

ART. XVII.—*Charters to St. Peter's (St. Leonard's) Hospital, York, and to Byland Abbey.* By the Rev. FREDERICK W. RAGG, M.A., F.R.Hist.Soc.

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IMPERFECT cartularies of both Byland and St. Leonard's exist in the British Museum; St. Leonard's in the Cotton MSS. (Nero D iij.), Byland in the Additional MSS. (18,388). From these I had hoped to gain some help in settling obscurities and difficulties in the charters at Lowther, but my hope was vain. Of the nine here given only one is recorded in them. The Byland cartulary, which is arranged in the alphabetical order of the names of the places in which the lands granted lay, begins now in the midst of the Asby grants. The first part of these had evidently been lost before the volume was bound up, and its first two existing pages are in so faded a condition that I found myself unable to decipher more than very little. Of the St. Leonard's charters none appear in the remains of the cartulary.

Nothing more than a statement of the foundation of each of these religious houses need be given. Byland, a Cistercian abbey, was founded by Roger de Mowbray in 1143; St. Peter's Hospital tradition, or fancy, said by Athelstan in 936, but Tanner in *Notitia* says by the secular canons belonging to the cathedral of York, in the time of William I., on a piece of waste land near the west end, for the reception and entertainment of poor people. William II., he adds, removed it and enlarged it. Stephen erected in its precincts a church which was dedicated to St. Leonard, and thereafter it was usually called St. Leonard's. The college consisted of a master, 13 brethren, 4 secular priests, 8 sisters, 30 choristers, 2 school-

masters, 206 beadsmen, and 6 servitors. After its dissolution its site was granted to Sir A. Darcy and then to Robert, Lord Dudley.

CHARTERS TO ST. PETER'S HOSPITAL (ALSO CALLED ST. LEONARD'S), YORK.

I.

Willus filius Gileberti Loncastre et Willus filius eius omnibus filiis matris ecclesie salutem. Notum vobis sit nos concessisse fratribus hospitalis Sancti Petri Eboraci scilicet domos et hortos et croftos scilicet quemcunque croftum [et] acram terre quas tenebant in Neubi de donatione Ketelli avunculi mei et insuper xxxi acras terre in elemosinam propter animam avunculi mei et propter fraternitatem et orationes eorum; et omnes cause et contentiones queque inter nos erant omnino dimisse sunt. Vale.

William, son of Gilbert of Lancaster, and William, his son, to all sons of Mother Church greeting. Be it known to you that we have granted to the brethren of the hospital of St. Peter of York [this]: that is to say, the dwellings and gardens and crofts: that is to say, every croft [and] acre of land which they held in Newby by the gift of Ketel my uncle; and, besides this, 31 acres of land; in alms for the sake of my uncle's soul and for the sake of participating in their prayers; and all questions and contentions whatever that were between us are entirely disposed of. Farewell.

The word I have given as "quemcunque" looks in the charter like "umcunq:" but "quemcunque" seems needed for the sense. "Fraternitas" is a compressed expression for participation in benefits and goodwill. The charter, short and angry, is that of a haughty man annoyed by controversy and wishing to have done with it, and the omissions of words needed to complete the sense, the strange use of "scilicet" and the disregard of grammar are interesting as showing disturbance of mood. But the most interesting point in the charter is its giving the relationship of Ketel to William, son of Gilbert, and by the help of the next charter it is possible to settle without doubt who that Ketel was—namely, Ketel, son of Alftred. Thus

the two deeds taken together set at rest the long unsolved problem of the origin of the de Lancasters. It is pleasant to find that the tradition of the monks of York—if we leave out Ivo Taillebois—was not so far wrong after all. But they made Ketel father instead of brother of Gilbert, William's father. And as to the false link of descent from Ivo Taillebois, we may admit its falseness without considering it simple invention or purposed fabrication. If the destroyed documents which Dodsworth had the luck to see existed now, we might find that there was relationship with the Taillebois family somewhere. For it is clear from what remains both in charters and in the plea rolls, as well as from what Dodsworth saw, that that family—whether descended from Ivo or not—was one of possessions in the north. And the Pipe Rolls, though the entries concerning them are very few, show them in Westmorland, Cumberland, Durham, and Northumberland before the reign of Henry III. Thus what seems blank to us in that dark period for history of families—the time before Edward I.—may easily have been filled with an impression of the Taillebois family as having been one of some standing, when the charters still existed; and their gifts to the abbeys were not exactly few. This does not justify the monks for the mistake, but it may in some degree account for it.

