

ART. II.—*The Parish of Thursby.* By T. H. B. GRAHAM,
M.A., F.S.A.

Read at Kendal, April 22nd, 1931.

THE Sheriff's Return of 1212, printed in the *Victoria History of Cumberland*, i, p. 421, states that Ranulf Meschin gave to Robert de Trivers the land which was afterwards Hugh de Morvill's, to hold by service of rendering £10. 2s. 10½d. yearly for cornage. That is in effect a gift of the entire barony of Burgh including its ancient constituent the vill of Thursby.

But there are two much later and less authoritative documents which, at first sight, seem to tell a different tale. The *Distributio Cumberlandiae*, of the supposed date 1307, printed in Prescott's *Wetherhal*, p. 384, alleges that Ranulf Meschin enfeoffed Waldeve, son of Gospatrix (see pedigree, *Trans.*, N.S. xxix, p. 80) of the barony of Allerdale, lying between the rivers Wampool and Derwent, and that Alan, son and heir of Waldeve, gave the vill of Thursby to a certain Herbert, *pro tertia parte unius villae*. The *Chronicon Cumbriae*, of the supposed date 1316, printed in Wilson's *St. Bees*, p. 491, repeats that story word for word, and seems to imply that one-third of the then vill of Thursby was once upon a time parcel of the barony of Allerdale.

Wilson's opinion concerning the date and purpose of the two last-named documents is summarized in *Trans.*, N.S. xxix, p. 78. The said documents relate mainly to the honor of Cockermouth, and would be deemed irrelevant to the subject of the present article, but for the fact that John Denton rightly traces (*Accompt*, edit. Ferguson, p. 151) the title to the whole of Thursby from the mysterious

Herbert, and later historians have adopted his conjecture without a word of comment. In attempting to understand and explain old records it is above all things necessary to pay strict attention to the exact Ordnance Survey. Surrounding circumstances indicate that originally the great highway leading from Carlisle to Wigton formed the eastern boundary of the barony of Burgh, including its ancient constituent the vill of Thursby. To-day, the great highway bisects Thursby parish, so one gathers that a tongue of the barony of Allerdale formerly protruded across the river Wampool at "Waspatric Wath," and intervened between the great highway and the adjacent royal forest of Englewood; but on the occasion of a rectification of boundaries, vaguely suggested by the two last-named documents, Alan, lord paramount of Allerdale quitclaimed to Herbert, petty lord of Thursby-in-Burgh, the said tongue of land, and it became an adjunct of the latter item of property. A much later perambulation, made in 1300, treats that supposed adjunct as situate within the royal forest of Englewood (see Nicolson and Burn, vol. ii, p. 522).

It is submitted that Thursby has always been parcel of the barony of Burgh. Hutchinson, writing in 1794, describes the parish of Thursby as containing three distinct manors, namely Thursby, Crofton and Parton and the records relating to each must be examined in turn.

I. THE MANOR OF THURSBY.

PEDIGREE.

HERBERT DE THURSBY=
temp. Henry II (*Distributio Cumberlandiae*).]

ROBERT=
Pipe Roll, 1182.

WILLIAM=
Foot of Fine, 1211-12.

A

A
BERNARD=
Foot of Fine, 1226-7. |
ADAM,
juror 1268, conservator 1278,
had been disseised of common
pasture at Thursby, 1286, and
seems to have died without
issue.

Early records mention several persons of importance, who evidently derived their surname from the locality, for instance, in 1182, Robert de Thursby paid two shillings for service of some land at Waverton (*Pipe Roll*); in 1211-12, William de Thursby was deforciant in a claim for dower out of Ainstaple and Blencarn, made by Juliana, widow of Adam de Ireby (*F.F. 13 John*); in 1226-7, Bernard de Thursby was plaintiff in proceedings taken against Ivo de Vipont and Sibyl his wife, in respect of lands at Ainstaple, Blencarn and Waverton (*F.F., 11 Hen. III*); in 1268, Adam de Thursby was juror at an inquisition *ad quod damnum* (*Cal. Doc. Scot.*, i, p. 492); at pleas of assize, opened on November 3, 1278, the same Adam had been chosen, by consent of the county, conservator of salmon streams (*Cal. Doc. Scot.*, ii, p. 39); and in 1286, Michael Page was in prison at Carlisle, for repeated disseisin of Adam de Thursby, in respect of common pasture at Thursby (*Cal. Fine Rolls*, p. 232).

