

A Dispute over Windermere Island: The Case, its Participants and Regional Context

BLAKE TYSON

This article records details of a dispute over rights to own and occupy the main island in Windermere after the death of Sir Christopher Philipson in January 1708/9. It examines the social and economic background of the parties to the dispute and the outcome after legal action. It provides an assessment of the motives of both sides by tracing family affairs, properties and religions of the protagonists, none of whom emerge unscathed for a variety of reasons. The case was focussed in Westmorland, but it had ramifications in County Durham, North Yorkshire, Lancashire and London.

WINDERMERE Island¹ belonged to the Philipsons of Crook Hall long before the Civil War.² Dr Fahy studied the family's history in these *Transactions* in 1973,³ and some of his findings will be combined with my own research to make an introduction to a detailed examination of a bitter early eighteenth-century dispute over the Island, detail of which is in a Barony of Kendal petition at the Cumbria Record Office, Carlisle.⁴ As the dispute deserves to be better known, this article will study events that developed after Sir Christopher Philipson's death in January 1708/9 and the nature and outcome of the dispute, with an outline of earlier affairs relevant to Sir Christopher's financial status. The background of participants and their social contacts in and beyond Cumbria will also be studied in as much detail as is necessary for their complex activities and relationships to be adequately covered.

Sir Christopher Philipson, the eldest son of Hudleston Philipson, was christened at Windermere on 27 September 1646 and was knighted on 30 May 1681. His father had married Elizabeth, daughter of Alan Askeugh of Skewsby ten miles west of Malton, North Yorkshire⁵ and he was buried at Staveley, Kendal, on 22 September 1657. Sir Christopher owned properties at Crook Hall, Helsfell, Windermere Island, Lindeth,⁶ and others sold in the 1690s. In 1670 he married Clara (nee Robinson), the widow of Francis Topham (who died in 1669) of Agglethorpe, Leyburn. Philipson had three daughters: Frances, born in 1671, who married Robert Hutton, mercer of Kendal Market Place on 28 May 1698,⁷ and later moved to London where Robert died; Elizabeth, baptised 20 August 1672 and buried in Windermere's chancel on 17 February 1714/15; and Clara, born July 1674. She married William Bourdon, gent., 24 December 1698 and by 1701 both had moved to London, but left no issue. Philipson's wife died in London on 20 January 1694/5. On 10 August 1699 at Bermondsey, Surrey, he married Mary (daughter of Sir Thomas Duppa), widow of John Staples, by whom she had had three children, Thomas, William and *Martha*. Writing on 22 September 1699 to James Grahme of Levens Hall, Sir Christopher confided: 'Sir, I have changed my ... condition lately. I have gott a good woman tho[ugh] I be a loose man. A great fortune and a good Lady could not be expected considering my cercumstances ..., but I shall live happily tho: privately always'.⁸ He had no children by Mary, made his will on 1 January 1708/9,⁹ and was buried on 25th at St Martin's-in-the-Fields, London.

Dame Mary was made sole executrix with four trustees, John Archer of Oxenholme, Thomas Shepherd, Christopher Rawlinson of Cark and George Braithwaite of London, an upholder,¹⁰ who were to use his estates to pay off *all his debts*. Any *residue* was for 'the use of Mary ..., her heirs and assigns for ever, or in such manner as she ... shall direct'. He did not mention his daughters. Mary out-lived Philipson, so that, anticipating the difficulty of settling his affairs, renounced the task.¹¹ Thus, on 21 December 1709 George Braithwaite of St Olave's, Southwark, as Philipson's chief creditor, became executor. Mary was buried on 13 June 1718 in Windermere chancel, also in debt. On 25 February 1720/1 her administrators were John Copley of Hawkshead Hall and her chief creditor William Braithwaite of Bryers, Hawkshead. She was described as formerly 'of Kirkland near Kendal and late of Windermere Island'. On 27 January 1713/14, Mary's daughter Martha had entered a bond to marry a recusant, Allan Ayscough,¹² described by Fahy as a great nephew of Sir Christopher's mother Elizabeth. Witnesses were Katherine Ascough and W. Barton (rector of Windermere), who must have known that the wedding was to be at Dodding Green, that same day.¹³ The witnesses were 'My Lady Phillipson' and 'Mrs Ascough, widow', Allan's recusant mother Catherine who will be discussed later. Martha died before her mother and was buried in Windermere chancel on 14 April 1716. Probate was delayed until 16 March 1721/2 when her principal creditor, Seth Lofthouse, was granted administration.¹⁴

The cause of the delay is revealed in a document recounting one side of events after Martha's death. As a petition to Henry Viscount Lonsdale, later than 1721, it sought admittance to the Island and Lindeth estates. Written in a formal, verbose, third-person style, it is summarised here as a modernised narrative. Detail proved correct is in italics; items proved wrong are in bold.¹⁵ The outcome will then be traced.

Petition to be admitted customary tenant of The Island and Lindeth (CRO(C), D/Lons/L5/ 2/ 11/ 251)

Thomas Braithwaite of Hollin Hall, Staveley complained:- Sir Christopher Philipson late of the Island on Windermere, at his death owed my late father £300 and upwards and died as tenant of the Island and an estate called Lindeth in Windermere, of yearly value £28 or £29, part of *Richmond Fee, customary rent 11s. 2d.*¹⁶ Sir Christopher '**as was pretended**', *made a will devising the estates to four trustees for payment of his just debts with remainder to Mary his wife*, but the truth is unknown to me 'who never saw such a will **nor believes there was one**'. Dame Mary entered the estates and held them during her life, refusing to pay ... her late husband's debts, though often requested by my father and other creditors, alleging that she held the same by custom of the Richmond Fee.

In *June 1718 Mary died, having some years before her death married her daughter, Martha Staples, to Allen Ascough Esq, a Yorkshire gentleman*, and before the marriage, by deed of settlement, granted the [two] estates to her daughter *who died before her mother*. Ascough entered them a year or more before Mary died, received rents from them, 'and pretended to sell or mortgage' them to Thomas Winkley of London, gent. 'who pretended to sell the estates to Robert Tatham, gent.' Ascough refused to pay debts for Sir Christopher, claiming the estates by virtue of the deed of settlement, so *my father applied to Frances Hutton of London, widow, Sir Christopher's eldest daughter and heir* who, for a sum of money plus a yearly sum, *executed a lease of the estates to my father for 20 years*. By virtue of this I agreed with the tenant of Lindeth to become my tenant, upon giving him indemnity against Ascough. At about the same time, *my brother [John] going to the Island and finding all the doors open and only two stags or colts there*,¹⁷ locked and bolted the doors and on application, the owners of the colts took them away; and several goods¹⁸ of my father were put therein. Being then in possession, this was intimated to my father who was at London. Again, *he applied to Frances Hutton, who released the estates to him* for the consideration mentioned *in the deeds of release* (which can be produced).¹⁹

Ascough having been a prisoner for nearly two years, first at Carlisle during the [1715] Rebellion, and after *in the Fleet* for debt, *sold the remaining part of his estate in Yorkshire* for £2,750 and paid most of his debts ... He brought *a company of rude men with him from London to take forcible possession of the estates. On 24 October 1720 Ascough* with his man; *James Biss* and his man; and an unknown gent in a Black wig, whose name we afterwards found to be Studard, coming to Lindeth, found my brother and I in the house and in a cruel and violent manner snapped their pistols at [us] several times. I asked them to show their authority for so doing, [but] they beat us with thin canes and the great end of their whips in a barbarous manner till I was very much hurt and wounded in which condition they set me on a horse, carried me to Bowness and kept me prisoner near 24 hours, but for what I never yet knew. In like manner they took the Island with force and arms, breaking open all doors. Indictments were found against seven of them twice and five of them once, too tedious to relate in full and [likewise] how often the places were taken and retaken that Winter.

