co. York, in 1422, the former also in

1431, 1439, and 1448, and the latter in 1407, 1413, 1421, 1427.

In 1438 Lady Matilda de Mauley, daughter of Ralph Neville, first earl of Westmoreland, and widow of Peter, Lord de Mauley, by her will gives to Alice Exelby, for a wedding gift, ten marks and a black cloak trimmed with marten (Test. Ebor. Sur. So. v. 30). In 1445 Joan Exelby was admitted of the Guild of Corpus Christi, at York (Sur. So. vol. 57, p. 45).

⁹² The loss or destruction of many of the early rolls leaves us in doubt as to whether he acquired this property by inheritance or otherwise. It may be that Marmaduke held this land in right of his wife, that she died *circa* 1448, and that Sir George Darrel, as next friend held it during the minority of Richard the heir, who, it will be seen, was undoubtedly of age in 1455; or possibly, Sir George had a 21 years' lease of the land. This latter view is supported by the mention of his name in connection with it as late

Marmaduke Exelby had a suit in the King's Bench, against Robert Rede, of Beverley, concerning three messuages in Ripon.⁹³ His wife's name was Agnes, and there is record of two children, Richard, who died in his father's lifetime, and Elizabeth, who married . . . Bankwell, and as executrix proved her father's will, of which an abstract will be found below.⁹⁴ The testator's mention of the Churches of Sessay, Topcliffe, and Coxwold, indicates that his property lay in these parishes.

Richard Exelby, his eldest (and apparently only) son, is first found mentioned on the Knaresborough Court Rolls, in 1455. On the 30 April of that year, he brings no less than twenty pleas against the Prior of Newburgh, which were continued until the Court of 15 Dec. 1456. There is unfortunately nothing on the Rolls to show the nature of these suits, but we may conjecture that they were for ejectment. There is no record of judgment, but it is evident that the Prior was defeated in his designs, for on the latter

as 1464. As, however, in 1469, the land apparently reverted to Richard and not to his father Marmaduke, although the latter was then living, there appears in either case to be some ground for supposing that it was held by Marmaduke *jure uxoris*. Sir George Darrel died in 1466.

There was at this period a close connection, and probably relationship, between the families of Exelby and Darrel, of which we find evidence a few years later in the will of Thomas Darrel, the last of the Darrels of Sessay, made in 1500, and proved at York, 18 Sep. 1502. "I will that William Exelby shall have the farmehold of Thirkleby for term of his life and his wife's." and bequeaths to him 26s. 8d. yearly and after the death of testator's wife 40s. yearly for life. William Exelby and his wife also witness the will. The early connection of the Darrels with Dishforth is well known.

According to the custom of the Forest of Knaresborough as inrolled at a Court held in 1577, a tenant dying, leaving daughters, the eldest took the land, but if she was married, those unmarried took it. If all were married the eldest took it, and also "that the next "friend of the party of the mother, to "whom the heritage may not descend, "shall have the custody of the heir, and "shall find security in the Court of the "lord to give the profits of the land to "the heir at his full age."

⁹³ De Banco roll. Mich. Term, 35 Hen.

vi. m. 162 d. See note 89 for suit in 1401, by Richard Exelby v. John Rede, concerning these same three messuages.

⁹⁴ [Translation]. I. D. N. Amen, 8 June, 1472. I, Marmaduke Exilby, &c. To be buried in the conventual church of the monastery of Byland. I will that 2 lbs of wax be bought to burn round my body on the day of my burial. I bequeath to the monastery of Byland for my burial there 6s. 8d. To the convent of the same for the celebration of my obsequies on the day of my burial 13s. 4d. On the day of my burial all the poor and feeble present to have sufficient bread, ale, and cheese. To the fabrics of S. Peter's, York, 12d.; of Coxwold, 12d.; of Sessay, 12d.; of Topcliffe, 12d. For a trental to be celebrated for my soul, 8s. I will that Sir William Exelby, monk, my brother, have and receive yearly, of the rents or farms of my capital manor in Dishforth, now in the tenure of Richard Hovyngham 40s. until William, son and heir of Richard Exelby, my son, shall come to the age of 21 years. Elizabeth Bankwell, my daughter, to have yearly of the farms and rents of my tenements in Dishforth, now in the tenure of Richard Burnett,* 6s. 8d., until the said William shall come to the age of 21. The residue of the

* A reference to note 106 will show that in 1509 the Burnetts still held this land at Dishforth as under tenants of the Exelbys.

date, Richard came into Court and did fealty for his lands.⁹⁵ In the same year he married Catherine Claxton⁹⁶ and it seems almost certain that he is identical with the Richard Exelby, who was one of the small knot of witnesses who assembled before sunrise on a spring morning of 1451, in the Parish Church of Knaresborough, to witness the clandestine marriage of Sir William Plumpton and Joan Wintringham⁹⁷ which was fraught with so much trouble for the Plumptons; and it is somewhat remarkable that William Exelby, gent. (Richard's son) was one of the jury on the inquisition taken at Wetherby, 14 Nov. 1480, after the death of this Sir William.⁹⁸—Between 1456 and 1465 he (Richard) is frequently mentioned on the Court Rolls, either as a litigant or juror, and from 1458 to 1462 he seems to have acted as deputy for Ralph Beckwith, surveyor of the King's Works in the Honor of Knaresborough.⁹⁹ In 1467, he makes acknowledgment for lands held of the Chapter of Ripon.¹⁰⁰ He died in his father's lifetime, *circa*

farms and rents of all my lands and tenements in Dishforth, until William shall come of age to be yearly received by Sir William Exelby, my brother, and William Sanderson, chaplain, and expended about the exhibition of the five children of Richard, my son. Concerning the 10% in which John Vavasour, of Newton, is bound to me by his bonds, I will that the residue, after payment of my debts, &c., be expended on the exhibition of the five children. The residue to Elizabeth Bankwell, my daughter, and she executrix. Witnesses, Robert Thirnorn, William Webster, and others. Pr. at York, 22 July, 1472, by Elizabeth Bankwell.

⁹⁵ "Richard Exelby came into Court and did fealty to the Lord the King, for divers lands and tenements which he claims to hold freely of the Lord the King by the services due and of right accustomed." 15 Dec. 1456 (Knaresborough Court Rolls.) It does not appear why he made this claim, which was allowed.

⁹⁶ 1455—56, Mar. 19. Licence to Thomas Waryn, vicar of Well, John Golding, vicar of Hawkswell, and Thomas Swyer, chaplain, to marry Richard Exelby, of Knaresborough, gent., and Catherine Claxton, of Thorp, in the chapel within the manor of Thorp Perrow (Sur. So. v. 53, p. 340). The lady was not improbably one of the Durham Claxtons, of Old Park and Wynyard, who were devoted adherents of the

Nevilles of Well. The marriage was to take place in the private chapel of the Danbys attached to their manor house at Thorp, which just about this time was the scene of several of their marriages.

⁹⁷ Plumpton correspondence. Camden Soc.

⁹⁸ *Ibid.*

⁹⁹ Knaresborough Court Rolls.

¹⁰⁰ *Ricardus Exilby de Knaresburgh venit hic in domo capitulari viij. die mensis Maii anno domini mcccclviij et coram canonicis recognovit se tenere de eisdem certa terras et tenementa in Over-skelgate Ripon per servitium ut dominus de Marmyn et per antiquam firmam. Et fecit fidelitatem et admissus est, &c.* (Sur. Soc. vol. 64, p. 245). The Editor of "Ripon Chapter Acts," remarks that this acknowledgment conferred the valued privilege of carrying the shrine of S. Wilfrid on certain high festivals.

On the 30 August, 1446, Lawrence Exelby was instituted to the chantry in the chapel of Norton Conyers, and he was chantry priest when he died in 1473 (Reg. Arch. Richmond), John Exelby, doubtless one of this family, was vicar in the Collegiate Church of Ripon, and prebendary of Thorpe. His name is found frequently in the fragment preserved of the Ripon Act Book (Sur. Soc. v. 64) between 1451 and 1471. He made his will (*ib.* p. 168) 9 Oct. 1471, desiring to be buried in the churchyard of the Coll. Ch. of Ripon. Among others are be-

1467-70, apparently somewhat suddenly, not improbably slain in one of the encounters in the wars of the Roses, and left at least five and possibly six children.

William Exelby, the heir, was admitted on the Knaresborough Court Rolls, 11 July, 1470,¹⁰¹ although it would appear that he was then under age. On the 10 Nov. 1480, William Exelby, gent.¹⁰² was one of the jury on an *inq. p. m.* held at Wetherby, but it is not until 1484 that he first appears as paying for relief of suit of Court: his name continues to be found on the Rolls until 1496. He married Ellen Vavasour (daughter of John Vavasour, of Newton and Weston, and Elizabeth, daughter of Henry Thwaites, of Lund, his wife)¹⁰³ who survived him. His death occurred in the autumn of 1503,¹⁰⁴ his son and heir being John

quests to Mountgrace Priory, Knaresborough Friary, John Arncliffe, chaplain, Ellen, wife of John Strykerd, Alice Nicholl, John Richardson, the dau. of Richard Johnson of Exelby, Sibilla de Scruton, and also to "my brother Robert and his wife." Will proved 1 Nov. 1471. Only a short time before his death he was admitted of the Corpus Christi Guild, at York (Sur. Soc. v. 57, p. 81).

One Robert Exelby, was sometime Prior of Newstead, near Stamford, until 1502, when he was appointed by the Bishop of Lincoln Prior of Fineshed, and died the same year (Bridge's Northamptonshire, vol. 2, p. 308). Another Robert Exelby was Rector of Sawtry, All Saints, co. Hunts, to which he was collated *circa* 1551. He appears also to have held the adjacent living of Coppingford, or at least was connected with it in 1541. He died in 1558-9. His will, which is charming for its tone of pastoral benevolence, is in P. C. C. (Chayney 7) he desires to be buried in the chancel of All Hallows, in Sawtry. He left a daughter Katherine. His brother George died shortly after him (Will pr. at Stilton, 6 April, 1559. Peterborough Reg.). A sister and other brothers, Thomas, John, and Miles are mentioned.—It was from the latter, citizen and Merchant-Taylor of S. Dunstan-in-the-West, London, that a family of the name sometime settled in London and Herts descended, while one of his grandsons and namesake, Miles Exelby, of Trin. Coll. Cam., B.A., 1621, M.A., 1625, was vicar of S. Keverne, Cornwall, to which living he was instituted on the 20 April, 1629. He was the progenitor of the several families now found settled in that parish and its immediate neigh-

bourhood to which, during the lapse of 250 years, succeeding generations have clung with remarkable persistence.

¹⁰¹ Court of July 11, 1470. Richard Exilbe died, who held of the King nine acres of land in Belforth [subsequently called Wellford] with a waste in Knaresburgh, after whose death came William Exilbe, as the son and next of kin and heir of said Richard, and took of the King to hold, &c. And gives to the King in the name of his relief twelve shillings. It may be noticed that at the Court of "Oct. 1469, "the tenants of the lands of "Richard Exelby owe suit to the Court "and come not," this being followed by the admittance of William, the son, in the following year. A very similar entry in 1518, as to the "tenants of William Exelby," precedes the appearance on the rolls of William's son John.

¹⁰² In the Dodsworth MSS. (vol. 50) there is an account of a "tenth collected "before 15 Edw. iv. (1475) in the Wapentake of Claro," in which these names appear. "Knaresborough, Will. Exelby. Scriven, Ric. Exelby. Spofforth, John Exelby."

¹⁰³ Flower's Vis. Yorks. (Harl. Soc.) and Glover's Vis. (Foster).

¹⁰⁴ [Translation] I. D. N. Amen. 6 Sep. 1503, William Exylby, &c,* desires to be buried in the Church of Topcliff. My best horse in the name of my mortuary. To the Church of Thurkilby, 2 torches. To the Church of Topcliff, 2 torches. To the Church of Knaresborough, 2 torches. To every priest attending my obsequies, 4d. To every clerk, 2d. To four orders

* The act book says "late of Thurkelby."

Exelby,¹⁰⁵ but it will be seen that he certainly left other issue, one of whom was doubtless William.¹⁰⁶

John Exelby, the eldest son, through whom we carry on the descent, first appears on the Court Rolls in 1519, after which date he regularly pays each year for release of Court, and is constantly found as *primus* of the juries. In 1522-3 (14 Hen. VIII.), he pays the subsidy for lands at Dishforth. In 1533, he was on the jury (Richard Aldeburgh, Esq., being *primus*), in view of the liberty of Aldeburgh, held at Boroughbridge; he also owed suit to the Manor of Aldeburgh and on two Rolls for 1540 and 1546, he pays for release of service to the same. This was *jure uxoris*, for he married Elizabeth Aldeburgh (daughter of Sir Richard Aldeburgh, of Aldeburgh, and Joan his wife, daughter of Sir Thomas Fairfax, of Walton.)¹⁰⁷ In 1542 he pays the subsidy at "Tentergate cum

of friars, 6s. 8d. For the expenses of my burial day, 20s. For the exhibition of my boys (*pueros*) by the space of 20 years, 7 marks. To the chapel of Dishforth, 9s. Residue to Ellen, my wife, and John, my son, and they executors—the Vicar of Topcliff to be supervisor. Witnesses, Thomas Cowton, vicar of Thurkilby, Richard Kechyman, Robert Mote and others. Pr. at York, 12 Nov. 1503. Administration to the Executors named.

¹⁰⁵ In 1506, we find evidence of hot blood in a bearer of this name, a quarrel at Northallerton, with a member of another well-known Yorkshire family attended with fatal consequences and flight of the homicide to Durham, where the sanctuary records tell the tale in these words:—

"*Johannes Excelby de Lannouth in com Ebor gent venit ad Ecclesiam Cath. Dunelm in festo S. Thome Apostoli viz. 21 Decembris, 1506, et petit immunitatem pro eo quod die Martis viz. 9 mensis predicti in villa de Northallerton in com predicto, quendam Rodulphum Tiptady cum uno Kechmyerd in dextro humero felonice percussit ex qua infra ix. dies obiit. Pro qua petit immunitatem infra Tynam et Tysam.*" (Sur. Soc. v. 5, p. 47).

¹⁰⁶ In Dodsworth MSS. v. 129, are the following extracts apparently taken from a now lost book of homages of Fountains, then in the possession of Sir Henry Savile, fo. 42. "This indenture made at fountaynes, 6 Sep. 1 H. 8, (1509) witnesseth that John Exilby, gentleman, made his homage to Marmaduke, Abbot

"of fountaynes, the day and yeare above written for all his mess. lands and ten'ts in Dishforth juxta Topcliffe in com Ebor now in the tenure of William Bargh and Robert Burnet. [Vide note 94]. Witness William Croch escheator of ye shire William Markinfield esq. John Pulleine Richard Exelby gent. and odre and paid for ye chamberlayn fee to ye said Abbott vis. viiid. wch lands are holding of ye said Abbott by knights service and free rents of viiis. viiid. payable to ye Abbott and his successor at Pentecost," fo. 69. On folio 44 of the same volume is another entry similar to the above in every respect, except that the name of William Exelby is substituted in the place of John's: it may be inferred therefore that homage was made by two brothers, which is somewhat strange. The Richard Exelby, gent., who accompanied them being probably their uncle. This is the only mention we find of him unless, as appears probable, he was the Richard Exelby who in 1527 held a tenement of the Abbot at Balderby, at a rent of 19s. John Exelby being at the time a freeholder at Dishforth (Thirsk's rental, Sur. So. v. 42, p. 353) and we have also a solitary note referring probably to this William in 18 Hen. viii. (1526-7) when William Exelby, gent., pays 11s. 9¹/₂d. and ¹/₂d. for rent of demesne lands appertaining to the Castle of Knaresborough (Duchy of Lancaster Records, Div. 2504. P.R.O.)

¹⁰⁷ Flower's Vis. and Glover's Vis., Yorks.

Scriven," Knaresborough, and in 1545 for 12*l.* in lands 24*s.* of the soke of Knaresborough, and 4*s.* for 40*s.* in lands at Tentergate. In 1550 he was apparently living at Plumpton,¹⁰⁸ and he died in the following year leaving (at least) two sons; John of whom hereafter, and Thomas.

Thomas Exelby the heir was admitted on the Knaresborough Court Rolls, 25 May, 1551, after the death of his father.¹⁰⁹ He was of Dishforth, Baldersby, and Knaresborough. It is clear that more than one of his contemporaries and near relatives bore the same name.¹¹⁰—The family long held the Manor House at Baldersby, from Fountains Abbey; an Alan Exelby being found resident there in 1455 and 1457.¹¹¹ In 1521, a lease of the Abbey lands there was granted to Thomas Exilby.¹¹² But in 1538 evil days were upon the Abbey, and it was clear that its connection with its old retainers was soon to be forcibly severed; there was therefore a wholesale granting of new leases on favourable rentals.¹¹³

¹⁰⁸ 1550. Sep. 17, John Exilbye, of Plumpton, gen. plt. *v.* exors. of Wm. Whincoppe, of Knaresborough, decd. (Knaresborough Court rolls).

The following explanation of suit of Court and release therefrom as given on the rolls is of sufficient interest to be quoted at length. "At the same Court Lord Dacre of the South paid 3*s.* 4*d.*, Sir William Gascoyne, 3*s.* 4*d.*; Sir Brian Stapleton, 3*s.* 4*d.*; heirs of the land of Peter Compton, esq., 3*s.* 4*d.*; Robert Roos, esq., 3*s.* 4*d.*; Thomas Mauleverer, esq., 6*d.*; John Swaill, esq., 6*d.*; John Birmande, esq. [6*d.*?]; Henry Arthyngton, esq., 6*d.*; Robert Percy, esq., 4*d.*; John Exilbye, gen., 6*d.*; Peter Knaresburghe, gen., 6*d.*, etc. "These free tenants hold lands and tenements of the King by Knight's service and other services, as of the Honor, Manor, or Castle of Knaresburgh, parcel of his Duchy of Lancaster; for which they owe suit to this Court, and so from Court to Court, viz., from 3 weeks to 3 weeks. And now at this Court [11 Oct. 35 Hen. viii. 1543] they have come hither by themselves or by their attorneys, and have fined with the Lord the King for suit of Court to them released, viz., from the feast of St. Michael, last past [29 Sep. 1543] up to the same feast then next ensuing; and it is granted unless any writ or plea in the meantime intervene on account of which their presence shall be necessary and opportune."

¹⁰⁹ 1551. May 25. John Exilbye, late of

Knar, the elder, gentleman, "who held of the King, &c., 2 closes of land and meadow called Wellford closes or Lambert flatte (9 acres) fine, 9*s.*; in Feryngesbye on Newlands (2 acres) relief, 2*s.*; in Knaresborough and Scriven a capital messuage, and 12 acres of land and meadow in free socage, relief, 2*s.* 6½*d.*, in Tentergate in Scriven two messuages and 2 acres of land and meadow called Tentergate close, and also a close of land (4 acres) called Byardcrofte, relief 20*d.*; closed his last day after whose death came Thomas Exilbye, of Balderbye, the elder, gent., as son and next heir, and took the same, &c."

¹¹⁰ In a survey of the Ripon chapter estates made 14 Feb. 1536 (27 Hen. viii.) we find Thomas Exelby holding land in Skelgate, belonging to the prebend of Nunwick at a rent of 2*s.* 3*d.* In 1541 died Thomas Exelby, of Ripon, gent., intestate, when administration of his goods was granted to Thomas Exelby, of Dishforth, gent., "cozen" of the deceased. (Ainsty Act Book, York.)

¹¹¹ Sur. Soc. vol. 42, p. 358.

¹¹² Marmaduke, Abbot of Fountains did let and grant to Thomas Exilby, gent., all his closes and divers lands in Baldersby, in the tenure of John Newsom, John Whitlock, and others paying yearly 13*l.* 8*s.* 8*d.* Dated 13 Hen. viii. fo. 69 (Dods. MSS. vol. 129, p. 44).

¹¹³ No doubt compensated by payment of a heavy fine.

