

ART. I.—*Inglewood Forest*. Part VII. By F. H. M. PARKER, M.A.

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THE HUTTONS, HEREDITARY FORESTERS OF PLUMPTON HAY; an account of the Family and Office from the reign of William Rufus to the reign of James the First.

PLUMPTON HAY, the great park within Inglewood, on the banks of the Petterill, was a celebrated place in olden times, and is memorable now both for its antiquity and for the long continuance of the office of Forester of the Hay. For when William the Second reduced Carlisle and subdued this district (it was not a part of the English kingdom in his father's time), he established Plumpton Hay, and placed a man in charge of it. From that man descended the Huttons, and they held the office in the time of James the First.

The original park was enlarged at the end of the reign of Henry the Third by adding the land between the Petterill and the highway between Penrith and Carlisle, and possibly at some other period. Mention is made repeatedly of "the ancient enclosure," which is referred to as if it were only a part of a larger whole. Certain grazing rights of the Huttons were bounded by its limits, and in the reign of Edward the Third a substantial sum was expended in repairing the old fence.

Plumpton Hay* was managed under conditions slightly different from those in the other parts of the forest. The

* Plumpton Hay means simply "the enclosure at Plumpton." *Hay* as a place-name comes from the mediæval Latin *haia*, which meant either a ring-fence or the land within it. It has a common origin with *hedge*, *haw*-thorn, and the *ha-ha* fence, but not with the word in common use.

hereditary warden had considerable rights of timber in the forest outside, but none in the Hay; he was empowered to impose certain fines for swine or other animals escaping into the Hay at any time in the year, but for swine in the surrounding forest only during fawning time.

Plumpton Hay has also had the reputation of being a resort of Robin Hood. Sherwood Forest has gained much glory from his name, though learned authorities say that his exploits are only tales of a wood elf. But even his literary connection with Plumpton is hazy; it is based on a comment by an intelligent annotator on the feats of Robin and his merry men:—

They haunted about Barnsdale, Compton (r. Plompton) parke, and other such places (Sloane MS.)*

So our evidence turns on the direction to “read Plompton” out of the name of one of the “other such places.”

The earliest ancestor of the Huttons whose name has come down to us was Eadmund, to whom Henry the First granted Hutton, to be held by the service of keeping Plumpton Hay.†

The next is Adam, his son. It is recorded of him that he paid 20s. for his relief on succession, about 1168; ‡ Adam, son of Aedmund, was fined one mark for an illegal perambulation without warrant in 31 Henry III., and occurs again in the Pipe Roll, 7 Richard I.

In the 10th year of John, Roger de Belchamp paid ten marks to have the custody of the lands and forestry of William, the son of Adam de Hotton.

It may be well to remark that though these three names are given in succession, the dates make it impossible that they represent three generations only. Probably the last-named Adam was the son of Adam, son of Eadmund.

* Joseph Ritson, *Robin Hood, &c.* (1885), p. xxiv., note.

† Testa de Nevill.

‡ Pipe Roll, 14 Henry II.

The story of the grant by William Rufus, of which we shall hear presently, involves the existence of an ancestor even before Edmund.

The notice of William in the Pipe Rolls states that the custody was to be for ten years, beginning at Michaelmas in the eighth year, that is 1208; it seems therefore that William was at least ten years short of his majority. He soon disappears from the scene, and early in the next reign Thomas, the son of Adam, was in possession. He began by conveying Hutton to Alan de Capella, and because he had no licence to do so it was seized into the king's hand. But presently Alan made his peace with the Crown, and had a confirmation of his title.

Next Thomas de Hoton died, and by an inquisition in the 32nd year of Henry III. it was found that he held half a carucate of land and two acres; that he gave two oxgangs of land with Cecily, his daughter, in marriage to Nichol le Venur; that Alexander de Capella kept Plumpton Hay for the land he had, and Thomas likewise for the land he had; and that Cecily, wife of Nichol, daughter of the said Thomas, was his next heir, and aged twenty years.

As for the share of the property still held by Nichol le Venur and Cecily his wife, we learn that Cecily was dead in 50 Henry III., that her heir was her daughter Bertha, who was then married and twenty-three years of age. Though it is added that Bertha had more than one son living (*pueros habet*), her husband is not mentioned by name; but it is recorded elsewhere that he was Thomas de Dokwra. Thomas and Bertha will occur again presently. An inquisition on the latter in 5 Edward II. says that her son Thomas de Dokwra was her heir, and aged forty and upwards. In 1316 a man of this name was one of the jurors at the perambulation of the forest. Later still he appears in the Patent Rolls, having conveyed lands in Hutton to Hugh Page, John de Laton, Alan de Neuton, Richard Whiteheued, Robert de Staynton and

Joan his wife, and Ralph le Parker, between 1318 and 1325.

We now return to Alan de Capella. It is natural to ask who he was. It is not possible to answer with absolute certainty, but it is probable that he was a member of the original Hutton family. Names were easily acquired in those days; the Huttons themselves had not definitely adopted one. While the immediate heirs of old Edmund remained as the chief family at Hutton, younger branches would adopt other names. Some of them were oscillating between the styles of "de Hoton" and "de Capella" a century later than Alan's time.

The positive evidence for connection between the families is found in a passage in the Pipe Roll for 18 Henry III., where some belongings of William, "chaplain of Hutton," were sent to London. The description "chaplain," *capellanus*, suggests de Capella, and this William may very well be the same as William, the son of Adam de Hoton, of whom we have already heard. Apparently the latter got into trouble before he disappeared,* and some such reason is needed to account for the "chaplain's" effects being sent to London, to be accounted for there—in company, by the way, with a prisoner bound for Newgate.

About the same time as the purchase from Thomas de Hoton, Alan de Capella acquired land in Hutton which had been the property of Walter Engaine, who had been arrested, broken prison, and been beheaded.† The fate of Walter Engaine was in accordance with the usage of the time. The reason seems to have been the natural one that a man, knowing that if he was caught escaping, would be decapitated forthwith, without sentiment or argument, would not make the attempt unless he knew

* In the last Pipe Roll for John's reign: Roger de Belchamp owes one-third of 25 marks "pro justic' Williemi filii Ade de Hoton." This was, of course, some time before; but the payment was only discharged in the Pipe Roll for 12 Henry III.

† Pipe Roll, 11 Henry III.

that he had not an outsider's chance of evading the hangman by an acquittal. No doubt it was Engaine's best tactics to trust to luck, as he was charged with causing the death of a man, Roger Gernun.

After Alan came Alexander, no doubt his son. It is noted in the Pipe Roll for 34 Henry III. that he had bought out another part of the Hutton estate, having paid 7s. to acquire half a carucate and two oxgangs of land from what is called "the serjeanty of Edmund de Houton." Four years later, according to the same records, he obtained some land at Aldeby. He was dead in the year 1260.*

Next came Thomas, who, under the name of Thomas, son of Alexander de Hoton, occurs as party to a fine with Thomas de Docwra and Bertha his wife, under which he becomes owner of land in Hutton. At the Pleas of the Forest in 1285, he appears as forester in fee of Plumpton Hay, ranking next after the chief forester of Inglewood, Alan de Kyrkby, and before the other hereditary forester, William Boyvill of Allerdale. He was called upon to show his title to this office, and put in the charter given by Thomas de Hoton to Alan de Capella. This shows that he was claiming as representative of the latter. Now we hear of the alleged grant by William Rufus, and it is noteworthy that the substance of what he claimed under the ancient charter was afterwards admittedly his right, as profits of his post. He seems to have had little difficulty in making out his right to the post. Then follows a question of much greater importance. He was asked whether he claimed any other privileges by reason of his duty beyond what was given in his charter. In reply

He says that he claims to have within his bailiwick grass and hay for two horses in each year; dead wood in his bailiwick, and all wood called *cablicia* (windfalls) throughout the whole of his bailiwick, and stumps for covering his houses, and bracken; and he claims to gather nuts within his bailiwick, and to have the eyries of hawks therein.

* *Excerpta e Rot. Fin.*, ed. Roberts.

He was then asked by what warrant he claimed this, to which he replied

That he had a good charter conferred on his predecessors by William, sometime King of England, son of King William the Bastard, which charter was burnt in the city of Carlisle, where it was on deposit. And he asks that this may be verified (m. 41).

We are not told anything further as to the circumstances of this most unfortunate accident. The loss of the earliest Hutton charter is greatly to be regretted; the claim made under it at least gives a date more remote than that of any other Inglewood record.