The handwriting of this charter is of the first half of the twelfth century. What remains of the impression of the seal shows that it was large and contained figures of two rudely engraved animals possibly intended for two hounds, as seems to be the intention in the figures of the seal affixed to the next charter, that of William de Lancaster II., husband of Helewisa.

II.

Omnibus fidelibus Sancte Matris Ecclesie tam futuris quam presentibus Willus de Lancastre salutem. Sciatis me concessisse et

To all faithful sons of Mother Church, those to be and those that are, William de Lancaster Greeting. Know ye that I

presenti carta mea confirmasse Deo et pauperibus Ospitalis beati Petri Eboraci totam terram in Neubi quam Ketell filius Elftredi dedit predictis pauperibus in puram et perpetuam elemosinam liberam et quietam sine omni seculari servitio cum omnibus libertatibus ad predictam terram pertinentibus. Hoc feci pro animabus patris mei et matris mee et pro salute anime mee et uxoris mee Helewise ut simus participes yn oracionibus et beneficiis que fiunt in domo Dei.

Teste domina Helewisa sponsa mea Normano dapifero Gilberto filio meo Roberto de Cantelupo Willo de Piemund Patricio filio Bern' W de Wart' Gamello presbitero et multis aliis. Valet.

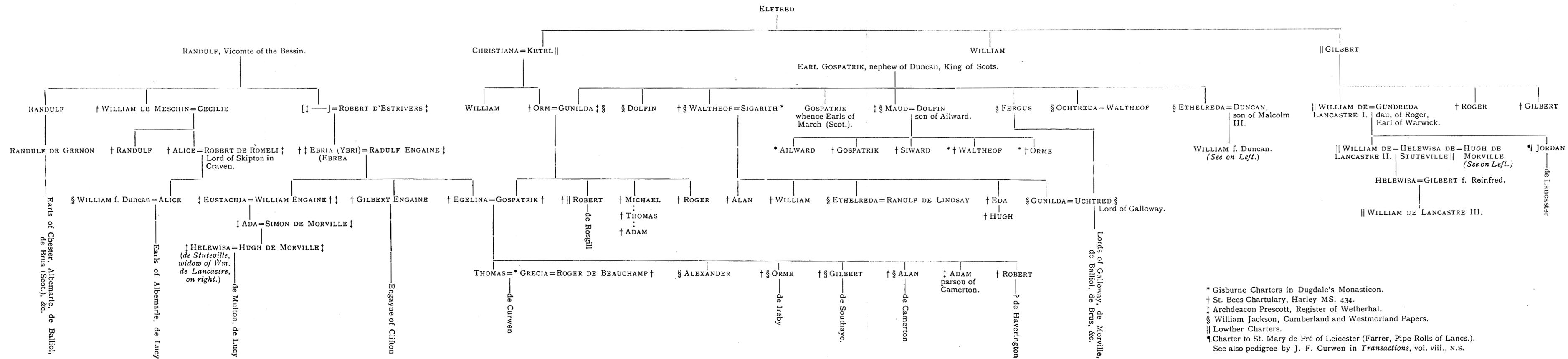
have granted and by my present charter confirmed to God and the poor brethren of the hospital of the blessed Peter of York the whole of the land in Newby which Ketell, son of Elftred, gave to the aforesaid poor brethren in pure and perpetual alms free and quit of all secular service, together with all the liberties pertaining to the aforesaid land. This I have done for the souls of my father and mother and for the good of my soul and the soul of my wife Helewisa that we may be partakers in the benefits of the prayers said and the good deeds done in that house of God.

Witness the Lady Helewisa my spouse, Norman the steward, Gilbert my son, Robert de Cantelupe, William de Piemund, Patrick son of Bern', W. de Wart', Gamel the priest and many others. Fare ye well.