In Easter term 1721 my father filed a Bill in Chancery against Ascough, James Biss and others, setting out their violence and his own title to the estates, seeking an injunction to quieten our pessimism, which was granted and gave some relief. In Trinity term following, Ascough and *Seth Lofthouse, goldsmith of London*,²⁰ as trustee for Ascough (*a papist*), having a deed from Winkley, filed their Bill in Chancery against my father pretending to claim under Sir Christopher's will. In Michaelmas term following, my father prepared answers to their Bill but they, apprehending [their] Bill to be wrong, craved leave of the Court to amend it, which was granted on paying the defendant's costs. The plaintiff and defendant met several times to settle, but could not agree, so it was referred to the Court, and by it to a Master of Tax. My father seeing how his adversary trifled with him about his answer to their Bill, demanded an answer to his bill against them which, they refusing, he moved the Court for attachments against them, which were granted. Instead of catching them, some of them fled the King's Dominions, others were prisoners in the Fleet [prison] and some in Appleby goal for other matters.²¹

My father, seeing it was likely to be a tedious cause, returned home in the latter end of November 1721 and *in less than ten days departed this life*. I have since been in peaceable possession of both estates and have received rents and fines thereof without disturbance and paid all dues and rents for the estates, and proceedings in both law and equity have ceased. Though I [applied] several times to Allen Chambre, the Steward to the [Court Leet] Jury of Applethwaite and Undermillbeck, to be admitted tenant, as other purchasers [are], he refused chiefly because *Thomas Winkley applied to the Steward to be admitted tenant*. At a Court Leet in Kendal soon after the death of Dame Mary, the Jury through the Steward and Ascough drinking them stoutly, found Dame Mary tenant but by what pretence is unknown to me; then Ascough by his wife's deed of settlement, then Winkley by a deed from Ascough, ... Winkley getting his money due from Ascough upon sale of his estate in Yorkshire. [Chambre] *not getting the three [entry] fines immediately*, they remain unpaid amounting to £5 0s. 6d. and has several times been demanded by Thomas Rowlandson and John Cockell,²² which I could not comply to pay for I perceived it contrary to equity, and am advised that it would injure and prejudice my own Title. I crave to be excused from payment of the fines, as also that I may be admitted tenant of the estates on payment of the fines that are due to your Lordship upon admittance to the person's tenement under whom I derived title which will be equal to the sum of the other fines ...

The aftermath

Benjamin Browne (1692-1748), who was learning law in London wrote, on 21 June 1720, to his father Benjamin (1664-1748), of Townend, Troutbeck, that: 'Thos. Braithwaite ... has been in Town above a fortnight and says they are going to take the Island from him but he will prevent them if possible ...'.²³ His son, Thomas, did not get satisfaction until long after that, despite a deed dated 23 January 1719/20, now in the Curwen archive at Whitehaven Record Office.²⁴ By it Frances Hutton, widow of London, for £15 leased the Island, the advowson of Windermere, a water corn mill

at Crook and the charr fisheries on Windermere to the petitioner's father, Thomas Braithwaite of Rosthwaite, Lancashire, gent., who was buried from Hollin Hall on 1 December 1721.²⁵ Fahy found that on 23 January 1719/20, Frances also conveyed three tenements at Lindeth (customary rent 6s. 2d.) to Braithwaite for £15.²⁶ She probably became dissatisfied because, in Easter Term 1732, she exhibited a bill in chancery against the younger Thomas Braithwaite and his heir Thomas, both of Hollin Hall, for redemption of the premises. This was recited in a deed of 4 July 1737, recording that the case was heard before the Master of the Rolls on 18 June 'last', when Braithwaite agreed to pay Frances £10 immediately and £175 17s. 4d. later,²⁷ as 'the residue after deduction of interest from this day to the date it would become payable under the recited decree', and 5s. to her daughter. On 4 July 1737 widow Frances Hutton of Channell Row, Westminster and her spinster daughter Frances Hutton of Sunbury, Middlesex, released the properties to Braithwaite. On 29 June 1739 Applethwaite Manor Court admitted widow Frances as customary tenant of the Island on payment of a 15s. descent fine.²⁸ Braithwaite then paid a 15s. entry fine to be admitted tenant on the alienation of Frances and her daughter, whose brothers Robert and Christopher had died young.²⁹

This transaction ended the 20-year lease noted in the petition. Thomas Braithwaite held the properties until 26 January 1749/50, when he and John Braithwaite sold the Island, with fisheries in Windermere, to John Floyer of Longdon, Staffordshire, for £450 paid to Thomas and £10 to John.³⁰ Floyer sold the same for £600, on 23 November 1752, to Thomas Barlow of Salford,³¹ whose will of 2 January 1761 was proved at Chester on 12 March 1764.³² His brother Robert, as trustee, was admitted on 2 February 1771. He and the heirs sold the Island to Thomas English on 25 March 1772. In 1781, he sold to John Christian Curwen of Workington Hall, whose descendants owned it for over two centuries.

Further investigations

As Philipson's will ignored his daughters in favour of their stepmother and her heirs, perhaps he gave them settlements when they became 21 in the 1690s. Timothy Banks's letters to James Grahme show that sales of some Philipson properties were contemplated by 21 October 1693, when he wrote that, at Philipson's return from Yorkshire, 'I will take care to make an End with him about the Lands above Kendall.'³³ He has purchasers for the other Lands'. Banks went to see Philipson on 11 February 1693/4, but he was not there. A daughter told him that any signature her mother put on a fine would be under duress and 'Her father proposed only to sell as much land as would raise £3,000 and ... afterwards the remainder of the Estate was Settled on them'. The girls wanted £2,000 invested so that they could live anywhere. By 17 March 1693/4, Banks 'made an enquiry of Sr Cristo Estate as Mr Pigeon'³⁴ directed' as in Table 1.

On 5 April 1694 Banks advised Grahme, 'If you have any thoughts to purchase, I could wish you could agree with him for Crooke Demesne, his Mill and his Rents there and then you would have the whole Lordship intire to your selfe. You know the house is a pretty house and good Out houses. He seemed ... inclined to sell it.