There are two short entries relating to Thomas de Hoton in the same roll, which serve to illustrate the methods of the time. The first shows the precision with which the forest was managed :—

Thomas de Hoton made a purpresture of $14\frac{1}{2}$ acres and one rood at Bounrigg in the soil of Hoton, outside of the king's demesne, delivered to him by Geoffrey de Nevill and rented by him, each acre at 4d. And, because it seemed to the justices that the said Thomas holds the land at an insufficient rent, orders are given to the foresters, verderers, and regards to inform them what each acre could be worth per annum for the king's use. And they say on their oath that each acre is worth 6d. per annum (m. 34d).

And it was decided that he should hold the plot of land for ever, paying a total rent of 7s. 6d., representing 6d. a year on fifteen acres, the last amendment being, no doubt, a concession to the comparatively limited knowledge of fractions possessed in those days. Thomas' descendants had a tenement at "Bourygg" in Tudor times.

The second is probably a fair sample of the incidents which broke the monotony of the regular work :—

Thomas de Hoton, forester of Plumpton Hay, took timber from the king's demesne wood, and sold it to Robert de Joneby for one mark. For this Thomas will answer. And for the trespass, and for others, he is in mercy. And because he did this within his bailiwick while he was forester of the fee, he is delivered to prison, and his bailiwick taken into the king's hand (m. 28d).

This matter seems to have been soon put right, but Thomas was destined to worse troubles than this. In his time the men of Galloway, in flight before Robert Bruce, entered Inglewood with their cattle, and established themselves there for the space of eighteen months, to the great loss of the unlucky Thomas, who had just obtained a lease of the grazing. He claimed that the incident cost him £20. The matter was investigated as follows :—*

An inquisition held at Penrith on Monday the morrow of Palm Sunday, the twelfth year of King Edward the son of King Edward, before Robert de Barton and Adam de Skelton, assigned to the taking of the said inquisition, &c., by Robert de Tymperon, John de Hotonrof, Richard de Quitefeld, William de Quitelaw, William de Dofinby, Thomas Holey, William de Edinhale, John Hunter, John son of Hugh, John Storer, John de Quitebergh, John de Penrith, William de Sutton, William de Vaux, Hugh le Harpur and Adam Carleton, jurors, who say on their oath that

Through fear of the Scots the men of Galloway came with their beasts from their own district to the forest of Inglewood on the twenty-fourth day of June in the twenty-ninth year of King Edward, father of the present king ; and that they remained there with their beasts in the land of Plumpton, and elsewhere within the forest, on the pretext of a writ which the king, the father, directed to the foresters in fee of his forest, that they should permit these men with their beasts to remain peaceably in the forest without any payment ; and that Thomas de Hoton, to whom the king had committed the herbage of the said land to hold for ten years, from the third day of December in the twenty-ninth year of his reign, for a payment of 40 marks a year to the king at his exchequer, lost his profit out of the herbage of the land to the value of £20, through the sojourn of these men and their beasts as aforesaid for that year and a half in that land.

Thomas' rights are more fully given in the letters patent conferring the grant. It is dated December 3rd, 1300, and appoints Thomas de Hoton to the custody for ten years, unless the king should otherwise direct, of the land of Plumpton. He is to make his profit out of the herbage, render 40 marks a year, and maintain and repair the hedges.

* Inq. ad quod Damnum, 12 Edward II., 115.

Thomas de Hoton's eldest son predeceased him, and he was succeeded by his grandson. It will be seen from the inquisition held on his death that he had his house burnt by the Scots, in addition to the loss of his pasture, the principal facts being as follows :—*

That Thomas de Hoton held in his demesne as of fee on the day he died, the manor of Hoton in the Forest, of the king in chief by homage and fealty, and by service of serjeanty, namely of guarding the land of Plumpton and the king's deer in that land. And they say that in the manor aforesaid there is a chief mansion, which is worth by the year twelve pence and no more, because it was burnt by the Scots. (Further valuations follow.) Moreover they say that Thomas, son of John de Hoton, is next heir of the said Thomas de Hoton, and that he was nineteen years of age on the day of St. Lawrence last past.

This does not tell us the relationship of the heir to the dead man, but on March, 1324, it is ordered that Thomas de Hoton shall be put into possession of the custody of Plumpton Hay, which Thomas de Hoton, his grandfather, held in chief.

So Thomas de Hoton the younger came into the estate. It took him just under three years to get into serious trouble, which resulted in the confiscation of his forestership. It was granted to an old and tried servant of the Crown, as is recorded in the Patent Roll, March 3rd, 1327 :—

Grant to Henry de Acum, "chafewax,"† for service to the late king, of the bailiwick of the land of Plumpton, which Thomas, son of John de Hoton held in fee, but which escheated by forfeiture for a trespass of vert and venison by the said Thomas; to hold as long as it remains in the king's hands.

Two years later a mandate is addressed to the keeper of

* Inquisition post mortem, 12 Edward II., No. 13. Jury as the last, omitting de Tymparon, de Penrith, Quitfeld, Storer, Harpur and Carleton, and adding Alexander de Capella, Roger de Beauchamp, John de Penruddok, Thomas de Dokwra, and John Bone.

† "Chafewax" was an officer belonging to the Chancellor, who fitted the wax for the sealing of writs. "Chaufcire" below is the French equivalent.

the forests beyond Trent to admit Henry's nominee, he himself being too deeply engaged in Chancery to perform the duties.

But these duties did not absorb all his time, for in 1335 a pardon is made out to "Henry, Chaufcire de Acum," for all trespasses of vert and venison in the forests of Galtres and Inglewood, whether in this or the late king's reign.

In the meantime, though Henry de Acum had been following the evil ways of Thomas de Hoton, the latter was redeeming his character. In 1334 he was pardoned for his trespass; in 1342 he was reinstated as a reward for service in Scotland—"in consideration of good service of Thomas de Hoton in the war of Scotland, the king pardons a trespass committed by him in his bailiwick, and restores his bailiwick of keeping the land of Plumpton."

It is pleasing to know that when Thomas came back to his own the king did not forget his faithful servant, Henry de Acum, now deprived of his comfortable living. Before the year was out it was noted in the Patent Roll that

Whereas the king, by letters patent, granted to Henry de Acum, spigurnel of the Chancery, the bailiwick of Plumpton, and afterwards granted it to Thomas de Hoton, to the great impoverishment of the former's estate; in consideration of the immense labours and perils he endured in the service of Edward the Second and the present king, the king grants that he shall have the first void corredy or pension in any religious house that he will accept.

And the year was not ended when the king sent to the abbot and convent of Athelney a request to admit Henry de Acum, spigurnel, to that house, and provide him with such maintenance for life as John de Preston, deceased, had at the king's request. This is entered on the Close Roll, December 15th, 1342; on the 21st, there was a further request to the abbot of St. Augustine's, Canterbury, to provide Henry de Acum, spigurnel, the king's serjeant, with such maintenance as Matilda de Wylmyngton, deceased, had. So Henry de Acum, his old age comfortably provided for, passes out of the story.

To return to Thomas de Hoton. An inquisition had been already held in the eleventh year of this reign, on Thursday next after Corpus Christi, to ascertain whether any harm would be done if he were permitted to convey the manor of Hutton, less one carucate of land, to Robert Parnyng, parson of the church of Hutton, for the purpose of an entail upon his sons John, Robert, and Thomas respectively.* A favourable report was returned. It seems that all three sons died before their father, as at his death other names are mentioned. The inquisition gives a number of particulars:—

An inquisition taken at Carlisle before William de Nesefeld, escheator, &c., on Saturday next before the Feast of the Purification of the Blessed Mary, in the 37th year of King Edward the Third, by the oath of Clement de Crofton, John de Agilliounby, John de Stapleton, Richard Leuthen, Robert Hobsson of Avericholm, Gilbert Tayntorell, Michael del Sandes, John Butikom, John Hewettson of Corby, John de Dundraw, Robert de Dundraw and John de Laysingby, jurors. Who say on their oath that Thomas de Hoton died seised of the manor of Hoton in the Forest, likewise of the bailiwick of the lands of Plumpton in the forest of Inglewood, by virtue of a certain feoffment made to the said Thomas by Henry de Staynwegges (Stanwix), parson of Hutton, Adam del Chapele, chaplain, and Richard, son of John de Hoton, which Henry, Adam and Richard gave and granted to the said Thomas de Hoton the aforesaid (property), to have and to hold to the said Thomas for life, and after his death (to his sons William, Richard and James by seniority in tail male). And they say that the said manor of Hoton, &c., are held of the king in chief by homage and the service of guarding the king's lands in Plumpton and the deer there, and by the service of paying to the king's exchequer at Carlisle 13s. 4d. each year

And they say that the said Thomas de Hoton died on Thursday next after Michaelmas last past; and that William de Hoton, son of the said Thomas, is his next heir under the aforesaid entail, and is 25 years of age and upwards. †

* Inquisition post mortem, 11 Edward III., 2nd Nos., 28. Before John Moryn, escheator; John Lone, William de Dolfanby, John de Couppeland, Richard le Procuratur, Geoffrey Tayllur, William de Stokdale, John de Boleton, Thomas Rouse, William de Holley, John Tymparoun, Paulinus de Neweton and John de Penneroddek.