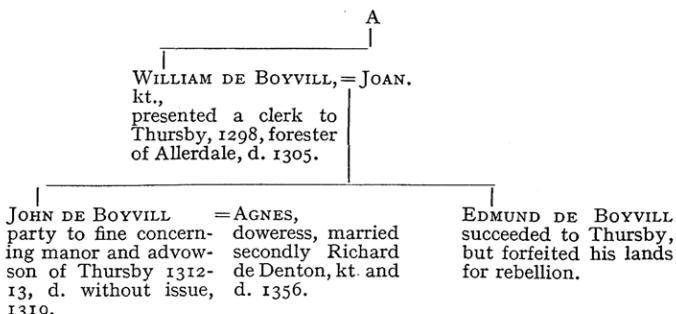
Meanwhile another family comes into view, and steps into the shoes of the de Thursbys.

PEDIGREE.

GUY DE BOYVILL=
party to fine con-
cerning Waverton,
1234-5, mentioned in
Pipe Rolls, 1251-5.

WILLIAM DE BOYVILL,=
kt.
in possession of Thurs-
by 1270, called "Wil-
liam son of Guy,"
1276-7, died 1291.

A



In 1234-5, Guy de Boyvill is party to proceedings concerning the rent of one shilling arising from Waverton (*F.F.*, 19 Henry III); in 1241-2, plaintiff in a fine relating to the manor of Swineside (*F.F.*, 26 Henry III); witness to a charter of Thomas de Multon (Thomas *primus** contained in the *Register of Lanercost MS.*, ix, 1 (*Wetherhal*, p. 275). In 1276-7, William, son of Guy de Boyvill, levies a fine concerning land at Ainstaple (*F.F.*, 5 Edward I). Guy de Boyvill's name occurs several times in the Pipe Rolls 1251-5 (edit. Parker, p. 151, *et seqq.*).

How and when did the de Boyvills succeed the de Thurstys at Thursby? John Denton conjectures (*Accompt*, p. 151) that Guy married the ultimate heiress of the lord of Thursby and so acquired that mesne manor. It is a problem.

In January, 1270-1, William de Boyvill, the elder, knight, was in possession of Thursby, which he held under Thomas son of Thomas de Multon (Thomas *primus*) lately deceased (*Cal. inq. p.m.*, 55 Henry III, p. 246).

The said William de Boyvill, the elder, knight, was a juror at the inquisition in 1272 concerning the land of Helewisa, wife of Eustace de Baliol. He was escheator in 1274, keeper of Dumfries Castle, for Edward I, in 1291, and appears to have died in that year (Prescott, *Wetherhal*, p. 156, note, and the authorities there cited).

* See pedigree of Multon of Gilsland, *Trans.*, N.S. xxviii, p. 158.

He was succeeded by William de Boyvill, the younger, knight, whose name occurs in the *Placita de quo waranto* of 1292, edit. Record Commission, pp. 115-125. William de Boyvill, the younger, presented a clerk to Thursby in 1298, and on his death an *inquisitio de jure patronatus* was held concerning that presentation (*Wetherhal*, p. 156, note). In 1299, he had 6 bovates at Blencarn, for which his under-tenant paid 6d. a year (*Cal. inq. p.m.*, 27 Ed. I, p. 390). In June, 1305, the said William de Boyvill, the younger, had lately died, seised of 5 marks of land and rents at Thursby, all held of Thomas de Multon of Gilsland (Thomas *quartus*) by homage and service of doing suit every three weeks at the court of Burgh. He also had the manor of Ainstaple, held of Richard Nevill, by service of 4d. a year, and the forestership of Allerdale in fee, held of the king *in capite* by service of keeping the venison and the forest of the ward of Allerdale. His heir was his son John de Boyvill aged 22 (*Cal. inq. p.m.*, 33 Ed. I, p. 183).

By means of a fine levied at Westminster after Michaelmas 1312, between the said John de Boyvill and Agnes* his wife querents, and Master Richard de Abindon† deforciant, 26 messuages, a mill, 16 bovates and 31 acres arable, 8 acres meadow and 400 acres wood in Thursby, together with the advowson of the church, were quitclaimed to John and Agnes de Boyvill and the heirs of John for ever (*F.F. Cumb.*, case 35, file 8, no. 5).