In the case of this Baldersby property the annual rent seems to have been reduced from 13*l.* 8*s.* 8*d.* to 40*s.* with a new lease for 40 years from 7 May, 1538.¹¹⁴

In 36 Hen. VIII. (1544), this Thomas Exelby pays the subsidy for lands at Dishforth, in 2 Edw. VI. (1548) for goods at Baldersby, and again in 8 Eliz. (1565) for land there. His name is found in a list of freeholders in the North Riding, in 1561 (Lansdowne MSS. No. 5). He married, certainly before 1557, Elizabeth Danby (daughter of William Danby, of Leake and Knaresborough, and Margaret his wife, daughter of Gilbert Leigh, of Middleton),¹¹⁵ and the Baldersby property formed a portion of a settlement made by him, 1 March, 1575.¹¹⁶ Towards the close of his life he appears to have spent much of his time at Knaresborough, with his wife and grand-daughter Joan, at the house of his brother-in-law William Danby. On the first day of the new year (25 March, 1582), "secke in bodie" he arranged his worldly affairs, but recovered sufficiently to go away, doubtless in search of health, with his grand-daughter as a companion. But both he and his wife were obviously aged persons, and in the early autumn of the following year he was evidently failing, for on the 2nd Oct. 1583 he surrendered all his Knaresborough property to his favourite grandchild. His death occurred three weeks later and he was buried on the 25th of the same month.¹¹⁷ His will and the inventory, taken in great detail, of his effects, have an interest beyond the scope of this paper, but we must confine our extracts to the genealogy contained in them—the wide

¹¹⁴ "The mansion place in Balderby
"with other. Balderby is of the parishe
"of Toplif; and Graunge garthez of the
"parish of Kyrkby Wysk; and ther be
"diverse other lands in Balderby. belong-
"i g to the late monastery, and noo more
"lands in Kyrkby Wysk. Thomas
"Exilby holdeth by indentore under
"Covent seale datyd viii^{mo} die Maij anno
"Regni Regis Henrici viii^{ti} xxx^{mo} et ter-
"mino xl. annorum, the manore place of
"Balderby xxs with the close adionyng
"of the bakesyde thereof, and an other
"close lyinge in Balderby, callid the
"Skallez xxs; with also the Graunge
"garthez lieing in Kirkby Wysk. late in
"the handes and occupation of the late
"Abbott and covent there lxxj^s viii^d;
"in all by yere cvj^s viii^d." (Survey of
lands, &c., sold to Sir Richard Gresham
Sur. Soc. v. 42, p. 357). Some part of

this lease being for an old tenancy would
hold good, but a portion of it which ap-
parently relates to a new grant would be
liable to be set aside under the statute of
31 Hen. viii. cap. 13, which enacted that
all leases of lands accustomed to be in the
occupation of convents before the 28
April, 1539, should be void. It will be
seen that Thomas Exelby continued to
hold Baldersby in 1582 (*vide* his will).
Sir Richard Gresham sold some portion
of these lands to Christopher Lassels, of
Breckenburgh, 28 April, 1541. Y. T. and
A. Journal, vol. 2, p. 94.

¹¹⁵ Glover's Vis. Yorks. By a printer's
error in Foster's ed. this Thomas is styled
Christopher.

¹¹⁶ *Vide* will of Thomas Exelby.

¹¹⁷ "Thomas Exilbe, gent., buried 25
Oct. 1583." (Knaresborough par. reg.)

application of the terms "niece" and "cousin" will be observed.¹¹⁸ His wife survived him four years, and was buried at Topcliffe, 8 Sept. 1587.¹¹⁹ He appears in the list of those reputed to be gentlemen in the County of York, and summoned to appear and enter their pedigrees, but he disregarded Norroy's commands. In Sir William Fairfax' Book of Arms of Yorkshire, he is entered as bearing "Argent "a chevron gules within a bordure bezanty," but we shall subsequently give some brief notes on these arms, and so we pass to his son and heir, and apparently only child, Thomas.

Thomas Exilby. It is not clear whether it was he or his father who was implicated in the ill-starred Rising of the North in 1569. Their home was in the hotbed of the conspiracy, their ancestors had for generations lived in the very shadow of Maiden Bower the ancient and favourite residence of the great house of Percy, to which they must have been bound by the strongest ties of association and feudalism; in the adjoining parish and only a short distance away lay Norton-Conyers, where "old Richard Norton," the patriarch of the rebellion, had reared his eleven "good sons," and where he brooded upon the scheme which was to send so many of them to the block, or to a miserable exile far from these well-remembered spots.

Francis Norton, his eldest son, lived at Baldersby, and was generally accused of having incited the Earl of Northumber-

¹¹⁸ Will of Thomas Exilbie, of Knaresborough, gent., secke in bodie, but of pfeit memorye, 25 March, 24 Eliz. A. D. 1582. To be buried within the church where it please God to call me. Son, Thomas Exilbe, of Dishforth—my nece John (*sic*) Exilbe *5l.* at her marriage—to my nece Elizabeth Exilbe sister of the said John other *5l.* to be delivered to some of her friends, so that it be not delyvered to my sonne Thomas nor he to have noe dealinge with it. To my sister Danbe one black whye. My cosin John Layton, and my brother William Danbe, supervisors of this my will. Debts paid residue to Elizabeth my wyfe, and she Executor. Refers to settlement made by him 1 March, 17 Eliz. (1574) by deed to James Danby his brother-in-law of leaseholds at Baldersby, and he bequeaths the reversion in them to "my cosin John Layton and my brother Willm Danbe" "on certain trusts for Joan and Elizabeth" until my cosin John Exilbe dau. of my sonne

Thomas be married &c. My brother John Exilbe—My cosin Kaufe Layton one gray colt stagge.—To John Nawton 4 bushels of rye.—To Walter Danbe my brother Danbe sonne 50s. and I will that Willm Tenande yourgrandfather have the rewele and custodie of yt. To Edward Exilbe of York my gray colt stagge—Son Thomas to be executor with my wyfe if he will be ruled and ordered by my cosin John Layton and Willm Danbe supervisors of my will. [Proved at Richmond 3 Dec. 1583]. The relationship of the testator to the Laytons has not been discovered—it seems probable that they were sons of John Layton of West Layton.

¹¹⁹ "Mrs. Elizabeth Exilbie of Baldersby was buried 8 Sep. 1587" (Topcliffe par. reg.); there is record of her will in the old index to the Richmond wills, where she is described as of Dishforth and Baldersby, but with many others it has disappeared.

land to rebellion, but this he denied, asserting that although dwelling in the same parish for three years they had not been friends. That he had considerable influence in the County he did not deny, and under all the circumstances therefore we are not surprised to find his neighbour and friend "Thomas Exelby, of Baldersby, gent.," included with the leaders indicted for "conspiracy of treason, on 1 Sept. 1569, at Topcliffe," and also for the rebellion on the 17th of the following November.¹²⁰ He had not apparently taken a very active part in the affair, for we find no record of his having been put on trial, although there are not lacking indications that he did not escape scatheless.

We learn from the will of Richard Grene, of Newby,¹²¹ made in 1549, that a contract had been made between the fathers for the marriage of his daughter Elizabeth Grene with this Thomas, but we have not met with proofs that the marriage ever took place; if it did, Elizabeth must have died before 1570, for on the 7 Nov., of that year, Thomas married Margaret Kiddall.¹²² In a deed executed 22 Oct., 20 Eliz. (1578), he is described as of Stanebroughe, in the County

¹²⁰ Sharp's Memorials. pp. 229-230.

¹²¹ Of Newby-on-Swale, now known as Baldersby Park, and not to be confused with Newby-on-Yore. The genealogy of this ancient North Riding family has not received the attention it deserves, this must be our apology, if one be needed, for these notes from this Richard Grene's will.—Richard Grene of Newby-nigh-Topcliffe 8 Sep. 1549—Elynor Grene my daughter to have 100 marks of my goods and kattels for the preferment of her marriage according to the articles of marriage between Wyllm Mallome esquire and me—Dorothy Grene my wife shall have a close called further holme &c.—a close adjoining Balderby broome . . . to pay to Katherine Grene my dau. 28*l*. My executors shall content and pay to Thomas Exelbye the elder ten pounds of my goods and cattels in full contentation of 26*l*. agreed betwixt the said Thomas Exelbye and me for the marriage of Thomas Exelbye younger his son and Elizabeth my dau. My executors shall apparel the sayd Elizabeth at the day of solemnization of the said marriage and also shall bare coste and charges of the dynner the same daye. Dorothy Grene my wife to pay to Thomas Exelbye the younger and Elizabeth my daughter the day of setting up of their house 3*l*. 6*s*. 8*d*. My executors

to apparel Christopher Marton son and heyre apparent of Lancelot Marton, and Margaret my dau. (on a like occasion). Annuity of 5 marks to my son Richard out of my lands in Catton and Boroughbridge and the same to son John Grene—Same to son Thomas Grene out of Synderby, Mawnby, Catton, Topcliffe, and Rain-ton Same to son Christopher Grene out of lands in Dysford and Skipton—Have grant-d annuity of 28*s*. 6*d*. to Willym Pulleyn my servant, Edward Waller my servant to have it at his death—To my wife Dorothy lands &c. of yearly value of 10*l*.—To Henry Grene 6 oxen 6 kye 4 hors-s 20 yowes—Lease of the tythes of Topcliffe to Richard and John Grene—To my brother Marmaduke Wyvill a yong grev gelding—To my cousin Wyllm Tankard my yong duple grey gelding—The right worshipful my brother-in-law Roger Lassels Knight, my brother Richard Norton Marmaduke Wyvill and Wyllm Tankard to be my supervisors (York Wills). —The will of his son Henry Grene made 15 March 1557 is printed in Richmondshire Wills (Sur. Soc. p. 104). In it he mentions his sister Elizabeth who was apparently at that date unmarried.

¹²² "Thomas Exelbie of Dishforth and Margaret Kiddall of Baldersby were married 7 Nov. 1570" (Topcliffe par. reg.).

of York, where he appears to have been temporarily living.¹²³ He died in 1600, and was buried at Topcliffe,¹²⁴ his wife survived him and died in 1610,¹²⁵ he left two daughters, Joan and Elizabeth, the latter died in 1590.¹²⁶

Joan Exelby the elder daughter married in 1591,¹²⁷ Francis Norton, natural son of Francis Norton,¹²⁸ and died sometime between 1593 and 1607; and with her ended the lineal descent of the senior branch of the family.¹²⁹

Another branch was also resident in the parish of Topcliffe from an early date, probably descended from Richard, who died 1469-70, leaving, as we have seen, in addition to William his eldest son, several other children; no connected descent can be set out, but the few fragmentary notes given below afford some clue to it.¹³⁰

¹²³ Close roll. 20 Eliz. part 13. The only place in Yorkshire now known by this name is Stainbrough in the parish of Silkston, but beyond the above we have found nothing to connect this family with it. There was anciently a place of this name in the parish of Thirkleby (Mon. Ebor. p. 330).

¹²⁴ "Mr. Thomas Exelbie of Dishforth buried 21 July 1600" (Topcliffe par. reg.).

¹²⁵ "Margaret Exelbie of Dishforth gentlewoman was buried 15 Aug. 1610" (*ibid.*).

¹²⁶ "Elizabeth Exelbie of Dishforth gentlewoman was buried 1590" (*ibid.*).

¹²⁷ "Francis Norton of Linc. and Joan Exelbie of Dishforth were married 27 April, 1591" (*ibid.*).

¹²⁸ We are able to give a few hitherto unnoticed facts respecting him. "1561. Francis the child of Mr. Norton bapt. 10 June" (Thirsk par. reg.). He was therefore of tender age in 1569 when the events of that year sent his father to die a fugitive in Flanders. His mother's name has not been discovered, but in a fine connected with some of his wife's property at Dishforth in 1591, immediately after their marriage, he is described as Francis Norton *alias* Kyddall. (York Fines, Notes, 33 Eliz. Trin. Wm. Oxburgh gent. & John Gedney *pils.* Thomas Exelby gent. Fras. Norton *alias* Kyddall and Johanna his wife *deformants*—4 mess. and 130 acres of land &c. in Dishforth). From the entry of his marriage in the parish register it would seem that he had spent some of his youth in Lincolnshire, and it may be that he was brought up by one of his father's brothers in that county, or possibly with his natural brothers, his father's wife Aubrey or Albreda Wimbish being heiress to very

considerable property there. After the death of his first wife—Joan Exelby—he married, 6 Aug. 1607 at Topcliffe, by licence, Julian Hayley or Haley of Ripon parish (Topcliffe par. reg.). In Paver's Marriage Licences she is styled "widow." She was buried at Topcliffe in Dec. 1630. Francis himself died, at the age of 88 in 1649 and Jefferson (Hist. Thirsk) says that he was buried in the north aisle of Topcliffe church "where the following inscription in rude characters meets the notice of the visitor:—"Mr. Francis Norton was buried May 30, "1649."

¹²⁹ Mr. Walbran says that the estates which she carried out of the family remained in this branch of the Nortons for a century, until it passed away from them by another marriage to the Robinson family. Joan left issue Richard Norton bapt. 20 Jany. 1596. Elizabeth bapt. 23 Oct. 1597 and Peter born *circa* 1593—died 1666—the latter married at Topcliffe 1 April 1619 Mary dau. and heiress of—Dickinson of Dishforth and had issue Elizabeth (mar. Edward Wyvill of Bellarby) and George Norton of Dishforth who was Captain of foot under Col. Darcy in the trained bands co. York 1665 and married Margaret dau. and heiress of Anthony Pulleine of Whorlton, co. York. She died 1692, aged 66, and was buried at Topcliffe; they had a daughter Mary, who died in 1686 aged 18 and four sons one of whom was Rowland Norton of Dishforth, who by his marriage with Margaret Robinson had Mary his only child and heiress who married her cousin Admiral Sir Tancred Robinson, Bart., of Newby-on-Swale—Lord Mayor of York 1718 and 1738.

¹³⁰ Alan Exelby is found living at

To bring down the account of the family to the end of the 16th century, we must however give some few particulars relating to a later thrown-off branch of the main stem.—It will be remembered that John Exelby who died in 1551 left two sons; Thomas the elder and his descendants we have noticed; of John, another son, we learn little, he was sometime of Ripon, and seems to have had an interest either under settlement, or by lease from his brother, in some of the family estate at Exelby; he was living in 1582, when we find him mentioned in his brother's will;¹³¹ he had a son, Edward, a merchant in York, who was admitted to the freedom of the City in 1567–8, and who in 1578 purchased from his uncle Thomas Exelby, of Dishforth, a portion of the before-mentioned property at Exelby.¹³² He filled the office of Chamberlain of York in 1580,¹³³ and

Balderby in 1455 and 1458 when the Abbot of Fountains made a purchase of corn and oats from him (Swinton's Acct. Book). Richard Exelby, gent. who was living in 1509 (*vide* note 106) was evidently very closely related to the main line, and one of his name, probably the same person, held lands of the Abbot at Balderby in 1527 at a rent of 19s. (Thirsk's rental). In 1522 (14 Hen. viii.) he pays under "Marton-cum-Balderby" the subsidy "in godes xls. tax 12d." in 1544 (36 Hen. viii.) Thomas Exilby of Rainton pays, and fourteen years later he makes his will—22 March, 1558. To be buried at Topcliffe—Agnes my wife to enjoy my farmehold during her widowhood and then to Christopher Batty—legacies to John Batty's children—to Thomas, Robert, and Agnes Topham. Agnes my sister. Wife and Christopher Batty executors—(Proved at Richmond).

Other members of this branch continued in the parish for a few years longer, but by death or migration the name became extinct there at the close of the 16th century, although the connection of the family with it was maintained in an intermittent way for some years later.

¹³¹ In the Visitation of Yorkshire, 1584–5, John Exelby of Richmondshire is said to have married Cicely, daughter and coheiress of Edward Belford of Exelby gent.

¹³² Indenture 22 Oct. 20 Eliz. between Thomas Exilbye of Balderbye co. York the elder, gent., and Thomas Exilbye of Stanebroughe, co. Yorke, younger, gent. of the 1st part and Edward Exilbye of the city of York, merchant, of the other part.

The parties of the first part in consideration of certain money paid by Edward and for other considerations sell to him 1 mess. &c. and 1½ oxgangs of land in Exilbye co. York now or late in the occupation of John Gargill, and 2 oxgangs of land, &c. in Newton and Leeming, co. York, now in the occupation of George Mitchell and William Gayle, immediately after the death of said Thomas Exelby the elder, and also 1 mess. in Exelbye and 9 oxgangs of land there, &c., in the occupation of Nicholas Raper, with all other rights in Exelby, &c., immediately after the death of John Exelby, of Ripon, gent., father of the said Edward. Enrolled 16 Nov. 20 Eliz. (Close Roll, 20 Eliz. part 18).—Fourteen years later we again find some dealing with this land, and a fine passed in 1592–3 between William Graunt, Ralph Mitchell, Mary Metcalfe, William Mitchell, Fras. Smythe, William Bell, John Toes and Robert Sadler *plts* and Edward Exilbie and Ann his wife *deforciantes* touching 2 messuages 66½ acres of land, 26 acres and 3 roods of meadow. 21 acres 1 rood of pasture, &c., in Exelby, Newton, and Leeming (York fines 34–5 Eliz. Michaelmas).

¹³³ At this time we find him associated with the well known family of Harrison of York, &c. On the 1st Dec. 1581, Thomas Harrison, esq. [Lord Mayor 1575 and 1592, died 1604] obtained licence from the Crown to alienate all the manor the site or cell of Skewkirk, late of the Abbey of Nostell, &c., by fine or recovery to Edward Exelby, Thomas Harbart [Thomas Herbert was Lord Mayor in 1604, and was son-in-law to

we find him among the few freeholders who met on the 28 Oct., 26 Eliz. (1584), in the Council Chamber to elect two burgesses to represent the city in Parliament (Drake's York., p. 358).—The plague, which raged with great violence during the summer of 1604, was fatal to him and two of his children. Dying intestate, administration of his goods was granted to his widow.¹³⁴ He certainly left a daughter Elizabeth, who was living in 1619, and probably other children.¹³⁵

A reference to the tabular pedigree will show the generations prior to 1600 of another off-shoot of the family at Knaresborough, undoubtedly then nearly related to the main stock, and resident there until the latter half of the 17th century, but it is beyond the limits of this paper to deal with the later descents of this or the other branches of the family, which at this period are found settled at Ripon, Norton-le-Clay, Spofforth and Alne, or of their subsequent ramifications.

In conclusion, we will refer briefly to the arms of the family. Blazoned—Argent, a chevron gules within a bordure

Harrison, having married his daughter Mary] George Tireye and John Ferner—to hold to them for the said Thomas Harrison during his life and after to the use of Robert Harrison his son [Lord Mayor 1607—died 1616] and Francis his (Robert's) wife for their lives, &c. Pat. Roll. 24 Eliz. part 11.

¹³⁴ 1604. Feb. 2. Administration to the goods of Edward Exilbie, late of the City of York, deceased, granted to Ann Exilbie, widow relict of the deceased. Inventory exhibited by her 30 April, 1606 (Act Book, City of York). The widow shortly after married Michael Scarr who was Sheriff of York in 1611, and she predeceased him in 1612. His death is thus recorded in the registers of St. John Ousebridge-end, "Mr. Michael Scarr, gent. who had been Sheriff of York dyed on Friday, and was buried on Saturday the 12 Feb. 1619." On the 31 Aug. 17 Jas. I. (1619) he made his will, bequeathing "to Elizabeth Exlaby, daughter unto my late wife deceased "5*l*;" mentions his sons, George, John and Robert—daughters Jane (wife of John Hart) Dorothy and Elizabeth—Jane daughter of my son (York Wills).

¹³⁵ The following entries are from the registers of S. Crux and S. Michael. Spurriergate, York, but without further information it appears impossible to

assign to most of the persons named places in the pedigree:—

S. CRUX, YORK.

- 1568. Edward Exelbie and Edith Exilbie (*sic*) married 12 May.
- 1569. John Exelbie buried 24 Dec.
- 1572. George Exelbie baptized 23 Nov.
- 1572. Xpofer Exelbie buried 28 Aug.
- 1573. John Exelbie buried 27 Feb.
- 1573. Thomas Exelbie bapt zed 11 March.
- 1576. Isabella Exelbie baptized 26 May.
- 1576. Francez Exelbie buried 5 Sep.
- 1577. Elizabeth Exelbie baptized 30 July.
- 1578. Myryal Exelbie baptized 2 Sep.
- 1579. Symon Exelbie baptized 30 Oct.
- 1581. Urseley Exelbie baptized 12 Oct.
- 1581. Edith Exelbie buried 15 Oct.