TABLE 1. Value of estates of Sir Christopher Philipson in 1694.

| | | |
|---|------|-------------------------------|
| Burblethwait Hall and Forge | £ | |
| | 56 | |
| Crook rents, most of them fineable | 2 | |
| Crook Hall, Land and Mill | 35 | |
| Helsfell | 60 | } Lady Jointure ³⁵ |
| Lindeth | 16 | |
| Island | 10 | |
| Troutbeck Park | 100 | |
| in all £279, besides 'Millam' £25 [Langthwaite] | £304 | |

My friend gives it in at £35 p. ann. besides £2 p. ann. rents and is not in My Lady's Jointure, as Helsfell is'. On 11 January 1695/6, Banks reported 'I have rec'd a Letter this day from Sir Christo. who has sold Millam Estate to our Mr Senhouse for £550 and on the 28 instant I [shall] meet them to seal the Articles'. On 28th, Banks was at Windermere with Philipson: 'Mr Sandys who bought Burblethwaite ... will return £500 from New Castle and he will pay £500 at Kendal'. (See Appendix 1.) By 30 November, Banks reported that he had 'now paid all' to Philipson, but complained 'I did not get one farthing for all my paines considering what I abated him and for other law business I had done for him'. On 12 November 1703, Banks went to Philipson's sale at Crook, but 'not one penny [was] bid by any' person, showing that the latter's financial troubles were not over.³⁶

As Frances Hutton's 1719/20 deed to Thomas Braithwaite was the basis of all later Island transactions, other dealings about the property were impermanent and complex. Braithwaite's petition contains much truth but was biased to his side of the affair. He was wrong to doubt Sir Christopher's will. Dame Mary had widow's rights, but she died intestate after her daughter's death, and details of Ascough's marriage settlement are unknown, so that his rights to the properties are uncertain. Mary's administration noted her as of 'Kirkland ... late of Windermere Island', so she probably left the Island, hoping to strengthen Ascough's claim. Even if that were so, the Barony court books for Appletwhaite note Thomas Winkley, Ascough's principal creditor, as the customary tenant from 1719 to 1727. As he lived in London, he was usually excused from attending. Afterwards, it was identified simply as 'The Island' without a tenant's name until 1739.³⁷ On 5 November 1719 the manor court met at Bowness under Alan Chambre. The entry has been translated from Latin as:³⁸

To Court [came] the heirs and assigns of Christopher Philipson, knight, deceased, who died tenant of a certain customary message and tenement within this manor called the Holme [the Island] of the annual rent of 5s. ... that is to say, that having been summoned by proclamation for the purpose of coming into court, and having been admitted tenant to the premises with the appurtenances according to the custom of the manor, they did not come but made default. For that reason the first proclamation was recorded on that account as a default.

Was this befuddled entry influenced by the steward joining Ascough and the jury in drinks? It certainly supports Braithwaite's claim that the admittance fines of Dame Mary, Ascough and Winkley were not paid, so that none were truly customary tenants of the Island, allowing Frances Hutton to be admitted before she alienated to Braithwaite in 1739. It is now necessary to explore the main protagonists.

The Braithwaites

When Thomas Braithwaite senior returned from London he went to his son's home at Hollin Hall, made a will there on 28 November 1721 and was buried on 1 December. Probate was delayed until 16 March 1722/3. Braithwaite, 'of Rosthwaite' in Cartmel Fell,³⁹ left his son Thomas eleven properties in three parishes. They were the Island and Lindeth (Windermere); Hollin Hall, Crook mill and kiln, near Gilpin Bridge (see later), Knott, Blackthwaite, Butterbent, Bryery Close, Parkhouse near Cunswick (all Kendal parish); Loutherburn (as mortgagee for John Taylor) and Rosthwaite (both Cartmel parish). His son was to pay £6 a year to Elizabeth 'my wife' during her life, and £4 a year 'to my [younger] son John' during her life, after which John was to have her £6 also. Thomas was executor.⁴⁰ An inventory was made on 4 January 1721/2, (see Appendix 2). At Hollin Hall and Knotts it listed livestock valued at £127 plus effects worth £137 1s. 8d.; at Lindeth crops, beasts and goods were valued at £54 16s. 0d.; at Rosthwaite sheep and goods were worth £48 2s. 6d. and, at the Island, sheep, two stags, oats, hay and boats came to £25 16s. 0d. Assets of £903 3s. 4d. included £500 16s. 8d. in mortgages, bills and book debts, but his debts owed to others totalled £969 10s. 0d. The deficit was £76 6s. 8d. The testator surely knew his financial state, so from at least 1709 was motivated to be paid Philipson's £300 debt and the inventory shows why it was pursued so diligently. Braithwaite's elder son soon sold Rosthwaite to William Lathom of Cunsey for £676 1s. 0d.,⁴¹ which would relieve the situation.

The Braithwaites were Quakers and can be traced from the marriage of Thomas Braithwaite of Storrs, Windermere, to Elizabeth Warriner of Crook, on 18 January 1680/1, and births: Thomas 20 November 1681, John 7 April 1687 and Robert 20 November 1690.⁴² Robert's burial has not been found. Detail of later Braithwaite history is in the property deeds of Hollin Hall.⁴³ A helpful clue to the eldest son is in testimonies to several deceased Quaker ministers.⁴⁴ One dated 1754 notes that Thomas Braithwaite was buried at Crook aged 73, and 'was born of believing Parents within... Kendal Monthly Meeting and ... was from his childhood of a sober Life and Conversation ... diligently attended meetings, ... appeared with Ministry for 30 years and upwards ... often being appointed to visit families of Friends ... [but] of late years was often visited with bodily Infirmities which he bore with remarkable Patience and Resignation of mind ...'. Here the paper is torn away. This description suggests that the Braithwaites probably found it hard to bear the treatment inflicted by Ascough and his supporters.

Thomas Braithwaite's complaint about Ascough was heard before magistrates at Kendal, on 13 January 1720/1. As the indictment is a convoluted account in poor writing and awkward Latin the incidents will be calendared by date.⁴⁵ Allan Ascough, gent., Francis Daniell, labourer; James Biss, yeoman, all late of Windermere; and Thomas Philipson late of Rayrigg, yeoman, 'Traversed severally'.⁴⁶ All were accused that on 24 October 7 Geo. [1720], they assembled 'with force of arms viz. staffs, swords and guns' against the king's peace at a house at Lindeth and insulted John Braithwaite, assaulted, wounded and maltreated him to his great damage. In the next incident, yeoman Thomas Braithwaite senior of Longholme [the Island] was in peaceable possession by tenant right in the Manor of Windermere, until Thomas Philipson and James Biss, at night on 21 November 1720, by force of arms, removed Thomas

Braithwaite and his servants from the property, from then till the court case. Philipson and Biss again ‘Traversed severally.’ The third charge was that, on 31 December 1720, Thomas Braithwaite [senior of Rosthwaite] Cartmel made great threats to John Taylor in his house at Undermillbeck so that Taylor and others were ‘disturbed with great fear’, and also that he ‘broke and entered with force of arms’ into Taylor’s land and ‘threw down and levelled the walls’ against the king’s peace. Thomas junior and his brother John were indicted for breaking and entering and ‘strongly disturbing’ Taylor and others. The Braithwaite pleas were not recorded. Bonds were imposed to cause the assailants to appear at the next sessions: Thomas Philipson (£40 + £40 + £20), Biss (£40 + £40 + £20), Ascough (£40 + £20), Daniell (£40 + £20), plus £20 each from George Dixon of Applethwaite and William Braithwaite of Sawrey, who might have been sureties for the last two rather than offenders. No Braithwaite bonds were noted. At the next sessions, on 21 April 1721, Thomas Braithwaite senior and his son John were bound over in sums of £20 and £10 to keep the peace with Taylor. No assailants appeared, presumably because they were in prison for other reasons elsewhere. Ascough was deeply in debt, and a labourer such as Daniell would find it difficult to raise £60. No more court detail has been found.