John de Boyvill was dead on November 3, 1319. He was seised of the above-mentioned particulars of property, all held under Ranulf de Dacre and Margaret his wife by service of 6s. 11d. cornage and suit at their court of Burgh, Edmund his brother aged 30 and more was his heir (*Cal. inq. p.m.*, 13 Ed. II, p. 131).

Then follows the downfall of de Boyvill, alluded to in a very crabbed record of Edward III's reign.

* She was afterwards married to Sir Richard de Denton who assisted in arresting Andrew de Harcla.

† His name occurs frequently in the history of the parish church (*infra*).

Edward II gave to Sir Richard de Denton in fee all the land in Cumberland acquired by Andrew de Harcla (the rebel) from Edmund de Boyvill, which had escheated by rebellion of the latter (*sic.*); and all the land which Sir Richard de Denton and Agnes his wife held in dower of the land of John de Boyvill former husband of Agnes, of the inheritance of Edmund de Boyvill, which, by pretext of a grant by him to Andrew de Harcla, would revert to the king at her death; and all the land held for life by Joan, widow of William de Boyvill, which for a like reason would revert to the king at her death. All the same lands shall remain to Sir Richard de Denton and his heirs, and he shall have the advowson of Thursby, formerly held by Edmund de Boyvill, which escheated to Edward II in like manner (*Cal. Pat. Rolls*, 1335, p. 111).

By final concord, made at Westminster in 1344, between Robert de Ogle, plaintiff, and Richard de Denton, knight, and Agnes his wife deforciants, the manor of Thursby and the advowson of its church were quitclaimed to Robert de Ogle, to hold in fee simple (*F.F. Cumb.*, case 35, file 10, no. 37); and by another final concord of even date, made between the same parties, the manor (*except* as follows, 43 acres arable, 11 acres meadow, being demesne lands, half the capital mansion and the whole advowson) was vested in Richard and Agnes de Denton for their lives, rendering a rose yearly for all service and doing to the chief lord of the fee, for Robert and his heirs, all service belonging to the manor. And, after the deaths of Richard and Agnes, the manor was to revert wholly to Robert de Ogle and his heirs (*ibid.*, no. 36).

Domina Agnes, wife of Sir Richard de Denton, by her will, proved December 2, 1356, bequeathed her body for burial in the parish church of Thursby, near (*coram*) the altar of Blessed Mary, her best animal to the said church as a mortuary, three stone of wax to burn around her body, and six marks for the benefit of a chaplain celebrating for her soul in the same church, and left the residue of her estate to her husband, *dominus* Richard de Denton (*Test. Karl.*, edit. Ferguson, p. 12).

Sir Richard de Denton was dead in 1363, and in May of that year there was an order to commit to John Philipot and Joan his wife, or to their attorney, the manor of Thursby, which Sir Richard de Denton, at his death, held for life, of the inheritance of Robert de Ogle; for it had been found by inquisition that the said Sir Richard at his death held the said manor *in capite*,* for his life, with reversion to Robert (son of Robert, son of Robert de Ogle deceased tenant *in capite*) as "cousin" and heir of Robert de Ogle, being a minor in the king's wardship (*Cal. Close Rolls*, 1363, p. 467).

Hodgson furnishes (*Northumb.*, Part II, vol. i, p. 380) an elaborate table of the Ogle family, but it must be rejected, because that eminent historian confesses that it is difficult to distinguish the successive Roberts one from another. However, the *Dictionary of National Biography* contains a lucid account of the same family, upon which the following pedigree is founded.

PEDIGREE.

ROBERT DE OGLE =
had licence to castel-
late his manor-house at
Ogle, near Morpeth,
1341, d. seised of
Thursby, Cumb., 1362
(*Cal. inq. p.m.*, 36 Ed.
III, p. 254).

ROBERT DE OGLE = ELLEN, daughter and heiress of Robert
died before his father. | Bertram of Bothal, near Morpeth.

ROBERT DE OGLE = JOAN.
a minor at his grand-
father's death and in
the king's wardship.

* The use of that expression here is apt to be misleading. When a manor was taken into the *king's hand*, its late lord is frequently described as tenant *in capite* (that is to say in chief) without any reference to the existing rights of the intermediate lords, who in the present instance were the lords of the barony of Burgh.