† Inquisition post mortem, 36 Edward III., No. 88.

William de Hoton seems to have enjoyed his estate for an exceptionally long period, as he lived till within a few months of the accession of Henry the Sixth. In 1383 he obtained licence, after an inquisition, to settle the manor, the bailiwick of launder, two messuages and three and a half acres of land on his sons John, Robert, and Thomas successively, conveying this property to William de Lancastre, John de Welton, clerk, and William de Hoton of Salkeld for this purpose. William's wife Isabella is mentioned. Incidentally it is recorded that he paid five marks for the privilege.*

During his time two most important inquisitions were held for the purpose of finding out what rights he enjoyed by reason of his office as forester of Plumpton Hay.

The first was held at Penrith before Peter Tilliol, sheriff of Cumberland, on Tuesday after Michaelmas, 19 Richard II. The jurors say that

William de Hoton, forester of the king in the land of Plumpton, ought, and has been accustomed, to receive within the land of Plumpton for his custody of the old Hay, and for the office of forestry of the land, the whole of the herbage within the covert of the Hay and certain metes of the covert called Les Overelles, within the said enclosure of that land; also the honey and fruit of trees known as *mast*, dead wood and wood thrown down by the wind, and sparrowhawks nesting within the covert.

Also they say that William and all his ancestors have been accustomed to have and receive these profits for the performance of the custody and office aforesaid, time out of mind.

Also that neither the said William nor his ancestors, nor any other holding the said office for the time being have had or received any other stipend or profits for executing the custody and office as aforesaid.†

* Inquisition post mortem, 6 Richard II., No. 163. The jurors were Richard de Salkeld, John de Hotonrofe, Thomas de Laton, William Vaux, William Engayne, Roland Vaux, Thomas de Hoton, John de Carleton, John de Loweden, John Hunter, Richard Hunter, and John de Alaynby.

† Jurors:—Clement de Skelton, Kt., William Vaux, Patrick de Suthayk, Robert de Alaynby, Richard de Skelton, Thomas de Blencowe, Thomas de Laton, William de Kirkeby, William de Dykys, William de Beaulieu, John de Robertby, and John de Alaynby. Inquisition post mortem, 19 Richard II., No. 61.

There is a notice about this subject in the Patent Roll, 1398, the enquiry probably being commanded in order that William's exact rights and position should be known. Indeed, several of the expressions are somewhat ambiguous even now. From these evidences it appears that we have to take into consideration four areas, one within the other—first, the land of Plumpton, the Latin word *launda*, meaning lawn or grass land rather than the indefinite *land*; in it was Plumpton Hay, the word Hay, *haia*, *haja*, meaning a hedge as well as the park it contained; in it was the covert; within the covert, bounded by certain limits called Les Overelles, was the herbage to which the forester was entitled. Elsewhere these boundaries are referred to as *umbraculum*, from which two names it is clear that the place is one with overshadowing trees, not undergrowth only. Probably it was the same as the "old Hay" just mentioned. This is the more likely, because there must have been some sort of fence to prevent the cattle straying outside the limits.

There is also a little doubt as to the service by which the Huttons enjoyed their privileges. Originally the office of forester was conferred upon them; Hutton was given them as the wages for the duties, and certain privileges, the beech-mast and so forth, were allowed as a maintenance grant. Later, these are said to be held by the service of launder of the land of Plumpton. The simplest explanation is that the difference was so unimportant that a laxity of statement did not matter, but from a historical standpoint it is better to make a note of the discrepancy, as the office of forester of the Hay meant looking after it as a deer preserve, while that of launder meant getting the best value per annum out of the grazing land.

So far we have heard what the privileges were; next we are told what they were worth. A report is made as follows:—*

* Inquisition post mortem, 20 Richard II., No. 58.

Inquisition held at Carlisle on Wednesday before the Epiphany in the 20th year of King Richard the Second, before Robert de Louthre, acting as deputy in Inglewood for Ralph de Nevill, justice of the forest beyond Trent, by virtue of a writ, &c., on the oath of Amand Monceaux, John de Thirlewall, John de Dalston, Henry de Hoton, Thomas de Blencowe, John de Perdyshowe (Pardshaw), Thomas de Laton, Robert de Alaynby, Patrick de Southayk, William Fethre, John Bost and John Watson, who say on their oath that the entire herbage within the covert of the old enclosure (haie) of the land of Plumpton, and certain metes, called Les Overelles, of the covert, within the old enclosure of the same land, is worth by the year ten marks. Further they say that the honey is worth by the year twelve pence, that the fruit of trees that is called mast is worth by the year twelve pence, that the dead wood and wood blown down by the wind is worth by the year 13s. 4d., and that the hawks nesting within the said covert are worth by the year six pence.

Curious though these items may seem to modern ears, there is probably no more picturesque scene in the whole history of the forest than the Huttons' little realm with its woodland tribute. Centuries passed, dynasties rose and fell, but as Hutton succeeded Hutton we are gravely told, generation after generation, that the late lord of the manor was entitled to his sticks, his honey, his beechmast, and his hawks.

In 1381 we meet with William de Hoton holding an inquisition as deputy for the keeper of the forest, to ascertain whether Richard Trotter, who had been appointed launder of Plumpton, should be permitted to enclose ten acres of land between Todholgill and "le Blakebek," and between the closes of Morton and Wooll-oaks, within the common of the forest, and to construct a house called a "logge" (lodge) there. This was approved.

William de Hoton died on the 25th of January, 1422.* The customary inquisition was held on the 16th of April

* Inquisition post mortem, 9 Henry V., No. 18. The jurors were:—William Hoton of Hoton John, John Salkeld, Thomas Lancastre of Penrith, John Forster of Penrith, Christopher Camyrton, Alexander Forster of Penrith, John Robertby, John Hoton of Penrith, Robert Alanby, Thomas Carlton, Robert Clynt, and Roger Gnype.

next following. The principal facts recorded are that the net value of the manor of Hutton was £4 19s. 8d. per annum; that of the forestry 33s. 4d. William de Hoton moreover died seised of the advowson of a chantry in Hutton, which was filled on the presentation of William; it was worth 100s. a year. Also of a purpresture in the town of Penrith; it was held of Ralph, earl of Westmorland, at a yearly rent of 6d., and it was worth nothing because it was wasted. He died on the Feast of the Conversion of St. Paul last past, and Robert de Hoton, his son, was his next heir, and upwards of 30 years of age.

Robert de Hoton enjoyed the estates for sixteen years, dying September 12th, 1438.* He had, at his death, the manor of Hutton, a corn mill worth one shilling a year, the office of launder worth 10s., and a close called "le Bouttes," containing three acres, each of which was worth 2d. a year, the figures in each case representing the value after all expenses were paid.

It is noted that in the manor was a site worth 20d., which suggests that his house had been destroyed. He had a hundred acres of meadow which were worth nothing, and the patronage of a chantry, which was "worth nothing, but only in prayers." John Hoton was his son and heir, and thirty years of age. Later, dowry was assigned to Mariota, his widow.

John Hoton was succeeded by his son Robert about the beginning of the reign of Edward IV. Two inquisitions were held on his death, but by a curious mischance one of these is missing and the other mutilated, only a small corner of the document being in existence. Fortunately the next inquisition serves to link up the pedigree.