The date of this charter must be close on 1184, the year in which William de Lancaster II. died (Farrer, *Pipe Rolls and Early Charters of Lancashire*, p. 395). His daughter was already married, for he gives her husband as a witness under the term of "Gilberto filio meo." This styling of a son-in-law as a son is not unknown in charters and in wills also of later date, but here it comes admirably in as help in elucidating the relationships and connections of the barons and magnates of the Galwegian part of northern England; and the probability of the connections gives some clue to the position of the de Lancaster family hitherto, I think, unnoticed. In the same sort of connection as that in which Gilbert stood to William,

relationship by marriage, stood Gospatrik, son of Orme, to his wife's kindred. His own mother, Orme's wife, was Gunilda, daughter of Earl Gospatrik. But in the cartulary of St. Bees (Harleian MS. 434), in the thirty-second charter in Book I. there, Gospatrik, son of Orme, gives as his witnesses to this charter among others "Eglina uxore ipsius Gospatricii, Ebrea matre eius," and "Willo Engaine et Gilberto fratre eius." In the thirty-third charter "Eglina" his wife is given, but no Ebrea and no Engaine. In the thirty-fourth, "Eglina uxore mea, Ebrea matre mea," and "Willo Engaine et Gilberto fratre eius." In another charter not numbered, but on page 157 of the cartulary, "Eglina uxore mea" is again witness, but no Ebrea and no Engaine. These, I think, are all the charters of Gospatrik, son of Orme, given in that cartulary. There are several of Thomas, son of Gospatrik; two of these have "T. Engania" as witness—of a later generation. The name Ebrea is so unlike Gunilda that one feels that they both do not belong to the same person, and the impression which the charter quoted first suggests—that Ebrea was mother of Eglina, although Gospatrik's words in another charter are "Ebrea matre mea"—is deepened by the fact of William de Lancaster calling his son-in-law his son. And when we notice besides that when Ebrea is given as witness the two Engaines are given also and that they are not given as witnesses except when she is given, nor she except when they are given, in Gospatrik's charters, we begin to suspect a connection with the Engaines. Turning now to the pedigrees—the most compact and easiest is that given in Prescott's *Register of Wetherhal*, p. 193—we find

ROBERT DE TRIVERS=[] sister of Ranulf Meschin
 |
 RADULF ENGAINE=YBRI OT EBRIA DE TRIVERS.
 |
 WILLIAM ENGAINE.



Ybri or Ebria* is a most rarely occurring name; there is no bar of impossibility in the time, and the conclusion we may naturally draw—safe, I think, though not mathematically proved—is that Eglina, wife of Gospatrik, was a daughter of Ebria and Radulf Engaine. I have therefore used this in the annexed scheme of connections as if true.

Some of the witnesses to this charter attested also the charter of William de Lancaster II., given on pp. 442-3 of Mr. W. Farrer's *Pipe Rolls and Early Charters of Lancashire*—namely, Norman the steward, identified by Mr. Farrer as Norman de Levens; Patrick, the son of Bern' (probably Bernard), given there as Patrick the knight; and William de Piemund, given there as William de Piemonte. Gilbert, "my son," also is witness to both. In this last identification I have felt compelled, unfortunately, to differ from Mr. Farrer. I have taken the words in a way that I have found not unusual and quite natural, and I am unaware of any record of existence of a Gilbert, illegitimate son of William.

III.

Notum sit omnibus videntibus et audientibus litteras has quod ego Willus filius Archilli concessi dedi et presenti carta mea confirmavi Deo et pauperibus hospitalis Sti Petri Eboraci 6 acras terre in Ulvegila in campis de Slegila juxta illas 6 acras quas Archillus pater meus prius in elemosinam dederat in puram et perpetuam elemosinam liberas et quietas et immunes ab omnibus geldis et auxiliis et consuetudinibus et exactionibus et ab omni seculari servitio Has 12 acras affidavi ego warrantizare predictis pauperibus contra om-

Be it known to all who see and hear this letter that I, William, son of Archil, have granted and given and by my present charter have confirmed to God and the poor brethren of the hospital of St. Peter of York six acres of land in Ulvegil in the open fields of Slegil, next to those six acres which Archil my father had formerly given to them, in pure and perpetual alms free and quit and secure from all gelds and aids and customary dues and requirements and from all secular service. These 12 acres I have undertaken to

* The right spelling must surely be Ebrea.

nes homines in perpetuum Hoc
idem facient heredes mei pro me
ut simus participes omnium
honorum et orationum que fiunt
in illa sancta domo Dei tam in
vita quam in morte.