It may be added, by way of *correction*, that the same remark applies to the manor of Aikton (see *Trans.*, N.S. xxxi, at p. 62) where the lords of the barony of Burgh doubtless retained their rights of over-lordship, although such rights are not expressly mentioned.

In July, 1363, John de Hatfield, of London, then keeper of the land and heir of Robert de Ogle, "the elder," tenant *in capite*, complained that a certain Thomas de Ogle (perhaps an uncle of the heir) and others had intruded themselves into the manor of Thursby, which Robert held on the day of his death and were holding it against him by force, and were carrying away the issues and profits (*Cal. Pat. Rolls*, 1363, p. 444). But in 1365, the king, by right of wardship, presented a clerk to the vacant parish church. That is a convenient point at which to conclude this history.

The other two manors comprised within Thursby parish, namely Crofton and Parton, remain to be dealt with. It is presumed that they were held of the barony of Burgh, but the records do not contain any statement to that effect.

2. THE MANOR OF CROFTON.

By final concord, made at Westminster on April 24, 1198, between Robert de Curtenai and Alice his wife, plaintiffs, and Gilbert son of Gilbert defendant, regarding pannage and easement of the plaintiffs' forest of Allerdale, the plaintiffs granted to the defendant and his heirs pasture and pannage for swine in the said forest, provided that the defendant and his men of the vill of Crofton should not put beasts belonging to others (*averia forinseca*) into the said forest, to hold the right so granted for ever by service of four shillings; and in consideration of that concession, the defendant quitclaimed to the plaintiffs all his right to *vert* and dead wood in the same forest (*Cal. Doc. Scot.*, i, p. 40, quoting *Feet of Fines*, 9 Richard I).

Here is an agreement between neighbouring land-owners, concerning their respective rights in the royal forest. The plaintiff Robert de Curtenai was second husband of Alice, lady of Allerdale, and widow of Gilbert Pipard (see pedigree, *Trans.*, N.S. xxix, p. 80). The

defendant, Gilbert son of Gilbert, was lord of the little manor of Crofton situate geographically within the barony of Burgh.

Our late member, Mr. Francis Parker, has left a useful sketch-map of the "Forest of Cumberland," exhibited in *Trans.*, N.S. v, p. 34. It shows the great *Barony of Burgh*, separated from the royal *Forest of Englewood* by the ancient highway leading from Caldewgate, Carlisle, via Thursby to Wigton. It shows the royal *Forest of Allerdale* or West Ward abutting upon the same highway. It shows the great *Barony of Allerdale* adjoining the last-named forest. It indicates, so far as is possible, the limits of all the above-mentioned territories.

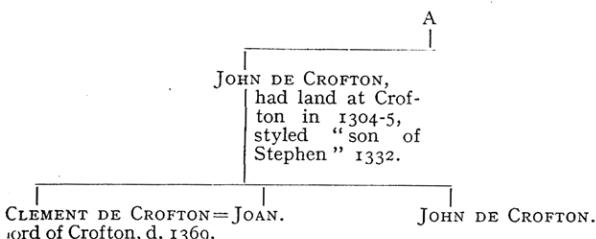
Gilbert son of Gilbert gave land at Distington to the abbey of Holm Cultram (H.C.,* p. 33). He rendered account in 1201 of 20s. for the removal of his mill in Crofton (*Pipe Roll*).

None of the historians has ventured to construct a pedigree of the family styled originally "de Dundraw," and later "de Crofton," but the subjoined table of names may be of service in perusing this article.

TABLE.

GILBERT, son of Gilbert, lord of Crofton 1198 and 1201.	
JOHN, styled "de Dundraw," claimed pasture at Crofton 1230, styled John "de Crofton," circ. 1250.	ROBERT DE CROFTON, witness circ. 1250.
STEPHEN DE CROFTON=ADA. party to a fine 1278-9.	A

* *Register of Holm Cultram*, by Grainger and Collingwood, edit., 1929.



John Denton asserts (*Accompt*, p. 64) that Gilbert son of Gilbert died without issue male, and that all his lands at Dundraw, Crofton, Thackthwaite and Distington were partitioned among his four daughters and co-heiresses, one of whom was Ada wife of Stephen de Crofton.

That story is incredible, because the said Stephen and Ada do not appear upon the scene until a later period.