It tells us that this Robert was an imbecile, of whom it

* Inquisition post mortem, 18 Henry VI., No. 57. The jurors were:—Hugh Forster, John Bost, Christopher Camberton, Thomas Brugham, jun., Thomas Carleton, Roger Garthe, William Hall, William Morland, Robert Wrangways, William Cotysforthe, Thomas Cotysforthe, and John Hoton of Penrith.

is only recorded that he died on the 18th of July, 1484. King Edward the Fourth gave the whole county of Cumberland, &c., to Richard, duke of Gloucester, his brother (afterwards King Richard III.), who, by virtue of the said gift and by reason of the imbecility of Robert Hotton, son of John Hotton of the Forest, took possession of the manor of Hutton, and gave it to John Musgrave, Esquire, who held it during the late duke's lifetime, and up to the present time, by what right the jurors know not. Lancelot Hotton, aged nineteen, and upwards, was his kinsman and heir—namely, son of Thomas, his brother.

Lancelot Hutton owed his baptismal name to Sir Lancelot Threlkeld, who was present at the christening; as was his wife Margaret, the widowed Baroness Clifford. She was the mother of two men upon whom the fortunes of literature have conferred an undying fame—one, "the good Lord Clifford;" the other, that Sir Lancelot Threlkeld, whose favourite boast that he possessed three noble houses must be familiar with everyone who knows anything of the history of Thelkeld, Yanwath, or Crosby Ravensworth.

A change is noticeable at this period in the service by which the manor of Hutton was held. It is recorded that it was worth £8, and was held of the king by service of one-twentieth of a knight's fee, and by forester service of keeping the royal enclosure of Plumpton, and by the service of holding his stirrup when the king mounts his horse in Carlisle Castle, and by a rent of 33s. 4d. The stirrup service was attached to some land purchased by Thomas de Hoton from John de Rachtou in 1348, and probably was afterwards annexed to the whole estate. He also had the herbage of the meadows within the covert of the ancient enclosure of Plumpton and within certain bounds called the umber of the covert worth 20s., the donative and advowson of a chantry, woods called Barmescowgh and Elfhow, and a watermill there.

Lancelot Hutton died January 28th, 1513. An in-

quisition was held on the 24th of April next following. Lancelot held the manor of Hutton in fee tail; the services just mentioned are recited. He also had a close called Thomas Close, and a tenement called Bourygge. In addition to the herbage, the old perquisites are noticed—the honey, mast, the dead wood and wood blown down, and the sparrowhawks nesting within the covert. This he held by the service of launder of the land of Plumpton. He had also a watermill called Elphe Mylne, a windmill, and the advowson and donative of a chantry in the church of St. James of Hutton, and it was worth nothing except in special prayers. William Hutton was his son and next heir, aged twenty-one years and upwards.

This William married Margaret, daughter and coheir of Anthony Crackanthorpe, and niece and coheir of Ambrose Crackanthorpe of Howgill Castle.

William died in the reign of Philip and Mary, an inquisition being held in the fourth and fifth years of their reign—August 28th, 1557—before Thomas Dacre the elder, knight, Thomas Sandfurthe, Thomas Middilton, and Anthony Barwise, commissioners. It is recorded that he had conveyed the manor of Hutton and other property to the uses of his last will, which is quoted. The names of the following children are mentioned:—David, Cuthbert, William, Elesabeth, and Cecily, and that of Margaret his wife. David was heir at his death, and aged thirty and upwards.

Elizabeth Hutton married Anthony Fleming of Rydal.

David Hutton died less than two years after the inquisition on his father, a similar proceeding being held in his case on June 10th, 1559. This was held at Sebergham. He died seised, amongst other things, of the office of forester of Plumpton Park and of the herbage within that park, within certain metes called “le coverte of Plumpton Parke” within the old hedge or hays of Plumpton. In his will, dated May 3rd, 1559, are mentioned his son John, his daughter Margaret, his wife Ann, and his brother

William Hutton. His heir was his son Thomas, aged, at the time of the inquisition, rather over ten years.

Thomas Hutton married Barbara, daughter and coheir of Thomas Middleton of Skirwith. The Middletons were an old family in the County Palatine, and long associated with Barnard Castle. According to Surtees,* the pedigree begins with one Alan de Middleton, living in the reign of Richard II. His descendant, Thomas Middleton, married Joan, daughter and coheir of John Hedlam of Nunthorpe in Cleveland. John, their son, was father of Ambrose Middleton; this Ambrose married Cecily, daughter and coheir of Anthony Crackenthorpe of Skirwith, and so added Skirwith to his possessions. One of his sons was John Middleton, sheriff of Cumberland in 1585; the eldest was Thomas, the father of Barbara. According to the pedigree just referred to, the latter's mother was Elizabeth, daughter and coheir of James Martindale of Newton in Allerdale.

As far as we can judge, the Huttons were now at the zenith of their prosperity. They possessed a larger landed estate than ever before. Thomas Hutton's marriage made them relatives, through the Martindales, to the Musgraves and to the Blennerhassetts of Carlisle. His children inherited ten quarterings to their coats of arms—Crackanthorpe and Lancaster, for the Crackanthorpe alliance; Middleton, Hedlam, Crackanthorpe, Lancaster, Martindale, Newton, Langridge (Langrigg), and Allanby, through Barbara Middleton.

But from this point a change came over their fortunes. Thomas Hutton appears as party to a long series of fines, in almost every case confirming to a new owner lands already conveyed. A summary of these gives some idea of the extent of his property.

In 1576 Thomas Hutton and Barbara conveyed to Richard Sandford one-fourth of the manor of Milburn and

* Surtees, Durham, vol. iv., p. 70.

lands there, some 800 acres ; in 1577, 400 acres of wood in Milburn. The same year he purchased from Thomas Middleton and Grace his daughter the moiety of lands in Langrigg, Mealrigg, Ireby, Crookdake, and Bromfield. Grace was the only other surviving child of Barbara's mother, so Thomas Hutton was acquiring the other half of the Martindale estate. Next year, 1578, he purchased from one Christopher Robynson and Alice his wife a small property in Hutton. In the same year he sold to William Martyndale some land in Langrigg. In 1580 he conveyed to George Porter the manor of Bromfield, of Bromfield Scales, and land in Bromfield, Langrigg, Dunderaw and Aspatria, about 4400 acres ; in the next, some 1900 acres more, and the manors of Langrigg and Mealrigg. This seems to have been the Martindale property which he had got into his hands not long before. At the same time he sold to one John Atkynson a messuage in Langrigg. In 1584 he made over to Henry Crackanthorpe land, about 400 acres, and rights of common of pasture in Ousby. Next year he conveyed a small property with common of pasture in Hutton to Anthony Walkwood, "clericus." In 1588 he sold to Robert Robson and Elizabeth his wife one-fifth of a holding in Kirkby Lyme, and one-fifth of the manor of Milburn and land there ; in all 570 acres. In 1591 he sold to Henry Crackanthorpe the manor of Ousby and lands there ; nearly 4000 acres. Next year he sold to Richard Sandford one-fourth of the manor of Milburn, lands and common of pasture therein ; the following year he conveyed 500 acres in Hutton to one James Wyseman, Edmund Hutton, Thomas Hutton the elder, and other parties ; in the year after, a small property in Plumpton to Simon Musgrave. These transactions represent close upon 15,000 acres, exclusive of houses, mills, and other concomitants of landed estates.

Thomas Hutton lived just into the seventeenth century, dying on the last day of January, 1601. Among his

possessions is mentioned the manor of Skirwith, and also the forestry, the herbage and honey which had been noted down for so many generations. Lancelot his son was his heir, and at that time 19 years of age.

Lancelot Hutton had not long attained his majority when he and his mother conveyed Skirwith to John Robson; a fine levied in 1604 (Michaelmas term, 2 James I.), specifying the manor of Skirwith, and lands in Skirwith, Langanby, Culgaith, Kirkland, and Bank; in all, about 1800 acres.