His testibus Murdaco decano
Roberto filio Petri Willo fratre
Ulf Willo filio Roberti (filii)
Coleman Adam filio Johannis
Uctredo fratre eius Adam filio
Willi qui hanc donacionem con-
cessit Ricardo Anglico genero
Willi.

warrant to the aforesaid poor
brethren against all men for
ever. My heirs will do the same
for me that we may be partakers
as well in life as death in all the
good deeds and the prayers
which are carried on in that
sacred house of God.

As witness these :—Murdac
the dean, Robert son of Peter,
William brother of Ulf, William
son of Robert son of Coleman,
Adam son of John, Uctred his
brother, Adam son of William
who granted this donation,
Richard L'Engleys son-in-law of
William.

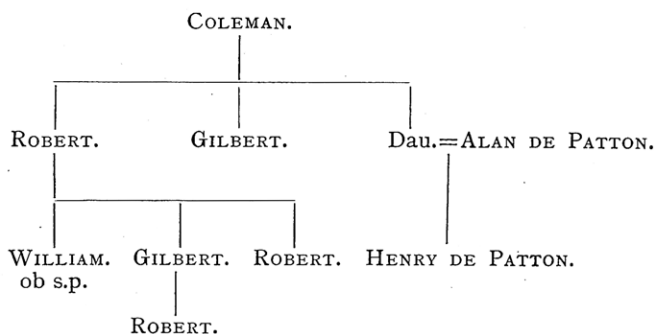
In settling the period in which the witnesses to this charter of William, son of Archil, lived, I have depended partly on Archdeacon Prescott's *Register of Wetherhal*, and partly on Hodgson's *Pipe Rolls for Westmorland and Cumberland*. Weighing the evidence given by both, the probable date of the charter appears to be between 1180 and 1190. Robert, son of Coleman, father of one of the witnesses, was concerned in the surrender of Appleby in 1174, or at least had to pay a fine for it in 1176; so also was Richard Le Engleys (Anglicus). Henry and Robert, sons of Peter, are both witnesses to deeds of Robert, son of Coleman, in the Levens MSS. (*Historical MSS. Commission*, 10th Report), and a witness to one of the Levens deeds is William, brother of Ulf. Murdac was dean of Westmorland, according to Prescott, from about 1161-1186. The Archil—father of the donor—is probably Archil of Revegil, mentioned in the Pipe Roll of 22 Henry II., 1176.

From the Levens MSS. (*Historical MSS. Commission's Report*) and the Lowther documents it is possible to track a few of the descendants of Coleman, whose son Robert was fined for consenting to the surrender of Appleby in

1176. They held lands in Askby Magna (Asby) and in Patton. The lands in Patton seem to have been first granted by William de Patton to Roger, son of Gilbert de Lancaster, for the service of 2s. 6d. yearly "nautgeld" (cornage), and afterwards to have been granted in sore need as freehold without service to the same Roger for the poor sum of two marks.

Gilbert de Lancaster was of course Gilbert f. Reinfred, and for his son Roger see Curwen's pedigree in these *Transactions*, N.S., viii. The de Pattons continued to hold lands, Roland de Patton in Strickland Ketel in 1292 (Assize Roll, 987) and Ralf, son of John de Patton, as late as 30 Edward III. (1356-7), who then granted his lands to Roland de Thornburgh; Agnes Ralf's widow releasing all her rights in these lands to Roland eight years afterwards, 1364-5 (Levens MSS.).

Whether Durand of Askeby, who had a son named Robert, a granddaughter Cecilia (both benefactors to Byland Abbey), and a great-great-grandson William, heir of Robert in 1292; and whether another Hugh de Askby, who had a son named Robert—all these of the twelfth and thirteenth century—were descendants of Coleman I do not at present know. The fragmentary stem of the descendants of Coleman is this:—



All of Askby.

IV.

Sciant presentes et futuri quod ego Robertus filius Uctredi concessi dedi et presenti carta mea confirmavi Deo et pauperibus hospitalis beati Petri Eboraci 5 acras terre in territorio de Neweby jacentes in Langelandes ubi grisius lapis jacet, que scilicet acre protendunt a via que vadit a Banton in Appelby usque in Modersike in longitudine, cum omnibus ad predictas 5 acras pertinentibus infra villam et extra: tenendas et habendas predictis pauperibus in puram et perpetuam elemosinam solutas et quietas ab omni servitio et exactione sicut ulla elemosina liberius and melius dari potest. Et ego predictus Robertus et heredes mei debemus warrantizare defendere et acquietare totam prenominatam terram cum pertinentiis predictis pauperibus contra omnes homines in perpetuum, ut ego et antecessores et successores mei simus participes omnium beneficiorum que fuerint vel facienda sunt in prefata domo in perpetuum.