The proceedings suggest that the Braithwaites were not nearly so innocent as their petition made out. It is instructive to find more about the younger Thomas Braithwaite’s character in an undated petition to Lord Lonsdale. Customary tenants of Undermillbeck⁴⁷ complained about an old water corn mill, kiln and cottage at Mitchelland, Crook (customary rent 2s. 7d.), that Sir Christopher Philipson’s heir sold to Braithwaite’s late father. The tenants claimed that the Braithwaites had not been fully admitted to the property. For 18 years the bailiff had tried to get them to pay rent,⁴⁸ but they always objected to being admitted and paying the fines. The tenants asked for Braithwaite to be admitted to the property for ‘which he has a Conveyance’ and pay Lord’s rent in future, or for Lord Lonsdale to make future rents ‘exclusive ... of the Old Water Mill’ rent, or give alternative relief. The result has not been found, but it suggests that the Braithwaites could be stubbornly obstructive when it suited them.

Thomas Braithwaite of Hollin Hall, Nether Staveley, died intestate in 1754 and his ‘sole brother’ John, with Isaac Morland and Joseph Bragg, yeomen of Crook, signed a £500 bond to administer the estate. On 31 January 1755, the last two and Robert Philipson of Ashes made an inventory. Ten rooms were named without details of contents. Livestock (cattle £70, horses £25 and sheep £32) made up 53 per cent of the £239 1s. total assets. Sheep worth £20 were at Lindeth. His debts amounted to £373 1s. and there was a deficit of £151 15s. Everything went to John who, ‘being advanced in years [68] and somewhat infirm in body’, made his will on 6 March 1755. He left Hollin Hall, Knott, other properties, the corn mill and kiln and Bryery Close at the east end of Crook (tenanted by Joseph Bragg, miller) to Thomas, his eldest son, so that when aged 21 he could pay legacies of £120 to ‘my son’ Robert, and £100 to ‘my youngest’ son Richard. To help in this, executors were to auction within three years all wood growing in High or Great Spring at Hollin Hall. John left Lindeth (customary rent 6s. 2d.) to ‘my son’ John to sell all wood for the same reason except hedgerow trees and ashes for cropping.⁴⁹ John was also left a freehold property at ‘Head of Winster’, Undermillbeck. Warriner Yeat (freehold property by the Crook

Meeting House), and Mosside in Strickland Ketel were left to Robert. An inventory of 28 July 1757 is similar to the earlier one, except that debts owed to the deceased came to £226 11s. 6d., making assets worth £560 15s. 6d. Debts of £362 to others left a surplus of £177 5s. 2d. On 2 July 1757 a few days before John died (aged 70) he added a codicil that his wife Mary, was ‘now with child’ and irrespective of its sex, when aged 21, it was to have £100 paid by the eldest son Thomas.

Allan Ascough, recusant⁵⁰

Maybe Allan thought he had some claim to the Island, especially if his mother-in-law made a marriage settlement. After a Catholic marriage to Martha Staples on 27 January 1713/4, children were baptised; Alan on 1 February 1714/15, and Thomas on 12 April 1716. Two days later Mrs ‘Askoo of the Island’ was buried in the chancel, where Thomas ‘son of Mr Asku of Island’ was buried on 3 June 1716. Out of 185 baptisms between 1705 and 1718, these were the only two recorded as ‘baptised by Mr William Barton, Rector of Windermere’. If, as Braithwaite reported, Ascough was in prison at Carlisle in 1715, his family would need help. Probably to look after the house, the first baby, and Martha expecting her second, his mother was there on 15 December 1715, when ‘Mrs ... Askew, *widow* in ye Island’ was to appear before magistrates at Kendal Moot Hall on 24 December⁵¹ to satisfy the Act of 1 Geo., cap 55. It required non-jurors to swear allegiance to the protestant king. Papists not doing so were to register their names with details of their real estate, within six months, or be liable to forfeit two-thirds of their property to the state and the remaining third to ‘such protestants who shall sue for them’.⁵² Published records of such proceedings reveal vital details about Ascough and his family background.⁵³

On 19 October 1717 Allan Ascough, as a Catholic recusant, appeared before Durham quarter sessions to register his estate. Of Middleton One Row, in Middleton St George parish, on the river Tees five miles southeast of Darlington, Allan owned Pilchard’s Farm, with a house, barns, stables and land occupied by Ralph Pilchard on a seven-year lease with four years to run and rack rent of £95 a year.⁵⁴ Ascough had gained it by an indenture of 26 August 1702, between his mother Catherine (nee Girlington), his late father Alan Ascough of Lancaster; Thomas Ascough of Yarm, gent. and his wife Susannah; and John Girlington of Tunstall, Lancashire,⁵⁵ of the first part; and William Penniman of Normanby, William Killinghall of Barton, Yorks. and William Atkinson of Yarm, merchant, of the second part. As Allan was the only surviving child, if he died the three trustees were to pay £30 a year to his mother for life. The farm was to pay £150 and interest to John Lodge of Barnard Castle, gent., by a mortgage obtained by Allan and his mother on 1 July 1717; and £100 to Richard Coniers, apothecary of Yarm, or £30 per year until the sum was paid. C. R. Hudleston, editor of the published proceedings, added that Ascough’s tuition bond was granted at York to his mother on 9 November 1710. He noted Ascough’s marriage licence, the baptism of the sons at Windermere and that Henry Curwen of Workington Hall, a recusant who died in 1725, by a will dated 8 October 1724, left Allan, his mother (then of London) and his son Alan, 10s. each. Before then Allan Ascough Esq. of Hayes, Middlesex, had married Elizabeth Merrick, spinster of Hayes, on 14 February 1722/3, in London’s Fleet prison for debtors.⁵⁶

On 1 May 1717, Durham sessions examined Ascough's mother, Catherine of Barnard Castle, widow. Her interest in Pilchard's Farm was recorded, but she stated that her son was absent,⁵⁷ and he had the lease. Her annuity from her husband was charged with payment of £30 at £10 yearly to Lydia Hodson, spinster of Darlington, probably to clear a debt. Catherine was noted as a daughter of John Girlington of Thurland Castle, Lancashire,⁵⁸ whose wife Margaret was a daughter of James Duckett of Grayrigg, a devout Catholic family. At Dugdale's visitation in 1665, James was aged 50 and his heir Anthony 28. If James was 22 when the heir was born, Margaret was probably born after Anthony, in the 1640s. The examination noted that Catherine Girlington [born about 1668] on 20 July 1691 married Alan Ascough [senior], who was 'of an indolent easy disposition who spent much of his time in prison'. Her husband was buried on 12 November 1708 at St Oswald's Church, Durham.⁵⁹ Burials at Tunstall of *Girlington*, a daughter of Alan Ascough gent., on 8 November 1692, and of *Margaret* a daughter of Alan Askew of Bulbank, on 23 October 1695, were surely their children. For sessions to examine Allan junior, he had to be at least 21,⁶⁰ so would be born before May 1696 and, if he was not a minor at marriage in January 1713/14, would be born in 1693 as the second child of Alan and Catherine.