It is much more likely that Gilbert son of Gilbert was succeeded by John styling himself "de Dundraw," who in 1230 claimed *versus* Ivo de Vipont common pasture at Crofton, pertaining to that vill (*Cal. Pat. Rolls.*, p. 366). He may be identical with John de Crofton, who was witness *circ.* 1240-50 to a charter of the rector and brethren of the Hospital of St. Nicholas, Carlisle (Prescott, *Wetherhal*, p. 176); identical with John de Crofton, who (together with Robert de Crofton) was witness, about the middle of the century, to a charter of Peter le Legat (*Wetherhal*, p. 347); and identical with John de Crofton, who at the same period was donor to Lanercost Priory of land *in vico Francorum* at Carlisle. That benefaction is attested by Gervase de Lowther, archdeacon (*Register of Lanercost MS.*, vi, 12, quoted *Wetherhal*, p. 347).

Then come Stephen de Crofton and Ada his wife, parties to a fine of 1277-8 concerning Distington; and parties to a fine of 1278-9 concerning Thackthwaite (see Calendar of Cumberland Fines, printed in *Trans.*, N.S. vii, pp. 228 and 229).

In 1301, Michael de Harcla, an undertenant, obtained

licence to grant to the Priory of Carlisle some land at Crofton-*juxta*-Thursby, provided that it found a chaplain to celebrate daily in the church of Kirkby Stephen, for the soul of his son William de Harcla (*Cal. Pat. Rolls*, p. 572).

In 1304-5, John de Crofton's undertenant of a messuage at Crofton was Adam de Crokedayk (*Cal. inq. p.m.*, 33 Ed. I, p. 212) and in 1305, John de Crokedayk (*ibid.*, 34 Ed. I, p. 253). In 1332, there is mention of John son of Stephen de Crofton (*Cal. Close Rolls*, p. 455).

Lastly come Clement de Crofton and Joan his wife, parties to a fine levied *circ.* 1355-7 concerning Ousby; and parties to a fine levied *circ.* 1361-3 by a certain John de Crofton concerning Ousby (see Calendar of Cumberland Fines, *supra cit.*, pp. 240 and 276).

By will made at his Hall (*aula*) of Crofton and proved October 19, 1369, Clement de Crofton gave his body to be buried in the graveyard of St. Andrew of Thursby; his best horse as a mortuary; and 10 lbs of wax to make the 5 tapers set around his body on the day of his burial. He bequeathed to the light of Blessed Mary in Thursby church 3s. 4d.; to the rector of the said church, that he might specially pray for his soul, 3s. 4d.; to two chaplains celebrating there 2s. in equal shares; and to John *his brother* some armour. He appointed Joan his wife and *dominus* Robert de Byx executors (*Test. Karl.*, p. 91).

It is evident that Clement died without issue, and (contrary to what Nicolson and Burn allege) was succeeded at Crofton by his brother John.

3. THE MANOR OF PARTON.

John Denton has left the following old description of the locality.

Parton (a manor and township so called) adjoineth to the west side of Crofton, and is divided from the same by a rill called Cattbeck. It lies between the river Wampool on the south and the Powbeck on the north, extended from the Cattbeck unto the

Karrsmouth, where the rill called Powbeck falls into Wampool (*Accompt*, p. 72).

He adds that in his day the manor and township of Parton contained the hamlets of Parton, Micklethwaite, Whinhow and Whinshill, and that all those items were comprised in the parish of Thursby.

It is stated (*Accompt*, p. 73) that John de Parton, sometime lord of Parton, left an only daughter, who became the wife of Richard Mansel. Their son, John Mansel, inherited the manor of Parton and sold it to Richard Mulcaster. The last-named purchaser conveyed it in Henry III's reign, to Robert de Grinsdale.

THE PARISH CHURCH OF THURSBY.

The parson of Thursby is mentioned in 1293 (*Cal. Pat. Rolls*, p. 56).

There was sequestration of the living of Thursby on September 8, 1298, and Bishop John admitted Master Richard de Abindon, subdeacon, to the vacant church, to which he had been presented by *dominus* William de Boyvill, "true patron" and committed custody of the same to him, until such commission should be revoked (*Halton Register*, edit. Thompson, i, p. 109).