His testibus Gileberto persona de Morland W et T personis de Morland Ada de Slegil Jacobo de Neweby Stephano filio suo Thoma filio Roberti filii Herberti Reginaldo clerico et multis aliis.

Know those present and those to come that I, Robert, son of Uctred, have conceded, given, and by my present charter confirmed to God and the poor brethren of the hospital of the blessed Peter of York five acres of land in the part belonging to Newby, situate in Langelands, where the grey stone lies; which acres stretch from the way which goes from Bampton to Appleby as far as to Modersike longwise, with all that belongs to the said five acres within the vill and without: for the said poor brethren to hold and to have in pure and perpetual alms freed and quit of all service and requirement, as free and complete in possession as any alms can be given. And I the aforesaid Robert and my heirs are bound to warrant, defend and acquit from claims for the aforesaid poor brethren the whole of the aforesaid land against all men for ever, so that I, my predecessors and successors may be partakers for ever in all the good deeds which shall be or ought to be carried on in the aforesaid house.

As witness these, Gilbert parson of Morland, W[alter] and T[homas] parsons of Morland, Adam de Slegil, James de Newby, Stephen his son, Thomas son of Robert son of Herbert, Reginald the clerk, and many others.

The charter of Robert, son of Uctred, must be dated

about a generation later than that of William, son of Archil. James de Newby, one of the witnesses, it is true, occurs in the Pipe Roll of 10 Richard I., 1199; and Walter, as the next charter shows the name to be, occurs as parson of Morland in the Pipe Roll of 4 John, 1202. But Walter of Ulvesby, who became official of Carlisle about 1230 (Prescott, *Wetherhal*, p. 354), is witness, as official, to a Strickland deed at Lowther of about 1235 together with a later Walter, dean of Westmorland, and with Michael, then parson of Morland, but given in the next charter to this as chaplain only. Thomas, son of Robert, son of Herbert, is probably grandson of Herbert de Tebay, whose son Robert is witness to one of the deeds of Robert, son of Coleman, in the Levens MSS. Herbert de Tebay occurs in the Pipe Roll of 4 Richard II., 1193. I suggest the date most probable for this charter as sometime between 1215 and 1220.

Langelands—*i.e.*, Longlands—still in Newby. The grey stone must have been, I think, near Towcet. The old way mentioned as the way between Bampton and Appleby was probably a track leading from near Shap beck gate towards Gunnerkeld and then to Sleagill, then past Littlebek and through Colby; Modersike was most likely a branch of the stream which runs past the village of Newby, and joins the Lyvennet after passing through Morland.

V.

Sciant presentes et futuri quod ego Stephanus de Neuby concessi dedi et hac presenti carta mea confirmavi Deo et pauperibus hospitalis Sancti Petri Eboraci unam acram terre in campo de Neuby scilicet totam terram meam jacentem proximo juxta terram Roberti filii Ucthredi versus solem in occidentali latere de Sandlandes et totam partem meam de Scortebuttes que pro-

Know those present and those to come that I, Stephen de Newby have granted, given and by this my present charter have confirmed to God and the poor brethren of the hospital of St. Peter of York one acre of land in the open fields of Newby: namely, the whole of my land there which lies close to the land of Robert, son of Uctred, towards the south in the west

tendunt ab orientali versus occidentalem, insuper medietatem de Burhaues: tenendas et habendas totas predictas terras cum omnibus liberis pertinenciis suis et aisiamentis ad predictam terram pertinentibus, ita libere et quiete sicut aliqua elemosina liberius et melius potest dari vel teneri. Et ego et heredes mei totas predictas terras predicto hospitali warrantizabimus adquietabimus et defendemus contra omnes homines in perpetuum.