The Yorkshire properties

Ascough's Yorkshire estates, noted in the Windermere dispute, need to be identified since they help to explain his social background and his unruly behaviour. They are therefore too important to be ignored or, as some might prefer, to be merely relegated to a discursive footnote. It requires the close study of scattered clues in sources that were written with nothing like the present need in mind. Sources will be dealt with in turn, to keep their particular contributions quite separate. Windermere and Durham detail, deduced above, will provide essential connections for the discussion, and despite difficulties associated with Catholic genealogy, the evidence allows a pedigree to be sketched which may assist other studies (see Appendix 3). It will help readers to follow the complexities, but it cannot replace a discussion which will reiterate some earlier findings for clarity.

Father Hugh Aveling wrote that an 'Allen Ayscough and his family, originally from Middleton One Row in County Durham ... came to live in Dalby in 1641 ... [and] was said to have an income of £600 a year'.⁶¹ He shows that from modest origins on a farm at Middleton, the Ascoughs of Dalby and Skewsby fared well under Charles I, but suffered a forced sale in 1653. By better fortunes after the Restoration, they recovered and took an active part in public life, until the extremes of James II spoil the chance of toleration towards papists, but they 'survived to the 1690s' as a recusant Catholic gentry family.⁶² As this links Dalby and Skewsby with the Ascoughs of Middleton One Row, it supports Dr Fahy's finding that the Windermere assailant was a great-nephew of Sir Christopher Philipson's mother, Elizabeth Askeugh of Skewsby (see notes 3 & 5).

The North Riding Victoria County History (VCH) records that, before 1626, Skewsby manor passed from the Cholmeley family to Christopher Ayscough, whose will that year set up annuities for his grandsons.⁶³ It was sequestered in the mid-seventeenth century, for delinquency of Christopher's son Alan, whose son compounded for the

estate in 1653. Alan lived until 1672 and the third son Francis was described as of Skewsby-cum-Dalby, when he was presented for recusancy in 1690. Thomas, the fourth son, had a son *Alan* who was *in possession in 1708*, when Catherine (Girlington's) husband Alan was buried on 12 November at Durham.⁶⁴ The VCH states that Over Dinsdale on the south bank of the Tees, 4 miles west of Yarm, was also owned by Ascoughs.⁶⁵ It notes that in 1631 John Maynard and his wife Mary quit-claimed that manor to John Conyers,⁶⁶ who had married Alice Ascough, daughter of Christopher Ascough of Middleton one Row on the opposite side of the river Tees.

John Conyers was succeeded by Alice's nephew Thomas Ascough on whom it was settled in 1656 and 1660. On 3 October 1665, Thomas Askew and his wife Jane of Upper Dinsdale were presented for not attending church for six months.⁶⁷ On 29 April 1679 sessions at Thirsk ordered that Jane (the wife of Thomas Askew of Dinsdale, gent.) and two daughters Mary and Anne, on paying due fees, were to be discharged from recognisances for recusancy.⁶⁸ Thomas was succeeded by his son Alan, whose son *Alan* owned property there in 1714.⁶⁹ This VCH connection of Middleton one Row with the fact that Alan son of Alan had Dinsdale in 1714, matches the Skewsby succession from Christopher to Thomas to Alan who had it in 1708. Thus the Windermere troublemaker became the owner of Middleton one Row, Skewsby and Over Dinsdale after his father died in 1708. As £2,750 satisfied only a part of the debt to Winkley, Ascough probably sold both Yorkshire estates and perhaps kept Middleton to pay his mother's annuity, but he was still in debt to Winkley, according to the Braithwaite petition.

Conclusions

Ascough was deeply in debt so needed to solve his problem. As Sir Christopher Philipson's first cousin-once-removed, perhaps he thought he had rights to the Island and Lindeth properties, with an idea that possession (and possible sale) might help him keep his Yorkshire estates and the social status built up, despite difficulties, by his ancestors since the 1620s. Whatever claims Allan might have aspired to in Windermere, he, his mother-in-law and his chief creditor all failed to get possession because they failed to pay customary entry fines to be admitted. Instead Frances Hutton won the right to lease the properties for 20 years to repay the debt to Braithwaite, but as he benefited by more than the £300 plus interest, he had to pay substantial compensation before he gained full possession in 1739.

Braithwaite's claim as Sir Christopher's creditor would take precedence over later claims on Philipson; his widow, or her son-in-law. Philipson's marriage settlement to his first wife Clara, in 1670, devised Lindeth, Crook Hall, Helfell and the Island to him for his life, then to her for life; 'then to the heirs of their two bodies in Tayle Male or for default of such issue to the use of all and every' daughter.⁷⁰ To avoid ambiguity the wording should have again included 'of their two bodies' even if it seemed then to be superfluous. The entail applied to the couple's sons in order of birth then to their respective sons, but the more open wording on daughters could allow widowed daughters-in-law to argue a claim if no male heir was alive. By extension a stepdaughter might argue on much less secure grounds, for a share in the absence

of clearer wording. Philipson had three daughters by Clara, but no issue by his next wife, so the three were the only intended beneficiaries of the 1670 settlement. His stepdaughter Martha pre-deceased her mother, who died intestate and had no direct heir, so Allan Ascough would have a very weak claim. At Mary's death in 1718 her widow's rights to the estate would end, so that Frances Hutton and Clara Bourdon would become joint heirs. As Clara was not named in Braithwaite's lease, either she was dead or had agreed a settlement, leaving Frances as sole heiress.

During Allan Ascough's childhood his father had 'spent much of his time in prison', probably for debt and his faith. By the age of 25 the young man had lost his wife, mother-in-law (both in debt), and a son. As he also had to sell most, if not all, of his inheritance to meet part of his creditors' demands, no doubt he had a strong sense of injustice driving him to make the most of opportunities. He probably suffered experiences similar to his father's, but how many problems arose from his own personality, or from his father's character and experiences, is uncertain. However, politically motivated religious persecution and attendant fines were major causes of his difficulties and would seriously affect his attitudes. Based on slim chances of success by legal means, no doubt he felt force was needed. By using a 'heavy-mob' from London, legally he 'hadn't a leg to stand on', so their actions that nearly put the Braithwaites into a similar physical condition, deserved punishment. Clearly loan sharks are not just a modern threat, by trying to avoid the rule of law, and ignoring the fact that making loans involves a risk of bad debts. The study suggests that many 'gentlemen' were persistently in debt, but were fortunate to have collateral in inherited estates, or wealth derived from marrying rich women, and could get away with profligacy by spending still more on 'keeping up appearances'. By comparison, Catholics, however thrifty, had little choice but to be driven into debt by harsh penalties imposed entirely for political reasons. Despite their troubles, the Ascough family were fortunate to have an unexpected sympathiser in William Barton, the rector of Windermere, who provided several significant favours for baptisms, burials and witnessing documents, including Ascough's licence on the day he was married at the Catholic Centre at Dodding Green. This might indicate a commendable, broad-minded approach to Catholic needs when attitudes surrounding the 1715 Rebellion made it very risky to do so. Searches found other reasons which were intended to develop this study but, owing to restrictions on space, these will be presented as a separate study.