S. MICHAEL, SPURRIERGATE.

- *1604. ¶ Edward Exelby merchant buried 13 July.
- *1604. ¶ Grace Exilbie daughter to Mrs. Exilbye buried 26 Aug.
- *1604. ¶ George Exilbye son of Ann Exelby widow buried 15 Sep.
- *1605. Michael Skarr and Ann Exelby married 13 May.
- 1607. Edward Exelby son to Edward Exelby, vintner, buried 2 Aug.
- *1612. Mrs. Ann Skarr buried 4 July.

¶ means died of the plague. * placed in the pedigree.

sable bezantée, they are found in most of the Heraldic collections for the County of York of the Elizabethan period, either as the arms of Thomas Exelby, gent., of the Wapentake of Gilling East, or as those of Exelby of Exelby.¹³⁶ Mr. Walbran points out that they are identical with those of the Chaunceys, barons of Skirpenbeck, and he appears to have conjectured that there was some connection between the two families, but we have failed to discover any.¹³⁷ It may be mentioned that these arms were also borne by one branch of the Bavents, a family also closely connected with the County of York at a very early date, and they are those assigned to Sir John de Bavent in the Boroughbridge Roll of Arms, A.D. 1322.¹³⁸

Exelby of Exelby and Dishforth, co. York.

Whyomar, dapifer, Lord of Aske, Leyburn, and Harnby in Richmondshire, also held land in Cambridgeshire, is called in Domesday Book "*homo comitis Alan*"—his charter to S. Mary's Abbey, York, witnessed by "Warin," his son, circa 1100. Was witness to a grant by Osbern de Arcis to the Abbey, and himself a grantor of lands in Edlingthorpe, Myton, Forcet, and Thornton, co. York, and at Wykes, co. Cambridge—also grantor of the chapel of S. Martin, Richmond.

Warner, Lord of Leyburn, dapifer to Stephen, Earl of Richmond; a benefactor to Marrick Priory—he confirmed the gift of his brother Roger—also a grantor to S. Peter's, York, his charter to which was confirmed by Wimer, his son. Is mentioned with his nephew Ralph in Pipe Roll, A.D. 1160.

Roger, Lord of Aske and Marrick, founder of Marrick Priory, mentioned in Pipe Roll, A.D. 1131,—said to have married Whitma, dau. of Roger, *fil.* Dolphin, *fil.* Gospatrick de Dalton.

Wimar, or **Guimar de Eskelby**, confirmed his father's gift to S. Leonard's (St. Peter's), York, and with his sons Robert and William made further grants of land in Crosby, Eskelby, &c.; between A.D. 1146 and 1171 had grant of lands in Cambridgeshire from Earl Conan.

Ivetta, mentioned in Hugh son of Gernagan's confirmation of her husband Guimar's charter to S. Peter's, York.

Adelez, mentioned in her brother Guimar de Eskelby's charter to S. Leonard's, York.

Ralph, mentioned with his uncle Warner in Pipe Roll, A.D. 1160.

Conan, Lord of Aske, &c.

(Aske of Aske.)

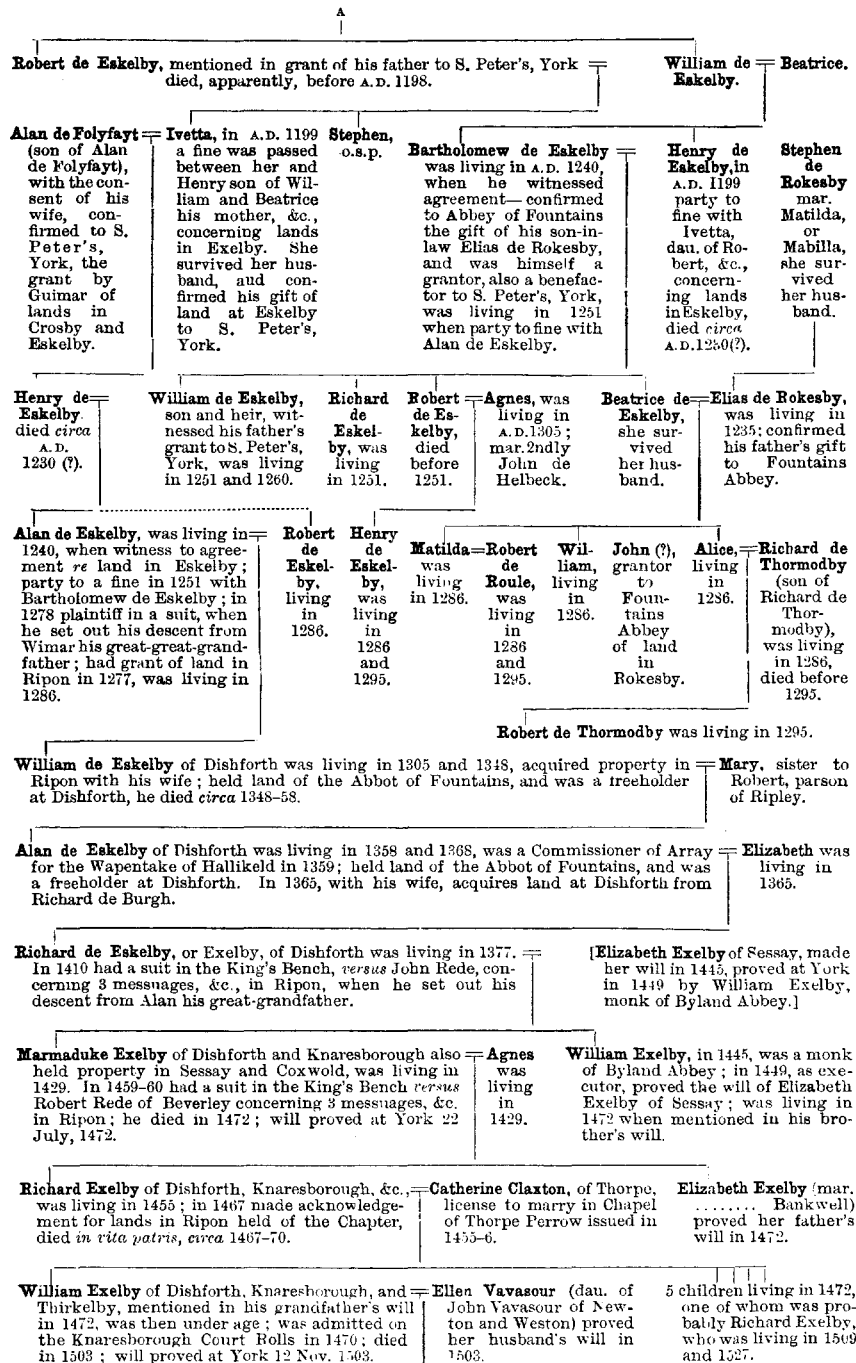
¹³⁶ Lan-downe MSS. 901, 908, 865. Philpott MSS. (Coll. Arms) 51, 248. Harleian MSS. 4198. Roll of Arms, temp. Elizabeth, printed by Surtees Soc. (vol. 41). Sir Wm. Fairfax's Book of Arms of Yorkshire, Harl. MSS. 1394 (ed. Foster).

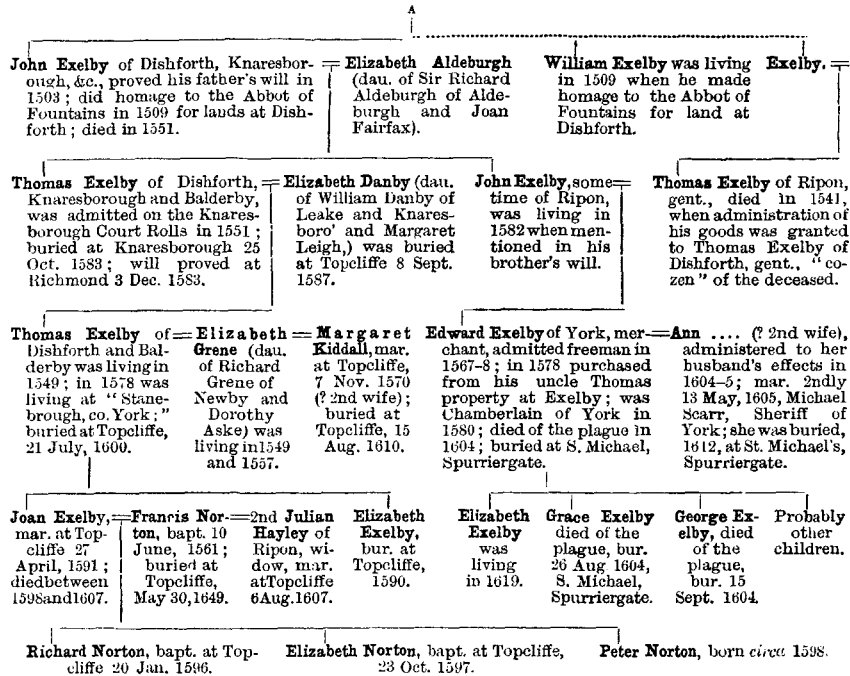
¹³⁷ Unless the following contains the clue. A grant of lands to Fountains Abbey by Stephen de Rokesby and Elias

his son (see pedigree) circa A.D. 1240 is confirmed by Bartholomew de Eskelby and the whole grant appears to be confirmed by Simon de Canci (Dodg. MSS. 156 fo. 118 and 118b). This was probably the Simon who died 30 Hen. ii. (1183). Chauncey's Hist. Herts.

¹³⁸ Genealogist N. S. vi. p. 117.

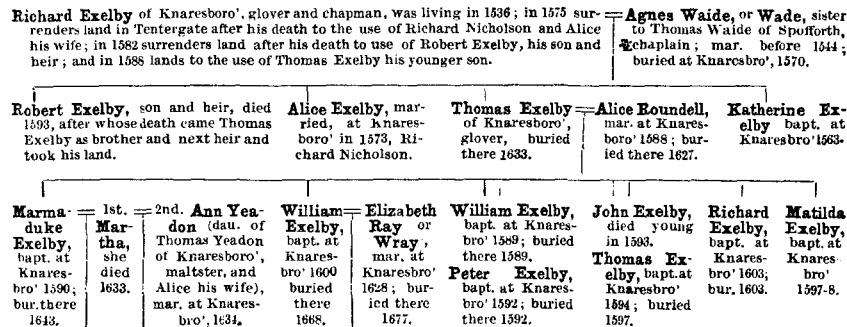
* * We cannot conclude these notes without placing on record our obligation and expressing our thanks to Messrs. Powell for their courteous permission to examine the invaluable Knaresborough Manor Court Rolls.



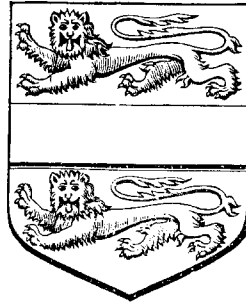


Exelby of Knarborough.

(JUNIOR BRANCH — DESCENTS TO 1600.)

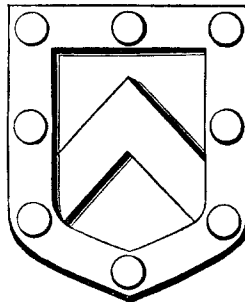


38 NOTES ON THE GENEALOGY OF THE FAMILY OF ESSELBY.



Folyfayt.

Argent a fess between two lions passant guardant sable, as quartered by Fairfax and Rawdon. In Harleian MS. 245, p. 131, the arms of Alan de Folyfayt, said to be from a seal to a charter, A.D. 1362, are tricked . . . , a fess . . . between *three* lions passant guardant



Esselby.

Argent a chevron gules, within a bordure sable charged with eight bezants.

Appendix.

**Extracts from the Manor Court Rolls
of Knaresborough, Co. York.¹**

- A.D.
 1398—April 12. William de Eskilby *v.* John de Newton and Is[abel]
 his wife in plea of debt, who do not come. [Aldburgh Roll.]
 1429-30—Jany. 18. Marmaduke Exilby and Agnes his wife complain
 of William Raven in a plea of debt. Summons for next
 Court.
 " Feb. 11. Wm. Raven does not come. Amerced 2*d.*
 " March 1. *Idem.* *idem.*
 " Mar. 22. Marmaduke Exilby, because he did not proceed against
 Wm. Raven in a plea of debt, is amerced.
 1430-1—Feb. 14. Marmaduke de Exilby and Agnes his wife complain
 of John Moubra² in a plea of debt. Summons for next
 Court.
 " April 17. Plaint between Marmaduke Exilby and Agnes his
 wife *Plts.* and John Moubra *Dft.* To next Court.
 " *Here the roll is in a bad state.*
 1439—Sep. 9. Order to distrain Marmaduke Exilby to answer to John
 Harlowe³ and Joan his wife in a plea of debt at the next
 Court.
 " Sep. 30. Same order. Nov. 17. *Idem.* Dec. 9. *Idem.*
 " Dec. 30. [A large piece torn off the roll.]
 1439-40—Feb. 10. John de Hyll to answer to Marmaduke Exilby in
 plea of trespass. Order to distrain Marm. Exilby re John
 Harlow.
 " Mar. 2. Marmaduke Exelby offered himself *v.* John Hill—says
 that deft. cut down certain ashtrees on the Hill (*super le Hill*)
 upon the free land of the said plaintiff (*super terram liberam*
ipsius querentis) to his damage 20*s.* Deft. denies and prays
 enquiry. Plt. likewise. So &c.
 " March 2. Order to distrain Marm. Exelby re debt to Harlow.
 " March 23. Inquisition ordered between Exilby and Hill.
 " " " Order to distrain Exilby to answer to John Harlow
 and Joan his wife.
 1440—April 11. Inq. again ordered between Exilby and Hill.
 " May 4. Order to distrain Marm. Exilby to answer to John Hill.
 " " Ditto to answer to Harlowe.

¹ The earlier Court Rolls are said to have been destroyed by John de Lilbourne in 1317, but such memorials as to liberties, &c., as could be gathered from the

memories of men then living were collected and enrolled at a court held in 1367.

² Mowbray.

³ See Note 8.

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- 1440—May 25. Order to distrain Marm. Exilby to answer to Hyll.
 " " Ditto to answer to Harlowe.
 " " Order for Inq. next Court between Exilby and Hill.
 " June 15. Distrain Marmaduke Exilby to answer to John Hill—
 also to answer to John Harlow and Joan. Order for inq.
 Marmaduke Exilby and John de Hill to next Court.
 " July 6. Distrain Marmaduke Exilby to answer to John Hill
 (debt)—and also order for inq. Exilby and Hill.
 " July 27. Three cases Exilby.
 " Aug. 17. John de Hill offered himself against Marmaduke Ex-
 ilby to answer in plea of trespass, whereof he says that he
 cut down a tree called "Mappill" on the land of plaintiff in
 Skryven to his damage 6s. 8d. Inq. at next Court.
 " Sep. 7. Marmaduke Exilby foreman of jury in plea of land.
 " Hill *Plt.* Exilby *Deft.* To next Court.
 " Oct. 12. John del Hill *plt.* v. Marmaduke Exilby. Next Court.
 " Nov. 2. Case again postponed.
 1441—July 19. Marmaduke Exilby *Plt.* v. Hill. Case to next Court.
 " Oct. 11. Ditto. To next Court.
 " Oct. 16. Inquisition of 12 jurors of the borough of Knares-
 borough who say that Marmaduke Exilby incroached upon
 the waste of the Lord the King at Stokwell by estimation in
 width one ell, and in length 20 ells without license or yielding
 anything therefor to the King by the year.⁴
 1441-2—Jany. 17. Marmaduke Exilby, because he does not prosecute
 John Hill in plea of trespass, is amerced, and John de Hill,
 because he does not prosecute Marmaduke Exilby in plea of
 trespass is amerced.
 " March 7. John Harlowe and Joan his wife v. Marmaduke
 Exilby (debt).
 " March 21. Distrain Marmaduke Exilby to answer to John Har-
 lowe &c.
 1442—July 11. John Harlowe and Joan his wife, because they did not
 prosecute Marmaduke Exilby in plea of debt, are amerced.
 " Oct. 10. Marmaduke Exilby *gen.* pays 12d. for release of suit
 of Court.
 " Nov. 10. Marmaduke Exilby fined for default of suit.
 1444—Oct. 14. Marmaduke Exilbe, 8d. for release of suit to Michael-
 mas next.
 1445—Oct. 1. Inq. for borough of Knaresburgh. Also they say that
 the highway at the east end of the croft of Marmaduke Exilby
 is flooded for default of cleaning the ditch in the tenure of
 John Smith. Fine 4 pence.

⁴ See Court of Oct. 5, 1457, as to a obstruction there by William Exelby. See
 similar encroachment by Richard Exelby also order made on John Exelby at Court
 [Marmaduke's son]; and in 1496, as to of 4 April, 1532.

A.D.

1445—Oct. 13. Marmaduke Exilby pays 6d. for release of suit to Michaelmas next.

1446—Oct. 12. Ditto 8d. ditto.

1448—Oct. 9. Ditto 8d. ditto.

[1449—Oct. 22; 1450—Sep. 30; and 1451—Oct. 13. Michaelmas Courts; but no Exilby among fines for suit of Court.]
xij^d.

1452—Oct. 4. George Darell knight for lands in Knaresburgh [12d.] late of Marmaduke Exilby [and others]. All these before-mentioned fined for suit of Court up to the feast of St. Michael next to be, as appears upon their heads [i.e., the amounts placed over their names].

1453—Oct. 3. George Darell knt. 12d. release of suit.

1455—April 30. Order to distrain the Prior of Newburgh to answer to Richard Exilby in twenty pleas.

" May 21 etc. [The above entry repeated again and again.]

1456—Sep. 29. *Ibid*.

" Nov. 3. The case Exelby *v.* the Prior of Newburgh entered for inquisition.

" Dec. 15. Richard Exilby came into Court and did fealty to the Lord the King for divers lands and tenements which he claims to hold freely of the Lord the King by the services due and of right accustomed.⁵

[His suit against the Prior is entered under the former Court, viz.: Wednesday the Eve of St. Katherine Virgin 35 Hen. vi., i.e.: 24 Nov., 1456; and also in the above-named Court in which his fealty is entered.]

1456-7—March 23. Richard Exilby complains of Cicely late wife of Thomas Warrynge in four pleas of trespass.

1457—April 27. Richard Exilby essoined in suit *v.* Cicely Warynge.

" June 8. Richard Exilby offered himself against Cicely late wife of Thomas Warynge in a plea of trespass and whereof he says that she inclosed and occupied parcel of his freehold in Tentourgate within the township of Screvyn without license or taking, to the damage of himself the plaintiff, 20 shillings. And the deft. denies and prays that this may be inquired into. [A *postea* is here entered:—"nō p̄s q̄5 est lib̄m tēn" (i.e., the case went no further because the land was freehold). See Court of 10 May, 1458.]

" *Ibid*. The same Richard offered himself against the said Cicely in a plea of trespass; and whereof he says that against his will and without license she cut down thorns, ash-trees, oaks and other wood in Tenturcroftes to his damage 100 shillings. And deft. denies and prays that this be inquired into. [Again a *postea*:—"Guilt by the oath of 12 jurors and damages assessed at 8 pence. See Court of 10 May, 1458.]

⁵ This is a literal translation of the Latin. It does not appear *why* he made this claim, which was allowed. There is

no record of the result of his suit against the Prior.

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1457—*Ibid.* The same Richard offered himself against the said Cicely and whereof he says that she cut and carried away timber and stones out of his land in Tentourgate and a lock with a key of the goods and chattels of the said plt. without license, to his damage 20s. And deft. denies and prays that this be inquired into. [Verdict at Court of May 10, 1458.]

July 13. Order for Inq. between Richard Exelby and Cicely Warynge.

Oct. 5. Inq. by jury of 12 of the borough of Knaresborough who find that Richard Exilby incroached on the waste of the Lord the King at his land near Stokwell in width six feet and length 60 feet without fine or yielding anything therefor to the Lord the King by the year.⁶

1457-8—Jany. 11. Day given Inq. Exelby *v.* Warynge.

" Feb. 1. *Ibid.* Pain 6s. 8d. [Jury, probably.]

1458—Apl. 19. [Same finding as on Oct. 5, 1457, and described as "of the soil of the Lord the King at his land near Stokwellonyng" (width and length as above).]