His testibus Gilberto persona de Morlund Tho persona de Morlund Waltero persona de Morlund Jacobo de Neuby Thoma filio Walteri Johanne fratre eius Michaelae capellano Roberto capellano Radulfo legato et multis aliis.

side of Sandlands, and the whole of my part of Scortebuttes which stretch from east to west; and besides this, the half of Burhaues: for them to hold and to have all the aforesaid lands together with all the liberties and easements belonging to the said land as freely and as undisturbedly as any alms could be held or given. And I and my heirs will warrant, acquit from all claims and defend the whole of the aforesaid land for the aforesaid hospital against all men, for ever.

As witness these:—Gilbert parson of Morland, Thomas parson of Morland, Walter parson of Morland, James de Newby, Thomas son of Walter, John his brother, Michael the chaplain, Robert the chaplain, Ralf the deputy, and many others.

This charter of Stephen de Newby mentioning Robert, son of Uctred, as at the time of the grant owning land next to the land conceded, must be of nearly the same date as the last charter. In fact, the only suggestion of a later date that it contains is the occurrence of the names of the chaplains Michael and Robert; Michael becoming vicar of Morland (Prescott, *Wetherhal*, p. 322) later on, and eventually dean of Westmorland. The capellani of mediæval, or at least of northern mediæval deeds, seem to have been in some instances unbeneficed clergy, assistant curates or curates in charge, for there is sufficient evidence of absentee incumbents and pluralists, and in other instances chaplains to the owners of fiefs. In this charter we have three rectors of Morland contemporaneously existing, and Reginald a cleric besides. Before 1241 we

find no longer three contemporary rectors, but one vicar of the parish and a chaplain in aid.

VI.

Omnibus Christi fidelibus ad quos presens scriptum pervenerit Stephanus filius Jacobi de Neweby salutem. Noverit universitas vestra me caritatis et pietatis intuitu concessisse dedisse et presenti carta mea confirmasse Deo et pauperibus hospitalis Sancti Petri Eboraci octo acras terre in territorio de Neuby: videlicet 5 acras in Langelandes in duabus partibus que quidem protendunt ab oriente versus occidentem scilicet a sika de Langelandes usque ad communem pasturam; et tres rodas similiter protendentes a sika predicta usque ad communem pasturam predictam. Item ad Soudhelandes 5 perticas protendentes ab orienti in occidentem juxta sikam de Gileredh. Item ad Sandlandes 1 acram cujus una medietas jacet proxima terre hospitalis Jerhusalem que protendit versus aquilonem usque ad communem pasturam, et versus australem usque ad sikam de Sandlandes et dimidiam acram in eadem parte campi proximam communi pasture et exitui ville predictae. Tenenda et habenda tenementa predicta cum communi pastura predictae ville et cum omnibus aisiamentis liberatibus et liberis consuetudinibus ad predictam terram infra villam pertinentibus et extra, in puram et perpetuam elemosinam libere

To all Christ's faithful followers to whom the present writing shall come Stephen, son of James de Newby, greeting. Know ye all that guided by piety and charity I have granted and given and by my present charter have confirmed to God and the poor brethren of the hospital of St. Peter of York eight acres of land in the part belonging to Newby: namely, five acres in Langelands in two portions, which acres stretch from east to west from Langlands sike to the common pasture, and three roods, likewise stretching from the aforesaid sike to the common pasture. Also at Southlands five perches stretching from east to west along Gileredh sike; also at Sandlands one acre, half of which lies close to the land of the hospital of Jerusalem stretching northwards as far as the common pasture and southwards to Sandlands sike, and a half acre in the same part of the open field close to the common pasture and to the way out from the vill aforesaid: for the said poor brethren to hold and to have the aforesaid tenements with common pasture of the aforesaid vill and with all easements, liberties and free customs belonging to the said land, within the vill and without; in pure and perpetual alms freely and undisturbedly and released from