Dr Blake Tyson OX14 2AE

Acknowledgments

As always, I am most grateful to Richard Hall for assistance in many aspects of my research and in particular to him and Susan Dench for translating awkward Latin. David Bowcock, Tom Robson and Robert Baxter also provided valuable archival help, and search room assistants at Kendal gave willing support. My daughter Ruth Hubbard gave helpful advice. I am also grateful to Ruth Barriskill of the Guildhall Library, London, and to staff at the Bodleian Library, Oxford.

Notes and references

- ¹ Otherwise known as ‘The Holme’, ‘Longholme’ and, eventually, ‘Belle Isle’ after it was bought for Isabella Curwen in 1781. An earlier dispute over the Island during the Civil War is *not* relevant to this article. See William Gilpin, *Observations on ... the Mountains and Lakes of Cumberland and Westmorland relative chiefly to picturesque beauty* (1808), 147-150
- ² J. Nicolson & R. Burn, *History of Westmorland & Cumberland* (1777), i, 185-6. R. S. Boumphrey & C. R. Hudleston, *Armorial for Westmorland & Lonsdale* (1975), 231
- ³ T. G. Fahy, ‘The Philipson Family: part II’, *CW2*, lxxiii, 226-281, esp. 260-67
- ⁴ CRO(C), D/Lons/ L5/ 2/ 11/ 251
- ⁵ Dorothy, another daughter of Alan, married Lancelot Salkeld, son of Lancelot of Whitehall, Cumb. (N & B, *History*, ii, 152). Alan’s wife was Ann, youngest daughter of Thomas Braithwaite of Burneside. (N & B, *History*, i, 181, 127). Sources spell the surname in various ways: Ascough, Askeugh, Askew, Ayscough, Askoo, Asku, Asqu
- ⁶ Crook Hall (SD 452 948); Helsfell Hall, now a farm building with Elizabethan window details, near Kendal at (SD 498 938); Lindeth (c.SD 410 952); Longholme (Windermere Island, SD 39 96)
- ⁷ As a son of the late Mr Robert Hutton (Mayor of Kendal, 1683), Robert was apprenticed on 20 March 1689/90 to William Cock, mercer of Kendal. In 1697/8 Robert took on his only apprentice. (CRO(K), WSMB/K, 2/8)
- ⁸ Timothy Banks, the Levens estate steward, on 24 December 1696 wrote to Grahme that Philipson was at Newcastle ‘courting a widdow there worth £5,000’, possibly his bride in 1699. (Fahy, ‘The Philipson Family; part II’, 263)
- ⁹ Certified copy in Archdeaconry of Richmond Wills, 1709. Kendal Deanery. CRO(K), microfilm GL 132
- ¹⁰ C. Webb, *London Apprentices, 19, Upholders’ Company, 1704-1772* (1998) has just two entries for a George Braithwaite, a blacksmith to whom two apprentices were transferred from other masters in 1706 and 1710. He is more likely to have been a dealer in or maker of small wares, metal furnishings etc., rather than an upholsterer. *OED*
- ¹¹ Letter, 5 November 1709 to Joshua Lambert, attorney of Kendal, from Robert Pierson of Doctors Commons, London. (Probate papers as note 9) The witnesses to Dame Mary’s renunciation deed were William Barton (Rector of Windermere) and Thomas Braithwaite, Sir Christopher Philipson’s most important local creditor
- ¹² *Lancaster Marriage Bonds*, Record Society of Lancashire and Cheshire, vol. 75, 35. C. R. Hudleston (ed.), *Durham Recusants’ Estates*, Surtees Society, vol. 173, p. 1-3
- ¹³ CRO(K), WDFC/RC/2/1, p.15. Dodding Green, Skelsmergh, was a focus of Catholic affairs and worship for a large area around Kendal. The entry wrongly names Martha as ‘Marg^t Staples
- ¹⁴ CRO(K), Richmond wills, microfilm GL 78. Administration grant signed by Lofthouse, for whom see below
- ¹⁵ I have introduced convenient paragraphs, punctuation, simplified spellings and eliminated waste words when feasible, but all facts and intentions are retained. My own clarifications are in square brackets
- ¹⁶ This was the combined customary rent of the Island 5s. and three messuages in Lindeth, 6s. 2d.
- ¹⁷ Stag (other than a deer): an animal castrated when full-grown; or North and Scottish, a young horse esp. one unbroken. (*SOED*) In this case the latter seems more likely
- ¹⁸ Presumably farm animals (see Thomas Braithwaite’s probate inventory, Appendix 2; items 21 and 22)
- ¹⁹ The order of events makes this the 23 January 1719/20 deed, noted below. (CRO(W), D/Cu, comp. 15/3)
- ²⁰ Seth Lofthouse, of St Bride’s parish, was chief creditor of Martha Ascough (note 14). He was a son of Alvara Lofthouse of Manston, Yorks (3 miles east of Leeds). He was apprenticed to goldsmith William Wakefield on 16 February 1676. He took on William Belasis as an apprentice in 1709. In 1712-22, he was of White Horse, Fleet Street and was dead by 1727. A. G. Grimwade, *London Goldsmiths, 1697-1837* (3rd ed. 1990), 484-85
- ²¹ No prisoner lists survive for Appleby gaol
- ²² Presumably Applethwaite Manor Court bailiffs
- ²³ CRO(K), WD/TE, bound mss, v, 97
- ²⁴ CRO(W), D/Cu, comp. 15/3
- ²⁵ CRO(K), WDFC/F/1, Quaker Digest, Kendal Meeting, dated 10th month first day
- ²⁶ Fahy’s reference for this is simply ‘deeds of the Garnetts of Lindeth’, presumably in private possession
- ²⁷ CRO(W), D/Cu, box ‘Windermere Estate’. This sum probably represented the surplus value accrued to