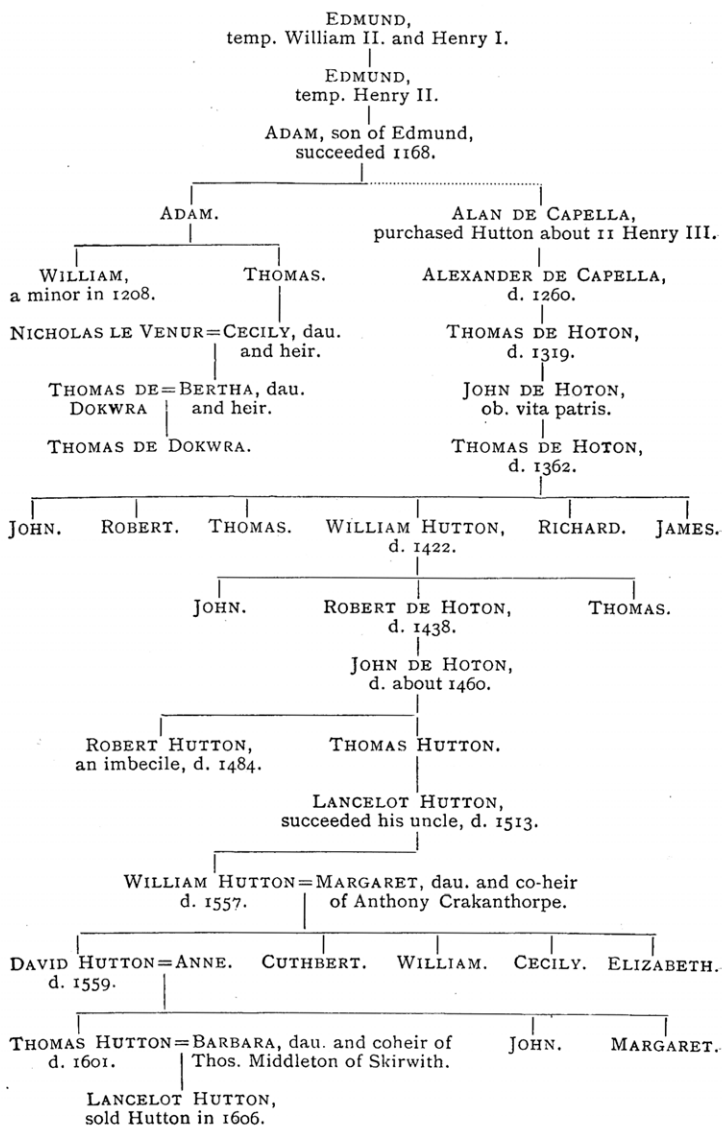
There is one fact connected with Lancelot Hutton which has an interest apart from the family, for it affords evidence of the date at which John Denton wrote his well-known *Accompt*. This work is known to have been compiled after the consecration of Bishop Henry Robinson to the see of Carlisle. The story that Denton was imprisoned in the Tower owing to a difference with Dr. Robinson, and to have collected material from the records there, is one of the few surviving fragments of its author's personal history. But there is a passage which narrows the possible limits considerably. Writing of Skirwith, Denton says:—

And now Hutton, son of Thomas of Hutton in the Forest, and of . . . Middleton his wife, daughter and one of the coheirs of . . . Middleton enjoyeth the same in his mother's right—that is, a part; and the rest by purchase of the co-parceners.

From what has already been mentioned, it is clear that this passage must have been written sometime within a period of three years—1601, when Lancelot succeeded, and 1604—when he sold the manor. Little remains to be told. One more fine was levied by which, in the Easter term of 1606, Lancelot Hutton conveyed the manor of Hutton to Richard Fletcher, afterwards Sir Richard Fletcher, head of the famous West Cumberland family.

So ended the hereditary forestry of the Huttons of Plumpton Hay.

Pedigree of Hutton.



NOTES ON SOME MEMBERS OF THE FAMILIES OF
HUTTON AND DE CAPELLA.

It has been mentioned already that the Huttons of the reign of Edward the First emerged from the de Capellas of the reign before, and it has been suggested that in doing so they were reverting to their original name. But in what may be termed the transition period, several persons occur under either name who deserve notice, partly for their own sake, partly for the purpose of identification at the time when the names were used indifferently. Thus, one Henry de la Chapelle was a forester in Inglewood, a successor being appointed in 1344; it was then mentioned that Henry was put in office by Edward the First. No forester of that name is to be found at that period, but there was a Henry de Hoton in 1305. Early in the reign of Edward the Third we read of Henry de Capella; while the Close Roll for 1320 records that "Henry de Hoton, chaplain"—no doubt the same man, half way through his change of name—was in Carlisle Gaol for a trespass of venison.

In the Hutton pedigree some means of checking results is specially desirable, for namesakes exist, while the same man is described by different appellations. Thus it has been assumed that Thomas, son of Alexander de Hoton, is the son of Alexander de Capella; yet about this time we read of more than one Thomas de Capella, and a Thomas de Hoton de Capella.

In the Pleas of the Forest it is recorded that

(1) Thomas de Capella de Hoton (the words "de Capella" are interlined) holds one purpresture of ten acres at Aldeby (m. 33d).

(2) Thomas de Capella de Bramwra made an assart of four acres and a half of land in Byrkemire near Bramwra (m. 34).

(3) Thomas de Hoton de Capella came before the justices and rented 40 acres in Hoton Langehueyt, on his own ground, to enclose it, &c. (m. 36).

This suggests considerable uncertainty about identities, but it is possible to place the three names. Thus we find an entry in the Pipe Roll, 38 Henry III., which may be compared with (1):—

The sheriff accounts for 10s. 6d. from Alexander de Capella for ten acres and a half at Aldeby.

This shows that Thomas de Capella of Hutton must be the heir of Alexander de Capella, who had part of the serjeanty of Hutton.

Then in 1317 a notice in the Patent Roll tells us that Hutton Langthwaite, abutting on the land of John de Penrith, was in the possession of Thomas de Hoton, the representative of the family. Compare this with (3). From this it is clear that the first Thomas must have been the ancestor of the second.

So, piecing the evidence together, we may safely assume that this Thomas de Capella is the son of Alexander de Capella, and known as Thomas de Hoton in connection with Plumpton Hay, but otherwise with "de Capella" added for further distinction.

Of Thomas de Capella of Bramwra there are numerous notices. Particular interest attaches to him, as he is one of the earliest vicars of Kirkby Stephen. He is, however, mentioned most frequently because he had acquired landed property, for he possessed several small parcels of land in Mid-Cumberland, at Newton Reigney, Raughton, Newbiggin, and Bramwra. Towards the end of his life he devoted the whole of this, so it appears, to pious uses, founding a chantry chapel at Bramwra. The Bramwra and Byrkmire properties are mentioned in the Pipe Roll for 4 Edward I. :—

Master Thomas de Capella owes 10s. through the sheriff for the rent of 20 acres of land which belonged to John de Mora and John de Capella, by the writ of King Henry, in which it is contained that King Henry granted to the said Master Thomas 20 acres of land at Bramwra in the forest of Inglewood, and which were rented by Brian de Insula, justice of the forest beyond Trent, at 10s., and

were afterwards rented at 9s. 8d. by Geoffrey de Langley, &c., which 20 acres have long lain waste, to the manifest loss of the king, because of that rent.

John de Capella is mentioned in the Pipe Rolls for 38 and 46 Henry III., and may be a contemporary of Alexander.

The same Master Thomas de Capella owes 18d. for the rent of $4\frac{1}{2}$ acres of land in Byrkemire within the forest aforesaid, by the same writ in which it is contained that the same Master Thomas may enclose the said $4\frac{1}{2}$ acres with a small dyke and a low hedge according to the assize of the forest, and bring them into cultivation, and hold them for ever so enclosed and cultivated.

Then in the twenty-ninth year he is mentioned in the Pipe Roll as having acquired land at Newton Reyney :—

Thomas de la Chapele renders account of 10 marks as fine for the trespass which he did in entering without licence of the king two messuages of 40 acres of land and four acres of meadow with appurtenances in Neuton Reyney, which William, son of Adam de Neuton Reyney, who enfeoffed the said Thomas, held of the king in chief by grand serjeanty, and for the restoration of the said tenement by which fine it was granted to the said Thomas that he and his heirs may hold the tenement of the king and his heirs in chief for ever, by the service of paying to the treasury 2s. by the year, at the Feast of St. Michael, by the hand of the sheriff of Cumberland, and by finding for the king one armed man for his army against Scotland, as Adam, son of Richard, father of the said William, son of Adam de Neuton Reyney, from whom Thomas acquired that tenement, held it himself.

Reference is also made to the entry in the Pipe Roll for 34 Henry III. where certain serjeanties were rented, and Adam, son of Richard, obtained four oxgangs of land from the serjeanty of John de Reyney. The senior line of the de Reyneys had died out some time before this, and this line had also fallen, for in this roll there is a notice :—

The sheriff accounts for 59s. for the tenements which were William's, the son of Adam of Neuton Reny, a lunatic, deceased.

The earliest date I know in connection with this Thomas de Capella is given in the proceedings on behalf of the King of Scotland in 56 Henry III., where it is mentioned that Thomas was put in possession of Byrkemire by William Dacre, who was then sheriff, and appears in that capacity in the Pipe Roll for 53 Henry III.