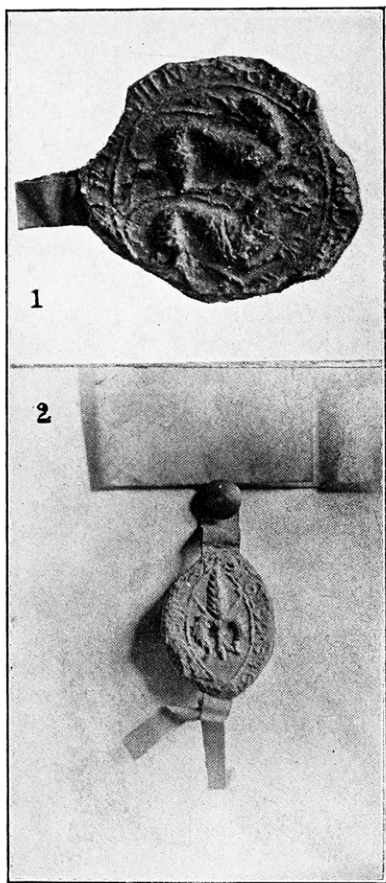
et quiete, et soluta ab omni seculari servitio et exactione sicut aliqua elemosina liberius et melius dari potest. Et ego et heredes mei tota predicta tenementa memoratis pauperibus warrantizabimus acquietabimus et defendemus in omnibus et contra omnes homines in perpetuum. Hoc autem pro me et pro heredibus meis, tactis sacrosanctis iuravi affidavi et sigillo meo confirmavi.

His testibus Ivone de Veteri Ponte Willo de Yrebi Willo de Morevill Waltero de Stircland Henrico de Cundale Thoma de Hastings Petro de Rossedale Gervasio de Loudher Ade fratre Hugone fratre Alano Buteler Radulfo de Fontibus Ricardo Fossard Roberto de Stow? et multis aliis.

all secular service and requirement—as freely and securely as any alms can be given. And I and my heirs, for the said poor brethren will warrant and acquit from all claims and defend the aforesaid tenements in all things and against all men for ever. This on my own behalf and for my heirs I have sworn on the gospels and have undertaken and confirmed by my seal.

As witness these :—Ivo de Veteri Ponte, William de Ireby, William de Morville, Walter de Strickland, Henry de Cundal, Thomas de Hastings, Peter de Rossedale, Gervase de Lowther, Adam and Hugh brethren, Alan le Buteler, Ralf de Fontibus, Richard Fossard, Robert de Stow? and many others.

This charter of Stephen, son of James de Newby, I have with much hesitation placed after and not before the preceding charter of Stephen de Newby. The names of the witnesses, so far as I could discover anything about them, belong to the earlier portion of the thirteenth century. Ivo de Veteripont died in 1239 (Parker's *Pipe Rolls*) or close thereon; Thomas de Hastings belongs to some such period as 1203-1240 (Prescott's *Wetherhal*); Walter de Stircland occurs in the Pipe Roll of 1212; Henry de Cundal in various charters at Lowther from 1200 on. Gervase de Lowther lived to within ten years of 1240 as we may judge from the Pipe Rolls (Parker's *Pipe Rolls*, p. 80), which seem to show that in 1240 three years' of a ten years' lease granted to him had still to run. But in this charter he appears without any prefix "magister" or "dominus" to his name, and one can but conclude from this that the date is previous to his being appointed official of Carlisle, which according to Prescott (see p. 56



SEALS TO ST. PETER'S CHARTERS.

1.—WILLIAM DE LANCASTER II. (p. 239).

2.—STEPHEN F. JAMES DE NEWBY (p. 247).

Photo. by Dr. Haswell.

TO FACE P. 249.

of the *Register of Wetherhal*) was about 1223. Hence the date should be about 1220.

As was very often the case the witnesses to this charter were men who lived near or had lands near the place of execution of the deed. Ivo de Veteriponte had lands in Reagill and Newby as well as in Cumberland. I hope later to communicate a paper on his branch of the Veteriponts. William de Morville was of Helton Flechan, Walter de Stirkeland of Strickland, Henry de Cundal of Bampton, Alan le Buteler of Kings Meaburn. Peter de Rosedale I take to be a scribal error for de Rosgill. There was a family of Rosedale but not living near, and at the time of drawing up the charter Peter de Rosgill was owner of Rosgill. Papers on all these families I hope to communicate later.