May 10. Richard Exilby amerced because he did not prosecute Cicely late wife of Thomas Warynge in a plea of trespass because it is a freehold. Verdict: It is found by the oath of Robert Isacson and others, 12 jurors, who say that Cicely late wife of Thomas Warynge cut down thorns, ash-trees, young oaks and other wood upon the land of Richard Exilby in Tentourcroftes to the damage of the said Richard 8 pence. Also they say that the said Cicely late wife of Thomas Warynge took and carried away timber stones and a key of the said Richard Exilby out of his house in Tentourgate to the damage of the said Richard 20d. Therefore she is amerced [8 pence]. And the plaintiff recovers with damages taxed as above. [These are no doubt the grounds of the *postea* above entered under 8 June, 1457.]

Dec. 6. It is presented by Richard Exilby, deputy of Ralph Bekwith surveyor of the King's works [within the Lordship of Knaresborough] that the tenants of the town of Kelyngall, [Killinghall] who of right ought to carry timber to the Mill of Kelyngall, have not carried timber to the said Mill as they had been enjoined by pain of 6s. 8d. Therefore they are amerced. And a pain is put upon the said tenants that every one of them cause to be carried his share of timber to the said Mill before the next Court on pain of incurring every one in default a fine of 20s. to the Lord.

1462—June 23. Richard Exilby plt. *v.* Thomas Slyngesby gent. in plea of trespass. To next Court.

July 14. Thomas Slyngesby to answer Richard Exelby. Comes not. Amerced &c.

Aug. 4. *Idem.* Aug. 25. *Idem.* Sep. 15. *Idem.*

⁶ See Note 4.

A.D.

1462—Oct. 13. *Idem.*

" Nov. 3. Richard Exilby offered himself v. Thomas Slyngesby in plea of trespass. The deft. will not allow plaintiff's servants to get plaster upon the soil of the King called 'plaster-pitts' for building on his burgage at Knaresborough to the damage of plt. 10 shillings. The deft. comes and prays a day—granted—at next Court.

" Nov. 24. Day given to Thomas Slyngesby to answer to Richard Exilby at next Court on pain *etc.*

[In a fragment (or detached portion) of a Roll of 2 Edw. 4 the case Exilby v. Slyngesby is entered 15 Dec. 1462 and after, up to 16 March 1463.]

1463—April 6. Richard Exilby v. Tho. Slyngesby in *two* pleas of trespass. Day given—next Court. April 14. Plaint to next Court.

" April 14. Richard Exilby second (first, Godfrey Plompton esq.) on list of jurors for borough of Knaresborough.

" May 4. Order to distrain Thos. Slyngesby to answer to Richard Exilby.

" May 18. Plaint between Richard Exelby plt. and Thos. Slyngesby deft. to next Court.

" June 15. *Ibid* *ibid.*

" Sep. 30. Richard Exilby plt. v. John Garre (trespass).

" " " Suit between Ric. Exilby plt. and Tho. Slyngesby deft. (trespass.) To next Court.

" Oct. 26. Order to distrain John Garre to answer Richard Exilby at next Court.

" " Suit between Exilby and Selyngesby to next Court.

" Nov. 30. Order to distrain John Garre to answer to Ric. Exilby. Next Court.

" Dec. 21. Richard Exilby offered himself against John Garre that he unjustly pulled down a hedge and ditch by the plaintiff put on his own ground for protection of his corn at Begyngbargh near Wollefesch to the damage of said plaintiff two shillings. And deft. denies and puts himself upon the country.

" *Ibid.* Ric. Exilby plt. v. Thos. Selyngesby deft. To next Court.

1463-4—Jany. 11. Order for Inquisition between Exilby and Garre.

" " " Richard Exilby v. Thos. Selyngesby to next Court.

" Feb. 1. Order again Exelby and Garre.

" " 22. John Garre by jury of twelve found guilty of trespass against Ric. Exilby, as alleged by plt.

1464—May 2. Richard Exilby plt. v. John Garre in a plea of trespass [new case]. To next Court.

[These two cases, Exilby v. Slyngesby and Exilby v. Garre entered in Court after Court and postponed.]

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1464—July 4. Richard Exilby *v.* John Garre. That said John on Tuesday the feast of S. Mary Magdalen 4 Edw. 4 (*sic*) at Bygyngarth a quickset hedge broke and took away—damage 16d. John says, no trespass because he and all the King's tenants of bondhold ought to have a common way. And this he is ready &c. Plt. likewise. Jury.

Aug. 29. Order for jury in Exilby *v.* Garre at next Court.

Oct. 3. George Darell knt. for lands of Exilby for the same [i.e., for suit of Court, but no sum entered].

Dec. 5. Order for jury in Exilby *v.* Selyngesby at next Court.

1465—Sep. 30. Agnes Chasse received one "linthiañ" feloniously stolen from the goods and chattels of Richard Exilby price 20 pence.

[She fled, as by an entry over her name, "fuḡ fec^t."]

1469—Oct. 2. Tenants of the lands of Richard Exilby ("Teñ tñ Rič Exelby") owe suit to this Court and come not. Amerced 8d.

1470—July 11. Richard Dawson surrendered two acres of land with appurts of demesne lands in the fields of Feryngsby to the use of William Exilbe son of Richard Exilbe his heirs and assigns according to the custom of the Manor. Hereupon said William admitted and paid fine, 12 pence, on entry.

[*Same date.*] Richard Exilbe died, who held of the King nine acres of land in Belforth⁷ with a waste in Knarisburgh^t; after whose death came William Exilbe, as the son and next-of-kin and heir of said Richard, and took of the King the aforesaid 9 acres of land with the said waste. To hold to him his heirs and assigns according to the custom of the Manor. and he gives to the King in the name of his relief twelve shillings.

1482—April 4. John Harlow, who held of the King according to the custom of the Manor 3½ roods of demesne lands in Garker within the fields of Knaresburgh, died; after whose death came Thomas Exilbe as next-of-kin and heir of said John, and took of the King &c. And he gives relief.⁸

1484—Oct. 6. William Exilbe 12d. for default of suit of Court.

1488—Apl. 23. William Exilbe fined 8d. for default of suit of Court.

" Oct. 1. William Exilbe 8d. for suit of Court.

⁷ Subsequently called Wellford. See May 25, 1551.

⁸ The degree of relationship of this Thomas to the Harlows has not been discovered: it seems most probable that he was a nephew—the son of a sister of John Harlow. John Harlow and Joan his wife are found mentioned on the Court rolls as early as 1439 (*q. v.*), when they appear in a plea of debt against Marmaduke Exelby. On the 2nd Aug., 1447, Joan Flecher, late wife of Thomas Flecher, in her widowhood

surrendered a waste near the Watermill of Knaresborough. To the use of John Harlowe, who is thereupon admitted. Fine 4 pence. He does not appear to have held this land at the date of his death. The above-mentioned land (3½ roods) was acquired by him on 23 Jan., 1453-4, when John Pykering surrendered 3½ roods of demesne lands in Garker within . . . of Knaresborough. To the use of John Harlowe and Joan his wife.

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1489-90—March 3. William Exilbe deft. in plea of debt (to Richard Vrrre) does not come, and is therefore amerced.

" March 24. William Exilbe deft. (as above) again amerced.

The parties agreed, and so an end of the case.

1498-4—Feb. 19. William Exilby plt. in a plea of trespass v. Richard Strakour deft.

1496—Apl. 29. [Inq. taken at Knaresburgh.] Also they [the Jury] say that in "Stokewell layne" by default of William Exilby the common way is obstructed to the annoyance of the Lord's tenants. Therefore the bailiff is ordered to summon him to cause the same to be amended on paid of 3 shillings before the feast abovesaid [St. John Baptist's day].

1518—Oct. 27; 1518-19—Feb. 16; 1519—May 25, and other Courts up to Sept. 21. Tenants of the lands of William Exilby (Tr Tenent WiHi Exelby) among the free tenants, who hold of the King as of the Honor, Castle, or Manor of Knar; by suit of Court from 3 weeks to 3 weeks (and other services) and made default of suit for which 2d. fine was imposed.

1519—Oct. 19. John Exilby free tenant paid 6d. for release of suit up Michaelmas next.

1520—Oct. 1. John Exilby gen. *primus* of jurors for the borough of Knaresburgh.

1521—Apl. 17. John Exilby gen. on jury for liberty of Knaresburgh in plea of land.

" May 15. Jury stood over to another Court for default of John Exilby and 3 others who were fined 12d. each.

" June 26. John Exilby fined for not prosecuting suit v. John Mathoo (detinue).

" Oct. 9. John Exilby gen. paid 6d. for release of suit.

1522—Oct. 8. John Exilby paid 6d. for release of suit.

" Oct. 9. John Exilby gen. *primus* of jury for boro' of Knaresburgh.

1523—Oct. 14. John Exilby gen. paid 6d. for release of suit.

1524—Sept. 28. John Exilby gen. paid 6d. ditto.

1525—Oct. 18. John Exilby fined 4d. for default of suit of Court [and the same at every succeeding Court including that of 5 Sep. 18 Henry 8].

1526—Sep. 26. John Exilby 6d. for release of suit.

1527—Oct. 2. John Exilby 6d. ditto.

1528—Oct. 14. Ditto.

1529—Oct. 13. Ditto.

1530—Oct. 19. Ditto.

1531—Oct. 4. Ditto.

1532—Apl. 4. John Byrmand esq. John Pulleyne and John Exylby shall well and sufficiently make the way passing from Stokewell up to Hay park before 24 June next on pain of 20 shillings.

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- 1532—Oct. 3. John Exylby with John Byrnannd esq. and John Pulleyne gent. under pain of 20s. put upon them were to make a way from Stokwell to Haye park before Midsummer. [Byrnannd and Pulleyne object. No answer apparently from Exelby.]
- " Oct. 23. John Exylby paid 6d. for release of suit.
- 1533—Oct. 3. John Exylby gent. second (first Ric. Aldburgh esq.) of jury in view of the liberty of Aldburgh holden at Boro' bridge.
- " Oct. 29. John Exilbe 6d. for release of suit.
- 1534—Sep. 29. John Exylby 6d. release of suit—Knaresborough.
- 1535—Apl. 22. John Exilby gent. foreman of jury—Knaresboro'.
- " Sep. 30. John Exylby gent. *primus* of jury for the borough of Knaresboro'. (The next is Peter Knaresburgh gent.)
- " Nov. 10. John Exylby 6d. release of suit.
- 1536—Oct. 5. John Exilby gent. foreman of jury Knaresborough. (The next is Peter Knaresborough gent.)
- 1536-7—Feb. 7. John Exilby amerced for licence of concord in plea of trespass.
- 1537—Apl. 5. John Exilby gent. foreman of jury.
- " Sep. 12. John Exylby 6d. release of suit.
- " Oct. 4. John Exilby foreman of jury for boro' of Knaresboro'. (Turn.)
- 1538—Apl. 25. John Exilbye gent. 6d. release of suit.
- " John Exilbye gent. foreman of jury for boro' of Knaresboro'.
- 1539—Oct. 1. Ditto. (Turn.)
- " Oct. 10. [John] Exylbye gent. 6d. release of suit.
- 1540—Apl. 10. John Exilbye gent. foreman of jury for boro' of Knaresboro'.
- " Oct. 7. John Exilbye foreman of jury for boro' of Knaresboro'. (Turn.)
- " Oct. 8. John Exilbye foreman of jury for view of liberty of Aldburgh holden at Boro' bridge.
- " Oct. 13. John Exilbye gent. 6d. release of suit—Knaresboro'.
- " Oct. 16. John Exilbye paid 4d. for release of suit to the Manor of Aldeburgh at the Court holden at Boro'bridge.
- 1541—Oct. 13. John Exylbye gent. 6d. release of suit—Knaresboro'.
- " Oct. 15. John Exilbye paid 4d. for release of suit to Manor of Aldburgh—Court held at Boro' bridge.
- 1542—Apl. 25. John Exilbye gent. (preceded by Walter Pulleyne *an*) on jury for boro' of Knaresboro'. (Turn.)
- " Oct. 4. John Exilbye gent. foreman of jury boro' Knaresboro'. (Turn.)
- " Oct. 10. John Exilbye gent. 6d. release of suit.
- " —13. John Exilbye paid 4d. for release of suit to Manor of Aldeburgh—Court at Boro'bridge.

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1543—Oct. 3. John Exilbye gent. (preceded by Robert Plompton) juror for boro'.

" Oct. 11. John Exilbye gent. 6d. release of suit.

At the same Court Lord Dacre of the South paid 3s. 4d.; Sir Wm. Gascoigne 3s. 4d.; Sir Brian Stapleton 3s. 4d.; heirs of land of Peter Compton esq. 3s. 4d.; Robert Roos esq. 3s. 4d.; Thomas Mauleverer esq. 6d.; John Swaill esq. 6d.; John Birnande esq.; Henry Arthyngtone esq. 6d.; Robert Percy esq. 4d.; John Exilbye gent. 6d.; Peter Knaresburgh gent. 6d. &c.

Explanation of Suit of Court and release therefrom. These free tenants hold lands and tenements of the King by Knights' service, and other services, as of the Honour, Manor, or Castle of Knaresburgh, parcel of his Duchy of Lancaster; for which they owe suit to this Court, and so from Court to Court, viz. from 3 weeks to 3 weeks. And now at this Court [11 Oct. 35 Hen. viii. 1543] they have come hither by themselves or by their attorneys and have fined with the Lord the King for suit of Court to them released, viz. from the feast of S. Michael last past (29 Sep. 1543) up to the same feast then next ensuing; and it is granted. Unless any Writ or plea in the meantime intervene, on account of which their presence shall be necessary and opportune.

1543—Oct. 14. John Exilbye in right of his wife paid 4d. for release of suit to the Manor of Aldeburgh at the Court holden at Boroughbridge.

1544—Oct. 2. John Exilbye foreman of jury for boro' Knaresboro'. (Turn.)

" Oct. 11. John Exilbye gent. pays 4d. release of suit—Aldburgh.

" Oct. 30. Richard Exilbye and Agnes his wife, executors of the will of Thomas Waide late of Spofforde chaplain, distrained to answer to Thomas Howdayne of a plea &c.⁹ Now they come and pray a hearing of declaration that on 25 June 28 Hen. viii. (1536) at Knaresboro' and Feryngesbye and divers other days before and after one Thomas Waide chaplain received by the hands of Joan wife of Thomas Howdayne and Reginald Howdayne son of Thomas £7 19 9 in ready money to keep and render account. Testator made his will and appointed said Agnes executrix and after died at Spofforde [Oct. 10] 35th year. He being dead, plaintiff prayed for account, which, though often requested, the defendants have refused and still refuse. Defts. pray license to imparl at next Court. Day given &c.

⁹ Will of Thomas Wade, of Spofforth, priest, 1544. To be buried in the Churchyard of Allhallows, Spofforth. To Agnes Waide, my sister, all my goods—and she executrix. Witnesses: William Rumbalde, priest, and Richard Bateson, priest. Proved 10 Sep., 1544, by Alice Waide. (York Wills, vol. 11, p. 768.)

He was very probably of the blood of Thomas Wade, of Knaresborough, yeoman, a zealous Yorkist, convicted of treason, as an adherent of the Earl of Lincoln, on the 4th June, 1478, and attainted 19 Hen. vii., 1503. (Rot. Parl. vi. 545.)

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- 1544—Dec. 24. Richard Exilbye and Agnes his wife, defendants, by Richard Exilbye appear. Declaration again set out. Tho. Waide late of Spofforde chaplain died 10 Oct. 36 Hen. 8 (1544) [Before said to have died in 35th year] at Spofforde having made his will, appointing Agnes executrix. Money £7 19 8 (before £7 19 9) handed over 25 June 22 Hen. 8 (1530) at Knaresboro'. To next Court. Day given &c.
- 1544-5—Jany. 14. Richard Exilbye and Agnes had a day &c. Now they come and say that they do not owe £7 19 8 or any money &c. Bailiff ordered to summon jury. [No more appears of this case.]
- 1545—Apl. 10. John Exilbye the elder gent. and Peter Knaresburghte of Kelynghall gent. (with others) impanelled on a certain Inquisition did not appear but made default. Therefore amerced (each) 4 pence.
- " Aug. 3. John Exilbye gent. foreman of the jurors, among whom is Richard Exylbye of Bondend [keeping cattle &c.].
- " Oct. 7. John Exilbye 4d. release of suit (Aldburgh).
- " Oct. 14. John Exilbye gent. 6d. release of suit (Knaresboro').
- 1546—Aug. 25. Richard Exilbye juror (*detinue*).
- " Sep. 15. Richard Exilbye juror [minor offences].
- " Oct. 9. John Exilbye 6d. release of suit (Knaresboro').
- " Oct. 16. John Exilbye gent. 4d. release of suit (Aldburgh).
- 1547—June 29. Richard Exilbye juror [plea of debt].
- " " " Plaintiff entered—Robt. Coke *v.* Ric. Exilbye.
- " Aug. 31. Richard Exilbye had day up to this Court to answer to Robert Coke in a plea of trespass. Now, he (*i.e.* Exilbye) comes and pleads not guilty. Grave of the forest to make come 12 &c.
- 1547-8—Jany. 30. John Exilbye gent. *primus* of the jurors to inquire after the death of Edmund Osborne of Knaresboro'. Nicholas Osborne of London son of Thomas Osborne is cousin and heir of Edmund. As he (Nicholas) does not come to claim the lands, the Bailiff to seize them into the King's hand.
- 1549—July 3. Richard Exilbye *primus* of jurors in a plea of trespass.
- 1550—Sep. 17. John Exilbye of Plompton gent. *Plt.* in plea on the case, and also in plea of debt *v.* the executors of the will of Wm. Whincoppe of Knaresboro' deceased.
- 1551—May 25. John Exilbye late of Knaresboro', the elder, gentleman who held of the King according to the custom of the manor, two closes of land and meadow called Wellford closes otherwise Lambert flatte (9 acres) lying in the fields of Knaresboro' closed his last day; after whose death came Thomas Exilbye of Balderbye the elder as son and next heir of said John and took the same etc. To hold to him his heirs and assigns by

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18s. yearly rent, fealty and suit of Court—Fine 9s. He also held according to the custom of the manor two acres of land in Feryngesbye on Newlands, to which Tho. Exilbye the elder, as son and heir of the said John, was admitted on payment of relief (2s.). The same John Exilbye the elder held in free socage a capital messuage and 12 acres of land and meadow in Knaresboro' and Scriven by 2s. 6½d. yearly rent and by fealty and suit of Court. After his death Thomas Exelby of Balderbye the elder gent. admitted as his son and heir, thereto, paying relief 2s. 6½d. The same John held also in free socage two messuages lying in Tentergaite in the township of Scriven, and 2 acres of land and meadow (lying together and adjoining to the same messuages) called Tentergaite close, and also a close of land and meadow called Byardcrofte (4 acres). Tho. Exilbye, the elder, gent., his son and heir, admitted thereto, paying relief 20d. a year's rent of the premises, which are held by such service of rent, fealty and suit of Court.

1551—May 25. Thomas Exilbye gent. and Oswald Robson summoned to answer to John Burrell in plea "*captionis et injuste detentaveriorum*." Now Thomas Exilbye and Oswald Robson come and pray license to imparl at the next Court.

June 17. Thomas Knolles of Harogaite surrendered one waste builded in Tentergaite within the township of Screvyng abutting on Frogmyer Dike (now occupied by James Fuysdaille) with appurts. To the use of Richard Exilbye of Bondend his heirs and assigns. Hereupon Richard came &c. Fine for entry 12d.

1556—Sep. 23. Thomas Exilbye of Balderbye gent. the elder surrendered one close of land and meadow in Tentergaite, one garden called a "hempgarthe," two cottages and one acre of land and meadow there. To the use of Marmaduke Coghill of Knaresburgh, his heirs and assigns. Said Marmaduke admitted tenant thereof.

1557—June 8. Marmaduke Coghill license to inrol deed [here at length] of Thomas Exilbye of Bawderbye *gen.* and Elizabeth his wife, by which they gave to Marmaduke Coghill of Knaresborough *gen.* one messuage, one cottage in Tentergaite, also 2½ acres of land enclosed there. To have *etc.* for ever, with warranty. Deed of Marmaduke Coghill giving to Thomas Exilbye aforesaid 2 burgages or tenements two yards (*orta*) and two gardens (*gardina*) with appurts in Knaresborough. To have the same to the sole and proper use of the said Thomas his heirs and assigns for ever, with warranty. Thomas Exelby and Elizabeth made John Barobe and Christopher Gybsone, of Knaresborough, their attorneys to enter &c. Dated 7 Decr 2 & 3 Ph. & Mary (1555).