As to his incumbency of Kirkby Stephen, which to some readers would be the most interesting part of his history, very little is recorded; but it shows that he must have been there before the first date given by Burn and Nicholson, 1292—perhaps many years before. Unfortunately neither of the entries are in his favour; but it must be remembered that when we have to depend upon State records for biography, the evil that men do lives after them, and for all we know, good work, representing the best years of a lifetime, may have been interred with his bones. One of these entries is in Bishop Halton's register, and records that Thomas de Capella was cleared of non-residence, provided that he keep residence in future. In the other it is shown that he had pronounced the greater sentence on one Thomas, called Godehusband, of the parish of Brough-under-Stainemore; that this Thomas complained that this had been done irregularly and without sufficient cause. The vicar was directed to take no further action pending investigation. Later he was directed to grant him absolution.

Whether Thomas, called Godehusband, really deserved ecclesiastical censure or not, or whether Thomas de Capella was to blame, had made a mistake, or had acted with too great severity—Dr. Burn thinks he was a strict disciplinarian—it would be rash to say; but the worst interpretation has been put on the two writs in question by William Prynne, the famous Puritan. Prynne, who did not hesitate to speak out, introduces them into a book which bore the comprehensive title "An Exact Chronological Vindication and Historical Demonstration of our British, Roman, Saxon, Danish, Norman, English Kings

Supreme Ecclesiastical Jurisdiction in and over all spiritual or religious affairs, causes, persons, as well as temporall, within their realms of England, Scotland, Ireland, and other dominions," &c., and makes them a leading case to illustrate "how vexatious and injurious bishops' officials were in that age."* The heading of this particular portion of the work was "An exact history of the Pope's intollerable usurpations."

But the most definite fact that we can extract from these writs is that the second bears the date 15 Kal. Jan., 1291—in our reckoning December 18th, 1291.† He clearly had been at Kirkby Stephen for some time, and it is worth noticing that the title "Master" was prefixed to his name as far back as 4 Edward I.

Late in life Thomas de Capella founded a chantry chapel at Bramwra. The Patent Roll for 1300 has a notice dated July 16th granting him licence to alienate into mortmain three messuages and 72½ acres of land in Newbigging, Raughton, and Bramwra to a chaplain to celebrate divine service in a chapel at Bramwra about to be built.

In 1311 a similar licence was accorded him for the alienation into mortmain of four messuages and 40 acres of land in Newton Reyny to a chaplain to celebrate divine service daily in the chapel of Braumwra for the souls of the grantor and his parents. For this permission he paid 10 marks. This is dated May 1st. On August 13th he received further leave to transfer to John, bishop of Carlisle, the advowson of the chapel of Bramwra.

Probably these were the last acts of his life. He was now vicar of Arthuret, which he had exchanged with John de Leycestre in 1304, and in 1312 a new name appears in his place.

* Whether Thomas de Capella was bishop's official depends on the construction of a passage quoted by Prynne, and the original cannot now be found. The extract, as it stands, suggests rather that Thomas is being addressed by the officials, and he is never expressly referred to by that style.

† For the legal year ran from March 25th, not from January 1st.

The little chantry afterwards fell into neglect, and William de Hoton founded it anew within the parish church at Hutton. Possibly he did this as head of the family to which the first founder had belonged.

Alexander, son of John de Capella, is mentioned in the Pleas of the Forest as living in 5 Edward I.

John de Capella received licence in 1291 to alienate into mortmain to the prior and Augustinian Friars of Newcastle-on-Tyne a messuage in Penrith, and in 1294 was witness to a charter by Ivo de Veteripont of "Garethorn" (Gathorn) to the poor men of the hospital of St. Leonard of York (Charter Roll).

Alexander de Capella was appointed in 1307 to select 40 foot soldiers from the liberty of Penrith, was a juror at the perambulation of the forest in 1316, and is mentioned in the Pipe Roll for 5 Edward III. Alexander "Capellanus" occurs in the attachments of the forest, 10 Edward II.

At the Pleas of the Forest there was a forester named Adam de Hoton. Previously, in 8 Edward I., Adam, son of Gilbert de Hoton, levied a fine for lands in Hutton with William, son of John de Hoton. From his connection with the place, it is not unlikely that he was a son of Alan de Capella. One of the terms was the conveyance to him of land at "Wyteber," and at the perambulation of the forest at the end of this reign, one Adam of Whitebergh was a juror. These notices probably refer to the same person.

To one who has endeavoured to piece together into a connected story the scanty records of the early Huttons, this Adam suggests two fascinating subjects for speculation—first, whether he was the Adam who founded the well-known Huttons of Penrith, and if so, whether Alexander de Capella, who was juror at the next perambulation of the forest, was the same as Alexander, that Adam's son and successor; the other, whether he, as owner of land at Whitebergh, was ancestor of that Wybergh who married

the heiress of the Engaynes of Clifton in Westmorland. As we have seen, an Engayne once had land in Hutton, afterwards Alan de Capella's; while Gilbert de Engayne and Adam, son of Richard de Hoton, were sureties for a fine of 15 marks imposed on Patrick, parson of Skelton, for a trespass of venison (Pipe Roll, 51 Henry III.).

There was another family of Hutton, members of which are often mentioned during the thirteenth century. Adam de Hoton was justice in a plea of darrein presentment at Plumblaud in 1229. In 25 Henry III. one of this name was party to a fine, vouching to warranty Gervase, son of Alban de Tympaurun; in the next year he was party to a fine relating to land at Bergher (Berrier).

Simon de Hoton was a verderer in 52 Henry III. Just before him in the panel occurs Gervase de Tynpaueron. Simon does not appear again as verderer, but another Adam de Hoton, who was then with him, held office till 1300. At the Pleas of the Forest it is mentioned that Simon had land at Selywra, and Adam at Thranholm and Ellonby.

Adam de Hoton of Alaynby was juror at the inquisition on Robert and Beatrice Turp of Edenhall, 2 Edward II. Adam de Hoton, Sybil his wife, and Nicholas their son acquired land in Selywra from John de Penrith in 1339, or earlier. Meanwhile, in 16 Edward II., Thomas de Hoton de Alaynby was party to a settlement of the manor of Warwick on the Warwick family.

It seems probable from this that he had interests in the direction of Carlisle, and in the middle of the reign of Edward III. one Thomas de Alaynby was a prominent citizen there. His widow, Mariota, afterwards married William Stapleton of Edenhall.

THE FAMILY OF DE LA KERSONERE, CRESSONER, OR GRESSEMOR OF HUTTON.

A notice in the Pipe Roll for 34 Henry III. tells us that the old serjeanty of Hutton was parcelled out, and

had passed into the hands of four proprietors, and an entry of rent due for two years and a half before shows that this was consequent on the death of Thomas de Hoton, which is noticed in the 32nd year. One of the new owners, as we have seen, was Alexander de Capella; the others were Nicholas the son of Thomas, Patrick Clotun, and John de la Kersonere. Nicholas is the same as Nichol le Venur, who married Cecily, Thomas de Hoton's daughter; Patrick Clotun possessed but a modest acre, and was probably Patrick Hoton *mutato nomine*; but the last deserves some notice.

John de la Kersonere belonged to a family which occurs several times in the history of Inglewood, and under titles remarkable for their dissimilarity, even when judged by the standard of that age. The following are some of the most noteworthy allusions to them:—

William de Kersunera was fined for having beasts at large in the forest (Pipe Roll, 14 Henry II.).

William de la Kersonera is charged half a mark (Pipe Roll, 7 Richard I.).

William de la Kersuniere is charged five marks for a writ of mort d'auncestor against William de Vaux for a knight's fee in Catterlen (Pipe Roll, 3 John).

Hugh de la Cressoner is a witness to the charter given by Thomas de Hoton to Alexander de Capella, 11 Henry III.

John de la Kersonere, as we have seen, acquired a part, half a carucate of land, of the serjeanty of Edmund de Hoton, 34 Henry III.

William Cressener, on whom there was an inquisition post mortem in 50 Henry III., held half a carucate of land in Hutton, which shows that he was related to John. He left a widow named Emma, but no child, and his sisters Alice, Christiana, and Agnes were his heirs.

Jordan de la Gressemer is mentioned in the Pipe Roll for 38 Henry III., having acquired land at a place called Suietheil, as also did Patrick de Hoton. In 14 Edward I.

there is a notice of a rent of 2d. paid by Jordan de la Crussoner for a house at Syvedehell. Meanwhile, in the Pleas of the Forest, Jordan de la Cressonere is mentioned at Sythehel. He is also noticed in the capacity of agister.