The seals attached to mediæval documents sometimes bore armorial shields and sometimes only devices. Devices only were possible if the party concerned in the deed had no armorial bearings, but instances occur in which a seal containing a mere device was attached when the owner had also an armorial shield. There is one, to go no further, of Hugh de Salkeld, a device which looks like a plant, while another charter has his shield attached. A plant was also used by Robert de Clibburne in the early fourteenth century, and a less intelligible device by his descendant and namesake in the early fifteenth century, nearly one hundred years after the earliest instance remaining of their use of the armorial shield. A seal of Ralf de Cundal of the end of the thirteenth century has the device of a stag's head fronting, the head long and narrow; one of John le Fraunceys de Cliburne, of the middle of that century, a stag's head broader in proportion, fronting and surmounted by a cross. One of Robert, son and heir of Ivo de Veteripont, has a device somewhat akin to this of Stephen de Newby, which is a variant of the fleur-de-lis. This of Stephen's is also the exact device of a matrix which was discovered in Shap Abbey with an inscription

telling that it was the seal of Henry, son of Robert. It was a favourite device, for forms of it very nearly identical occur over and over again on seals amongst the Lowther documents belonging to quite different families. In some cases the charters themselves mention that the grantor not possessing a seal, or not at any rate having his seal with him, had the use of a seal of one of the witnesses granted to him to attach to the deed.* Something of this was necessary, because a charter which had no seal attached or which had had its seal separated was treated in Courts as valueless, as the Assize Rolls show.

VII.

Sciant presentes et futuri quod ego Willus filius Stephani de Neubi dedi concessi et hac presenti carta mea confirmavi Deo et pauperibus hospitalis Sancti Leonardi de Eboraco pro salute anime mee et patris mei et matris mee et antecessorum meorum totam terram illam in territorio de Neubi cum omnibus pertinentiis et communibus assiamensis predictae ville pertinentibus quam Stephanus pater meus prenominationis fratribus predicti hospitalis in legitima potestate sua dederat, et pratum apud Southelandes et buttas illas sicut ego Willus et frater Hugo de Wetherby posuimus metas que videlicet buttant super predictum pratum. Insuper ego Willus dedi predictis fratribus de proprio dono meo unam acram terre in eodem territorio super Doutherig. Ego vero Willus et heredes mei warrantizabimus totam ter-

Know those present and those to come that I William, son of Stephen de Newby, have given and granted and by this my present charter have confirmed to God and the poor brethren of the hospital of St. Leonard of York for the safety of my soul and the souls of my father and my mother and of my ancestors, all that land in the part belonging to Newby with all its belongings and the common easements belonging to the aforesaid vill which Stephen, my father, in his lawful power had given to the aforesaid brothers of the said hospital; and a meadow at Southlands and the butts there bounded as I William and brother Hugh of Wetherby have marked them out over the meadow. Moreover I, William, have given to the said brethren of my own gift one acre of land in the same tract on Doutherig.

* See for an example of this the charter of Geoffrey de Cotesford to Byland, given in Art. XVIII.

ram illam quam predicti fratres de patre meo et de me lucrati sunt vel lucrari possunt contra omnes homines in perpetuum.

His testibus domino Michaelē vicario de Morlund tunc decano de Westmerilanda domino Alexandro de Windesovers milite Roberto de Neubi Gilberto domino de Slegile, Ricardo de Heham Roberto de Alneto Willo de Loncastra Michaelē capelano de Morelund qui hoc fecit scriptum.

And I, William, and my heirs will warrant against all men for ever the whole of this land which the said brethren have acquired or can acquire for the good of my father's soul and mine.

As witness these: — Master Michael vicar of Morland at the time dean of Westmorland, Sir Alexander de Windsor knight, Robert de Newby, Gilbert lord of Slegile, Richard de Heham, Robert Dawnay, William de Lancaster, Michael chaplain of Morland, who wrote this document.

It is somewhat easier to fix an approximate date for this than it has been for some of the foregoing charters. Michael, who has appeared in one of these as chaplain and then became vicar of Morland, is now dean of Westmorland. This promotion seems to have taken place (Prescott's *Register of Wetherhal*, p. 322) about 1240. William de Lancaster died before December 25th, 1246 (Inq. C. Henry III., file 6, 13); and Gilbert de Slegil died shortly before 1287 (Assize Roll, 1277, 16 Edward I.), leaving his son and heir still under age. We may conclude therefore that the date is about 1241.

I am unable at present to make out a satisfactory pedigree of the family of de Newby. Gaps exist which no record which I have hitherto seen fills up.

[Since the pedigree (facing p. 241) was printed, Mr. J. F. Curwen has kindly communicated notes showing that "Southayt" as there printed ought to be "Southaye," i.e. Southaik in Dumfries, not Southwaite in Hesketh. To the family of William de Lancastre I. should be added "Avic, m. Richard de Morville, whose dau. Ada m. Roland f. Uchtred, lord of Galloway."