1559—Nov. 11. James Exilbye deft. in plea of debt to Thomas Hill of Bondend in Tentergate. To next Court.

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1559—Dec. 9. James Exilbye¹⁰ of Norton-in-le-Claye amerced, having agreed with Tho: Hill of Tentergait in plea of debt.

1560-1—March 21. John Birnand of Knaresborough esq. and Robert Birnand his son and heir apparent surrendered one messuage or waste builded in the town of Knaresborough; in a lane, called 'Norwood-hilloyne' (now in the tenure of John Ward). To the use of Richard Exilbie of Tentergait glover, his heirs and assigns for ever. Yielding yearly 6 pence to the Queen and her successors at the usual terms by even portions. Hereupon Richard Exelbie admitted. Fine 8*d*.

Richard Exilbie without the Court surrendered one waste builded and a garden to the same adjoining [as above in said lane] and abutting on the land of John Burrell on one side and a lane called 'Vicarage loyne' on the other side (now in the tenure of John Ward). To the use of John Ward and Joan his wife and their assigns for five years after date; without rent or paying farm. And after the said term fully ended to the use of the said John and Joan for their lives and the life of the survivor. Yielding yearly 3*s*. rent at Michaelmas only according to the tenor of certain Indentures made between the said Richard Exilbie of one part and the said John and Joan his wife of the other part, dated 8 April 2 Eliz. (1560). Hereupon &c.

1570—Sep. 20. Thomas Exilbie the elder and Thomas Exilbie the younger (son and heir apparent of Thomas the elder) surrendered 3 roods of lands and meadow with appurts in the Hirst in fields of Knaresborough (now occupied by Thomas Shires) abutting on land of Francis Burnande on S.; on N. on Carmyre-laine; on East upon the Hirst; and on West on land of John Slatre with all appurts. To use of John Busbie of Knaresborough merchant, his heirs and assigns for ever. Hereupon John Busbie admitted &c.

1572—Aug. 27. William Coghill who held of the Queen one cottage in Tentergait in tenure of Richard Exilbye had died. Thomas Coghill brother and heir.

" Sep. 17. Thomas Coghill of Tentergait *gen.* surrendered one cottage with appurts in Tentergait now in the tenure of Richard Exilbie. To the use of said Richard Exilbye, his heirs and assigns for ever. Hereupon Richard Exelby is admitted.

¹⁰ This James Exelby was of Norton-le-Clay, in the parish of Cundall; and from the Richmond Archdeaconry Calendar of Wills it appears that he died about 1591. His will cannot now be found. In 1567 he obtained a lease from the Crown, for 21 years from Lady day of that year, of lands and tenements in Topcliffe, then or late in the tenure of Thomas Collier (whose rent was 7*s*. 2*d*.), and of land and

tenements in Norton-le-Clay, then or late in the tenure of Agnes Exelby (rent 34*s*. 10½*d*.), both these holdings being part of the endowments of the dissolved Chantry of S. Lawrence, at Middleton Quernhow, in the parish of Wath. (Augmentation office—Particulars for leases co. York. Eliz., Roll 7, p. 15.) The lease was dated 7 May, 9 Eliz. (1567.) (Enrolment of Leases, Roll 10, No. 4.)

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- 1572-3—March 12. Thomas Exilby “generosus” mentioned as having land in the town of Knareborough bounding with other a certain parcel surrendered by Thomas Coghill of Knareboro’ son and heir of Marmaduke Coghill.
- 1573—Oct. 29. Thomas Exilbie gen. among the free tenants of the Queen fined for not paying suit of Court as bound by tenure.
- 1574-5—Jany. 12. William Lowys of Knareborough “coverlett webster” surrendered without the Court 2 selions of land on one furlong lying in the fields of Scriving, commonly called Oversnifalles otherwise Empringaites (containing half an acre of bondhold land) now in the occupation of Richard Exilbie; To the use of the said Richard Exilbie of Tentergait ‘chapman’ his heirs and assigns for ever.
- 1575—Sep. 7. Richard Exilbie of Tentergait glover surrendered one messuage in the town of Knareborough in a lane called ‘Wormewodhill lone’ (now in the tenure of Joan Ward widow). To the use of Reginald Mayson of Knareborough sadler and Anne his wife their heirs and assigns for ever.
- Oct. 11. Richard Exilbie of Tentergait chapman without the Court surrendered the reversion of a messuage with barn, and also of a parcel of land abutting on four stones called ‘mearstones,’ lying and being in Tentergait aforesaid, within the town of Scriving (now in his own tenure and occupation), after death of himself; To the use of Richard Nicolson and Alice his wife for their lives and the life of the survivor, yielding to his heirs and assigns 12s. 6d. at Whitsuntide and Martinmas equally, and also yearly to the Queen four pence at usual terms &c.
- 1576—June 27. Richard Exilbie’s lands mentioned in surrender by John Dearlove of Knareborough, Alice his wife and John Barrowbie of Knareborough (in Tentergait). To Wm. Dowgill of Pannal the elder—and Ric. Exilbie again mentioned in the next surrender by Wm. Dowgill to Ric. Kighley.
- 1577—Oct. 13. Thomas Exilbie gent. 6d. for release of suit of Court (Knareburgh).
- 1578—July 2. Richard Exilbie, juror in a plea of land between Walter Knareburgh plt. and Thomas Coghill deft. Verdict for deft.
- 1579—Oct. 21. Thomas Exilbie gent. among the free tenants.
- 1580—Oct. 25. Ibid.
- 1582—Apl. 4. Richard Exilbie of Tentergait without the Court surrendered a parcel of waste with a house and barn thereon built and a garden, as in length 90 ells (*ulnas*) and width 15 ells, being in Tentergait aforesaid and in his own (Ric.) tenure or occupation, after his death to the use of Robert (son and heir of said Rich^d) Exilbie his heirs and assigns for ever.
- Oct. 16. Thomas Exilbie gent. fined for not paying suit of Court for the year ended Michaelmas last (1582).

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- 1588—Oct. 2. Thomas Exilbie of Knaresborough gent. surrendered the reversion of 14 acres (whereof 9 acres are in 2 closes on the Wilford flatt in the fields of Knaresborough and another close at Gudwillsike containing 3 acres of meadow in the fields of Knaresborough) of land and meadow and of one waste in the fields of Knaresborough and Scriven and Ferinsbie after the death of himself To the use of Joan (Johanne) one of the daughters of Thomas Exilbie of Disford his heirs and assigns for ever. (See 1584-5—March 3.)
- 1584—Oct. 28. Thomas Exilbie gent. free tenant.
- 1584-5—Mar. 3. Joan Exilbie one of the daughters of Thomas Exilbie of Disfurth co. York gent. surrendered 14 acres of land and meadow and one waste &c. [as above] To the use of Peter Benson of Knaresborough his heirs and assigns for ever.
- 1588—Dec. 11. Richard Exilbie of Tentergait within the town of Scriven, glover, surrendered a parcel of one waste builded in Tentergait now in the tenure or occupation of Thomas Exilbie younger son of the said Richard. To the use of the said Thomas Exilbie his heirs and assigns for ever.
- 1591—Dec. 8. William Exilbye plt. v. Ambrose Jackson (plea of debt).
- 1593-4—Feb. 20. Robert Exilbye late of Tentergait deceased, who held of the Queen according to the custom of the Manor a parcel of waste with a house and barn thereon built and a garden 30 ells long and 15 ells wide in Tentergait aforesaid, now in the tenure of Thomas Exilbye, died; after whose death came the said Thomas Exilbye as brother and next heir of Robert and took &c.
- 1598—Nov. 29. Thomas Exilbye. His land is mentioned as bounding a messuage and garden surrendered by Ric. Kygheley of Tentergaite to the use of his son John Kygheley.
- 1600-1—Jany. 14. Thomas Exilbie plt. v. Francis Crumocke (debt).
- 1601—Nov. 18. Thomas Exilbye plt. v. John Frankland (trespass).
- 1602—Aug. 18. Thomas Exilbye plt. v. W^m. Wilkes (trespass).
- 1603—Aug. 17. Francis Lyster surrendered one acre of arable land in Screving (now in his own tenure and occupation) To the use of Thomas Exilbie and his assigns for ten years from Martinmas next (11 Nov. 1603) according to the custom &c.
- 1604—April 11. William Bullock and Anne his wife (she sole examined) surrendered two closes of land and meadow in Pellwell (8 acres) within the Lordship of Knaresborough, and now in the occupation of Thomas Exilbye; To the use of the said Thomas Exilbye his executors and assigns from Ladyday last (25 March 1604) for the lives of the said William and Anne and the survivor. Yielding yearly to Sir Henry Slingsbie knt., his heirs and assigns 40s. 10d. at the usual feasts.
- 1605—May 22. Thomas Exilbie of Tentergate glover surrendered one waste builded with all buildings thereon and an orchard adjoining, situate in Tentergate within the town of Screving,

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between;—W. land of Robert Clerke; S. land of John Kighley and Tho. Suresbie; E. the Hie street; and N. the highway called Tentergate and Froggmyre Dyke (which said waste is now in the tenure of the said Thomas Exilbie); To the use of Wm. Benson and Mary his wife, his heirs and assigns for ever.

1608—Nov. 2. Richard Andrew the elder of Screvin and Thomas Roundell of the same yeoman surrendered one waste or tenement builded with garden thereto belonging and adjoining, lying and being in Tentergate within the town of Screvin, abutting on a parcel of meadow of Rich^d. Andrew the younger, and now in the tenure of Thomas Exilbye. To the use of the said Thomas Exilbie, his heirs and assigns for ever according to the custom &c.

1612—Aug. 26. Thomas Exilbie deft. in plea of debt to Marmaduke Roundell of £6 6s. 2d.

„ Dec. 9. Thomas Exilbie of Tentergait glover surrendered one waste or tenement builded with a garden thereto belonging and adjoining lying and being in Tentergait within the town of Screvin abutting on parcel of meadow of Richard Andrew the younger and now in the tenure of said Tho. Exilbie. To the use of Edward Oram of Feringsbie his heirs and assigns for ever &c.

1616—Nov. 6. Edward Oram of Feringsbie surrendered one waste builded and a garden with buildings thereon lying and being in Tentergait within the township of Screvinge now in the tenure or occupation of Thomas Exilbie. To the use of Marmaduke Exilbie son of Thomas his heirs and assigns for ever &c.

1617-18—Jany. 14. Marmaduke Exilbie one of the two customary tenants in whose presence a surrender was made.

1634—July 30. James Pickeringe of Goulsborough and John Busbie of Knaresborough surrendered 3 roods of land and meadow in one close called 'Hirst close' *alias* 'Carlmier close' in the fields of Knaresborough and Scriven, formerly the land of Thomas Exilbie deceased (now occupied by the said John Busbie). To the use of Robert Roundell of Scriven, his heirs and assigns for ever.

1634-5—Jany. 14. Elizabeth Ray, widow (of Christopher Ray) of Knaresborough surrendered one waste builded with a garden situate in Knaresborough abutting on the Nidd on S., on land of John Warryner on E., on land of Marmaduke Exilbie on W., and on highway leading to Knaresborough Mill on N. To the use of the said John Warryner his heirs &c.

1637—Oct. 19. Marmaduke Exilbie on jury for boro' of Knaresborough.

1646—June 3. Edward Exelby without the Court surrendered all that waste builded with appurtenances and also a garden to the same adjoining lying and being in Knaresborough abutting on the river Nyd (late the land of Marmaduke Exelby (father

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of the said Edward) deceased, and now in the occupation of himself (Edward) or his assigns). To the use of William Exelby *patruus* of the said Edward his heirs and assigns for ever.¹¹

* * * At Sheriff's Turn Thursday 15 Oct. 1646 mention of a surrender entered on a Roll not now to be found. Said surrender dated 1 April 1642. Similar reference to a surrender in and about the month of June 1641.

1646—Oct. 7. Marmaduke Roundell of Scriven, yeoman, surrendered bondhold land in Scriven. To the use of Thomas Fountaine of Leeds 'Joyner' and William Exelbie of Knaresborough 'felmonger.' (*Vide* surrender Oct. 13 1653—Fountaines and Exelby to Henry Roundell.)

1647—May 5. Anne Exilbie, widow, without the Court surrendered one waste builded with garden to the same situate within the borough of Knaresborough in a street called 'Kirkgate' or 'Vickeridge layne' and now in the occupation of herself or her assigns, after her own death, To the use of Alice Exelbie, Thomas Exelby, Symon Exelby and Anne Exelbie, sons and daughters of the said Anne Exelby, their heirs and assigns for ever according to the custom of the Manor.

July 7. John Roundell of the Bondend and John Cundall of Knaresborough surrendered one close of land and meadow called the 'Bigginbarke' (two acres, more or less) situate in the fields of Knaresborough and Scriven (now in the occupation of the said John Roundell) To the use of William Exelby his heirs and assigns for ever.

1652—June 16. John Roundell of Tentergate yeoman and William Exelby of Knaresborough surrendered one close of land and meadow (two acres) in the fields and territories of Knaresborough and Scriven being 'demayne lands.' To the use of John Roundell of Knaresborough draper his heirs and assigns &c.

1653—Oct. 13. Thomas Fountaines of Leeds, 'joyner' and William Exelby of Knaresborough 'felmonger' surrendered one close of bondhold land called "Crabtrees" containing 4 acres of land and meadow with appurtenance, within the fields of Knaresborough and Scriven (now in the tenure or occupation of Henry Roundell of Scriven) To the use of the said Henry Roundell his heirs &c.

* * * By the previous entry Henry Roundell surrendered the same 'close of bondhold land' (4 acres) to the use of Thomas Hutton of Allerton Mauleverer gent. his heirs &c. for ever. *Vide* surrender Oct. 7 1646 by Marmaduke Roundell to Fountain and Exelby.

¹¹ This is the last mention we find of Edward Exelby on the rolls. There would appear to be little doubt from the following entries that he had migrated to Leeds and married soon after the death of his father Marmaduke:—

"Edward Exelby and Isabel Watson, of Woodhouse, married 5 March, 1643.
"William, child of Edward Exelby, of Woodhouse, baptised 18 Jan'y., 1645."
(Leeds Parish Register.)

We hope to gather more about this line.

A.D.

1657-8—Feb. 3. William Exelbie surrendered 'one waste builded one garth one gardine and lyme pits' with all the buildings thereon, situate at Sand bedd end within the township of Knaresborough (now in the tenure or occupation of Matthew Plomley or assigns) To the use of Francis Hill of the Bond end fellmonger his heirs and assigns for ever &c.

1663—Oct. 1. William Exelbie one of the jurors in boro' of Knaresborough.

1664—Apl. 28. Ibid.

1668—March 27. Ibid.

" Dec. 23. William Exilbie lying on his death bed surrendered by the hands of Simon Warriner and Francis Kerbie, two customary tenants of the Manor, one waste, one yard, one garden and one barn, with all buildings and their appurtenances lying and being within the town of Knaresborough in a certain place there called the "Watterside" as now in the tenure or occupation of the said W^m. Exelby or his assigns, after his own death To the use of Elizabeth his wife her heirs and assigns for ever.

1668-9—Feb. 3. William Exelbie of Knaresborough and Elizabeth his wife (she alone and privately examined) surrendered the reversion of one waste one barn and one garden with appurtenances situate in Knaresborough as they are now in the occupation of the said W^m. Exelbie, after the death of the said William and Elizabeth. To the use of Robert Hardcastle and Magdalen his wife their heirs and assigns for ever &c. And hereupon came the said Robert &c. and did fealty.¹²

1672—May 2. Robert Eslebie of Thurscrosse amerced in two pence (with a multitude of others) for having a cottage built on the Lord's waste, and paying no rent for it.

1675—Aug. 11. John Daniell and Elizabeth Exelbie widow surrendered one waste builded and one barn with all buildings and appurtenances lying and being within the borough of Knaresborough near the river Nidd now in the occupation of the said John Daniell To the use of Henry Claxton, his heirs and assigns for ever &c. who comes and is admitted tenant.

1684—Oct. 23. Robert Esleby (among those amerced for cottages built on the waste without payment of rent) four pence.

1689—Oct. 24 and at each October Court until 1695. Robert Exelby amerced for cottage and again in Oct. 1700.

1694—May 3. Marmaduke Exelby late of Knaresborough who held according to custom of the Manor one waste builded lying and being in a street called 'Kirk lane' in Knaresborough,

¹² After this the name of Wm. Exilby is not found on the rolls (he died in March, 1668-9); but that of Hardcastle, who had married his daughter Magdalen, appears among the jurors for Knaresborough.

died; ¹³ after whose death came Anne (wife of George) West, next heir of the said Marmaduke and took the premises to hold to her and to her heirs &c.

The extracts from these rolls were made by Mr. J. A. C. Vincent, with, it need scarcely be said, his usual care.

Gift of Goods by Elizabeth Exilby, of Sessay, late deceased, dated A.D. 1445.

(Translation.)

To all who this writing shall see or hear, Elizabeth Exilby, of Sessay, greeting in the Lord everlasting, Know that I have given, granted, and by this my present writing have confirmed to William Exilby, monk of Byland, John Kepyk, of Sessay, and John Marton, of Sessay, all my goods and chattels moveable and unmoveable, as well live as dead, of whatsoever kind they be, and wheresoever they shall be found, together with all my debts which are owing to me in anywise; so that it shall be fully lawful for the aforesaid John Kepyk and John Sessay (*sic*) all the aforesaid goods and chattels, together with all the debts aforesaid, to give, bequeath, sell and assign to whomsoever they will, and of the same, at their will and pleasure, freely to dispose and ordain without challenge, hindrance or disturbance of me the said Elizabeth my heirs or executors, or others whomsoever in my name in time to come. In witness whereof to this my present writing I have set my seal. These being witnesses: William Evers, Edmund Hastings, knights; Thomas Gower, Laurence Baxby, William Barry, esquires, and others. Given the 8th day of April in the 23rd year of the reign of King Henry the Sixth, after the Conquest of England. [1445.]

IN THE NAME OF GOD, AMEN. Proofs being admitted upon the making of the donation to these presents annexed, before us the Lord's official at the Court of York, the Commissary General, whereas we have found the said donation rightly made, and not otherwise conceived to defraud the Church or the creditors of Elizabeth Exilby, late of Sessay, deceased, therefore we do pronounce the said donation the proper and last will of the said Elizabeth by the tenor of these presents lawfully

¹³ This entry suggests several points for consideration. Marmaduke Exelby died in 1643, and in 1647 his widow Ann (*née* Yeadon) surrendered this property *after her death* to the use of her children, Alice, Thomas, Simon, and Ann. It seems, therefore, that the widow lived on until 1694, and survived all her children except the youngest, Ann, who had married George West. No record of her death, nor of the deaths of her children, appears in the registers, which, however, were not well kept during this period. It may be,

however, that shortly after her husband's death she removed from Knaresborough, but it will be seen that her daughter Ann was married there in 1672. It should be observed that Ann takes the property as heir to Marmaduke. The notes on the Yeadon family should not be overlooked. We leave these old rolls with the feeling that a more perfect comprehension of them, and of the customs of the Manor, might clear up several points which are now obscure.

proved, freely granting to William Exilby monk of Byland, in the said donation named, administration of the goods of the said deceased being within our jurisdiction, with the charge of paying the debts of the said deceased, in which while she lived and at the time of her death she was effectually bound, and other charges which of right are required in this case to be supported and undergone. Given at York the 8th day of January in the year of the Lord 1449. (York Wills.)

Will of John Exylby, A.D. 1471,¹⁴
Chaplain and Perpetual Vicar of the Prebend of Thorpe
in the Collegiate Church of Ripon.

(Translation.)