- Braithwaite during the 20-year lease after deduction of the original debt and interest on it
- ²⁸ Applethwaite Manor Court. CRO(C), D/Lons/L5/2/11/117, p. 105; CRO(K), WD/TE, bound mss, ix, 100
- ²⁹ Both baptised at Kendal: Robert on 14 March 1698/9; Christopher on 13 August 1700 (Fahy, 'The Philipson Family: part II', 263)
- ³⁰ CRO(W), D/Cu, comp. 15
- ³¹ CRO(W), D/Cu, comp. 16/4
- ³² CRO(W), D/Cu, comp. 15/3, dated 23 March 1772
- ³³ Presumably the Hellsfell Hall estate. (Levens Hall Mss, box E, Banks 1/3)
- ³⁴ Charles Pigeon, a London lawyer acting for Grahme. Pigeon bought Troutbeck Park but died on 3 January 1699/1700, leaving his estate to David Reyner if he would adopt Pigeon's name. He became Major Pigeon. B. Tyson, 'Troutbeck Park Slate Quarries...', *CW2*, lxxxiv, 185-6
- ³⁵ Customary rents of Richmonf Fee (Barony of Kendal), yielded income for Catherine (of Braganza) 1638-1705, Charles II's queen from 1662. Fee later passed to the Lowther family. (N & B, *History* i, 59-60)
- ³⁶ Valuation and letters in Levens Hall Mss, box E, Banks 1/3
- ³⁷ CRO(C), D/Lons/L5/ 2/ 11/ 115 and 116
- ³⁸ I am grateful to Mrs Susan Dench for this translation. She had no prior knowledge of its relevance
- ³⁹ Located at SD 401 934 about ¼ mile south of the Windermere parish boundary
- ⁴⁰ Archdeaconry of Richmond wills, CRO(K), microfilm GL132
- ⁴¹ CRO(K), WDX/ 218, undated conveyance c.1723. Seven enclosures and their acreages were itemised.
- ⁴² CRO(K), WDFC/F/1, Quaker Digest. The dates have been translated from the Quaker method, based on D. Hey, *Oxford Companion to Local and Family History* (1998), 385b
- ⁴³ CRO(K), WDX/ 218 (1657-1778)
- ⁴⁴ CRO(K), WDFC/ F/1/ 76/ 6
- ⁴⁵ CRO(K), WQ/ I/ 4, Indictment Book, 1703-24. I am most grateful to Richard Hall for his translation
- ⁴⁶ Traversed = denied, i.e. all separately pleaded not guilty. (*SOED*)
- ⁴⁷ CRO(C), D/Lons/ L5/ 2/ 11/ 251
- ⁴⁸ This suggests that the mill complaint was made in 1738, 18 years after the 1719/20 transaction
- ⁴⁹ By pollarding ash trees or lopping their branches to provide leaf and young-bark fodder, mainly for sheep
- ⁵⁰ His name will be spelt 'Allan', as in the documents, to distinguish him from relations with the same name
- ⁵¹ CRO(K), WD/TE, bound mss, i, 45
- ⁵² For discussion of the Act see R. Sharpe France, *Registers of Estates of Lancashire Papists 1718-1788*, Record Society of Lancashire and Cheshire, 98 (1945)
- ⁵³ E. E. Estcourt and J. O. Payne, *English Catholic Non-jurors of 1715* (1885), 57, 50
- ⁵⁴ C. R. Hudleston (ed.), *Durham Recusants' Estates, 1717-1778*, Surtees Society, vol. 173 (1962), 1-3
- ⁵⁵ Girlington was father-in-law to Alan Ascough senior. Perhaps Thomas Ascough was an uncle
- ⁵⁶ Burn, *Fleet Marriages* (1834), 94. (Cited in Surtees Soc. 173, 2). St Valentine's Day perhaps suggests that Ascough still had a sense of romance despite his difficulties
- ⁵⁷ Presumably a euphemism for being in prison
- ⁵⁸ Thurland Castle in Tunstall was bought in 1605 by Nicholas Girlington of Hackforth, Yorks., whose 2x great-grandson was Catherine's father John, who inherited the heavily mortgaged estate in 1645. (*AWL*, 136-7)
- ⁵⁹ Administration granted at Durham, 3 September 1717 to Michael Rushworth of York, yeoman
- ⁶⁰ See note 52. How long the Ascoughs lived near Tunstall or Lancaster has not been found
- ⁶¹ J. C. H. Aveling, *Northern Catholics ... Recusants of the North Riding of Yorkshire, 1558-1790* (1966), 280-1
- ⁶² Aveling, *Northern Catholics*, 311-12, 309, 334, 353-54, 357
- ⁶³ VCH, *North Riding*, ii, 125-27
- ⁶⁴ The VCH states that Alan 'possibly' sold the manor to a John Cracroft who conveyed Skewsby in 1718 to John Dyneley, Richard Pike and others. It now appears that the property passed to his son Allan and then to John Winkley, so that it might have been Winkley who sold it to Dyneley and Pike
- ⁶⁵ VCH, *North Riding*, i, 452. Although in Yorkshire, Over (or Upper) Dinsdale is part of the ecclesiastical parish of Sockburn Co. Durham
- ⁶⁶ Perhaps an ancestor of Richard Coniers, apothecary of Yarm, noted in the 1717 enquiry into Allan Ascough's Middleton-one-Row estate

⁶⁷ North Riding Record Society (1888), vol. **vi**, p. 94

⁶⁸ North Riding Record Society (1889), vol. **vii**, p. 21

⁶⁹ VCH, *North Riding*, i, 452

⁷⁰ Quoted from Fahy, 'The Philipson Family: part II', 262

APPENDIX 1

'An Account of money received by Timothy Banks out of Sir Christopher Philipson's Estate by order of the Hon[ourable] James Grahme Esq.' dated 2 January 1701/2

(Source: Levens Hall mss, box D, Banks /2)

| [Income] | £ | s. | d. |
|--|----------|-----------|-----------|
| 1695 Rec'd that year | 66 | 10 | 4 |
| 1696 " " " | 22 | 18 | 0 |
| Rec'd more of Mr Senhouse & Mr Sandys | 1050 | 0 | 0 |
| 1697 Rec'd that year | 68 | 0 | 6 |
| 1698 " " " | 65 | 5 | 0 |
| 1699 " " " | 110 | 1 | 9½ |
| 1700 " " " | 108 | 18 | 0 |
| 1701 " this " | 109 | 11 | 8 |
| more | 10 | 0 | 0 |
| | <hr/> | | |
| | 1611 | 5 | 3½ |
| [Payments and Charges] | | | |
| Returned to Mr Fowles | 1050 | 0 | 0 |
| Pd Sir Christo. Philipson as per accts | 173 | 0 | 9½ |
| Pd to my master Coll. Grahme | 120 | 10 | 0 |
| Pd to Mr Brenand | 2 | 0 | 0 |
| Pd to Mr Rownson for Sessments more | 2 | 13 | 4 |
| Returned to Sir Christo. since the last acct. | 20 | 0 | 0 |
| Pd to Mr Hutton * | 60 | 0 | 0 |
| | <hr/> | | |
| | 1428 | 4 | 1½ |
| For my paines for collecting, returning and all my journeys, postage, and helping to make the Bargains with Mr Sandys at 12d. p. pound, for money rec'd and returned | 80 | 11 | 0 |
| My Bill for Entries, Serving declaration in Ejectment, Judgment in Ejectment & taking possession at Troutbeck, # Lyndeth, Crook & Helsfell | 8 | 4 | 10 |
| | <hr/> | | |
| | 1516 | 19 | 11½ |
| Ballance [in hand] | 94 | 5 | 4 |

Notes * Frances Philipson's husband

Bought by Charles Pigeon (see note 34)