At the pleas there also occur Roger de Gressemer and Thomas del Heued, son of Thomas de Gressemer, and William, son of Richard, son of Juliana de Gressemer.

The Pipe Roll for 29 Edward I. contains this notice:—

The sheriff (owes) 18s. 2½d. for two-thirds of the lands which were Thomas le Cressonere's, outlawed felon; which lands were valued at 27s. 4d. per annum; out of which Emma, who was the wife of Henry le Cressonere, is dowered by writ; after whose death the sheriff is to be charged with the value of that third as well.

One Hugh Cressoner lost his lands in the same way. They were in Hutton, and were given by the king to John de Rachtou, who about eight years later, in 1348, conveyed them to the Huttons.

In the Pipe Roll for 14 Edward I. there is a notice of rent due from the heirs of Alexander de Capella, Nicholas Venator, Ralph the clerk, and Christiana, who was the wife of the same Alexander.

This suggests that Christiana was one of the sisters of William Cressoner, and heir to part of the land acquired by John. If so, she was married more than once, for there is a notice in the Fine Roll, dated November 3rd, 1266:—

The king took the homage of William de Ussthuayt and Alice his wife, William de Penreth and Christiana his wife, and Simon le Feure and Agnes his wife, kinsfolk and heirs of William le Cressener, deceased.

But Alexander had then been dead some six years, and a marriage with him would help to account for John de la Kersonere becoming a part owner of the serjeanty. Indeed, it is probable that the estate was dismembered only to become a small colony of kinsfolk.

HUTTON OF AVERAS HOLME AND THE SERJEANTY
OF SURVEYOR OF PANNAGE.

About the year 1362 the deaths occurred of four men of the name of Hutton, and the inquisitions upon them are arranged next each other in the file. They were Thomas Hutton of Plumpton, another Thomas Hutton of Northumberland, William Hutton of Hutton John, and William Hutton of Averages Holme.

The last of these was probably a relative of the Plumpton line, but he is introduced here not for that reason only, but because of the curious service attached to this property, which he held by serjeanty.

Averages Holme is on the left bank of the Eden near Carlisle. The little estate was too small to have a connected history; its records rather resemble those of some ancient Eastern jewels, for it makes its appearance at irregular intervals, usually in the hands of a new owner, and with a different story told about it, affording us nothing but conjecture to connect it with the last known possessor.

The property is noticed in the Testa de Nevill in these terms:—

Robert, the son of Alexander, holds Averenchholm, by the serjeanty of finding a book for the king's pannage, and keeping the swine till they are valued.

The last word is, in the Latin, *appretientur*, evidently used by a confusion of thought, the meaning being not the valuation of the pigs, but the calculation of what has to be paid for them. In plain English, the duty was to provide a book in which to record the payments for pannage, and to see that the swine were not removed before they were entered.

This Robert married Eda, the daughter of John. He paid four marks for licence to do so, and to have 30 acres of land in Carlisle, which were her inheritance, being in

the king's gift.* Mr. Hodgson-Hinde, in his famous introduction to the Pipe Rolls, assumes that this was the serjeanty. The serjeanty certainly was a parcel of 30 acres.

From this point we pass over a century and a half to the death of William Hutton. Here we have more careful details :—†

Inquisition held at Carlisle before William de Nessefield, escheator, on Saturday next after the Feast of St. Matthew the Apostle, in the 36th year of King Edward the Third.

William de Hoton of Haverisholm died seised for the term of his life of a tenement called Haverisholm in the said county (of Cumberland), by the law of England in right, and of the inheritance, of Ellen, daughter and heir of William, the son of Arnold, deceased, who held that tenement of the king in chief by service of serjeanty, namely, that he and his heirs should go once in the year, at the Feast of St. Martin in winter, to Gaytskales in the forest of Ingelwood, with a book, for hearing the oath‡ of the agisters of swine in that forest, at pannage time, for all services. And there is there one messuage and 30 acres of land adjacent, worth by the year 20s. over and above the said service.

Further, they say that William died on Monday next after the feast of Corpus Christi last past, and that Joan, daughter of the said William and Ellen, whom Robert, son of Robert of Corkeby, has married, is daughter and next heir of the same, by reason of the said Ellen, her mother, daughter and heir of William, son of Arnold, and she is 24 years of age.

If the duty, as here given, means that he was to attend with his book at the time when the agisters were sworn, it agrees with what has gone before. The agisters took an oath of faithful service, because the payments went through their hands.

Robert, son of Robert of Corby, was one of the jurors on Thomas de Hoton of Plumpton about this time, but there he is styled Robert Hobsson of Avericholm. There

* Pipe Roll, 5 John, in the Nova Oblata.

† Inquisition post mortem, 36 Edward III., 1st part, No. 90.

‡ Apparently the passage runs "ad aud (iendum) juramentum," &c., but it is only decipherable with great trouble.

can be no doubt about the identity, and very little about the relationship.

Then the curtain comes down again till 1384, when we read in the Pipe Roll for 8 Richard II. (1384-5):—

John de Appelby, son of Adam de Appelby, brother of John de Appelby, clerk, deceased (owes) 22s. 2d. by fine for his relief for the manor of Haverysholme with its appurtenances in the county of Cumberland, which he holds of the king in chief by grand serjeanty, namely, by the service of finding one book for pannage for the king, in the forest of Ingelwode, and by the service of keeping the swine in the said forest till they are valued, and for one messuage and its appurtenances in Carlisle, which he holds likewise of the king, in chief, by the service of rendering to the king 2d. by the year.

John de Appelby, the uncle, was the son of Thomas, and grandson of Walter de Appelby. He had previously succeeded to some property from a brother, but this did not include Averages Holme. How he became owner of this, or when, is not shown; if by inheritance, he can hardly have been a nearer relative than second cousin to Joan Hutton.

The facts relating to his brother are given in two inquisitions:—

Inquisition at Kyrkeby in Kendale, before Robert de Tilioll, the king's escheator in Westmorland, held on the fourth day of April, the 31st year of King Edward III.

Thomas, the son of Thomas, the son of Walter de Appelby, held in his demesne as of fee on the day he died a messuage and 10 acres of land in Stirklandketell near Kirkby in Kendale of the fees which were William de Coucy's, then in the king's hands, by fealty and service of 3d. per annum, and it is worth in all outgoing 5s. a year.

Also that the said Thomas died the 20th day of September, the 24th year of the present king, and that Master John de Appelby, brother of Thomas, son of Thomas, son of Walter, is next heir, and aged 30 years and more.*

Apparently this return was inaccurate, as another inquisition was held on the morrow of St. Thomas, the

* Inquisition post mortem, 31 Edward III., 1st Nos., 4.

36th year of the same reign, at Appleby, before William de Nessefield. The facts, according to this jury, were as follows :—

That Thomas, son of Thomas, son of Walter, deceased, held no lands or tenements of the king in chief, either in demesne or in service, on the day he died; but he held of the heir of Robert de Clifford, then under age and in the king's custody, eight acres of land with appurtenances in Appelby, by service of 3d. per annum for cornage and by homage, and that the said land is worth 3s. a year over and above expenses.

And that the same Thomas died at the Feast of St. Michael the Archangel in the 23rd year of the present reign, and that Master John de Appelby, parson of the church of Whitberne, is his next heir and forty years of age.*

John de Appelby was rector of Whitburn from 1352 to 1362, when he resigned (Surtees, *Durham*, ii., 52). He was afterwards archdeacon of Carlisle; Archdeacon Appelby was rector of Great Salkeld in Cumberland from 1364 to 1379. John de Appelby was instituted to the rectory of Rothbury in 1377, his successor following in 1385 (MacKenzie, *Northumberland*, ii., 60). The last date tallies with the death of John of Averages Holme.

He possessed other property in addition to this, and was, as we have seen, succeeded by his nephew. In 1528 (Easter term, 20 Henry VIII.) Alexander Appilby conveyed a small estate at Averages Holme and Scotby, with free fishery, to Edward Blennerhasset and others by a fine.

ON THE DESCENT OF THE MANOR OF SKIRWITH TO THE HUTTONS.