I.D.N. Amen. 19 Oct. 1471. I, John Exylby chaplain and Vicar of the Collegiate Church of Ripon &c. First. I bequeath my soul to Almighty God and the Blessed Mary and All Saints and my body to be buried in the cemetery of the Collegiate Church of Ripon. Also I leave for my mortuary my best robe. Also I leave to the High Altar a cover of blue. I leave my breviary to remain for ever in the Chapel of S. Nicholas within the New Bedern of the Collegiate Church aforesaid upon this condition that my brethren of the said Bedern pay to a worthy chaplain to say mass for my soul immediately after my decease 6 marks, and if they shall decline so to do let the same be sold and

¹⁴ The full text of this will, in Latin, will be found in vol 64 Surtees Soc. The testator was one of the seven Vicars of the Collegiate Church of Ripon, his prebend being that of Thorpe; the following note, kindly sent by Dr. Collins, from Archbishop Bowet's register in the Consistory Court at York, is valuable; it proves that the testator was one of the Exelbys of Exelby. "John Exelby of Exelby ordained deacon to the title of chaplain in the Collegiate Church of Ripon (*ad titulu cap' eccl'ie Colleg Rypon*) June 1420. "ordained priest Sep. 1420." As these Vicars were the deputies appointed by the Canons or Prebends of the respective stalls it becomes interesting to discover to whose patronage the testator owed his appointment. It seems clear that it was due to the favor of Henry Bowet, a great pluralist and a relative and namesake of the Archbishop. At this time he held among other offices that of Archdeacon of Richmond, and he had been collated to the prebend of Thorpe on the 20 March 1419-20 (Surtees Soc. v. 78, p. 214). It will be seen that Exelby held his office for upwards of fifty years. The veil of four centuries is lifted by the aid of the fragments of the Act books of the Ripon Chapter which have come down

to us, and we see him in the closing years of his life figuring in one of the disputes between the Abbot of Fountains and the Ripon Chapter. In 1467 Joan Bradshaw is dying at the West gatehouse of Fountains, and sends to Ripon in haste for her own priest, William Sawle, vicar of the prebend of Givendale; he cannot be found, and the messenger in her extremity applies to Exelby for help; moved with compassion, and too old and feeble to go himself, he deposes two of the monks of Fountains to administer to her the last rites of the Church. After her death, Abbot Greenwell wishes her to be buried at Fountains, but the Chapter claim her as their parishioner, and she is buried at Ripon. The full account will be found in Surtees Soc. vol. 64, and much also that is interesting concerning these vicars and their mode of life in the valuable prefaces to vols. 74, 78, and 81, by Rev. J. T. Fowler, F.S.A. Exelby was admitted of the Guild of Corpus Christi at York in the year of his death (Sur. Soc. vol. 57, p. 81), the Abbots of Fountains and Jervaulx and several members of the principal families round Ripon being admitted at the same time.

applied by my executors. Also I leave my missal to the Altar of S. John of Beverley upon condition that the chaplain who shall say mass for my soul shall have free access thereto at the time of his celebrating in my black vestment and not otherwise. I leave to the Abbey of Mountgrace 6s. 8d. To the friars of S. Robert of Knaresborough 2s. Also I leave to the six vicars of the Collegiate Church aforesaid one mazer (*murrum*) bound with silver and gilt remaining in the New Bedern.¹⁵ To my brother Robert and his wife 10s. To Sir John Nicoll chaplain one gilt horn. To five vicars provided that they assist at my exequies 5s. To six deacons six thuriblers and six choristers in accordance with ancient custom. To John Arncliffe chaplain 6s. 8d. Also I leave to the nine chantry chaplains 6s. To every parochial chaplain (*capellano forinseco*) who shall attend my exequies 4d. To Ellen wife of John Strykerd 10s. and a gown. To Alice Nicholl a brass jar and a new dish. To John Richardson 2s. To John Smyth a cape and a rochet. To Master John Clerc a gold ring. To the daughters of Richard Johnson of Exelby a linen cloth. To Sibil de Scruton one linen cloth. The residue of my goods not already left I give to William Sawle and John Nicholl chaplains whom I ordain and make my executors so that they may dispose and order for my soul according as to them may seem best. These being witnesses—John Smyth, Ellen wife of John Strykerd and others. Dated the day and year aforesaid. Proved by the executors and administration granted to John [Nicoll] 1 Nov. 1471.

Will of Marmaduke Exilby, deceased, A.D. 1472.

(Translation.)

IN THE NAME OF GOD, AMEN. The 8th day of June 1472, I Marmaduke Exilby, of sound memory and good mind, make my Testament in this manner: In the first place I bequeath my soul to Almighty God, the Blessed Virgin Mary and all Saints, and my body to be buried in the conventual church of the Monastery of Byland, with all debts due by me of right to be faithfully paid. I bequeath 2 lb. of wax, to be bought to burn round my body on the day of my burial. I bequeath to the said Monastery of Byland for my burial there 6s. 8d. I bequeath to the Convent of the same for the celebration of my obsequies on the day of my burial 18s. 4d. I will and bequeath that on the day of my burial all the poor and feeble present have sufficient bread, ale and cheese distributed among them. I bequeath to the fabric of the church of St. Peter, York. 12d. To the fabric of the church of Cokwold 12d. To the fabric of the church of Sessay 12d. To the fabric of the church of Thop(c)lyff 12d. I bequeath 6s. 8d. for a trental to be celebrated for my soul. I will and bequeath that Sir William Exilby, monk, my brother have and receive yearly of the rents or farms of my capital manor in Disforth now in the tenure of Richard Hovyngnam 40s. until William son and heir of Richard Exilby

¹⁵ The New Bedern was the College or common hall where the vicars resided.

my son shall come to the age of twenty-one years. I bequeath and will that Elizabeth Bankwell my daughter have and receive yearly of the farms and rents of my said tenement in Disfurth abovesaid now in the tenure of Richard Burnet 6s. 8d. until the said William shall come to the abovesaid age of twenty-one years. I bequeath and will that the residue of the farms and rents of all my lands and tenements in Disfurth abovesaid until the said William shall come to the abovesaid age, be yearly received by the aforesaid Sir William Exilby my brother and William Sandirson, chaplain, and expended after their discretion and about the exhibition of the five children of the abovesaid Richard Exilby my son. Concerning also the 10*l.* in which John Vavasour, of Newton, is bound to me by his bonds, I bequeath and will that the residue thereof, beyond my debts and funeral expenses, be expended about the exhibition of the abovesaid five children, after the discretion of the abovesaid William and William. The residue of my goods not before bequeathed, my debts first paid, I give and bequeath to Elizabeth Bankwell my daughter, whom also I ordain and appoint my true and lawful executrix, so that she, with the good counsel and supervision of my aforesaid brother, ordain and dispose for my soul as shall seem to her expedient. Witnesses Robert Thirnorn, William Webster, and others. Given the day and year abovesaid.

The present Testament was proved the 22 of July in the year abovesaid, and administration committed to Elizabeth Bankwell, the executrix in the said Testament named, sworn in form of law, etc. (York Wills.)

Will of William Exilby, late of Thurkilby, A.D. 1503.

(Translation.)

IN THE NAME OF GOD, AMEN. 6th September 1503, I William Exilby, of good mind and sound memory, make my Testament in this manner: In the first place I bequeath my soul to Almighty God, the blessed Mary, and all Saints, and my body to be buried in the Church of Topelyff. I bequeath my best horse in the name of my mortuary. I bequeath to the Church of Thurkilby two torches. To the Church of Topelyff two Torches. To the Church of Knaresburg two torches. To every priest attending my obsequies 4*d.* To every clerk 2*d.* To four orders of friars 6s. 8d. I bequeath for the expenses of my burial day 20*s.* I bequeath for the exhibition of my children* by the space of twenty years 7 *marks*. I bequeath to the Chapel of Disforth 9*s.* The residue of all my goods unbequeathed I give and bequeath to Elin my wife and John my son, whom I ordain my executors, that they may dispose for [the health] of my soul; and I make the Vicar of Topelyff overseer. These being witnesses: Thomas Cowton, Vicar of Thurkilby, Richard Kechynman, Robert Mote, and others.

The present Testament was proved the 12 November in the year abovesaid, and administration of all the goods which were of the said deceased at the time of his death, was committed to the executors in the said Testament named, sworn in form of law. (York Wills.)

* "Pueros."—properly "boys."

Will of Thomas Exilbie, of Disbforth and Knaresborough, Gent., A.D. 1582.¹⁶

I.D.N. Amen. I. Thomas Exilbie of Knaresburghe in the Countie of York Gent beinge seeke in bodie but of pfect memorye thanks be unto Almightye God doe make this my last Will and Testament this xxv of Marche in the xxiii yeare of the Reigne of our Sovereigne Laidie quene Elizabeth &c. and in the yeare of our Lord god 1582 in manner and forme followinge. First I bequeth my Soule unto Almightye god and my bodye to be buried wthun the Churchie where as it please god to calle me. *Item* I give unto my sonne Thomas Exilbe of Disforth one yoke of oxen and sex pounds of monie to be levied of my corne att Mychellmes after my death. *Item* I give unto my nece John Exilbe fyve pounds of monye to be paid by my Executors unto hir att her mariage when she shalbe married. *Item* I given unto my nece Elizabeth Exilbe syster of the said John other fyve pounds. And to be deliᵛd to some of hir friends who as she will appoint it unto to be putt forthe to the best comoditye and use of hir so that it be not deliydvd unto my said sonne Thomas nor he to have noe dealyng wth it. *Item* I geve unto my syster Danbe one black whye.¹⁷ *Item* I will that my cosin John Layton¹⁸ and my brother Witm Danbe¹⁹ to be supvsors of this my last Will and Testament and to see this my last Will pformed and to have tenn shillings a peece for their paines. *Item* my detts legaces and funeralls paid and discharged the residue of all my goods not hereto afore given nor bequeathed I do give unto Elizabeth²⁰ my wyfe whome I do make my Executor of this my last Will and Testament. *Item* Whereas I have given and granted by my dede bearing daīt the first of March in the yeare of the Reigne of our Sovereigne quene Elizabeth xvii [1565] all y^t my Estait right tittle intrest and possession and terme of years w^{ch} I have of in and to my ferme or tenement in Balderbe wth all the closes meadowes pastures and arrable land belonginge the same unto my brother in lawe James Danbe²¹ w^{ch} said James by his dede bearinge date the first of March anno Elizabeth xvii [1565] have given and granted un to Elizabeth Exilbe my wiffe all his estait right title intrest possession and tme of years w^{ch} he haith in the same unto Elizabeth Exilbe my wyffe duringe the yeares conteyned in the said lease if that she live soe longe and if that she dye affore the years be expyred fynished and ended then unto me the said Thomas and for asmuch as the right of the said tenement wth the meadowes pastures closes and arrable lands then is in me after the death of the said Elizabeth my wyff yf that I over live her. And

¹⁶ This will is *literatim* from a copy now preserved at Somerset House among the surviving testamentary records of the Archdeaonry of Richmond. After making allowance for the eccentric orthography of the period, it is clear that it was carelessly copied from the original. It is interesting as a typical will of a country gentleman at the end of the 16th century.

¹ A young heifer.

¹⁸ The exact relationship of the testator to the Laytons has not been ascertained.

¹⁹ William Dauby, of Knaresborough, who married Katherine, dau. of Richard Grene, of Newby.—*Vide* pedigree Foster's Visitations.

²⁰ A²/₂ Elizabeth Danby, daughter of William Dauby, of Leake, and Margaret, daughter of Gilbert Leigh, of Middleton, his wife.

²¹ James Danby, of Brawith, eldest son of the above William and Margaret Danby.

for that I would have the pfitte of the same for to come unto Elizabeth and John Exilbe daughters of my sonne Thomas Ther fore I will and bequeth the said tenement and all the meadowes pastures closes and arrable lands wth all their appurtenances in Balderbe unto my cosin John Layton And to my brother Willm Danbe my supvysors until my cosin John Exilbe daughter of my said sonne Thomas be married.²² And that they shall answer the yssewes and pfitte comyng and groweyng of the said tenement meadowes pastures closes and arrable lands yearlye unto my said cosins Elizabeth and John untill the said John be married. And then she and hir husband to entre unto the said tenement and then she and hir husband for to entre bond unto the said John and Withm for to pay yearlye unto the said Elizabeth hir sister the moitye of the pfitte comyng growinge and arysinge of the said tenemts duringe the yeares then conteyning in the said lease. *Item* I give unto my brother John Exilbe towe quarters of rye and a quarter of barley. *Item* I give unto my cosin Raufe Layton one gray colt stagg.²³ *Item* I give unto John Nawton foure bushels of rye. *Item* I give unto Walter Danbe my brother Danbe sonne xls. and I will thatt Withm Tenande your grandfather have the rewle and custodie of yt and to se ytt sett forward to increase your chyldes portion to you come to full years. *Item* I give to Edward Exilbe of Yorke my gray colt stagg. *Item* I will and make my sonne Thomas²⁴ Inneto (*sic*) Executors wth my wyffe if he wilbe ruled and ordered by my cosin John Layton and Withm Danbe supvysors of this my Will. Witnesses Willm Danbie gen. and John Danbie. Proved in the Richmond Court 10 Dec. 1583.

²² She married, as we have seen, Francis Norton (*vide* p. 32). Canon Raine kindly supplies the following additional information relating to the Nortons of Dishforth, and says:—

“I had in my hands some years ago, and made many extracts from, the account books of George Norton extending from 1650 to 1690.”

Joan (Exelby) Norton buried at Topcliffe 15 Nov. 1606.

Julian (Hayley) Norton buried at Topcliffe 5 Dec. 1630.

Children of Francis & Joan Norton:—

Thomas bur. at Topcliffe 14 April 1597.

Peter bap. at Topcliffe 6 July 1599 and bur. Nov. 6 1666. Adm. granted to Mary his widow Dec. 14.

Richard bap. 20 Feb. 1596; bur. 30 Feb. 1597.

Elizabeth bap. 23 Oct. 1597; mar. there 17 Nov. 1618 to

William Ripley of Kirkby Malzeard.

Mary (Dickinson) wife of Peter Norton; bur. at Topcliffe 7 April 1673.

Peter and Mary Norton had the following children bap. at Topcliffe:—

George Norton of Dishforth; bap. 26 Apl. 1620; bur. 16 June 1704.

His wife Margaret bur. 9 July 1692.

Jane bap. 8 July 1621.

Rowland bap. 23 Oct. 1625.

Mary bap. 13 Jan. 1627.

Thomas bap. 12 Sep. 1630; buried 10 Mar. *seq.*

Elizabeth bap. 24 Mar. 1632; mar. Edward Wyvill esq. of Bellerby.

Thomas bap. 18 Aug. 1635; bur. 7 Aug. 1646.

Ann bap. 10 May 1638.

John bap. and bur. Nov. 1640.

Joan bap. 27 Sep. 1642.

William bap. 2 Apl. 1646; bur. 6 Apl. 1666.

George and Margaret (Pulleine) Norton had the following children:—

Pulleyne bap. at Topcliffe Oct. 1650; bur. Dec. 16 1658.

Rowland bap. 23 Nov. 1651; mar. at St. Olave's, York, 20 July 1682, to Mrs. Margaret Robinson. Administrator to his father George Norton, of Topcliffe, Aug. 8 1704. Tancred Robinson esq. administrator to Rowland Norton, of Dishforth, Dec. 9 1709.

Edmund bap. 8 July; bur. 7 Aug. 1654. George born 12 Dec. 1655; bur. 3 Oct. 1665.

Margaret born 16 bapt. 21 Oct. 1661. Mary bap. 23 Nov. 1667; bur. Aug. 18 1686.

²³ A young horse.

²⁴ Query, “in to.”

The Inventorpe²⁵ of all and singular the goods and cattels moveable and unmoveable of Thomas Exilbe layte of Knaresburgh gent. deceased and prayed by theis men heire underwritten John Dodsworth John Theaxton Henry Blackeburne and George Whytlocke.

<i>Imprimis</i> 6 oxen	-	-	-	-	-	12	0	0
<i>Item</i> 3 stotts ²⁶ and 2 bulls	-	-	-	-	-	5	6	8
" 7 key ²⁷	-	-	-	-	-	10	10	0
" 2 quyes ²⁸	-	-	-	-	-		46	8
" 6 calves and 2 quinters ²⁹	-	-	-	-	-	3	4	0
" 3 meares and 2 foles	-	-	-	-	-	4	13	4
" 2 Nagges	-	-	-	-	-		40	0
" 2 Coltes	-	-	-	-	-		53	4
" 4 Swyne and 2 shotes ³⁰	-	-	-	-	-		26	8
" 14 shepe hogges ³¹	-	-	-	-	-		32	8
" Corne w th in the feild	-	-	-	-	-	25	0	0
" Corne in the barne in Rye	-	-	-	-	-	4	5	0
" in barley	-	-	-	-	-	11	0	0
" in hay and stro in the barne and hay in the feild	-	-	-	-	-	7	0	0
" 1 lead in the barne	-	-	-	-	-		24	0
" 1 wayne w th head yoke and shackles and 2 coopes and 2 plowes w th 2 cowters and 2 sockes 4 yokes and 4 teames and 1 short teame for a horse 2 barrowes and 1 ox-harrowe w th yren [iron] teeth 2 paire of Cutwethes and 3 paire of Axiltrees nales and a paire of lin nales	-	-	-	-	-	5	4	0
" all pullen about the house Duckes capons and hens	-	-	-	-	-		6	8
" 6 seckes 1 windcloth 1 poke 4 seves and ridles 1 peck and 1 bushell	-	-	-	-	-		11	0
" 2 brasse potts 3 kettels 3 panes and a posnett 1 laver 1 braysen mortar 1 Chawfendish 2 candlesticks 1 Scumer ³² 6 powder dublers ³³ 3 sawcers 1 reken a paire of pott kilpes 1 bassen and a paire of tonges	-	-	-	-	-	3	0	0
" 6 milke bowles and 2 skeiles 2 kettes 1 Wood bottell 7 barrels 4 tree dubblers 1 swill 5 Dishes 5 trenchers 1 tubb 1 ch. . 1 kyrne w th staff	-	-	-	-	-		6	0
" 4 Speitts 1 great and 3 little Cobrynes 1 fryen pann 1 Chreshutt 1 bruleyrne 2 yren wedges 1 ax w th other broken yren	-	-	-	-	-		13	0

²⁵ In the original, all the sums are denoted by Roman numerals, figures being here used for convenience of printing.

²⁶ Young oxen.

²⁷ Cows.

²⁸ Young cows.

²⁹ Two-year-old sheep.

³⁰ Young pigs.

³¹ Sheep from six to twelve months old.

³² A fire shovel.

³³ Large dishes.

Beddinge.

<i>Item</i>	1 mattis 2 happens 4 cov'lets 3 coddles ³⁴ and 3 bouldsters sheetes 1 line sheet 1 dyper towell 2 codwaires 1 tabell napkins 2 lin bord clothes and 1 hemp bord cloth - - - - -	29	0
"	2 cheestes - - - - -	6	8
"	2 coobbordes 1 cheare 2 fowrames 1 doughtroghe 1 mortar 3 cheesbordes and 1 cheespresse - - - - -	12	0
"	2 waine ropes 8 trasses 3 helters 1 hopper 2 forkes and 1 yren forke and a spaide - - - - -	3	0

Goods at Wisforth.

"	2 stotts - - - - -	3	0	0
"	1 saddell - - - - -	6	8	
"	22 cheses - - - - -	10	0	
"	4 lodes of Coles- - - - -	40	0	
"	3 stone of hempe - - - - -	7	0	

Goods att Knaresburghe.

"	an ould frese gown 2 shertts 1 cloke 2 paire of hose w th nether stockes 1 dubblett 2 cootts 1 paire of showes 1 water pott 1 paire of boytts 1 capp and 1 hatt 1 harden bord cloth 1 harden sheet - - - - -	20	0
"	monie in his purse - - - - -	12	

Summa 7.120 19 4

Debts that the said Thomas doth owe.

<i>Imprimis</i>	to Willm Waide for seede barley -	3	0	12
<i>Item</i>	to the said Willm - - - - -	6	0	
"	to John Walker - - - - -	38	0	
"	to John Waire for hand lawe - - -	4	4	
"	to Willm P'scvell - - - - -	55	10	
"	to Willm Buckeshay - - - - -	8	0	
"	to Richard Todd - - - - -	25	0	
"	to Henry Danbe - - - - -	2	0	
"	to George Whytlocke - - - - -	34	1	
"	to the said George in lent monie- -	2	0	
"	to the said George for 2 turkey hens and 1 coke - - - - -	5	0	
"	to the said George for sharpenes corne ³⁵	9	pecks	

³⁴ Pillows.³⁵ "Sharping-corn is the customary
gift of corn, which, at every Christmas,
the farmers in some parts of England"give to their smiths for sharpening their
plough-irons, &c., and exceeds not half
a bushel for a plough-land."—Blount.