Some punctuation and expansions have been included

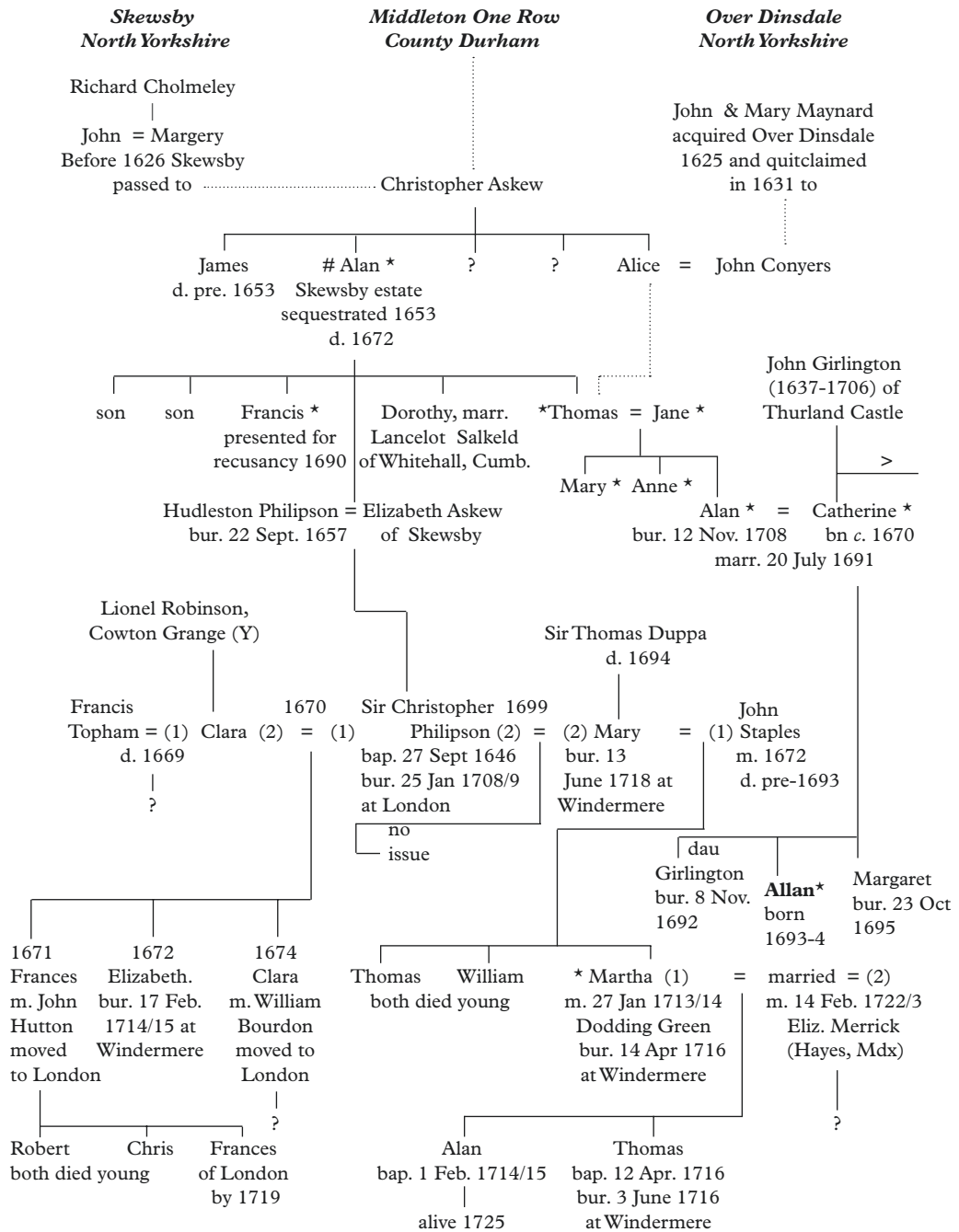
APPENDIX 2

A True and perfect Inventory of the Goods and Chattels of Thomas Braithwaite, late of Hollin Hall, deceased, apprized 4 January 1721[2], by Robert Thompson and Thomas Moreland.

| | £ | s. | d. |
|--|-------|----|----|
| Imprimis Purse and Apparrell | 30 | 0 | 0 |
| Plate, Brass, pewter and Tinn | 12 | 11 | 8 |
| Iron, Iron potts & Iron gear | 3 | 4 | 0 |
| Wood Vessell & Earthen Ware | 3 | 5 | 0 |
| Bedstocks, Bedding & Table Linnen | 23 | 4 | 0 |
| Goods in the two Chambers | 3 | 10 | 0 |
| Meall & Malt & Household provision | 7 | 10 | 0 |
| Goods in the parlour and Hall | 5 | 16 | 0 |
| Wooll and Yarn | 7 | 0 | 0 |
| Husbandry Gear, Sacks et Alia | 8 | 1 | 0 |
| Hay and Slate at Hollin hall | 15 | 0 | 0 |
| Hay and Oats at Knotts | 10 | 0 | 0 |
| Beasts at Knott | 35 | 0 | 0 |
| Sheep at Hollin hall & Knott | 35 | 0 | 0 |
| Kine, Oxen, Heifers, Calves & Bull at Hollin hall | 57 | 0 | 0 |
| Horses, Saddles & Bridles at Ditto | 18 | 0 | 0 |
| A Cow & Calf & two Horses at Lindeth | 11 | 5 | 0 |
| Sheep at D[itt]o | 26 | 10 | 0 |
| Bedding, Girdle, Household goods & alia at D[itt]o | 8 | 0 | 0 |
| Bigg & Hay at Ditto | 8 | 11 | 6 |
| Sheep & two Staggs at Island | 8 | 6 | 0 |
| Oats, Hay & Boats at D[itt]o | 17 | 10 | 0 |
| Sheep at Rosthwaite | 35 | 2 | 6 |
| Household Stuff & Alia at D[itt]o | 13 | 0 | 0 |
| Due to the Deceased in Mortgages, bills & book Debts | 500 | 16 | 8 |
| Total Inventory | 903 | 3 | 4 |
| | | | |
| The Debitory | | | |
| Imprimis Funerall Expences | 10 | 0 | 0 |
| Debts Owing by the p[ar]ty Deceased on Bond &c | 969 | 10 | 0 |
| Total Debitory | £ 979 | 10 | 0 |
| Debitory Exceeding Inventory | £ 76 | 6 | 8 |

APPENDIX 3

Outline descent of the Ascough (Askew) family and their properties.



Appendix 3 Notes

Before 1700 children are not necessarily in birth order, partly through missing information and partly to allow the diagram to be drawn more clearly.

Alan's wife was Ann, youngest daughter of Thomas Braithwaite of Burneside

Symbols

| | | | | | |
|-------|----------------|---|------------------|----|-----------|
| | Family descent | ┌ | Property descent | ? | no detail |
| > | more children | * | known recusants | m. | married |

Sources: N & B (1777), **i**, 113, 127, 181, 185; **ii**, 152; VCH, *North Riding*, **i**, 452; **ii**, 125-7; C. R. Hudleston, *Durham Recusants' Estates*, Surtees Soc. (1962), 1-3; T.G. Fahy, 'The Philipson Family; part II', *CW2*, lxxiii, 260-7.