The steps by which the manor of Skirwith passed to the Huttons have not been very adequately described by local writers, probably because it was finally purchased by the descendants of one sister from the descendants of another; so that, although it had come down to the

* Inquisition post mortem, 36 Edward III., 1st part, No. 76.

seventh generation from the common ancestor, it had never been really out of the family, and the period in question forms a species of genealogical loop line.

Skirwith was long in the possession of the Lancaster family, descended from Roger de Lancaster, sometime seneschal of the forest of Inglewood. The last of the line was Sir John Lancaster of Howgill Castle in Westmorland, "the fair building which stands high on the skirts of the mountains in the eye of the country," who was lord of Howgill, Rydal, Deepdale, Glencoin and Loughrigg manors in Westmorland, and of Skirwith in Cumberland.

These estates were divided among four coheireses, his daughters. We are only concerned with two of these, one who married Fleming of Coniston, and afterwards of Rydal, his wife's portion; and Elizabeth, who married Robert Crakanthorp, stated to have been a younger brother of John Crakanthorp of Newbiggin, who married a Blencowe.

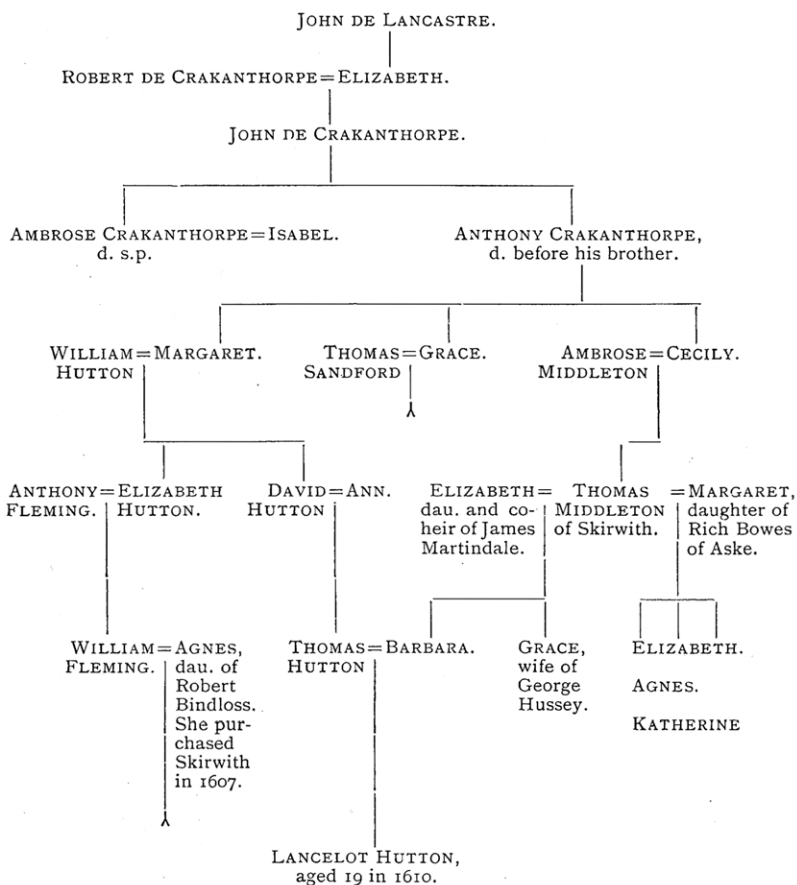
Of Robert Crakanthorp there is not much to record. His wife survived him and a second husband. She had Howgill and Skirwith as her share, and lived till the reign of Edward IV.* At her death she held Skirwith for life, with remainder to John, son of Robert de Crakanthorp, by virtue of a conveyance, to which one of the parties was Roger de Crakanthorp, parson of Kirkby Thore. The manor was held of Richard Salkeld by fealty and the service of one pair of spurs annually, or six pence. She also had the manor of Little Dalston for life, remainder to Robert de Dalston, kinsman and heir of John de Dalston, once her husband.

John de Crakanthorp of Howgill was her son and next heir, and also son and next heir of Robert, and was forty years of age.

John de Crakanthorp had two sons, Ambrose and Anthony, by the former of whom he was succeeded. The

* Inquisition post mortem, 2 Edward IV., 6.

Pedigree illustrating the Descent of the Manor of Skirwith.



next stages of the descent can be gathered from the inquisition on the death of Ambrose :—

Inquisition indented held at Penrith on Monday, 11 June, 12 Henry VIII. (1520), before Clement Skelton, escheator.

One John Crakenthorp, Esquire, father of Ambrose, whose heir the latter was, was seised in his demesne as of fee of the manor of Bromfeld long before his death or that of the said Ambrose, and being so seised enfeoffed Ambrose and Isabella his wife . . . which Isabella is still living, by his charter, dated Thursday next after the Feast of St. Lawrence the Martyr, 18 Edward IV. (1478).

Also that Ambrose was seised in his demesne as of fee, long before his death, of the manors of Skyrwith and Ulseby and lands, &c. (specified), and by his charter dated 11 April, 11 Henry VIII. (1520), enfeoffed Thomas, Lord Dacre of Gillesland, Christopher Dacre, Knight, Anne Conyngesby, wife of Humphry Conyngesby, Knight, John Bone, vicar of the church of Lasynby, Roland Thyrkeld, rector of the church of Melmerby, and John Whelpdall of Penrith, to hold to them and their assigns, to execute his last will . . . and Ambrose by his last will, dated 12 April, 11 Henry VIII. (1520), willed that his feoffees aforesaid should stand and be seised . . . to assign to Isabella his wife her reasonable dower . . . and after to divide and apportion equally between Margaret, Cecily, and Grace, his kinsfolk and heirs.

Also that the said Ambrose died on Friday, 13 April, 11 Henry VIII., that the aforesaid Margaret, Cecily, and Grace are kinsfolk and nearest heirs of Ambrose, namely, daughters of Anthony Crakenthorp his brother, and on the day of Ambrose's death Margaret was 19 years of age and more, Cecily 15 and more, and Grace 14.

Margaret married William Hutton of the Forest; Grace married Thomas Sandford of Askham, and brought him Howgill; while Cecily married Ambrose Middleton of Barnard Castle, the representative of an old family of the County Palatine of Durham, to which we shall return presently, and had Skirwith.

From him we pass to his son Thomas Middleton, at whose death sundry details of family history are recorded :—*

* Among the jurors were :—Richard Lowther, Esq., Thomas Blenerhasset, Esq., William Hutton, John Whelpdall, and Thomas Bresbie, gentlemen.

Inquisition indented taken at Penrith on Monday, 30 October, 23 Elizabeth (1581), after the death of Thomas Middleton, Esquire.

Thomas Middleton was on the day of his death seised in his demesne as of fee of and in the manor of Skirwythe, a chief messuage and demesne lands; a rent arising from sundry lands once Roger de Skirwith's, and now in the tenure of Richard Lowther, Esq., and of four shillings and eightpence free rent arising from a chief messuage in Skirwith called Crugarth. Also of and in the fourth part of the manor of Mylburne in Westmorland, divided into four parts.

Margaret, his widow, is mentioned. His last will is dated 8 September, 22 Elizabeth.

He was seised to himself and the heirs male of his body, and in default of such issue to the heirs male of the body of Ambrose Middleton, deceased, father of Thomas Middleton, and in default of such issue to the right heirs of Ambrose aforesaid for ever.

He was also seised in the reversion of sundry messuages, land and tenements lately granted by Cecily Middleton, widow, deceased, mother of the said Thomas, to Anthony Middleton, John Middleton, Henry Middleton, and Richard Middleton, sons of Cecily.

Thomas Middleton died on the 20th of November, last past, without heir male of his body. Anthony Middleton, gentleman, brother of Thomas, is son and next heir male of the body of the said Ambrose, and is 50 years of age and upwards. Also that Barbary, now wife of Thomas Hutton, Esquire (aged 26), Grace Middleton (aged 24), Elizabeth Middleton (aged 12), Agnes Middleton (aged 9), and Katherine Middleton (aged 7) are daughters and next heirs of Thomas.

Grace afterwards married George Hussey, a Yorkshireman. In 1607 a fine was levied by which John Robson and Dorothy his wife, Lancelot Hutton, George Hussey and Grace his wife, and Robert Robson and Elizabeth his wife conveyed the manor of Skirwith and lands in Skirwith, Ousby, Langanby, and Culgaith to Agnes Fleming. She was the widow of William Fleming, who was the son of Anthony who married Elizabeth Hutton, and the descendant of one of the daughters of John de Lancaster, from whom, through another line, the manor had come down to the Huttons.