<i>Item</i>	more upon pmise for the new reff by	
	yeare - - - - -	2 pecks
"	to his man Tanfield - - - - -	8 4
"	to John Preshus for worke aboute	
	Burrobrig - - - - -	16 0
"	to Robte Daggett of Howe for Rye -	15 0
"	to John Nawton - - - - -	34 0
"	to Richard Anderson for hand lawe -	6
"	to William Wray of Rippon - - -	10 4
"	to Bywell for sheepe - - - - -	3 0 0
"	to John Burrell for a stone of tallowe -	2 4
"	to Thomas Forest - - - - -	15 0
"	to Xpor Todd - - - - -	20
"	to the Quene for merriments - - -	7 0
"	to John Dodesworth - - - - -	2 0
"	to the Clarke wages - - - - -	2 0
"	to John Clough - - - - -	17 0
"	to Thomas Shyres - - - - -	20 0
"	to Thomas Exilbe for debt - - -	7 16 8
"	to John Nawton for monie behind of	
	20 markes by Mr. Exilbe confession -	7 0 0
"	to Will ^m in ayd of p ship of Wit ^h ³⁶ -	30 0
"	to Leonard Bywell 2 qz of peaces -	10 0
"	to Leonard Bywell for half a qr of	
	barley and 2 peckes - - - - -	8 0
"	to the said Leonard for a qr of ottes	
	and a haulf - - - - -	7 6
"	1 busheel of wheat to hime - - -	2 4
"	to the said Leonard for a foote of beiffe	3 8
"	to the said Leonard for a beast gayt -	2 8
"	to John Raiper - - - - -	5 8
"	for the bord of the said Thomas Exilbe	
	unto his brother Willm Danbe for him	
	his wiffe and John Exilbe over and	
	besides 7 <i>l</i> . paid att Ester and the	
	rent of the said Willm Dewe att	
	Penticost w ^{ch} the said Willm did alowe	
	unto him in pte of payment of the	
	bord of the psons above said and	
	besides 24 <i>s</i> . for him and Johen beinge	
	away 12 weekes - - - - -	4 0 12
"	to Edward Exilbe - - - - -	
	<i>Summa debita</i> - - - - -	1.42 17 4
	<i>Summa talis</i> - - - - -	1.75 6 3
<i>Item</i>	for the chardges of the funerall of the	
	said Thomas Exilbe - - - - -	
"	for the chardges of the blacke for gownes	
	att his funerall - - - - -	4 3 2
"	for the mortuage - - - - -	
"	fees for the probate of the will - -	

³⁶ This line cannot clearly be deci- that does not help us.
phered: "in ayd" may be "wayd"; but

As stated on page 28, there were at least two Thomas Exelbys living in the first half of the 16th century, and the following notes throw some fresh light on their relationship. They show that the grant of Baldersby Manor house, &c., by the Abbot of Fountains to Thomas Exelby, dated 7 May, 1538 (*vide* note 114), was *not* a renewal of the grant of 1521, as we had supposed, but referred to other property at Baldersby. In note 112 will be found a reference to the latter grant, from the Dodsworth MSS., which Dodsworth no doubt gathered from the Fountains Abbey records. It will be seen that a copy of the grant has been recovered from another source.

1544—Augmentation Office Decrees, vol. 14, f. 35. In Trinity term viz. 20 June 36 Hen. viii. (1544) Thomas Exilby gentleman came into court and produced an Indenture under the common seal of the Abbot and Convent of Fountains which is recited:—This Indenture made 16 Nov. 13 Hen. viii. (1521) between Marmaduke the Abbot of Fountains &c. and Thomas Exilby gent. The Abbot grants to the said Thomas all the tenements, closes, lands meadows and holdings in Baldersby now in the holding of John Newsome viz. the tenement where the said John dwelleth and the "howker" and the Newstade close and two oxgangs of arable land and the Cotegarh and North close and the Bromehedde and the tenements that were John Whitlokes and Fysshers—to hold the same to the said Thomas after the death of the said John Newsome for a term of 30 years at a yearly rental of £13 8 8—provided that if John Newsome dies before Jannett his wife then the lease to take no effect as long as she lives. Thomas binds himself to have ready at all times a horse for himself to do service to the Abbot &c. when called upon for which an annual fee of 20s. is to be allowed to him. The said Indenture is allowed by the Chancellor and Council of the Court.

1546—Augmentation Office Decrees, vol. 14, f. 188. Memorandum—Whereas matter of variance has been pending before the Court between Thomas Exylbye of Dysforde Co. York gent and Robert Mawe concerning the title to tenements &c. in Baldersby which Thomas claims by reason of a lease made to Thomas Exylby of *Pykall* gent (the lease above recited). About 8 years last past Janet wife of John Newsom died and after her death the said John took to wife one Anne and died and the said Thomas Exylby died intestate at Pychall. Then the Archbishop of York by George Palmes his Commissary sequestered all the goods &c. of the said Thomas and committed administration to Thomas Exylby now complainant as next of kin—by virtue of which he administered and the lease came to him.

[In 1541 died Thomas Exelby of Ripon gent intestate, when administration of his goods was granted Thomas Exelby of Dishforth gent "cozen" of the deceased.—Ainsty Act Book, York.]

To which bill Robert Mawe appeared and affirmed that the King under seal of the Court of Augmentation by letters patent demised to Richard Norton esq. all the property specified for certain years yet continuing by reason whereof Richard Norton entered and Mawe and Anne his wife had nothing on the premises except at the sufferance of the said Richard. Wherefore he prayed that the complainant should exhibit his bill against Norton and that he (Mawe) should be discharged.

Forasmuch as by the said Indenture Thomas Exelby of Pychall granted that he would not underlet without special license and yet by his last will and testament gave the said lease to Edward Exilby and made Thomas Exelby now complainant and John Vavasour his executors who after his death refused to prove the will and administration was committed to the complainant who entered on the premises and Edward Exelby made no entry and the said gift to him is no cause of forfeiture. Therefore the complainant ought to enjoy the lease &c.

Decreed—13 July 38 Hen. viii. (1546.) That Robert Mawe shall immediately give up possession and suffer Thomas Exelby the complainant to enjoy the same according to the lease without impediment &c.

Extracts from the Registers of the Parish of Knaresborough, co. York.

VOL. I.

Baptisms.

- 1563—Katherena filia Richi Exilbie Julii 18.
 1569—Alicia filia William Roundell April 17.
 1589—Willms filius Thome Exilbie Nov. 30.
 1590—Marmaduci filius Thome Exilbie Dec. 27.
 1592—Petrus filius Tho Exilbie Dec. 25.
 1594⁵—Thomas filius Tho Exilbie Mar. 19.
 1597⁸—Matilda filia Tho Exilbie Feb. 15.
 1600—Willms filius Tho Exilbie Oct. 3.
 1603—Rich filius Thome Exilbie Aug. 5.
 1612—Elizabeth fil Thomas Wray Sep. 6.
 1613⁴—Ann fil Thomas Yeadon Jany. 15.
 1617—Alice fil M'maduke Exelby Julii 20.
 1619—Edward filius M'maduci Exelby April 11.
 1622—Willm fil Marmaduke Exelby May 18.
 1623⁴—Martha fil Marmaduke Exelbie Feb. 21.
 1627—Jana fil Marmaduke Exelbie Sep. 16.
 1629—Anna fil Willm Exelbie Sep. 27.
 1630—Anna fil Marmaduke Exelbie Maii 19.
 [Marmaduke Exelbie one of the guardians in 1631.]
 1632—Elizab fil Willm Exelbie Sep. 28.
 1632—Dorothie fil Willm Exelbie Sep. 28.
 1634—Willm fil Willm Exelbie Oct. 26.
 1635—Alice fil M'maduci Exelby Maii 13.
 [Several names obliterated from March 16, 1633⁴, to May 4, 1634.]

Marriages.

- 1573—Rich Nichollson et Alice Exilbie Nov. 19.
 1588—Tho Exilbie et Alice Roundell Nov. 24.
 1628—Will Exilbie et Elizat Ray June 12.
 1634—M'maduke Exelby et Ann Yeadon Aug. 6.

Burials.

- 1570—Agnes Exilbie Nov. 21.
 1583—Thomas Exilbie gent. Oct. 25.
 1589—Willms filius Tho Exelbie Dec. 31.
 1591—Rich⁴ Exilbie April 4.
 1592³—Petrus filius Tho Exilbie Jany. 31.
 1593⁴—Johes filius Thome Exilbie Mai. 15.
 1597—Thomas filius Thome Exilbie Julii 14.
 1603—Rich filius Thome Exilbie Sep. 3.
 1617—Alice fil M'maduke Exelby Oct. 24.
 1622—Willm fil Marmaduke Exelbie Nov. 14.
 *1622³—Ann uxor Petri Exelbie Feb. 18.
 *1623⁴—Petrus Exlbie Maii 7.
 1625—Johes fil Marmaduci Exelbie Oct. 19.
 1627—Alice uxor Thome Exelbie Maii 10.
 1628—Infans William Exelbie Sep. 5. [This is very indistinct.]

- 1631²—Ann fil M'duke Exelbie Jany. 28.
 1633—Elizab fil Willm Exelbie Mar. 28.
 1633—Thomas Exelbie Maii 29.
 1633—Martha uxor et infans M'duke Exelbie Dec. 17.
 1634—Willm fil Willm Exelbie Oct. 31.
 1636—A crisme child of Willm Exalbie Apl. 24.

VOL. II.

- [The first page obliterated and the dates on the second page.]
 1637—Aug. or Sep. Thomas son of Marmaduke Exilbie—baptism.
 [The greater portion of the baptisms and burials for 1638 obliterated.]
 1639—Simon son of Marmaduke Exilbee Nov. 1—baptism.
 1640—Thomas son of Willm Exilbie April 1—baptism.
 1641—Anne da of M'duke Exilbie Nov. 7—baptism.
 1641²—Feb. 3. Thom son of Wilt Exel[bie]—[burial].
 1643—Sep. 17. Magdalen da of Wilt Exelbie—[baptism].
 1643—May 11. Marmaduke Exelbie [burial].
 [1644—A number of names obliterated—marriages entirely gone.]
 [1645—A few names obliterated—dates of many baptisms entirely gone.]
 *1645—[Date gone]. Margaret da of Willm Selbie [? Exelbie; no other Selbies].
 [1646—Burials and marriages entirely gone, and the baptisms after Jany. 3. 1646 ?]
 1654—Marriage April 27 1654. Joseph Bowland³⁷ of Dishforth in the pish of Topcliffe and Dorothy Exilbie of this town weare this day marryed together haveinge first been published 3 several Lords dayes in ye church of Knaresb. viz ye second day of Aprill instant and ye 2 Lords days next after and marryed in ye presence of William Exelby John Bowland James Jakes and others and of Mr. Arthur Burton.³⁸
 [In 1666 and 1667 a number of burials are obliterated].
 1668—Apl. 26. Robt Hardcastle and Mag: Exelbie married.
 1668⁹—March 10. William Exilbie—buried.³⁹
 1677—Eliz. Exlby—vidd. bur. Oct. 22.

VOL. III.

- 1672—Sep. 17. George West and Ann Exilbie—married.

³⁷ The following entries from the Topcliffe registers relate to members of this family:—

- 1665—John son of Joseph Bowland of Asenby, born 15 Dec.
 1657—Nathaniel son of Joseph Bowland of Asenby, bapt. 12 Oct.
 1658—John son of Joseph Bowland of Asenby, buried 2 March.
 1663—Nathaniel Bowland, Dishforth, buried 5 Oct.
 1670—John Bowland, Dishforth, buried 29 Oct.
 1674—Ruth (?) Bowland, Dishforth, buried Jany. 1.

1675—Mary Bowland, Dishforth, buried 5 Jany.

³⁸ Arthur Burton was Mayor of Ripon, 1653-4.

³⁹ This William Exelby died intestate, and on the 22 Sep., 1669, administration of his effects was granted to Elizabeth his widow, Rowland Wray, of Hewbie, co. York, yeoman, being her surety. (Masham Peculiar.)

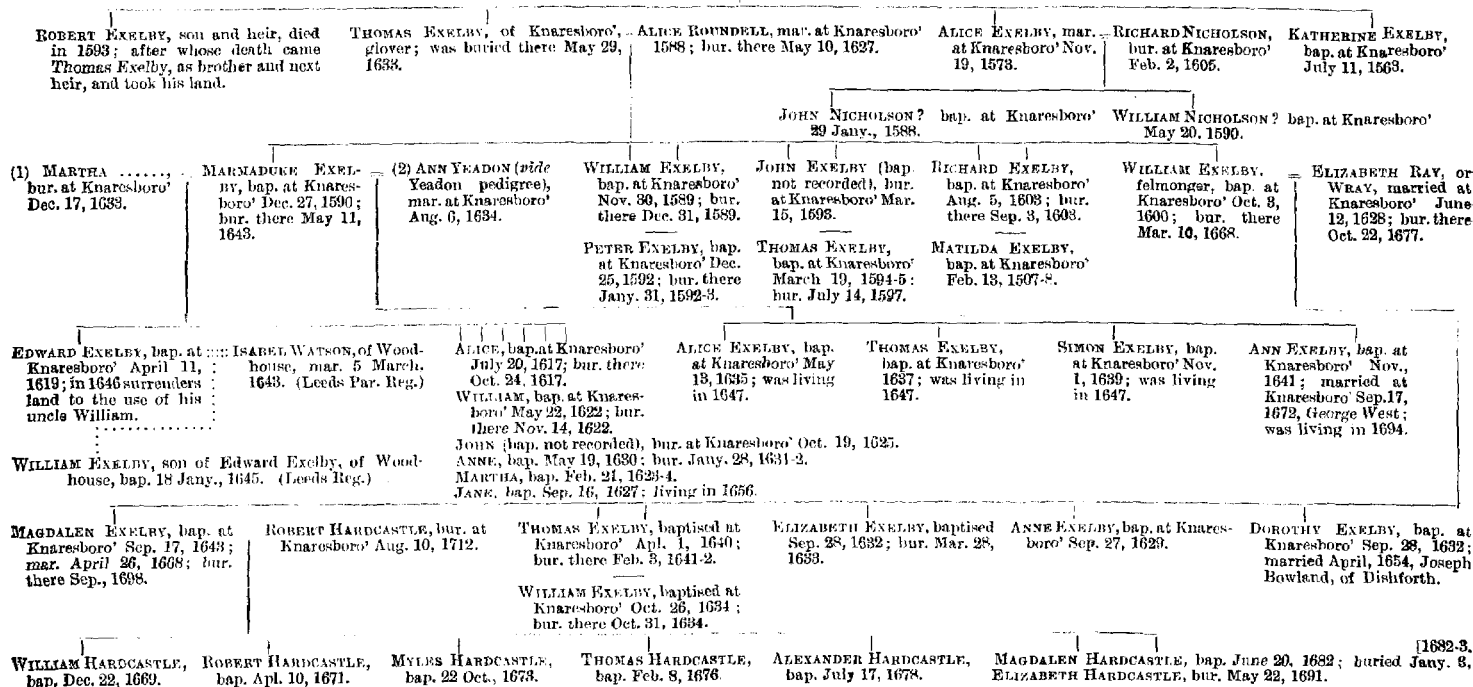
*. All the above names, with the exception of those marked with an asterisk, have been placed in the tabulated pedigrees.

Exelby of Knaresborough. (Junior Branch.)

70

RICHARD EXELBY, of Knaresboro', glover and chapman, was living in 1586; in 1575 surrendered land in Tentergate after his death to the use of Richard Nicholson and Alice his wife for their lives and the life of the survivor; in 1582 surrendered land, after his death, to the use of Robert Exelby his son and heir; and in 1588 lands to the use of Thomas Exelby his younger son. was buried at Knaresborough April 4, 1591.

AGNES WADE or WAIDE (sister to Thomas Waide of Spofforth, chaplain). Married before 1544; was buried at Knaresboro' Nov. 21, 1570.



Yeadon Family.

Knaresborough Manor Court Rolls.

- 1602—Sep. 29. Will of John Yeadon of Killinghall mentions brother John Yeadon and uncle Thomas Yeadon. Inrolled.
- 1622—Dec. 18. Thomas Yeadon of Knaresborough maltster and Alice his wife (she sole examined) surrendered one messuage and one waste builded with appurtenances situate in the borough of Knaresborough (now in the occupation of the said Thomas Yeadon and Robert Harrison or their assigns) which premises abut on land of John Dobson S.; on "Vicarage loane" N.; on lands of Francis Thompson and Mary his wife (daughter of William Mason deceased) and the "Vicarage house" W.; and upon the "hie street" E.—after the death of Thomas and Alice To the use of Thomas Yeadon and William Yeadon two younger sons of Thomas, their heirs and assigns for ever, viz. the north end of the premises up to "Vicarage loane" in which the said Thomas now dwells to the said Thomas the son and his heirs, and the south part to William, as the metes are put by Thomas the father at the time of this surrender.
- 1626—April 19. A waste builded with garden and orchard at Frogmyre-dyke in Tentergate within the township of Scriven surrendered by John Yeadon of Knaresboro' and Dorothy his wife To the use of Thomas Yeadon, father of John.
- 1635—Sep. 3. Will of Thomas Yeadon of Knaresborough the elder dated 25 Nov. 1634 inrolled. Mentions "Marmaduke Exilbie my sonne-in-law" to be "supervisor of this my will." Anne my daughter the wife of Marmaduke Exilbie aforesaid.
- 1636—Oct. 26. To this Court (26 Oct. 12 Car.) came Marmaduke Exilbie and George Allonson, and prayed to be admitted executors of the last will of Alice Yeadon of Knaresborough widow deceased, and that the said will be inrolled. [Done accordingly.] * * * to George Allonson my son-in-law, and my daughter his wife 20 shillings betwixt them, and to their children Steven, Alice, George and Elizabeth 20s. a piece—to my daughter Anne, wife of Marmaduke Exilbie 40s. and to their little daughter Alice, 40s.; to Edward son of Marmaduke 10s. and to his daughter Jane 10s.—my grandchild Richard son of Thomas Robinson my son in law 20s., to Elizabeth Robinson my daughter his mother, 10s.; to my son John Yeadon 20s. and to his wife 10s.; and to his son Thomas Yeadon three pounds, to his daughter Elline five pounds—to my son Thomas Yeadon 3s. 4d.—to William Yeadon my son 3s. 4d. and to Jone his wife 40s. and to his son William five pounds—to Peter Howgill 12d.; to poor people of Knaresborough 40s.; to my son-in-law Marmaduke Exilbie 10s. The rest to Marmaduke Exilbie and George Allonson

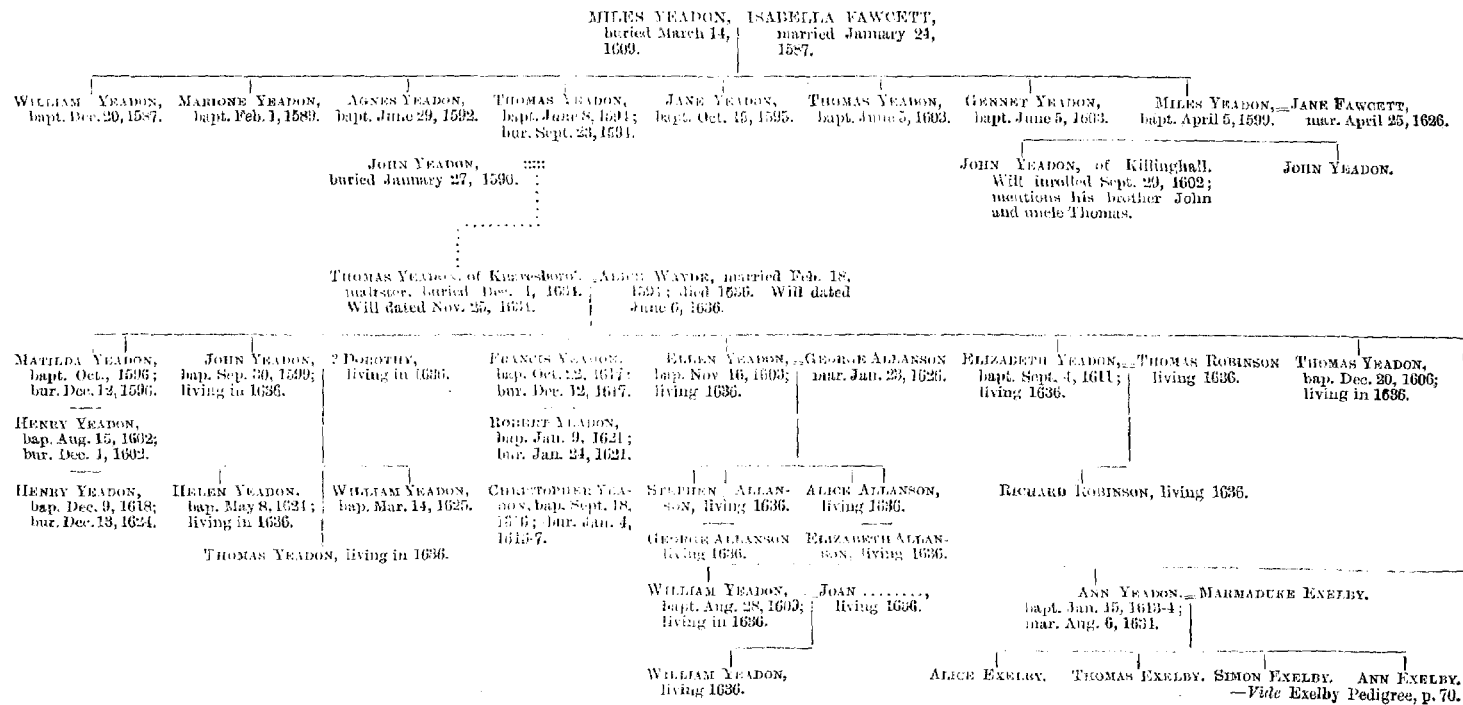
my sons in law whom I make my executors. Dated 6 June 1636. Said Executors admitted. Afterwards an Inventory 16 July 1636, beginning "At Marmaduke Exilbie house," &c.