On August 25, 1298, William de Boyvill, the younger, knight, presented Master Alexander de Pundsoneby, clerk, to the bishop, and prayed that he should be admitted and instituted to the vacant church. He further renounced all power of variation (*Halton Reg.*, i, 113).

On January 3, 1305, Richard de Abindon resigned to the bishop the church of Thursby, together with all right which he had, by reason of his presentation thereto by *dominus* William de Boyvill, and his admission thereto as aforesaid (*Halton Reg.*, i, 245) and on January 5 following, the same Richard de Abindon presented William de Swindon, clerk, to the church of Thursby, vacant and *in his own presentation*, by concession and dimission made

to himself by *dominus* William de Boyvill then lately deceased, and prayed the bishop to admit and institute the same William de Swindon to the rectory (*Halton Reg.*, i, p. 245).

On January 31, 1305, *inquisitio de jure patronatus* was made in full chapter at St. Cuthbert's, Carlisle, concerning the alleged vacancy of Thursby church, and the jury of clergy returned the following remarkable verdict.

We believe the said church to be vacant by letters of resignation of Master Richard de Abindon directed to you and exhibited in chapter. We also say that William de Boyvill last presented Master Richard de Abindon, in time of peace, to the said church. At that time, *dominus* William was true patron, but now, Master Richard de Abindon is true patron of the same, and if it is vacant he ought to present, for he has exhibited the charter made by the late *dominus* William de Boyvill, deceased, which attests the fact. Moreover, John de Boyvill son and heir of the said *dominus* William, ratifies and confirms the presentation, by letters patent exhibited to the chapter. We also say that the benefice is not pensionary or litigious, and we believe that the presentee is free and legitimate, of good conversation and has first tonsure as he alleges. The rest is left to your examination (*Halton Reg.*, i, 245).

On February 3, 1305-6, William de Swindon, clerk, presented by Master Richard de Abindon, "true patron," was admitted and instituted rector (*Halton Reg.*, i, 247).

Thereupon he was granted dispensation for seven years' study, provided he behaved well and had a suitable procurator (*responsalis*) in the church, to act in his place (*Halton Reg.*, i, 247).

Eventually, at an ordination celebrated on March 27, 1311, "the day on which *sicientes* (*sic.*) is sung," the said Master William de Swindon, rector of Thursby, was ordained priest (*Halton Reg.*, ii, 32).

On September 9, 1316, the church was vacant by the death of William de Sancto Guidone, late rector, and Robert de Boyvill, acolite, was presented in his place by the said John de Boyvill, "true patron," and instituted

rector, and a letter of induction was granted (*Halton Reg.*, ii, 124). On the same day, Robert de Boyvill, rector, had licence to study in the Schools for three years, provided he had a suitable procurator to act in his place (*ibid.*). He was ordained subdeacon on Easter Eve, April 2, 1317 (*ibid.*, ii, 135).

At the Taxation of the diocese in 1319, the church of Thursby was rated at 40s. 4d. (*Halton Reg.*, ii, 184) and at the Taxation of the clergy in the same year the parson of Thursby was assessed at 26s. 8d. (*ibid.*, 192).

In 1336, the bishop, acting *ex officio*, took proceedings against the said Robert de Boyvill, rector, upon a report of his alleged incontinency with a certain Alice Grete, but, after the cause had depended for some time, gave him a certificate of his discharge, by a document, dated *XV kal. Decemb.*, i.e. November 17, 1336, and set out by Nicolson and Burn (ii, 205).

He had licence for two years' absence in 1355, and again in 1361, and died in 1364, having been rector for nearly half a century.

Meanwhile, the turbulent Thomas de Ogle presented Robert Byx, chaplain, to the church, and on July 13, 1363, the king, as a counterblast, presented Thomas Hervey, chaplain, to the same, by reason of his wardship of the infant heir, "who held *in capite*" (*Cal. Pat. Rolls*, p. 385). Both presentations were premature, because the aged rector was still alive. But on March 24, 1364, the king presented Richard Haukedon, chaplain, to the church (*Cal. Pat. Rolls*, p. 473).

On May 24, 1365, Robert Paye, chaplain, was presented to the church, still in the king's gift, by reason of his wardship of the land and heir of Robert de Ogle (*Cal. Pat. Rolls*, p. 126) and after inquisition was duly instituted and inducted (Nicolson and Burn).