Knaresborough Parish Registers.

Peter Kighley and Matilda Yeadon, July 21, 1580—married.
 William filius Miles Yeadon, Dec. 20, 1587—baptised.
 Marione filia Milonis Yeadon, Feb. 1, 1589—baptised.
 Agnes fil Miles Yeadon, June 29, 1592—baptised.
 Thomas filius Milonis Yeadon, June 8, 1594—baptised.
 Jane filia Miles Yeadon, Oct. 5, 1595—baptised.
 Matilda filia Thome Yeadon, Oct. 6, 1596—baptised.
 Myles fil Miles Yeadon, April 5, 1599—baptised.
 John fil Thomas Yeadon, Sep. 30, 1599—baptised.
 Henry fil Thomas Yeadon, Aug. 15, 1602—baptised.
 Thomas fil Miles Yeadon, June 5, 1603—baptised.
 Gennett fil Miles Yeadon, June 5, 1603—baptised.
 Ellen fil Thomas Yeadon, Nov. 16, 1603—baptised.
 Thomas fil Thomas Yeadon, Dec. 20, 1606—baptised.
 William fil Thomas Yeadon, Aug. 28, 1609—baptised.
 Elizabeth fil Thomas Yeadon, Sep. 4, 1611—baptised.
 An fil Thomas Yeadon, Jany. 15, 1613—baptised.
 Christopher fil Thomas Yeadon, Sep. 18, 1616—baptised.
 Francis fil Thomas Yeadon, Oct. 22, 1617—baptised.
 Henry fil Thomas Yeadon, Dec. 9, 1618—baptised.
 Robert fil Thomas Yeadon, Jany. 9, 1621—baptised.
 William fil John Yeadon, Mar. 14, 1625—baptised.
 Helen fil John Yeadon, May 8, 1624—baptised.
 Miles Yeadon and Isabella Fawcett, Jan. 24, 1587—married.
 Thomas Yeadon and Alice Wayde, Feb. 18, 1594—married.
 Richard Turnbull and M'gery Yeadon, Aug. 12, 1619—married.
 Miles Yeadon and Jane Fawcett, April 25, 1626—married.
 George Allenson and Ellen Yeadon, Jan. 23, 1626—married.
 John filius Cutbarte Yeadon, Sep. 27, 1563—buried.
 Genet ux Gilbert (? Cutbart) Yeadon, Mar. 31, 1590—buried.
 Genet ux John Yeadon, Aug. 2, 1590.
 John Yeadon, Jan. 27, 1590—buried.
 Thomas filius Milonis Yeadon, Sep. 23, 1594—buried.
 Matilda filia Thomas Yeadon, Dec. 12, 1596—buried.
 Henricus filius Tho. Yeadon, Dec. 1, 1602—buried.
 Miles Yeadon, March 14, 1609—buried.
 Christopher fil Thos. Yeadon, Jan. 4, 1616—buried.
 Francis fil Thos. Yeadon, Dec. 12, 1617—buried.
 Robert son of Thos. Yeadon, Jany. 24, 1621—buried.
 Henry filius Thos. Yeadon, Dec. 13, 1624—buried.
 Thomas Yeadon, Dec. 4, 1634—buried.
 Thos. fil Thos. Yeadon, April 4, 1635—buried.
 Mary Yeadon, widow, May 19, 1644—buried.

Yeadon Pedigree.

(TENTATIVE—FROM PRECEDING NOTES.)



Additional Notes from the Plea Rolls, &c.

A.D.

- 1165—"Ivetta et Bartholomeus filius ejus debet X m pro recto terre
"que fuit Thome de Hortuñ." (Pipe roll, 12 Hen. ii.)

It seems probable that this refers to Ivetta the wife of Wimar de Eskelby—*vide* page 3, &c.; if so, it shews that they had a son Bartholomew, who has not previously been noticed.

- 1250-2—Alan de Eskelby attached to answer to Bartholomew de Eskelby concerning a plea that he [Alan] keep to him [Bartholomew] the fine made in the Court of King Richard [i.] before the Justices itinerant at York between Ivetta de Eskelby grandmother of Alan whose heir he is, plaintiff and Henry de Eskelby brother of Bartholomew whose heir he [Bartholomew] is, tenant, concerning 4 carucates of land &c. in Eskelby. Bartholomew complains that Alan impleaded him of 30 acres of land which were part of the 4 carucates in the aforesaid Fine, to his injury &c. and he produces a transcript of the Fine stating that it was made between Ivetta plaintiff and the aforesaid Henry and Beatrix his mother and Serio de Hellingthorpe and Matillis his wife and William Binec and Iria his wife, tenants &c. Alan comes and defends &c. and prays judgment because in Bartholomew's writ it is stated that the Fine was made between Ivetta and Henry only and in the transcript produced it is stated that the Fine was between them and Beatrix and others of whom no mention is made in the writ. Bartholomew cannot deny this and therefore it is considered that Alan be thereof without a day and Bartholomew take nothing by the writ but be in mercy for a false claim, by the pledges of Picot de Newton and William de Eskelby. (Coram Rege Roll, No. 88—35 & 36 Hen. iii. m. 2 d.)

An abstract of the Fine in A.D. 1199 referred to will be found on page 11. The above proceedings led up to the Fine which was passed on the 18th Nov., 1251, between Alan and Bartholomew, an abstract of which is given on page 12. It will be noticed as somewhat curious that Bartholomew was taking action against his first cousin's grandson.

- 1250-1—Great Assize—To enquire whether Helcwy's de Thorp unjustly disseises Alan son of Henry de Eskelby of his common of pasture in Eskelby. The jury say the marsh is in Thorp and not in Eskelby. Alan in mercy for false claim (Coram Rege Roll—35 & 36 Hen. m. 36 d.) and again in
- 1251-2—(Hilary 36 Hen. iii.) Alan de Eskelby claims the common of

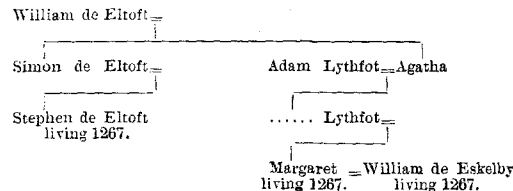
A.D.

Thorp as an appurtenance of Eskelby and recovers his seisin. Helewisia in mercy (*ibid.*, m. 45).

These proceedings are connected with the case of which particulars are given on page 7, note 38.

- 1267-8—William de Eskelby and Margaret his wife demand against William le Blund, tenant of Simon de Eltoft, land in Eltoft as the inheritance of Margaret &c. William [le Blund] calls to warranty Stephen son of Simon de Eltoft who comes and says that Adam Lythfot and Agatha his wife (grandmother of Margaret whose heir she is) demised the property to Simon de Eltoft but not for a term. William father of the said Simon some time demised the property to Adam and Agatha and they afterwards rendered it to Simon as his right inheritance. William and Margaret, by their attorney, say that William father of Simon gave and granted to Adam and Agatha the tenements in fee and they afterwards demised the same to Simon for the term of his life. A jury chosen, who say that William father of Simon gave the property to Agatha in free marriage and that she was in peaceful seisin thereof for 30 years and more. And that Agatha and her husband Adam afterwards demised the property to Simon to hold from year to year. Verdict—That William and Margaret recover their seisin against William. (Assize Roll, Yorks. N $\frac{1}{2}$; 1. 52 Hen. iii. m. 3 d.)

This is no doubt the sequel to the writ for which in 1265 William de Eskelby and Margaret his wife gave half a mark. (See note, page 7.) Eltofts is in the parish of Thormer, in Skyrack Wapentate, West Riding, and a family of the name long continued seated in the locality, but its pedigree at this early date appears not to have been investigated. In 1240 Simon de Eltoft, citizen of York, undertook to pay 2 marks annually to the Dean of York until such time as the Abbot and Convent of Rievaulx should have made provision for such payment. (Sur. Soc., vol. 83, p. 201.)



- 1364—Agnes daughter of Robert de Pokethorpe puts in her stead Roger de Wele against Alan de Eskelby and Richard de Pokethorp in a plea of assize of novel disseisin. (Assize Rolls, Divers Counties, N $\frac{2}{6}$; 5 m. 40 d.)
- 1366—Alan de Eskelby and two others are defendants in a plea of debt. (de Banco roll, Hil. 40 Edw. iii. m. 389.)

1376—1394.

Some additional notes have been gathered relating to the suit of Eskelby and Sharowe *versus* Neville and others, of which particulars are given on pp. 22-23, but beyond establishing the fact that Alianora, Richard de Eskelby's wife died between 1392 and 1394 they do not help. They are however given for what they are worth.

A.D.

1376—Assize to enquire if John de Sharowe of York and Alianora who was the wife of John de Disford [Dishforth] junior, are disseised of their free tenement in Letby [Leckby]. One John son of John de Eyvill of Egmonton was seised of the same also of the service of John Pokethorpe (and granted them to Alexander de Ledes and Elizabeth his wife). Margaret was then daughter and heir, and Alianor was her daughter and heir. (Assize Rolls, Divers Counties, N 28; 7 m. 6 d. 50 Edw. iii.)

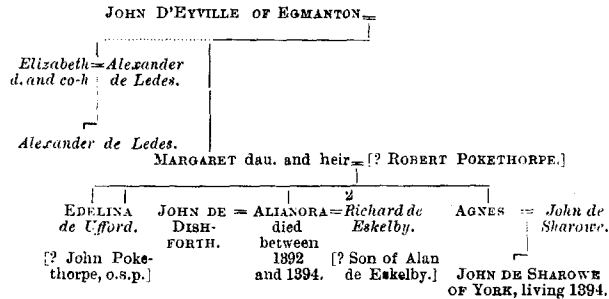
1392—From the Attorney roll (see note, page 22) we find that Alianora was then the wife of Richard de Eskelby.

1394—John de Sharowe, by John Paulyn his attorney, demands against Alexander Neville *chivaler* and Margeria his wife, Robert de Ledes, John de Kaunsfelde and John Bulan, chaplain, four messuages and one carucate of land &c. in Letby which together with eight messuages and two carucates of land &c. John de Eyville of Egmonton gave to Margaret his daughter and her heirs, which after her death and that of Edilina, daughter and one of the heirs of Margaret (who held the same as her purparty of the 12 messuages and three carucates by the partition made between Edilina Agnes and Alianora the daughters and heirs of Margaret) ought to descend to John de Sharowe son of Agnes and kinsman and heir of Edilina &c. John de Sharowe says that John de Eyville gave the property to Margaret by which gift she was seised in her demesne in fee *temp.* Edw. iii. &c. and from Margaret the right to all the property descended to Edilina Agnes and Alianora as her daughters and heirs so that on partition between them the 4 messuages and one carucate were allotted to Edilina &c. and after the death of Edilina the right to them descended to Agnes and Alianora as her sisters &c. and after the death of Alianora to Agnes as sister and from Agnes to John de Sharowe as son of Agnes and kinsman and heir of Edilina &c.

The defendants appear by their attorney Roger Wele and aver that they are tenants in common &c. On Sharowe's behalf it is contended that the writ ought not to fail by reason of anything so alleged because on another occasion viz. Michaelmas term 16 Ric. ii. [1392] he and one John de Eskelby *sic* but marked above Ricus, and Alianora his wife brought a like writ against the defendants which was applied for 20 Oct., 16 Ric. ii. [1392] and a new writ was afterwards

obtained and the suit continued by the jury being respited "here up to this day" viz. the Morrow of Souls 19 Ric. ii. Afterwards before the King's Justices the parties came by their attorneys and the jury find that on the 20 Oct. 16 Ric. ii. Alexander and Margeria, Robert, John de Kaunsefeld' and John Bulan were not tenants in common of the four messuages and one carucate of land &c. in Letby—therefore John de Sharowe in mercy for his false claim &c. and the other parties to be without a day &c. (de Banco roll, Mich. 18 Ric. ii. m. 220 Ebor.)

It will be seen that judgment is entered upon one issue—viz.: whether the defendants were tenants in common of the property in dispute, and this is given against Sharow; it is not improbable however that he would go on upon another issue. There was apparently a long-continued dispute between the D'Eyville heirs about the Thornton (on Swale) and Leckby property, traces of which are found 67 years earlier, viz.: in 1327. (de Banco roll No. 1, 1 Edw. iii. Hil. m. 7.) Satisfactory pedigrees of the then powerful families of D'Eyville, de Ledes and Neville of Thornton bridge are still *desiderata*. The pedigree in roman type is drawn from the above pleas; for the portion in italics Dods-worth is responsible. (*Vide* note, page 28.)



A.D.

- 1395—"Richard de Eskelby" and "John Warde de Dishforth" among the *recognitores* who had taken an assize *re* property in Morton upon Swale. (Assize rolls, Divers Counties, N₃₄) 3 m. 5, 19 Ric. ii. Ebor.)
- 1398—"Richard de Exilby" and "John Warde de Dishforth" among the *recognitores* in a case between the Abbot of Fountains and several defendants *re* property in Thresk. (Assize rolls, Divers Counties, N₃₅) 1 m. 9 d. 22 Ric. ii.)
- 1401—Elizabeth wife of William de Eskelby *versus* William de Thresk chaplain in a plea of mort d'ancestor. (Atty Roll, 3 Hen. iv.)
- 1405—William de Exilby *versus* William de Thresk chaplain and Robert de Thresk and also, Elizabeth wife of the said William *versus* the same. (Atty Roll, 7 Hen. iv.)

List of Wills, &c.*

- 1445† Elizabeth Exilby, of Sessay. Will proved 1449. (York.)
- 1471† John Exylby, Vicar Coll. Ch., Ripon. Will. (*Ripon Chapter Acts.*)
- 1472† Marmaduke Exilby, of Dishforth, par. Topcliffe. Will. (York.)
- 1503† William Exylby, of Dishforth. Will. (Ditto.)
- 1541 Thomas Exelby, of Ripon [and Pickhill]. Adm. (Ditto.)
- 1556 Joan Exelby, of Spofforth, Widow. Adm. (Ditto.)
- 1558 Robert Exilbye, Parson of Sawtry, co. Hunts. Will. (P.C.C.)
- 1558 George Exulbe, of Coppingford, co. Hunts. Will. (Peterboro'.)
- 1558 Thomas Exelby, of Rainton, par. Topcliffe. Will.
(Richmond Arch.)
- 1558 Thomas Exilby, of Spofforth. Will. (York.)
- 1579 Miles Exelby, of par. St. Dunstan's in the West. Will. (P.C.C.)
- 1582† Thomas Exilbe, of Dishforth and Knaresboro'. Will.
(Richmond Arch.)
- 1585 John Exelbie, of Norton, par. Cundall. Will. (Ditto.)
- 1587† Thomas Exelbie, of Dishforth. (*Index Richmond Arch. Wills.*)
- 1588† Elizabeth Exilbie, of Dishforth and Baldersby, Widow. (Ditto.)
- 1591† James (Jacob) Exelbie, of Norton, par. Cundall. (Ditto.)
- 1597† Hellen Exelbie, of Norton, par Cundall. (Ditto.)
- 1600† William Exelbie, of Norton, par. Cundall. (Ditto.)
- 1604 Edward Exelby, of par. St. Michael, Spurriergate, York. Adm.
(York.)
- 1608 Thomas Exelby, of Norton, par. Cundall. Will.
(Richmond Arch.)
- 1617 Richard Exelbie, of Norton, par Cundall. Will. (Ditto.)
- 1617 William Exelby, of North Mimms, co. Herts. Will. (P.C.C.)
- 1620 Nicholas Exelby, of Folifait, par. Spofforth. Will. (York.)
- 1631 Richard Exelby, of Stockeld, par. Spofforth. Adm. (Ditto.)
- 1631 Alice Eshelby, of Norton, par. Cundall. Will proved 1634.
(Richmond Arch.)
- 1632 Christabel Exilby, of par. Spofforth, Widow. Will proved 1635.
(York.)
- 1632 William Exelby, of North Mimms, co. Herts. Will. (P.C.C.)
- 1638 Richard Exelby, of par. Holy Trinity, Minories. Adm. (Ditto.)

* This is a list of all Wills, &c., found
(to the year 1800).

† Printed pp. 58—62.

‡ These Wills cannot now be found.

- 1638 Anne Exelby, of Folifait, par. Spofforth, Widow. Will pr. 1640.
(*York.*)
- 1639 Nicholas Exelby, of Folifait. Adm. (*Ditto.*)
- 1648 John Exelby, of Acton, co. Middlesex. (Adm.) (*P.C.C.*)
- 1667 William Exelbey, of Lynn Regis, co. Norfolk. Adm. (*Ditto.*)
- 1667 Jonah Exelbey, late of foreign parts. Adm. (*Ditto.*)
- 1669 William Exelby (Eslebie), of Knaresboro'. Adm.
(*Knaresboro' Wills.*)
- 1685 Christopher Eshelby, of Flawith, par. Alne. Will.
(*Alne Peculiar.*)
- 1686 Robert Eshelby, of Flawith, par. Alne. Will. (*Ditto.*)
- 1689 John Ashlebe, of Southwark, then of H.M.S. "Duke." Will
proved 1693. (*Pec. Dean of Arches, London and Shoreham.*)
- 1696 John Exelby, of Purpool [St. Andrew's, Holborn]. Adm.
(*St. Paul's Court.*)
- 1709 Roger Excelbe, of the Royal Navy, in the ship "Bedford." Adm.
(*P.C.C.*)
- 1725 Peter Exelbie, of Snape, par. Well. Will. (*Richmond Arch.*)
- 1731 Richard Axelby, of par. St. Saviour, Southwark. Adm.
(*Com. Court, Surrey.*)
- 1735 Thomas Exelbee, of par. Christ Church, Spitalfields. Adm. suit
and will proved 1738. (*P.C.C.*)
- 1757 Richard Eshelby, of Branton Green, par. Aldborough. Will.
(*Dean and Chapter, York.*)
- 1762 Richard Exilby, of Melbourne, par. Thornton on Spaldingmoor.
Adm. (*York.*)
- 1766 James Exelby, of par. St. John's, Clerkenwell. Adm. (*P.C.C.*)
- 1773 Ann Exelby, of par. St. John's, Clerkenwell. Will proved 1775.
(*P.C.C.*)
- 1778 George Eshelby, of par. South Kilvington. Will. (*York.*)
- 1782 William Eshelby, of Balk, par. Bagby. Will. (*Ditto.*)
- 1786 Thomas Exelby (Esleby), of Darley, par. Hampsthwaite. Will.
(*Knaresboro' Wills.*)
- 1796 John Exelby, of par. St. Michael-le-Belfry, York. Will.
(*Dean and Chapter, York.*)
- 1797 Thomas Eshelby, of Aldwark, par. Alne. Will proved 1799.
(*York.*)
- 1799 John Eshelby, of High Coniscliff, co. Durham. Will proved 1800.
(*Durham and P.C.C.*)

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